

No. 12-1398

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN PETROLEUM INSTITUTE; CHAMBER OF COMMERCE OF
THE UNITED STATES OF AMERICA; INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA; NATIONAL FOREIGN TRADE COUNCIL,

Petitioners,

v.

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Respondent.

OXFAM AMERICA, INC.,

Intervenor.

On Petition for Review of Final Rule of the
United States Securities and Exchange Commission

**NOTICE OF INTENT TO FILE *AMICUS CURIAE* BRIEF BY UNITED
STATES REPRESENTATIVE EDWARD J. MARKEY**

Pursuant to D.C. Circuit Rule 29(b), Representative Edward J. Markey hereby notifies the Court of his intent to file a separate *amicus curiae* brief in support of the Respondent in the above-captioned case, in accordance with D.C. Circuit Rule 29(d). This *amicus* brief may be joined by other current or former members of the United States House of Representatives.

DATED: December 31, 2012

Justin B. Slaughter
Investigative Counsel
House Natural Resources Committee
Democratic Staff
186 Ford House Office Building
Washington, DC 20515
Tel: (202) 226-9971

Respectfully submitted,

/s/ Jeffrey W. Mikoni
Jeffrey W. Mikoni
Counsel of Record
CLEARSPIRE LAW CO., PLLC
1747 Pennsylvania Ave., NW
Suite 200
Washington, DC 20006
Tel: (202) 595-2045
j.mikoni@clearspire.com

Counsel for Amicus Curiae

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2012, I electronically filed the foregoing Notice of Intent to File *Amicus Curiae* Brief by United States Representative Edward J. Markey with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit through use of the Appellate CM/ECF system. Service was automatically accomplished on all registered participants by the CM/ECF system, as stated on the relevant Notice of Docket Activity.

/s/ Jeffrey W. Mikoni

Jeffrey W. Mikoni
CLEARSPIRE LAW CO., PLLC
1747 Pennsylvania Ave., NW
Suite 200
Washington, DC 20006
Tel: (202) 595-2045
j.mikoni@clearspire.com