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January 10, 2021

By NYSCEF

Honorable Joel M. Cohen  
Supreme Court of the State of New York  
New York County  
Commercial Division  
60 Centre Street, Room 570  
New York, New York 10007

Re: People of the State of New York v. The National Rifle Association, et al.,  
Index. No. 451625/2020

Dear Justice Cohen:

With lead counsel Carl D. Liggio, our firm represents Defendant John Frazer in the above-referenced action. Along with counsel for co-defendants NRA and Wayne LaPierre, Mr. Liggio and I were scheduled to appear before the Court tomorrow, Monday, January 11, 2021, for the hearing on all three Defendants' dismissal and venue motions.

Late Friday evening, I learned that Mr. Liggio had been admitted to a hospital where he tested positive for COVID-19 and was diagnosed with pneumonia. On Saturday, I was able to speak with his family to confirm that he was stable but unable to argue the motion.

I contacted the New York Attorney General's office to ask whether Plaintiff would consent to a short adjournment of Monday's oral argument to permit me time to prepare. I explained that I have a commitment on another matter out of town this coming week from Tuesday through Thursday. Late on Saturday evening, after consulting internally, the NYAG notified me that it would agree to join in a request to adjourn the oral argument to Tuesday, January 19, the day after the Martin Luther King holiday, subject, of course, to Your Honor's availability and schedule. I also contacted the other defense counsel on the motions and they too have agreed to the request.

Should the Court be unable to address the parties' joint request in advance of Monday's argument, the parties intend to appear as currently scheduled and will address it at that time.

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I regret having to contact the Court on a Sunday and any inconvenience imposed.

Respectfully submitted,

*/s/ William B. Fleming*

William B. Fleming

Cc: AAG Emily Stern (by NYSCEF)  
AAG Monica Connell (by NYSCEF)  
Sarah B. Rogers, Esq. (by NYSCEF)  
P. Kent Correll, Esq. (by NYSCEF)