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December 1, 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, pursuant to your October 13, 2022 direction, to submit a proposed order amending the caption in this case.

As the Court is aware, Defendant Wayne LaPierre argued unsuccessfully in his third motion to dismiss that the Plaintiff failed to name a necessary party because it names the "National Rifle Association of America, Inc." instead of "National Rifle Association of America" in the caption. The Court denied that motion to dismiss (NYSCEF 844), but at argument on September 29, 2022 directed the parties to meet and confer regarding the caption. Plaintiff agreed to stipulate to amend the caption but was unable to resolve the issue with counsel for Mr. LaPierre. Following correspondence to the Court which addressed this among other issues (*see* NYSCEF 852, 853, and 854), the Court directed that "the parties submit a proposed order amending the caption. The court sees no need for further amendment or motion practice to make this minor change." (NYSCEF 855.)

On November 22, 2022, Plaintiff circulated a proposed stipulation and order that in substance was identical to the attached proposed order. Only Defendant Phillips responded, consenting to the proposed stipulation and order. None of the other Defendants responded to Plaintiff. On November 29, 2022, Plaintiff again asked for the parties' consent and again received no additional responses.

Plaintiff would like to resolve this issue, which is ministerial, and therefore submits the attached proposed order for the Court's endorsement in accordance with Your Honor's October 13, 2022 direction.

Respectfully,

/s Monica Connell

Monica Connell
Senior Litigation Counsel
Assistant Attorney General

cc: All Counsel of Record