

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

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, WAYNE LAPIERRE, WILSON PHILLIPS,
JOHN FRAZER, and JOSHUA POWELL,

Defendants.

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: Index No. 451625/2020
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: Hon. Joel M. Cohen
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: **THIRD REVISED**
: **SCHEDULING ORDER**
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WHEREAS, on or about March 9, 2021, the Parties in the above-captioned action entered into a proposed Preliminary Conference Order (the “PPCO”) (NYSCEF 330) and an Addendum thereto (both annexed here as Exhibit A);

WHEREAS, the parties submitted a proposed Revised Scheduling Order (“RSO”) as necessary to ensure an adequate opportunity for pre-trial discovery and preparation which was “So Ordered” by the Court on December 1, 2021 (NYSCEF 463)(attached hereto as Exhibit B);

WHEREAS, on January 21, 2022, Plaintiff moved by order to show cause to extend the discovery schedule (NYSCEF 546-558) and, following oral argument of that application on February 15, 2022, the Court granted that application, gave the parties until February 28, 2022 to complete party document discovery and production of privilege logs, with a one-time extension until March 10, 2022, with a three month extension of all other discovery dates, and directed the parties to submit a new schedule to be so ordered;

WHEREAS, the Parties, in compliance with the directions in the Court's Decision and Order, filed on February 16, 2022 (NYSCEF 587), respectfully submitted a proposed Second Revised Scheduling Order on the terms as set forth below and the Court so-ordered the Second Amended Scheduling Order (NYSCEF 607); and

WHEREAS, the NRA did not complete its document production and certification of completion of the same by March 10, 2022 as required and continues its document production now, necessitating an application to discovery Special Master the Hon. O. Peter Sherwood for relief including an extension of discovery to allow the NRA to complete and certify its production as complete;

IT IS FURTHER STIPULATED, AGREED, AND ORDERED that the dates set forth in the RSO shall be amended as follows:

| | Previous Dates in the Second Revised Scheduling Order | Proposed New Dates |
|--|---|---------------------------|
| Party Document and Privilege Log Production | Party productions regarding the enforcement action due by February 28, 2022 with an extension to March 10, 2022 if needed. | May 2, 2022 |
| Fact Depositions Completed | June 1, 2022 | June 29, 2022 |
| End of Fact Discovery (including all responses to discovery demands served and document production completed) | June 1, 2022 | June 29, 2022 |
| Parties Serve CPLR 3101(d) Expert Disclosure | July 6, 2022 | August 3, 2022 |
| Parties Serve Rebuttal Expert Reports | July 27, 2022 | August 24, 2022 |

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| Expert Depositions | August 10, 2022 – September 2, 2022 | September 7 – October 3, 2022 |
| End of Expert Discovery/End of all Discovery | September 2, 2022 | October 3, 2022 |
| Note of issue | September 9, 2022 | October 7, 2022 |
| Deadline for dispositive motions and/or motions directed to experts | October 13, 2022 | November 14, 2022 |

IT IS FURTHER STIPULATED, AGREED, AND ORDERED that this Stipulation can be executed in counterparts and by using electronic, scanned or telefaxed signatures, with the same effect as original signatures.

IN WITNESS WHEREOF, this Stipulation is executed by counsel for the Parties on April __, 2022.

For Plaintiff-Counterclaim-Defendant

ATTORNEY GENERAL
OF THE STATE OF NEW YORK

For Defendant/Counterclaim Plaintiff
The National Rifle Association of America

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SO ORDERED

J.S.C