

**B R E W E R**  
ATTORNEYS & COUNSELORS

January 19, 2023

**VIA NYSCEF**

Hon. Joel M. Cohen  
Justice of the Supreme Court of the State of New York  
New York County  
60 Centre Street  
New York, New York 10007

Re: NYAG v. NRA *et al.*, Index No. 451625/2020  
Motion Sequence 40

Dear Justice Cohen:

On behalf of the National Rifle Association of America (the “NRA”), we confirm that, as the Office of the Attorney General represents in its letter to the Court dated January 17, 2023 (NYSCEF 1072) (enclosed), motion practice pertaining to Motion Sequence 40 is moot.

Motion Sequence 40 (NYSCEF 1006) is the NRA’s Motion for Review of the Decision by the Special Master for Discovery Pertaining to the NYAG’s Communications with an Unidentified Law Enforcement Agency Concerning Its Investigation of the NRA.<sup>1</sup>

Respectfully submitted,

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**COUNSEL FOR THE NATIONAL RIFLE  
ASSOCIATION OF AMERICA**

Enclosure

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<sup>1</sup> The NRA disagrees with the NYAG’s statement (*see* NYSCEF 1072) that the documents at issue in the motion, which the NYAG produced earlier this week, are “irrelevant to any claims remaining in the action.” Not only are the documents non-privileged, but they are also highly relevant.



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January 17, 2023

**VIA NYSCEF**

Honorable Joel M. Cohen  
Justice of the Supreme Court of the State of New York State  
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 et al.*, Index No. 451625/2020

Dear Justice Cohen:

On behalf of the Plaintiff, the People of the State of New York, the Office of the Attorney General of the State of New York ("OAG") respectfully writes to inform Your Honor that Plaintiff has elected to produce the documents at issue in Motion Sequence No. 40 to the parties.

In Motion Sequence No. 40, the National Rifle Association of America ("NRA") seeks review of the Special Master's December 21, 2022 ruling that communications between the OAG and other government agencies during the OAG's investigation of the NRA were privileged, insofar as that ruling related to the OAG's communications with a heretofore unidentified agency. NYSCEF 1009. These communications are irrelevant to any claims remaining in this action. Nevertheless, in light of the Special Master's ruling, the content of the communications and after notifying the other law enforcement agency, the OAG determined that the documents could be produced without violating any privileges, and produced the documents today.

Since the NRA's motion seeks no relief apart from the production of these documents, the NRA's motion is now moot.

Respectfully,

*/s/ Monica Connell*  
Monica Connell  
Assistant Attorney General

cc: All Counsel of Record