

**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 et al., §  
Defendants. §**

**INDEX NO. 451625/2020**

**AFFIRMATION OF SVETLANA M. EISENBERG IN SUPPORT OF THE NATIONAL  
RIFLE ASSOCIATION OF AMERICA'S MOTION TO DISMISS THE FIRST CAUSE  
OF ACTION OF THE SECOND AMENDED VERIFIED COMPLAINT [NYSCEF 646]**

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 the penalty of perjury pursuant to CPLR § 2106:

1. I am a partner at 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 support of the NRA's motion to dismiss the First Cause of Action asserted by the Attorney General of the State of New York in the Second Amended Verified Complaint, NYSCEF No. 646.

3. Attached as **Exhibit 1** is a copy of the NYAG's Complaint in *The People of the State of New York by Letitia James v. Diocese of Buffalo et al.*, No. 452354/2020 (N.Y. Sup. Ct.) (filed on Dec. 2, 2020).

4. Attached as **Exhibit 2** is a copy of the Verified Cross-Petition of Intervenor Attorney General of The State of New York, *The Comm. To Save Cooper Union, Inc. v. Bd. of Trustees of the Cooper Union for the Advancement of Science and Art*, No. 155185/2014 (N.Y. Sup. Ct.) (filed on Sept. 2, 2015).

5. Attached as **Exhibit 3** is a copy of the NYAG's Amended Complaint in *The City of New York and the People of New York v. FedEx Ground Package Sys., Inc.*, No. 14-cv-8985 (S.D.N.Y.) (filed on May 8, 2015).

6. Attached as **Exhibit 4** is a copy of a Press Release, A.G. Schneiderman Sues Nassau County Prison Health Service Provider, Armor Health, Alleging Inadequate Care Of Inmates (July 12, 2016).

7. Attached as **Exhibit 5** is a copy of the Memorandum in Support of Legislation, prepared in connection with legislative amendments to the Executive Law and the Estates, Powers and Trusts Law in the 225th Legislature in 2002.

Executed this 6<sup>th</sup> day of June 2022 in New York, New York.

/s/ Svetlana M. Eisenberg

Svetlana M. Eisenberg

**ATTORNEY CERTIFICATION PURSUANT TO COMMERCIAL DIVISION RULE 17**

I, Svetlana M. Eisenberg, an attorney duly admitted to practice law before the courts of the State of New York, hereby certify that this Affirmation in Support of the NRA's Motion to Dismiss the First Cause of Action of the Second Amended Verified Complaint 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 contains 299 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 affirmation.

Dated: June 6, 2022  
New York, New York

/s/ Svetlana M. Eisenberg  
Svetlana M. Eisenberg