

Exhibit 1

Excerpt from U.S. PACER Docket for
Nat'l Rifle Ass'n of Am. v. Ackerman McQueen, et al.,
Civ. No. 3:19-cv-02074-G (N.D. Tx.)

DISCREET, JURY

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:19-cv-02074-G-BK**

National Rifle Association of America v. Ackerman
McQueen Inc et al
Assigned to: Senior Judge A. Joe Fish
Referred to: Magistrate Judge Renee Harris Toliver
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 08/30/2019
Jury Demand: Both
Nature of Suit: 890 Other Statutes:
Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff

**National Rifle Association of
America**

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V.

ThirdParty Defendant

Wayne Lapierre

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Standing

Matthew K Felty
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TERMINATED: 05/28/2020
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Counter Claimant

Jesse Greenberg

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		AM before Senior Judge A. Joe Fish. (Ordered by Senior Judge A. Joe Fish on 10/13/2020) (jmg) (Entered: 10/14/2020)
10/15/2020	<u>175</u>	NOTICE of <i>Plaintiff the National Rifle Association and Third-Party Defendant Wayne LaPierre's Rule 26 Initial Disclosure Statement</i> filed by National Rifle Association of America (Allegretto, Alessandra) (Entered: 10/15/2020)
10/15/2020	<u>176</u>	NOTICE of <i>Defendants' Rule 26 Initial Disclosures</i> filed by Ackerman McQueen Inc, Jesse Greenberg, Henry Martin, Mercury Group Inc, Melanie Montgomery, William Winkler (Mason, Brian) (Entered: 10/15/2020)
10/20/2020	<u>177</u>	NOTICE of <i>Related Case Filing in MDL</i> filed by National Rifle Association of America (Attachments: # <u>1</u> Exhibit(s) Motion and Supporting Papers) (Allegretto, Alessandra) (Entered: 10/20/2020)
10/23/2020	<u>178</u>	MOTION to Withdraw <i>As Counsel</i> filed by William A Brewer, III, Brewer Attorneys & Counselors (Attachments: # <u>1</u> Proposed Order Granting Motion to Withdraw As Counsel) (Tostrud, Daniel) (Entered: 10/23/2020)
10/23/2020	179	ELECTRONIC ORDER: The motion to withdraw of attorneys Daniel D. Tostrud, William D. Cobb, Jr., and Matthew E. Last of the law firm Cobb Martinez Woodward, PLLC (docket entry 178) is GRANTED. It is therefore ORDERED that Daniel D. Tostrud, William D. Cobb, Jr., and Matthew E. Last of the law firm Cobb Martinez Woodward, PLLC are hereby withdrawn as attorneys of record for non-parties William A. Brewer III and Brewer, Attorneys & Counselors. It is further ORDERED that Daniel D. Tostrud, William D. Cobb, Jr., and Matthew E. Last of the law firm Cobb Martinez Woodward, PLLC are hereby relieved of any further obligations as counsel to the court or to non-parties William A. Brewer III and Brewer, Attorneys & Counselors. (Ordered by Senior Judge A. Joe Fish on 10/23/2020) (chmb) (Entered: 10/23/2020)
10/23/2020	<u>180</u>	Joint STATUS REPORT <i>IN CONNECTION WITH PLAINTIFFS MOTION TO COMPEL AND FOR SANCTIONS (ECF NO. 47), AND DEFENDANTS MOTION TO COMPEL PLAINTIFFS DOCUMENT PRODUCTION AND MOTION FOR SANCTIONS (ECF NO. 54)</i> filed by Ackerman McQueen Inc, Jesse Greenberg, Henry Martin, Mercury Group Inc, Melanie Montgomery, William Winkler. (Mason, Brian) (Entered: 10/23/2020)
10/23/2020	<u>181</u>	(Document Restricted) Sealed MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN EXHIBITS TO JOINT STATUS REPORT IN CONNECTION WITH PLAINTIFFS MOTION TO COMPEL AND FOR SANCTIONS (ECF NO. 47), AND DEFENDANTS MOTION TO COMPEL PLAINTIFFS DOCUMENT PRODUCTION

Dated: April 15, 2020

Respectfully submitted,

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PARTY DEFENDANT WAYNE LAPIERRE**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was electronically served via the Court's electronic case filing system upon all counsel of record on this 15th day of April 2020.

/s/ Michael J. Collins
Michael J. Collins

DISCREP, JURY

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:19-cv-02074-G-BK**

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Plaintiff

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V.

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V.

ThirdParty Defendant

Wayne Lapierre

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Matthew K Felty

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TERMINATED: 05/28/2020

Bar Status: Not Admitted

Counter Claimant

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V.

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*TERMINATED: 09/02/2020**ATTORNEY TO BE NOTICED**Bar Status: Admitted/In Good Standing***William A Brewer , III**

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Date Filed	#	Docket Text
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4828-7933-8659\6

I.**COUNTERCLAIM AND THIRD PARTY COMPLAINT**

Becoming Actor, AMc (“Counter-Plaintiff”) brings this Counterclaim against the NRA as Counter-Defendant, and its Third Party Complaint against Wayne LaPierre (“LaPierre”), Executive Vice President of the NRA, in his individual capacity.

II.**PARTIES**

1. Counter-Plaintiff has appeared herein by contemporaneously filing this Answer, counterclaim and Third Party Complaint.

2. Counter-Defendant has appeared herein and is before the Court for all purposes.

3. Third Party Defendant Wayne LaPierre is a resident of the State of Virginia who may be served with citation at his place of business, 11250 Waples Mill Rd., Fairfax, Virginia 22030.

III.**JURISDICTION AND VENUE**

4. This Court has personal and subject matter jurisdiction concerning Third Party Defendant LaPierre pursuant to 28 USC 1332(a) and the amount in controversy exceeds \$75,000. In addition, the counterclaims asserted herein include compulsory and permissive actions. Venue is proper in the Northern District of Texas, Dallas Division.

IV.

PRELIMINARY STATEMENT

A. Counterclaim.

1. Despite its seemingly benign veneer, the instant case is driven by Counter-Defendant's and LaPierre's sinister and intentional efforts to destroy AMc's business. Counter-Defendant's lawsuit invites – indeed, mandates – an inquiry into the NRA's and LaPierre's conduct. It makes relevant an examination of the real reasons behind termination of the parties' operating agreement (the "Services Agreement," as amended) and an examination of the creation, operation and unquestioned success of NRATV (a digital network dedicated to the advancement of 2nd Amendment issues), that lays bare the falsity of the NRA's "failed endeavor" contention.

2. Two events have combined to cause the NRA to switch from friend to foe: (1) the advent of the law firm of Brewer, Attorneys and Counselors, and its principal Bill Brewer ("Brewer") whose ascendancy within the NRA has resulted in the NRA embarking on a reckless and self-destructive path, in the process taking down numerous other important service providers and individual NRA leaders and others with it; and (2) AMc's refusal, including a series of events in 2018 to acquiesce in the financial adventurism and organizational mismanagement of NRA's leader, LaPierre. This combination of events has found malicious voice in this, the fourth frivolous lawsuit launched against AMc as well as in lawsuits against Andrew Cuomo, Governor of New York and New York's Chief Insurance Regulator; another unfounded lawsuit against Lt. Col. Oliver North ("North") the NRA's one-time President, for having the temerity to demand an audit of Brewer's \$97,000.00 per day legal bills (totaling over \$24 million for just over one year's activity); and has led to the voluntary resignation of several NRA board members who wanted no part of fiduciary risks being taken; and the enforced ouster of officials and attorneys accused of

allegedly “conspiring” to oust LaPierre from his position.⁵

3. The facts supporting this Counterclaim makes clear that it is AMc which has been victimized by the machinations of the NRA, LaPierre and others, and not as portrayed by Counter-Defendants.

B. Third Party Action

4. The NRA’s case also opens the door to an exposition of the fraudulent conduct of LaPierre, (particularly as it relates to NRATV) his profligate misuse of NRA members’ dues, for personal and family benefit, his flaunting of non-profit corporation law, and the reckless abandon with which he and his enabler Brewer have run roughshod over the NRA Board of Directors as well as the NRA Foundation Board of Directors in multiple respects (including failure to obtain prior board approval for his lawsuits against AMc and firing the Board’s counsel). It also calls for scrutiny of his personal exposure for libelous statements against AMc, his interference with Third Party NRA Contracts and the fraud he has perpetrated on AMc, particularly with respect to NRATV. All of these areas of inquiry will reveal that what is at the root of Counter Defendant’s and LaPierre’s effort to scapegoat AMc is the plan to deflect attention from their own misdeeds and to inflict maximum damage on Counter-Plaintiffs. It is LaPierre, with Brewer’s assistance, whose artifice has caused AMc serious damage, for which he must pay.

5. This Counterclaim and Third Party Complaint seek to not only restore AMc’s reputation; they also seek to hold accountable the NRA and LaPierre, whose dictatorial actions have neutered the NRA as a political force while inflicting serious collateral damage on AMc.

⁵ See, e.g., news articles describing this recent frenetic activity and Brewer’s role: Non Profit News Quarterly, (<https://nonprofitquarterly.org/why-someone-should-make-the-NRA-into-a-tv-series>; Washington Post, <https://www.washingtonpost.com/politics/how-a-hard-charging-attorney-helped-fuel-a-civil-war-inside-the-NRA/>); <https://www.nytimes.com/2019/08/22/us/politics/nra-guns-wayne-lapierre.html>