



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CHARITIES BUREAU

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November 23, 2020

VIA ECF and E-MAIL

Re: *People v. The National Rifle Association of America, Inc. et al*, 451625/2020

Dear Justice Cohen,

I write on behalf of the Attorney General Letitia James, the plaintiff in the above-referenced action. We write to inform the Court and Defendants that, prior to joining the Office of the Attorney General, Assistant Attorney General Erica James, who is working on the pending litigation, was a litigation associate at Davis Polk & Wardwell LLP. Her time at Davis Polk briefly overlapped with Your Honor's tenure as a litigation partner at the firm.

Ms. James worked as a summer associate at Davis Polk during the summer of 2016. She returned to the firm as a litigation associate in October 2017 and worked in that capacity until January 2020. Your Honor left Davis Polk in June 2018 after being appointed to the Court of Claims. To the best of her knowledge, Ms. James neither interacted with, nor worked on any matters with Your Honor during the brief period during which her employment at the firm overlapped with Your Honor's.

This prior period of employment at the same law firm is not a ground for mandatory recusal under Judiciary Law § 14. While we do not deem this to be a conflict nor believe that it should otherwise be grounds for the Court's recusal, we felt the prudent course was to bring this to the attention of the Court and the Defendants.

Respectfully,

/s/Emily Stern

Emily Stern
Co-Chief, Enforcement Section
Assistant Attorney General

cc: Counsel of Record (via ECF and email)