

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,	:	Index No. 451625/2020
	:	
Plaintiff,	:	IAS Part 3
	:	
v.	:	Hon. Joel M. Cohen
	:	
THE NATIONAL RIFLE ASSOCIATION OF	:	
AMERICA, INC., WAYNE LAPIERRE,	:	
WILSON PHILLIPS, JOHN FRAZER, and	:	
JOSHUA POWELL,	:	
	:	
Defendants.	:	
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**AFFIRMATION OF WILLIAM B. FLEMING IN SUPPORT OF JOHN FRAZER'S
MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT**

WILLIAM B. FLEMING, an attorney duly authorized to practice in the State of New York, does hereby affirm the following under penalties of perjury as follows:

1. I am a member of the law firm of Gage Spencer & Fleming LLP, counsel to defendant John Frazer ("Frazer"). I respectfully submit this affirmation to present exhibits in support of John Frazer's Motion to Dismiss Plaintiff's Second Amended Complaint.

2. Annexed hereto as Exhibit 1 is a true and correct copy of McKinney's 2013 Session Laws of New York, Vol. 2, 236th Session-2013, Memoranda Ch. 549.

3. Annexed hereto as Exhibit 2 is a true and correct copy of McKinney's Consolidated Laws of N.Y., Book 1, Statutes §§ 92, 240.

4. Annexed hereto as Exhibit 3 is a true and correct copy of excerpts from the book THE DUTY TO ACCOUNT: DEVELOPMENT AND PRINCIPLES, JA Watson, (2016).

5. Annexed hereto as Exhibit 4 is a true and correct copy of the results of an electronic search for “Frazer” on Office of the Attorney General’s Search Charities Database, available at https://www.charitiesnys.com/RegistrySearch/search_charities.jsp.

Dated: New York, New York
June 6, 2022

/s/ William B. Fleming

William B. Fleming

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2022, a true and correct copy of the foregoing Affirmation of William B. Fleming in Support of John Frazer's Motion to Dismiss Plaintiff's Second Amended Complaint was served on all counsel of record by NYSCEF.

By: /s/ William B. Fleming

ATTORNEY CERTIFICATION PURSUANT TO COMMERCIAL DIVISION RULE 17

I, William B. Fleming, an attorney duly admitted to practice law before the courts of the State of New York, hereby certify that the Memorandum of Law in support of Defendant John Frazer's Motion to Dismiss Plaintiff's Second Amended Complaint complies with the word count limit set forth in Rule 17 of the Commercial Division of the Supreme Court because the memorandum of law contains 272 words, excluding 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 memorandum of law.

Dated: New York, New York
June 6, 2022

By: /s/ William B. Fleming
William B. Fleming