

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

**Defendants.**

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§ **INDEX NO. 451625/2020**  
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§ **NOTICE OF MOTION**  
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**PLEASE TAKE NOTICE** that upon the attached affirmation of Svetlana M. Eisenberg, dated November 1, 2022, the accompanying motion and upon all the pleadings and proceedings in this action to date, The National Rifle Association of America, by undersigned counsel, will move this Court, before the Honorable Justice 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 November 23, 2022, or as soon thereafter as counsel may be heard, for an order under CPLR 3104(d) reversing rulings by the Special Master for Discovery that the privileges applicable to the Documents (as the term is defined in the motion) were waived and ordering such other relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that absent Court order or the parties' agreement otherwise stating, answering papers, if any, are due to be served electronically at least seven days before the return date herein

An affirmation that a good faith effort has been made to resolve the issues raised in this motion is attached.

Dated: November 1, 2022

Respectfully submitted,

By: /s/ Svetlana M. Eisenberg\_\_\_\_\_

Svetlana M. Eisenberg

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**ATTORNEYS FOR DEFENDANT**

**THE NATIONAL RIFLE ASSOCIATION**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing motion and related documents was electronically served via the Court's electronic case filing system upon all counsel of record on November 1, 2022.

/s/ Svetlana M. Eisenberg

Svetlana M. Eisenberg

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