

At IAS Part 3 of the
Commercial Division of
the Supreme Court of the
State of New York,
County of New York, held
at the Courthouse located
at 60 Centre Street, New
York, New York, on
December __, 2022.

P R E S E N T: Hon. Joel M. Cohen, J.S.C.

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.

Index No. 451625/2020

Hon. Joel M. Cohen

Motion Seq. No. __

ORDER TO SHOW CAUSE

Upon the Affirmation of Assistant Attorney General Monica Connell, dated December 12, 2022 and accompanying exhibits; the Plaintiff's Memorandum of Law in Support of Order Pursuant to Civil Practice Law and Rules 3401 and Rule 202.21 of the Uniform Civil Rules for the Supreme Courts and County Courts; and upon all prior pleadings and proceedings had herein, and with no previous application for the relief requested herein having been made to this or any other Court, it is hereby:

ORDERED that Defendant National Rifle Association of America ("NRA") show cause before the Hon. Joel M. Cohen, at the New York County Courthouse, 60 Centre Street, New York, New York, at IAS Part 3 in Courtroom __, on the __ day of December, 2022, at ____

o'clock __.m. of that day, why this Court should not enter an Order:

- (i) Permitting Plaintiff to file the note of issue and certificate of readiness on December 13, 2022 or such other date as is set by the Court but, pursuant to Rule 202.21(d), under the condition that Plaintiff may pursue motion practice to obtain such relief as the Court deems appropriate as a result of Defendant NRA's discovery conduct and may file the note of issue and certificate of readiness with this reservation noted;
- (ii) in the alternative, scheduling a conference and permitting Plaintiff to file the note of issue and certificate of readiness on December 13, 2022 or such other date as is set by the Court and on the condition that Plaintiff may complete any necessary discovery granted by the Court thereafter pursuant to Rule 202.21(e) or extending Plaintiff's time to file the note or issue pending a decision by the Court following such conference; and
- (iii) granting such other and further relief as the Court deems just, fair and appropriate

ORDERED that pending hearing of such Order, Plaintiff's time to file the note of issue and certificate of readiness is extended; and it is further

ORDERED that service of a copy of this Order and the papers upon which it is based upon the Parties by e-mail to their respective counsel in this action on or before 5:00 p.m. on the __ Day of December, 2022 shall be deemed good and sufficient service thereof;

ORDERED that opposition papers, if any, shall be served so as to be received by the New York State Office of the Attorney General on or before 5:00 p.m. on the ___ day of December, 2022; and it is further

ORDERED that Plaintiff's reply papers, if any, shall be served by Plaintiff on or before the ___ day of December, 2022.

ENTER:

Hon. Joel M. Cohen, J.S.C.