

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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

Plaintiff.

v.

THE NATIONAL RIFLE ASSOCIATION
et al.,

Defendants.

[illegible]

INDEX NO. 451625/2020

(Cohen, J.)

**AFFIRMATION OF SARAH B. ROGERS IN SUPPORT OF
THE NATIONAL RIFLE ASSOCIATION’S MOTION TO TRANSFER VENUE**

I, SARAH B. ROGERS, an attorney duly admitted to practice law in the courts of the State of New York, hereby affirms the following under the penalty of perjury pursuant to CPLR § 2106:

1. I am a partner of the firm Brewer, Attorneys & Counselors, and counsel for Defendant the National Rifle Association (“NRA”) in the above-captioned action.

2. I respectfully submit this Affirmation in support of the NRA’s motion to transfer venue of the above-captioned action brought by the Office of the Attorney General for the State of New York (“NYAG”).

3. I am familiar with the facts and circumstances of this proceeding. The facts set forth in this Affirmation are based upon the exhibits annexed to this Affirmation; and the NYAG Amended Complaint (“Complaint” or “Compl.”).

EXHIBITS

4. Attached hereto as Exhibit A is a true and correct excerpted copy of the book *NRA: An American Legend*, written by Jeffrey L. Rodengen and published by Write Stuff Enterprises in 2002.

5. Attached hereto as Exhibit B is a true and correct excerpted copy of the book *Americans and Their Guns: The National Rifle Association Story Through Nearly a Century of Service to the Nation*, compiled by James B. Trefethen on behalf of the National Rifle Association's History Advisory Committee and published by the Stackpole Company in 1967.

6. Attached hereto as Exhibit C is a true and correct excerpted copy of the New York Membership Corporations Law of 1895, Chapter 559 of the General Session Laws, as it appeared in the 1898 edition of Hamilton, Andrew, *Statutory Revision of the Laws of New York Affecting Miscellaneous Corporations, Enacted in 1892, Including the Business Corporation Law, the General Corporation Law and Stock Corporation Law, Complete as Amended, the Statutory Construction Law, General Amendments to Corporation Law of 1892 and 1893, with the Transportation Act of 1890 and Penal Code Provisions, and Membership Corporation Law, Indexed, With Amendments of 1898*, published by Banks and Brothers.

7. Attached hereto as Exhibit D is a true and correct excerpted copy of the New York Membership Corporations Law, as amended, as it appeared in the 1909 edition of Rumsey, Judson S., *Rumsey on Corporations: Containing General Corporation Law, Stock Corporation Law, Business Corporations Law, Membership Corporation Law, Joint Stock Associations Law, Transportation Corporations Law, Railroad Law, Rapid Transit Act, Tax Law as Relating to Corporations, Condemnation Law, General Construction Law, Religious Corporations Law, and Sections of the Code of Civil Procedure and Penal Law Relating to Corporations, Comprising a*

Portion of the Consolidated Laws, Including Amendments and Annotations to Date, published by Banks & Company.

8. Attached hereto as Exhibit E is a true and correct excerpted copy of the New York Membership Corporations Law, as amended, as it appeared in the July 1, 1930 *Corporation Laws of New York*, published by the Corporation Trust Company.

9. Attached hereto as Exhibit F is a true and correct excerpted copy of the New York Membership Corporations Law, as amended, as it appeared in the 27th edition of *New York Laws Affecting Business Corporations – Annotated*, published by the United States Corporation Company on April 26, 1946.

Executed this 3rd day of November 2020 in New York, New York.

/s/ Sarah B. Rogers
Sarah B. Rogers

Motion Sequence 005**ATTORNEY CERTIFICATION PURSUANT TO COMMERCIAL DIVISION RULE 17**

I, Sarah B. Rogers, an attorney duly admitted to practice law before the courts of the State of New York, hereby certify that the Affirmation in Support of the NRA's Motion to Transfer Venue complies with the word count limit set forth in Rule 17 of the Commercial Division of the Supreme Court (22 NYCRR 202.70(g)) because the affirmation contains 538 words, excluding the parts exempted by Rule 17. In preparing this certification, I have relied on the word count of the word-processing system used to prepare this memorandum of law and affirmation.

Dated: November 3, 2020
New York, New York

/s/ Sarah B. Rogers

Sarah B. Rogers