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January 18, 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:

We represent Defendant John Frazer in the above-referenced action.

As a sad follow-up to my letter of January 10, 2021, I am sorry to have to report that, early Sunday morning, Carl D. Liggio passed away from complications with COVID-induced pneumonia. In the context of what we had understood to be an improving trajectory in his health, his family notified me on Saturday that his condition had taken a sudden turn for the worse, culminating shortly thereafter with his unexpected death.

This is a great loss. Mr. Liggio was a deeply experienced legal resource and chosen lead counsel with whom Mr. Frazer had developed a close bond. Additionally, Mr. Liggio's family has asked me to assist them with matters needing attention in the aftermath of his death. To weather this disruption, we request a 30-day adjournment of these proceedings.

I thank the Court for its consideration of this unanticipated request.

Respectfully submitted,

/s/ William B. Fleming

William B. Fleming

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

This is terrible news. My sincere condolences to you and especially to Mr. Liggio's family. If, in your personal and professional judgment, you are not able to attend the oral argument on January 21, I will defer ruling on Mr. Frazer's pending motion at that time. However, given the nature of this case, how long it and the other Defendants' motions have been pending, and the importance of determining which Court will hear this case, the hearing on January 21 will proceed as scheduled.


Joel M. Cohen, JSC