

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 SUPPORT THE NRA'S MOTION
PURSUANT TO CPLR 3104(d)**

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 support of the NRA's Motion Pursuant to CPLR 3104(d) for Review of the Special Master's Denial of the NRA's Application for an Order Pursuant to Commercial Division Rule 11.
3. A true and correct copy of the NRA's June 1, 2022 Letter to the Special Master is attached hereto as **Exhibit A**.

4. A true and correct copy of the NRA's June 13, 2022 Letter to the Special Master is attached hereto as **Exhibit B**.

5. A true and correct copy of the NRA's December 31, 2021 Rule 11-f Deposition Notice to the NYAG is attached hereto as **Exhibit C**, as well as the NRA's May 19, 2022 Rule 11-f Deposition Notice to the NYAG, attached hereto as **Exhibit D**.

6. A true and correct copy of the Plaintiff's Responses and Objections to Defendant NRA's Amended Notice of Rule 11-f Oral Examination of the Office of the Attorney General of the State of New York is attached hereto as **Exhibit E**.

7. A true and correct copy of the NYAG's January 30, 2022 Letter to the Special Master is attached hereto as **Exhibit F**, as well as a true and correct copy of the March 4, 2022 Letter to the Special Master attached as **Exhibit G**.

8. A true and correct copy of the NRA's June 23, 2022 Letter to the Special Master is attached hereto as **Exhibit H**.

9. A true and correct copy of the Responses and Objections of Plaintiff the People of the State of New York to NRA's First Set of Interrogatories is attached hereto as **Exhibit I**.

10. A true and correct copy of the NYAG's June 7, 2022 Letter to the Special Master is attached hereto as **Exhibit J**.

11. A true and correct copy of the Special Master Report dated June 16, 2022 is attached hereto as **Exhibit K**.

12. A true and correct copy of Appendix A to the NRA's June 13, 2022 Letter to the Special Master, is attached hereto as **Exhibit L**.

13. A true and correct copy of the hearing transcript for the June 16, 2022 hearing before the Special Master is attached hereto as **Exhibit M**.

14. A true and correct copy of a letter from Kent Correll, counsel for Wayne LaPierre, to Judge Sherwood, dated June 1, 2022 is attached hereto as **Exhibit N**.

Dated: June 24, 2022
New York, New York

/s/ Svetlana Eisenberg
Svetlana 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 fewer than 500 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 S. Eisenberg
Svetlana S. Eisenberg