

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK, COMMERCIAL DIVISION**

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,

FRANCIS TAIT, JR., and MARIO AGUIRRE,
individually and derivatively on behalf of THE
NATIONAL RIFLE ASSOCIATION OF
AMERICA, INC.,

Intervenors-Defendants.

Index No. 451625/2020

Hon. Joel M. Cohen

Part 3

Motion Seq. # 011

**Notice of Motion For Reargument Of
Motion To Intervene By Francis
Tait And Mario Aguirre**

ORAL ARGUMENT REQUESTED

Please take notice that Francis Tait and Mario Aguirre, by their undersigned counsel, will move this Court as follows:

Date, Time and Place of Hearing:

Before the Honorable Joel M. Cohen, at the Supreme Court, New York County, Motions Submissions Part, Room 130, at 60 Centre Street, New York, New York 10007, at 9:30 a.m. on November 3, 2021.

Supporting Papers:

1. Supporting Memorandum of Law
2. All submissions previously filed in support of intervention: NYSCEF Doc. # 243-260 and # 322-324

Relief Demanded and Grounds:

Relief:

An Order under CPLR R2221 granting reargument of the Proposed Intervenors' motion for intervention as of right, or permissively, and upon reargument, granting intervention under CPLR § 1012 and § 1013.

Grounds:

1. That the court's September 10, 2021 order denying intervention for the reasons stated in the Court's September 9, 2021 oral decision overlooked or misapprehended the matters of fact and law set out in Intervenor's Motion for Reargument filed herewith.

Please take further notice that, pursuant to CPLR § 2214(b), answering papers, if any, must be served upon the undersigned at least seven (7) days prior to the return date of this motion.

Dated: October 12, 2021

New York, New York

Francois M. Blaudeau
(admitted *pro hac vice*)
Marc J. Mandich
(admitted *pro hac vice*)
Southern MedLaw
2224 1st Ave North
Birmingham, AL 35203-4204
Tel: (205) 547-5525
Fax: (205) 547-5535
Francois@SouthernMedLaw.com
Marc@SouthernMedLaw.com

George C. Douglas, Jr.
(admitted *pro hac vice*)
One Chase Corporate Center, Suite 400
Hoover, Alabama 35244
(205) 824-4620 tel.
(866) 383-7009 fax
GeorgeDouglas@fastmail.com

/s/ Taylor Bartlett

Taylor C. Bartlett
NY Reg. Num: 5283668
Heninger Garrison Davis, LLC
5 Pennsylvania Plaza
23rd Floor
New York, NY 10001
Tel: (800) 241-9779
Fax: (205) 380-8085
Taylor@hgdllawfirm.com

*Attorneys for Proposed Intervenor's
Francis Tait, Jr. and Mario Aguirre*