

B R E W E R
ATTORNEYS & COUNSELORS

November 19, 2021

VIA NYSCEF

Hon. Joel M. Cohen
Supreme Court of the State of New York
Commercial Division, New York County
60 Centre Street
New York, NY 10007

Re: *People of the State of New York v. The National Rifle Association of America, et al.*,
Index No. 451625/2020: Request related to oral argument on Motion Sequence No. 18

Dear Justice Cohen:

On behalf of the National Rifle Association of America (the "NRA"), I write regarding the oral argument on the NRA's motion to dismiss the NYAG's claims against the NRA (Motion Sequence No. 18) – scheduled for 11 a.m. E.T. on Friday, December 10, 2021. Because of the importance of the argument, the NRA requests that the hearing occur in the courtroom in person.

Other parties do not oppose or are in favor of the request. However, certain parties conditioned their positions as follows.

1. The NYAG advised that she "consents, subject to the proceedings being accessible to the public virtually as well."
2. Counsel for Mr. Phillips advised that they "will consent to a request for in person argument provided that the request is conditioned upon the court still permitting counsel to appear remotely if they wish to do so."
3. Counsel for Mr. Powell "consent provided there is a remote option."

Naturally, the NRA agrees that it is beneficial for the proceeding to be accessible to the public virtually as well and has no objection to other counsel appearing or participating virtually should they wish to do so.

Respectfully,

/s/ Svetlana M. Eisenberg

Svetlana M. Eisenberg

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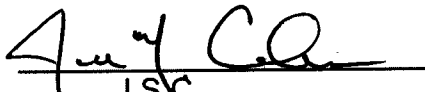
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**ATTORNEY FOR THE NATIONAL RIFLE
ASSOCIATION OF AMERICA**

The NRA's request that the hearing occur in the courtroom in person is **GRANTED**.
Counsel who wish to appear remotely, via Microsoft Teams, may still do so.
The Court will also make available a public streaming link for the hearing.

So Ordered:


J.S.C.
HON. JOEL M. COHEN
J.S.C.

Date: 11/23/2021