

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; and

WHEREAS Plaintiff and Defendant entered into a stipulation executed on March 15, 2021 to extend Plaintiff's time to respond to Defendant's Counterclaims, discovery on those counterclaims and Defendant's time to amend its answer and counterclaims;

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

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 April 29, 2021.

For Plaintiff

For Defendant The National Rifle
Association of America

ATTORNEY GENERAL OF THE
STATE OF NEW YORK

BREWER, ATTORNEYS AND
COUNSELORS

By: /s/Emily Stern
Emily Stern
Assistant Attorney General
Co-Chief, Enforcement Section,
Charities Bureau
28 Liberty Street
New York, New York 10005
Tel: (212) 416-8401

By: /s/ Sarah B. Rogers
Sarah B. Rogers
Brewer, Attorneys and Counselors
750 Lexington Avenue, 14th Floor
New York, New York 10005
Tel: (212) 527-2587