

Motion Sequence 003

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: IAS PART THREE

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PEOPLE OF THE STATE OF NEW YORK,
BY LETITIA JAMES, ATTORNEY GENERAL
OF THE STATE OF NEW YORK,

Plaintiff,

v.

THE NATIONAL RIFLE ASSOCIATION OF
AMERICA, INC., WAYNE LAPIERRE,
WILSON PHILLIPS, JOHN FRAZER, and
JOSHUA POWELL,

Defendants.
 -----X

Index No. 451625/2020

Hon. Joel M. Cohen

AFFIRMATION OF
P. KENT CORRELL, ESQ.

I, P. KENT CORRELL, an attorney duly admitted to practice in the courts of the State of New York, hereby affirm the following under the penalty of perjury pursuant to CPLR § 2106:

1. I am the principal of Correll Law Group and attorney of record for Defendant Wayne LaPierre (“LaPierre”) in this action and am fully familiar with the facts and circumstances in this case.

2. I make this affirmation in support of LaPierre’s motion to dismiss or stay the above-captioned action.

EXHIBITS

3. Attached hereto as Exhibit 1 is a true and correct copy of the complaint filed on August 6, 2020, in the United States District Court for the Northern District of New York by the National Rifle Association of America against Letitia James, individually and in her official capacity, Civil Case No. 1:20-cv-00889-MAD-TWD (N.D.N.Y.).

4. Attached hereto as Exhibit 2 is a true and correct copy of the National Rifle Association's certificate of incorporation dated November 17, 1871, and filed with the Secretary of State of the State of New York ("Secretary of State") on November 20, 1871.

5. Attached hereto as Exhibit 3 is a true and correct copy of an order granting the National Rifle Association's application to change its name to the National Rifle Association of America dated September 3, 1877, and filed with the Secretary of State on October 26, 1877.

6. Attached hereto as Exhibit 4 is a true and correct copy of a Certificate of Report of Existence of the National Rifle Association of America notarized on May 31, 1951, and filed with the Secretary of State on June 15, 1951.

7. Attached hereto as Exhibit 5 is a true and correct copy of a Certificate of Extension of Purposes and to Provide a Stated Minimum Number of Directors of the National Rifle Association of America, Pursuant to Section Thirty of the Membership Corporations Law dated March 22, 1956, and filed with the Secretary of State on June 4, 1956.

8. Attached hereto as Exhibit 6 is a true and correct copy of a Certificate of Type of Not-for-Profit Corporation of the National Rifle Association of America dated August 2, 1973, and filed with the Secretary of State on August 28, 1973.

9. Attached hereto as Exhibit 7 is a true and correct copy of a Certificate of Amendment of the Certificate of Incorporation of the National Rifle Association of America under Section 803 of the Not-for-Profit Corporation Law dated July 15, 1977, and filed with the Secretary of State on October 19, 1977.

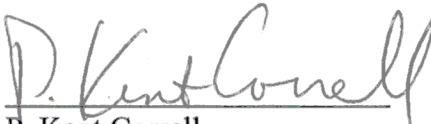
10. Attached hereto as Exhibit 8 is a true and correct copy of a Certificate of Amendment of the Certificate of Incorporation of the National Rifle Association of America Under

Section 803 of the Not-for-Profit Corporation Law dated October 7, 1985, and filed with the Secretary of State on October 15, 1985.

11. Attached hereto as Exhibit 9 is a true and correct copy of a Certificate of Change of the National Rifle Association of America Under Section 803-A of the Not-for-Profit Corporation Law filed with the Secretary of State on December 3, 2002.

12. Attached hereto as Exhibit 10 is a true and correct copy of the National Rifle Association's Motion to Transfer Cases for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 U.S.C. § 1407 dated October 20, 2020.

Executed this 30th day of October 2020 in New York, New York.


P. Kent Correll