

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK, COMMERCIAL DIVISION

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

Defendants.

Index No. 451625/2020

IAS Part Three
Hon. Joel M. Cohen

NOTICE OF MOTION

Oral Argument Requested

PLEASE TAKE NOTICE that, pursuant to CPLR 3211(a)(1), (2), (3), (7) and (10), upon the annexed affirmation of P. Kent Correll, Esq., the accompanying memorandum of law, and all other papers, pleadings and proceedings in this action, Defendant Wayne LaPierre (“LaPierre”), by his undersigned attorney, will move this Court, before the Honorable 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 22, 2022, for an order dismissing the Second Amended Verified Complaint in its entirety, or, in the alternative, as against him, on the ground that:

(1) the Attorney General lacks the legal authority to seek judgment against LaPierre for relief other than the relief provided in section 720 of the Not-for-Profit Corporation Law;

(2) the Attorney General is barred by the doctrine of law of the case from continuing to seek relief against LaPierre on the theory that he has been “unjustly enriched;” and

(3) the National Rifle Association of America should be a party and the Court should not proceed in its absence.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b) and CPLR 2215, any answering affidavits, or other answering papers, and any notice of cross-motion and accompanying papers, must be served upon the undersigned at least seven days prior to the return date of this motion.

Dated: New York, New York
June 6, 2022

CORRELL LAW GROUP

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Attorney for Defendant Wayne LaPierre

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was electronically served via the Court's electronic case filing system upon all counsel of record on this 6th day of June 2022.

/s/ P. Kent Correll
P. Kent Correll