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## SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEWYORK, BY LETITIA JAMES, ATTORNEY GENERAL OF THE STATE OF NEW YORK

INDEX NO. 451625/2020

Plaintiff,

v.

NOTICE OF MOTION TO DISMISS

THE NATIONAL RIFLE ASSOCIATION OF AMERICA, INC., WAYNE LAPIERRE, WILSON PHILLIPS, JOHN FRAZER, and JOSHUA POWELL,

Defendants.

PLEASE TAKE NOTICE, that upon the annexed Affirmation of David J. Partida, dated September 15, 2021, and the exhibits annexed thereto, and the Memorandum of Law, dated September 15, 2021, in support of this motion, and all other papers, pleadings and proceedings in this action, Defendant the National Rifle Association of America (the "NRA"), by its undersigned attorneys, will move this Court, at the Supreme Court, New York County, Motions Submissions Part, Room 130 at 60 Centre Street, New York, NY 10007 at 9:30 a.m. on October 6, 2021, or as soon thereafter as counsel may be heard, for an Order pursuant to CPLR 3211(a)(5) and (a)(7), dismissing with prejudice the First, Second, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Causes of Action against the NRA, as set forth in the Attorney General of the State of New York's Amended and Supplemental Verified Complaint, dated August 16, 2021, and for any other relief the Court deems just and proper.

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## PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR § 2214(b), any opposition

must be filed at least seven (7) days before the return date of this motion.

Dated: September 15, 2021

Respectfully submitted,

By: /s/ William A. Brewer III

William A. Brewer III wab@brewerattorneys.com Sarah B. Rogers sbr@brewerattorneys.com Mordecai Geisler mxg@brewerattorneys.com David J. Partida djp@brewerattorneys.com

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