

Exhibit A

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,

INDEX NO.: 451625/2020

Plaintiff,

-against-

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

Defendants.

**AFFIRMATION OF SVETLANA M. EISENBERG IN FURTHER OPPOSITION TO
THE NYAG'S MOTION TO DISMISS THE NRA'S COUNTERCLAIMS**

I, SVETLANA M. EISENBERG, an attorney duly admitted to practice law in the courts of the State of New York, hereby affirm the following under penalty of perjury pursuant to CPLR § 2106:

1. I am a Partner with the firm Brewer, Attorneys & Counselors, counsel for the National Rifle Association of America (the “NRA”) in the above-captioned action.

2. I respectfully submit this Affirmation in response to the New York Attorney General’s (“NYAG”) Supplemental Letter Brief in further support of her Motion to Dismiss (Motion Sequence No. 13) the National Rifle Association of America’s Counterclaims (NYSCEF 629).

3. I am familiar with the facts and circumstances of this action, either because I personally participated in the events described or through my conversations with my client or with my colleagues at Brewer and my review of the case file.

4. On May 2, 2022, the NYAG amended her complaint, NYSCEF 646. In the amendment, the NYAG asserts against the NRA a claim for injunctive relief, including, inter alia, the appointment of an “independent compliance monitor” and a “governance expert.” NYSCEF 646 at 160-62. The NYAG states that the remedies are appropriate to “secure proper administration” of the NRA and its assets. The relevant excerpt is attached hereto as **Exhibit A-1**.

It states and alleges, in part:

[T]he NRA and its assets were improperly administered under section 8-1.4 of the EPTL. Therefore, to secure the proper administration of the NRA, the Attorney General seeks injunctive relief, including **without limitation the appointment of an independent compliance monitor with responsibility to report to the Attorney General and the Court; the appointment of an independent governance expert to advise the Court on reforms necessary to the governance of the NRA to ensure the proper administration of charitable assets; directing the NRA to implement such governance reforms as the Court deems necessary [sic.] ensure the proper administration of charitable assets** and such further relief that the Court deems appropriate.

Exhibit A-1 at ¶ 643.

5. A true and correct excerpt of the transcript of the February 25, 2022 oral argument, NYSCEF 625, is attached hereto as **Exhibit A-2**.

Dated: May 24, 2022
New York, New York

/s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg

Certification of Compliance with Word Count

I, Svetlana M. Eisenberg, an attorney duly admitted to practice law before the courts of the State of New York, certify that the foregoing Affirmation of Svetlana M. Eisenberg complies with the word count limit set forth in Rule 17 of the Commercial Division of the Supreme Court (22 NYCRR 202.70(g)) because the Affirmation of Svetlana M. Eisenberg contains 353 words, excluding the parts exempted by Rule 17. In preparing this certification, I have relied on the word count of the word-processing system used to prepare this reply memorandum of law.

By: /s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg
Attorney for Defendant
The National Rifle Association of America