

Affidavit In Support Of Intervention
By Roscoe B. Marshall, Jr.

Exhibit K

August 27, 2021 email to NRA Board

Exhibit K

8.27.2021

From: ROCKYM@frontier-gear.com

Date: August 27, 2021 at 4:17:00 PM CDT

To: Rocky Marshall <rockym@frontier-gear.com>

Subject: D&O Policy, Colonel Allen West, Board Elections

NRA Board of Directors:

There are a few issues that I would like to bring to the attention of the NRA Board of Directors.

D&O Insurance

On August 9, 2021, John Frazer notified all NRA Board of Directors that a D&O Insurance Policy has been secured to replace the policy that was refused renewal by the previous carrier. The announcement appears to be great news because hopefully all Directors and Officers have insurance coverage for our roles as fiduciaries. I requested a copy of the declaration page so that I could review and assess the limits and exclusions of the new policy. I have sent numerous emails, phone calls and a demand letter for a copy of the declaration page to the NRA General Counsel and Secretary John Frazer. Most of my requests to receive this information were ignored until finally John Frazer responded with a list of reasons why I could not receive a copy. (All correspondence is included in this email as attachment). In addition I contacted a Lawyer who specializes in New York Not for Profit law to assist me in receiving this vital information and so far his attempts to intervene in this matter have also failed. The true failure is the lack of transparency of John Frazer, the NRA Officers, and I assume the lawyers advising them to ignore my request for information. This is completely unacceptable and I am requesting that as fellow Directors that you also request this information so that we can review the D&O policy. If we as Directors allow staff and NRA Officers to retain vital information from the NRA BOD, we have failed in our responsibilities for over-sight and as fiduciaries.

Colonel Allen West

As most of you probably are aware, Ted Nugent, Susan Howard and Owen "Buz" Mills resigned during the week of August 2-6, 2021. In addition, Colonel Allen West also resigned on August 6, 2021, but as of this writing, the NRA Officers and General Counsel have failed to notify the NRA Board of Directors that a fellow Director has resigned. Upon receipt of the resignation, the General Counsel's office should have immediately notified all Directors and identified the replacement for Colonel West. This another example of negligence and poor governance.

Board Election Results:

On August 20, 2021 John Frazer announced the results of the recent NRA Board of Directors election. In this announcement, John also mentioned that there would not be a 76th director election by the members at the annual meeting. Eliminating the 76th Director election is a violation of the bylaws which is identified in Article VIII Section 4. The historical explanation that I received regarding the 76th Director "election by the members" was required in order to be compliant with New York Not for Profit laws. I

asked John for a copy of the results because I believe there are write in candidates who would be eligible for possible election to the 76th director position. Unfortunately this request has also been ignored.

It is unacceptable that we as Directors allow NRA Officers, NRA Staff and outside Attorneys to withhold vital information from the NRA Board of Directors. The mantra that was repeated often during the bankruptcy trial is that the NRA has identified all occurrences of malfeasance and "course corrections" have been implemented. The failure of the NRA Officers and Staff to adequately provide information to all Directors places the NRA and the Board of Directors in an untenable position. As Directors, we have the right to inspect the books, records, and all entity information; and, this right is "absolute". If you agree, and are willing to stand up, please send an email to John Frazer requesting the same information that was listed in this email. I am still hopeful that the NRA Board of Directors will take back the leadership of the NRA.

Sincerely,

Rocky Marshall

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