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NYSCEF DOC. NO. 661

INDEX NO. 451625/2020

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

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PEOPLE OF THE STATE OF NEW YORK, BY LETITIA JAMES, ATTORNEY GENERAL OF THE STATE OF NEW YORK

Plaintiff,

-against-

THE NATIONAL RIFLE ASSOCIATION OF AMERICA, WAYNE LAPIERRE, WILSON PHILLIPS, JOHN FRAZER, and JOSHUA POWELL,

Defendants.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the attached affirmation of Svetlana M. Eisenberg dated May 19, 2022, the accompanying memorandum of law in support of this motion, and upon all the pleadings and proceedings in this action to date, The National Rifle Association of America, by undersigned counsel, will move this Court, before the Honorable Justice 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 June 3, 2022, or as soon thereafter as counsel may be heard, for an order under CPLR 3104(d) (i) reversing rulings by the Special Master for Discovery that the privileges were not applicable to the matter redacted in the Documents (as the term is defined in the motion), or were otherwise waived, (ii) in the alternative, remanding the matter to the Special Master for additional findings and rulings specifically with regard to the attorney work product and trial preparation privileges, and/or (iii) ordering such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that absent Court order or the parties'

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agreement otherwise stating, answering papers, if any, are due to be served electronically at least seven days before the return date herein.

An affirmation that a good faith effort has been made to resolve the issues raised in this motion is attached.

Dated: May 19, 2022 Respectfully submitted,

By: /s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg
sme@brewerattorneys.com
Joshua M. Dillon
jdd@brewerattorneys.com

BREWER, ATTORNEYS & COUNSELORS

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ATTORNEYS FOR DEFENDANT
THE NATIONAL RIFLE ASSOCIATION

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion and related documents was electronically served via the Court's electronic case filing system upon all counsel of record on May 19, 2022.

/s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg