

B R E W E R
ATTORNEYS & COUNSELORS

January 9, 2023

VIA NYSCEF

Hon. 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: NYAG v. NRA et al, Index No. 451625/2020

Dear Justice Cohen:

On behalf of the National Rifle Association of America (the “NRA”), we respectfully request permission to submit for Your Honor’s in camera review (i) certain documents submitted for in camera review to Judge Sherwood on December 17, 2022 as discussed in the NRA’s motion for review—pursuant to CPLR 3104(d)—of Judge Sherwood’s Decision dated December 27, 2022,¹ and (ii) an affidavit of the NRA’s Secretary and General Counsel John C. Frazer dated January 9, 2023.

The documents the NRA wishes to submit are (i) the documents that Judge Sherwood deemed to be non-privileged; and (ii) where applicable email messages to which such documents were attached.

The affidavit sets forth additional context related to the communications at issue (such as the purpose for which they were sent) and will be filed by the NRA in redacted form via NYSCEF.

The NYAG consents, but reserves the right to assert other arguments including to later argue that it should be permitted access to some or all such information submitted for in camera review.

We thank Your Honor for his consideration of this request.

Respectfully submitted,
/s/ Noah B. Peters
William A. Brewer III
Svetlana M. Eisenberg
Noah B. Peters
BREWER, ATTORNEYS & COUNSELORS

¹ The motion is dated January 9, 2023.

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cc: All Counsel of Record (via NYSCEF)