

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 OF
AMERICA, INC., WAYNE LAPIERRE,
WILSON PHILLIPS, JOHN FRAZER, and
JOSHUA POWELL,

Defendants.

Index No. 451625/2020

**STIPULATION TO EXTEND TIME
TO ANSWER AND STAY
DISCOVERY ON
COUNTERCLAIMS**

This Stipulation is entered into by and between Plaintiff the People of the State of New York, by Letitia James, Attorney General of the State of New York (“Plaintiff”) and Defendant the National Rifle Association of America (the “Defendant”).

WHEREAS the Defendant filed its Original Verified Answer and Counterclaims on February 23, 2021 (NYSCEF 228), and effectuated service on Attorney General Letitia James on February 25, 2021 (NYSCEF 231);

WHEREAS the Defendant filed substantively similar claims against Plaintiff in a federal district court action pending in the United States District Court for the Northern District of New York captioned *National Rifle Association of America v. Letitia James*, 1:20-cv-00889-MAD-TWD (N.D.N.Y.) (the “N.D.N.Y. Action”);

WHEREAS the Plaintiff filed a motion to dismiss the complaint in the N.D.N.Y. Action on November 20, 2020, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure (the “NDNY Motion”), which is fully briefed and pending;

IT IS HEREBY STIPULATED AND AGREED that the Plaintiff's time to respond to the Defendant's Counterclaims is extended to the earlier of May 1, 2021, or 20 days after resolution of the NDNY Motion.

IT IS FURTHER STIPULATED AND AGREED that discovery on Defendant's Counterclaims is stayed until the earlier of May 1, 2021, or 20 days after resolution of the NDNY Motion subject to further order of the Court.

IT IS FURTHER STIPULATED AND AGREED that for the avoidance of doubt, Defendant's deadline to amend its answer and counterclaims as of right will likewise be extended, pursuant to CPLR 3025(a), until twenty days after service of Plaintiff's responsive pleading.

IT IS FURTHER STIPULATED AND AGREED that this stipulation can be executed in counterparts and by using electronic, scanned or telefaxed signatures, with the same effect as original signatures.

IN WITNESS WHEREOF, this Stipulation is executed by counsel for the Parties hereto on March 15, 2021.

For Plaintiff

For Defendant The National Rifle
Association of America

ATTORNEY GENERAL OF THE
STATE OF NEW YORK

BREWER, ATTORNEYS AND
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