



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CHARITIES BUREAU

212.416.6241
Monica.Connell@ag.ny.gov

November 22, 2022

Honorable Joel M. Cohen
Justice of the Supreme Court of the State of New York
Commercial Division, New York County
60 Centre Street
New York, NY 10007

Re: *People of the State of New York, by Letitia James, Attorney General of the State of New York v. The National Rifle Association of America, Inc. et al.*,
Index No. 451625/2020

Dear Justice Cohen:

Plaintiff, the People of the State of New York by the Office of the Attorney General of the State of New York (“OAG”), respectfully writes to request a two-week extension of the Note of Issue date set forth in the Fifth Amended Scheduling Order (NYSCEF 829) to allow time to wrap up some outstanding discovery matters. The current Note of Issue date is November 29, 2022. The extension would be until December 13, 2022. This request was approved and recommended by the Court-appointed discovery Special Master, the Hon. O. Peter Sherwood.

At argument on the then-pending motions to dismiss, on September 29, 2022, Your Honor directed the parties to wind down outstanding discovery disputes so that discovery could be timely completed. Thereafter, the parties conferred with your Law Clerk, Mr. Blaustein and had multiple appearances before the Special Master. This then led to Plaintiff and the NRA each submitting omnibus discovery letter applications regarding any remaining issues to the Special Master on October 20th and responses were submitted on November 4, 2022. The Special Master heard argument on November 14, 2022. He is engaged in reviewing and deciding the various pending applications. Other than these pending applications, fact discovery has closed and the final expert deposition is scheduled to end on November 29, 2022.

In conjunction with the submission of Plaintiff’s omnibus discovery application on October 20, 2022, Plaintiff requested a modest extension for filing the Note of Issue by two weeks—until December 13—and a corresponding two-week extension of the date for filing dispositive motions and motions directed to experts to February 3, 2023. Plaintiff sought the extension to allow some additional time in the schedule to complete any discovery that may be permitted upon the Special Master’s resolution of the omnibus motions. Absent such an

opportunity to complete all permissible discovery, Plaintiff will suffer substantial prejudice. No party objected to Plaintiff's request and the Special Master indicated that he did approve and would recommend that Your Honor grant such an extension.

Accordingly, given the pending discovery applications and the Special Master's approval and recommendation, Plaintiff asks that the filing date of the Note of Issue be extended by two weeks—until December 13, 2022—and requests a corresponding two-week extension of the date for filing dispositive motions and motions directed to experts to February 3, 2023.

Respectfully,

/s/ Monica Connell

Monica Connell
Senior Litigation Counsel
Assistant Attorney General

cc: All Counsel of Record