

Thompson, Stephen

Subject: FW: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Attachments: 2021.09.28 NYAG revised hit report.xlsx

From: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>
Sent: Tuesday, September 28, 2021 11:17 AM
To: Mordecai Geisler <mxg@brewerattorneys.com>; Connell, Monica <Monica.CConnell@ag.ny.gov>
Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

Please find attached a revised version of the hit report that I circulated yesterday. The terms in yellow are those we suggest the NRA proceed with reviewing. I have tried to substantially cut down the number of documents for initial review by the NRA while we continue to work on the terms that returned a larger number of hits. If you could please confirm the total number of documents represented by the terms in yellow, I would appreciate it.

For the terms in red, I have suggested specific custodians (the same set for each of the terms). Please let me know what the numbers look like when those searches are run against those custodians only.

Thank you,
Stephen

Stephen C. Thompson | Assistant Attorney General
New York State Office of the Attorney General
28 Liberty Street, New York, NY 10005
Tel: (212) 416-6183 | Stephen.Thompson@ag.ny.gov

From: Thompson, Stephen
Sent: Monday, September 27, 2021 8:22 PM
To: Mordecai Geisler <mxg@brewerattorneys.com>; Connell, Monica <Monica.CConnell@ag.ny.gov>
Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Sarah, Svetlana, and Mordecai,

To follow up on / memorialize some items from our meet and confer this afternoon:

- **ESI search terms.** Please let us know approximately how many documents are represented by the search terms highlighted in yellow in the version I sent earlier today. In the meantime, we will work to suggest particular custodians for particular searches and other potential means of narrowing the results, and send our proposals ASAP.

- **Document production generally.** We requested that you prioritize production of documents where Ms. Hallow, Mr. Schropp, or Mr. Staples are the custodian. Please let us know if that is technically feasible. Additionally, please see attached my 8/26 email where I provided the categories of documents we believe are less susceptible to being captured by ESI search terms, and where the NRA may have the documents gathered in a way that allows for identification, collection, review, and production.
- **Bankruptcy documents.** Subject to receipt this week of the re-produced bankruptcy documents, a log of asserted privileged and redacted documents, and a list of bates numbers of particular bankruptcy documents that the NRA intends to not include in its re-production, we agree not to produce the bankruptcy documents in our possession to the other parties without further notice to the NRA. We also requested that for large excel files, if the NRA feels it must redact the names of donors and members despite their being explicitly confidential under the protective order, the NRA redact the files in native format with a separate production of metadata (date created, author, file path, etc) in a text file or other format if it cannot be preserved in the natively redacted document.
- **Aronson.** We noted our objection to the NRA's review of Aronson's documents for member/donor information in light of the protection afforded that information in the protective order. We requested that the NRA (1) confer with Aronson on what documents remain to be produced, and what the timeframe is for that production, and (2) consider ways to limit the amount of review conducted by the NRA by, for example, having the NRA apply redactions directly instead of providing instructions to Aronson to do so. In sum, to try to resolve this issue, we would like to avoid further delay with production of Aronson documents and to avoid the process we understand is currently applicable where there is NRA review, Aronson redactions and logging, and then NRA re-review of documents and to get a good estimate of time for substantial completion of the Aronson documents.
- **Mr. Cox.** In an effort to narrow our dispute over Mr. Cox's documents, we asked that you consider whether there is a date before which documents were unlikely to have been created for the purpose of the arbitration between the NRA and Mr. Cox, and so could be produced in response to requests 2 through 7 of our subpoena. We also asked that you confer with your client about whether the status of donor/member information in the protective order will cause you to withdraw your demand to review Mr. Cox's documents for donor/member information prior to production to us. The NRA cited to a case it believes constitutes binding authority on this issue. We cited the cases mentioned in our letter to the Court and in Mr. Cox's letter to the NRA, as well as the authority cited in our brief in the *People v. Ackerman McQueen* case. The decision in that case would also be binding. We do not believe that there is a sound legal basis for the NRA to direct Mr. Cox not to comply with the subpoena based upon the asserted confidentiality of the arbitration in this context.
- **Privilege log.** We committed to providing a privilege log or response that there are no privileged documents to the NRA in two to three weeks.
- **Response to NRA's counterclaims.** Our position is that either (1) the NRA's amended counterclaims were abrogated with the NRA's answer by our amended/supplemental complaint, since they were a single pleading; or (2) our motion to dismiss the NRA's original counterclaims still stands under relevant First Department authority (see, for example, *Uptown Healthcare Mgmt. Inc. v. Allstate Ins. Co.*, 117 A.D.3d 542 (1st Dep't 2014)). Is the NRA willing to confirm that it will not amend its counterclaims in its answer to the Amended and Supplemental Complaint? We think we should discuss this further and would be interested in any authorities you have on this issue.

Best,
Stephen

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From: Mordecai Geisler <mxg@brewerattorneys.com>
Sent: Monday, September 27, 2021 3:01 PM
To: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>; Connell, Monica <Monica.Connell@ag.ny.gov>
Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: Re: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Stephen: In answer to your questions below:

--For both the NYAG and NRA proposed terms, documents already produced by the NRA to NYAG or withheld for privilege are excluded in the hit counts.

--For the hits on NYAG proposed terms, all NYAG custodians are included. For the NRA proposed terms, just the NRA custodians were used.

Mordecai Geisler | Counsel

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From: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>
Sent: Monday, September 27, 2021 12:21 PM
To: Mordecai Geisler <mxg@brewerattorneys.com>; Connell, Monica <Monica.Connell@ag.ny.gov>
Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

Please find attached the proposed ESI search terms hit report for discussion this afternoon. Subject to a few questions we have about the hit report, we propose that the NRA review the documents hitting on the terms highlighted in yellow on the two NYAG tabs while we refine the other terms.

It would be helpful if you could have answers for these questions this afternoon:

- Have these searches been deduped for documents already produced to the NYAG, or that have otherwise been withheld for privilege?
- Do these searches encompass ESI from the additional custodians that the NYAG proposed?

Thank you,
Stephen

Stephen C. Thompson | Assistant Attorney General

New York State Office of the Attorney General

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From: Mordecai Geisler <mxg@brewerattorneys.com>**Sent:** Monday, September 27, 2021 10:15 AM**To:** Connell, Monica <Monica.Connell@ag.ny.gov>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>**Cc:** Stern, Emily <Emily.Stern@ag.ny.gov>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>**Subject:** Re: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Monica:

This back and forth is unhelpful and not in keeping with the directives of the Court at the status conference. We will not repeat what was set forth in prior correspondence. The NRA is cognizant of its obligations and has been abiding by them. The NRA notes that you have not responded to our question regarding whether the OAG has withheld documents in response to the NRA's RFPs served in this case.

We will speak with you on the 4pm call.

Regards,

Mordecai Geisler | Counsel**Brewer, Attorneys & Counselors**

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From: Connell, Monica <Monica.Connell@ag.ny.gov>**Sent:** Sunday, September 26, 2021 11:01 PM**To:** Mordecai Geisler <mxg@brewerattorneys.com>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>**Cc:** Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>**Subject:** RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

I'm glad to hear the estimate of production of the Staples documents this week. That is helpful.

I disagree with your representations regarding the bankruptcy documents but I think the NRA's identification of a timetable for identifying the concerning documents produced in the bankruptcy is also helpful as we have been awaiting this information for some time. We would also like to discuss a means and manner of identifying the documents the NRA is seeking to withhold or claw back.

Regarding the privilege log, we are still trying to understand how and when the NRA will substantially complete its non-ESI document production. That may resolve our concerns regarding a privilege log, but that is a topic we would like to discuss tomorrow. Thank you for providing the hit list on Friday, we anticipate responding shortly.

In regard to Aronson, they have represented to us that he NRA told them not to produce documents to the OAG pending entry of a protective order and is reviewing and re-reviewing their productions and directing redactions etc. These added layers of review are adding time to production. Their representations are at tension with yours, and we have noted our objection to this process previously. There is no vagueness in this. We want to understand what the NRA is doing in regard to the Aronson production. We can also discuss this and other topics we have raised.

We anticipate circulating the revised order tomorrow morning.

We are free at 4:00 tomorrow. We can circulate a call-in.

Regards,

Monica

From: Mordecai Geisler <mxg@brewerattorneys.com>

Sent: Sunday, September 26, 2021 8:08 PM

To: Connell, Monica <Monica.Connell@ag.ny.gov>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>

Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>

Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Monica:

As was stated in prior correspondence, we are reviewing the documents collected from Mr. Staples as we receive them and will produce them when the review is complete. We will give a predicted time of production when we have a better sense of how quickly the vendor is scanning and sending the documents, and the volume. We believe production will be this week. Contrary to your baseless suggestion, these documents-- many of which may not be responsive to your requests--were located by Mr. Staples during a search for documents that had not previously been collected.

Regarding the bankruptcy documents, we expect to make that production within the next few days. We identified documents that will be redacted or withheld because they contain non-responsive, confidential donor identifying information. The NRA has not waived any rights regarding such documents. However, rather than unnecessarily expend the parties' time and resources by demanding a claw-back of such documents, the NRA will produce the bankruptcy production in this case excluding this non-responsive, confidential information. We note that the OAG made the unilateral decision in July to retain the documents produced by the NRA in the bankruptcy, despite its obligation under the relevant court order to destroy such documents following the dismissal of the bankruptcy case. We again request that these documents not be produced prior to the NRA's production of such documents with the proper redactions and/or withholding of confidential information.

Regarding a privilege log, we will produce a log with our additional productions, rather than in piecemeal fashion. With respect to the OAG's production made in this case in February 2021, we do not have a record of the OAG producing a

privilege log. Please confirm the OAG has not withheld documents based on privileges, protections, immunities, or other applicable grounds.

We will produce deposition transcripts from the Ackerman civil litigation that have not been designated as confidential along with exhibits that have not been designated confidential by Ackerman.

Regarding the Aronson subpoena, your vague remark about contradictory statements does not permit a response.

We can discuss the remainder of your email on the call.

Finally, please advise when you expect to circulate a mark-up of the confidentiality order, as discussed during the Court conference on September 23.

Please let us know when you are available for a call Monday afternoon after 3pm.

Regards,

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From: Connell, Monica <Monica.CConnell@ag.ny.gov>

Sent: Friday, September 24, 2021 11:26 PM

To: Mordecai Geisler <mxg@brewerattorneys.com>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>

Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>

Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

Thank you for responding today and for agreeing to produce the transcripts on Monday. Can I confirm that we will get the exhibits at that time too?

Regarding the Staples' documents, we would ask for an estimate of the time for production which will not cause further delay. The NRA listed Mr. Staples as a witness at the Bankruptcy trial and actually told us that he was going to testify before suddenly withdrawing him as a witness on the day of his anticipated testimony. During that case, we asked for security-related documents. If we understand correctly, it is only now, almost eight months after discovery in the Bankruptcy action and months after the document demand in this action that you learned about the voluminous documents in Mr. Staples' possession. This fact rightfully gives us pause. You still do not state when we will get the Staples' documents. We need an estimate of that time. We hope that you will be able to discuss that on Monday.

Also, in preparation for our discussion on Monday, you state that "the NRA has complied with its obligations under the CPLR with respect to its productions." Are you saying that the NRA has completed its productions of non-ESI material? I think that would be an important point to note and we would like to explore this representation. Also, when the NRA will provide outstanding privilege logs?

Regarding the Bankruptcy documents, given the Court's statements, the NRA's waiver of any alleged privilege, and failure to identify any documents it wishes to claw back despite our request for the same, we can't see how your

objection has merit at this point. However, we are willing to hear your proposal as to how to resolve this matter without undue delay and hope we can do so on Monday.

Regarding Aronson, some of your statements directly contradict what we are being told by Aronson and we look forward to resolving this matter so we obtain responsive documents without the need for a motion to compel.

In regard to Mr. Cox's subpoena, it seems like a motion may be necessary but we are willing to make a final attempt to resolve this on Monday as well.

Thank you for providing the hit report to us today. That will be helpful in addressing issues relating to ESI.

Regards,

Monica

From: Mordecai Geisler <mxg@brewerattorneys.com>

Sent: Friday, September 24, 2021 10:05 PM

To: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>

Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>; Connell, Monica <Monica.Connell@ag.ny.gov>

Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Stephen: We offered, and you accepted, a postponement of Mr. Staples' deposition. We are reviewing the documents provided by Mr. Staples as they come in, and will advise when we anticipate a production. With regard to Mr. Erstling, you requested, and we consent to, a postponement of his deposition. For the avoidance of doubt, however, the NRA does not agree that the OAG lacks sufficient documents to depose Mr. Erstling. With respect to the additional ad hominem statements in your email below, they are both inaccurate and unhelpful.

Regarding the documents produced by the NRA in the bankruptcy, as we stated in the September 22 letter to the Court, now that the OAG has agreed to abide by the confidentiality order proposed by the NRA until the Court issues its confidentiality order, the NRA will produce those documents in this case, subject to an ongoing quality control review for privilege and confidentiality. We will make that production next week. We request that you do not produce the NRA's bankruptcy production in this case prior to the NRA's anticipated production.

In anticipation of a call on Monday, September 27, attached hereto is a report showing the number of "hits" produced by the OAG's proposed search terms and custodian list, compared to the search terms and custodian list proposed by the NRA. We will discuss the other discovery issues you raise below on the call. To be clear, the NRA has complied with its obligations under the CPLR with respect to its productions.

Regarding the subpoena issued to Aronson, your objection to the NRA reviewing documents in the possession of its own outside auditor is misplaced. In any case, the NRA is not delaying production of documents in Aronson's possession, and is not conducting a relevance review.

Regarding the Cox subpoena, to reiterate, the NRA does not believe that the immunity afforded to arbitration materials by CPR Rule 18 and *Occidental* applies to records that are responsive to requests 2 through 7 of the subpoena even if such records were used by parties in connection with the arbitration. Of course, if the only thing that renders a document responsive to requests 2 through 7 (based on the timeframe in the Subpoena) is the fact that the document was created, compiled or transmitted after January 1, 2019 in connection with the arbitration, then the document does not need to be produced. Lastly, if a responsive document that is not protected bears an arbitration related production

Bates stamp, the NRA believes that document should be produced free from any Bates numbering or other legends indicative of its use in the arbitration.

We will produce deposition transcripts from the Ackerman civil litigation on Monday.

We are generally available Monday afternoon after 2pm for a meet and confer call. Thank you.

Regards,

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From: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>

Sent: Friday, September 24, 2021 7:55 AM

To: Mordecai Geisler <mxg@brewerattorneys.com>

Cc: Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>; Connell, Monica <Monica.Connell@ag.ny.gov>

Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

In light of the NRA's discovery of potentially responsive documents for Mr. Staples and the lack of document production thus far, and our agreement with the Court's preference to maximize efficiencies by taking depositions after relevant documents have been produced, we are forced to postpone Mr. Staples's deposition. We assume that, going forward, the NRA will speak with noticed NRA witnesses and other potential custodians more in advance to provide an opportunity for the NRA to review and produce responsive documents. This should be the last repetition of the situation that frequently occurred during our investigation where relevant documents would be discovered shortly before a witness is scheduled to testify.

Please let us know as soon as possible what the timeline is for reviewing and producing Mr. Staples's hardcopy documents, as well as documents responsive to other security-related demands as noted in my September 20 email. Similarly, since we have yet to receive documents responsive to requests relevant to Mr. Erstling, we are forced to postpone his deposition as well. We will notify the parties this morning that the depositions are postponed in anticipation of relevant documents being produced, and that the dates will be renegotiated.

Your email, and the NRA's letter of Wednesday, raise a number of other issues that need to be resolved.

- **Bankruptcy documents.** We assume, based on your statements, including the one below that "significant production of security related documents was made in the bankruptcy," and Ms. Eisenberg's statement in the NRA's letter that the delay in producing the bankruptcy documents was due to the lack of a protective order, that—in light of the parties' agreement—the NRA no longer has an objection the OAG using the documents produced by the NRA in the bankruptcy. So, we intend to produce the bankruptcy documents to the other parties next week, and—as we stated in our letter to the Court and as the Court referenced in indicating that we already had the bankruptcy documents—to use them in connection with upcoming depositions.

- **ESI search terms.** We were happy to learn from Ms. Eisenberg's letter that the NRA has prepared a hit report for the proposed search terms. As we requested in our email with our proposed search terms and during our Sept. 17 meet and confer, we would like to see the hit report so that we can negotiate the scope of the search terms and ensure that the NRA is not engaged in unreasonable document review. Please send the report today.
- **Document production.** While we appreciate the NRA's production of documents on Tuesday, approximately 800 of the 1,900 documents we received were duplicates of documents that have already been produced to us. Furthermore, the documents do not appear to have been produced with any cognizable order, with emails in a chain scattered in the production without regard to custodian or date. We wish to avoid such confusion and duplication going forward, and, further to Monica's email below to which we have received no response, would like to confer on the best way for productions to be rolled out to ensure that the NRA is complying with CPLR 3122(c). We would also like to better understand the NRA's proposal for extending document discovery to the end of October: what collection and review remains to be done by the NRA, when we can expect further productions, and when will the NRA produce privilege logs?
- **Aronson.** In Ms. Eisenberg's letter, she wrote that "the NRA has not objected to the production of documents by Aronson to the NYAG," but has requested that Aronson redact PII and privileged information. We understand from Aronson's counsel that documents are being provided to the NRA for the NRA's review for such information. We object to the NRA conducting that review, because member and donor information is treated as confidential under the terms of the proposed protective order. Please confirm that the NRA is not delaying production of Aronson's documents, and that the NRA is conducting that review only for the purpose of redaction, and is not conducting a relevance review. Please also let us know when we will receive the privilege log associated with the NRA's review.
- **Mr. Cox.** We remain at loggerheads concerning the full disclosure of the arbitration materials between the NRA and Mr. Cox and intend to move the Court. Nevertheless, in an attempt to resolve those disputes that we can, we wish to better understand the NRA's position. Are we correct that the NRA does not object to the production of documents exchanged during the arbitration that were not prepared for the purpose of the arbitration? For example, if emails, contracts, or other documents created prior to the arbitration were exchanged, does the NRA object to Mr. Cox's production of those documents? And, if not, does the NRA still assert that it has the right to pre-review those documents for privilege in their entirety before they are produced to the OAG (and on what basis does the NRA believe that Mr. Cox is in possession of any such privileged information)?

We would like to have answers to these questions as soon as possible, and would like to meet and confer on Monday, September 27. Please let us know your availability on Monday.

Sincerely,
Stephen

Stephen C. Thompson | Assistant Attorney General
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From: Mordecai Geisler <mxg@brewerattorneys.com>

Sent: Thursday, September 23, 2021 1:14 PM

To: Connell, Monica <Monica.CConnell@ag.ny.gov>

Cc: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>; Stern, Emily <Emily.Stern@ag.ny.gov>; Sarah Rogers <sbr@brewerattorneys.com>; Svetlana Eisenberg <sme@brewerattorneys.com>

Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Monica: We will respond to the entirety of the below separately, but we wanted to reach out concerning a specific matter.

Within the past few days we learned that James Staples has collected approximately 13 boxes of hard copy documents located at NRA headquarters. We understand that at least some of those boxes may contain responsive documents. When we learned of this collection, we had our vendor immediately arrive to pick up the boxes for scanning to send to us for review. That process is still ongoing and is taking some time. With the upcoming deposition of Mr. Staples, we want to produce any responsive documents before the deposition to give you sufficient time for review. Given the current pace of scanning, we do not know when the production will be completely reviewed and produced. We note that significant production of security related documents was made in the bankruptcy. However, if you request, we are amenable to postponing Mr. Staples's deposition pending our review and production of these hard copy documents.

We are available to discuss at your convenience.

Regards,

Mordecai Geisler | Counsel
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From: Connell, Monica <Monica.CConnell@ag.ny.gov>
Sent: Wednesday, September 22, 2021 9:06 AM
To: Mordecai Geisler <mxg@brewerattorneys.com>
Cc: Thompson, Stephen <Stephen.Thompson@ag.ny.gov>; Stern, Emily <Emily.Stern@ag.ny.gov>
Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Mordecai,

Can you please identify what the NRA produced last night, pursuant to CPLR 3122(c)? We are loading the documents for review and that would be helpful. Also, please let me know if a privilege log has been produced and, if not, when we can expect it. Finally, as we highlighted in our letter to the Court, we are deposing Mr. Staples next week and have not yet received, to our knowledge, responses to our demands for security-related documents. Please let me know whether the NRA will produce the same this week.

Thank you,

Monica

From: Mordecai Geisler <mxg@brewerattorneys.com>
Sent: Tuesday, September 21, 2021 7:15 PM
To: Connell, Monica <Monica.CConnell@ag.ny.gov>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>; Conley, Jonathan <Jonathan.Conley@ag.ny.gov>
Cc: Svetlana Eisenberg <sme@brewerattorneys.com>; David Partida <djp@BrewerAttorneys.com>; Serhiy Moshak <ssm@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: RE: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

[EXTERNAL]

Pursuant to the below email:

Password: [REDACTED]

Regards,

**Mordecai Geisler | Counsel
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From: Mordecai Geisler
Sent: Tuesday, September 21, 2021 7:14 PM
To: Connell, Monica <Monica.CConnell@ag.ny.gov>; Thompson, Stephen <Stephen.Thompson@ag.ny.gov>; Conley, Jonathan <Jonathan.Conley@ag.ny.gov>
Cc: William Fleming <WFleming@gagespencer.com>; Farber, Seth <SFarber@winston.com>; tmclish@akingump.com; kent@correlllawgroup.com; mwerbner@werbnerlaw.com; Svetlana Eisenberg <sme@brewerattorneys.com>; David Partida <djp@BrewerAttorneys.com>; Serhiy Moshak <ssm@brewerattorneys.com>; Brooke Burschlag <blb@brewerattorneys.com>
Subject: People of the State of New York v National Rifle Association of America, et al. , Index No. 451625/2020

Counsel: In response to the New York Attorney General’s requests for production, and subject to the objections and reservations of rights set forth in (i) the NRA’s responses and objections, and (ii) subsequent correspondence between the parties, please see below a link to the NRA’s production of records, Bates stamped NRA-NYAGCOMMDIV-00000182 through NRA-NYAGCOMMDIV-00015083, which include documents designated Confidential.

The NRA makes these records available to the NYAG based upon the agreement by the NYAG to abide by the terms set forth in the attached confidentiality order proposed by the NRA to the Court, until the Court issues a confidentiality order binding on the parties.

A password to access the link below will follow this email, directed to counsel for the Office of the NYAG. As to the other parties, please reply to this email indicating your respective party’s consent to abide by the terms set forth in the attached proposed confidentiality order for purposes of this production, and the password will be sent to you as well. Thank you.

Link [REDACTED]

Regards,

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