

**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, §**

INDEX NO. 451625/2020

Defendants.

**AFFIRMATION OF DAVID J. PARTIDA IN SUPPORT OF
THE NATIONAL RIFLE ASSOCIATION'S MOTION TO DISMISS**

I, DAVID J. PARTIDA, an attorney duly admitted to practice law in the courts of the State of New York, hereby affirms the following under the penalty of perjury pursuant to CPLR § 2106:

1. I am associated with the law firm of BREWER, ATTORNEYS & COUNSELORS, counsel for the Defendant the National Rifle Association ("NRA") in the above-captioned action.

2. I respectfully submit this Affirmation in support of the NRA's motion to dismiss the above-captioned action brought by the Office of the Attorney General for the State of New York ("NYAG").

3. I am familiar with the facts and circumstances of this proceeding. The facts set forth in this Affirmation are based upon the materials and information collected in the course of our investigation of the facts, the exhibits annexed to this Affirmation; and the NYAG Amended Complaint ("Complaint" or "Compl.").

EXHIBITS

4. Attached hereto as Exhibit 1 is a true and correct copy of the Bankruptcy Order Granting Motion to Dismiss, dated May 11, 2021 in *In re National Rifle Association of America and Sea Girt LLC*, Case No. 21-30085 (Bankr. N.D. Tex.) (the “Bankruptcy Action”).

5. Attached hereto as Exhibit 2 is a true and correct copy of the Amended Complaint filed by the NYAG in this action.

6. Attached hereto as Exhibit 3 is a true and correct copy of The State of New York’s Memorandum of Law and Brief in Support of Motion to Dismiss, or, in the Alternative, Appoint Chapter 11 Trustee, dated February 12, 2021, filed in the Bankruptcy Action.

7. Attached hereto as Exhibit 4 is a true and correct copy of the NYAG Charities Bureau guide titled “A Practical Guide to The New York Prudent Management of Institutional Funds Act.”

8. Attached hereto as Exhibit 5 is a true and correct copy of the Affidavit of Carolyn Meadows, sworn to on November 19, 2020, Dkt. No. 178 in this Action.

9. Attached hereto as Exhibit 6 is a true and correct copy of the Minutes of the Meeting of the Board of Directors of the NRA, dated March 28, 2021.

Executed this 15th day of September 2021 in New York, New York.

/s/ David J. Partida

David J. Partida

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