FILED: NEW YORK COUNTY CLERK 01/26/2023 12:08 AM

JOHN FRAZER, and JOSHUA POWELL

NYSCEF DOC. NO. 1127

INDEX NO. 451625/2020

RECEIVED NYSCEF: 01/26/2023

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK, BY
LETITIA JAMES, ATTORNEY GENERAL OF THE
STATE OF NEW YORK,

Plaintiff,

Plaintiff,

MOTION FOR A SEALING
ORDER

THE NATIONAL RIFLE ASSOSICATION OF
AMERICA, WAYNE LAPIERRE, WILSON PHILLIPS,

I, Svetlana M. Eisenberg, an attorney duly admitted to practice law before the Courts of

the State of New York, affirm under penalty of perjury pursuant to CPLR § 2106 as follows:

Defendants.

- 1. I am a Partner at Brewer, Attorneys & Counselors, counsel for the National Rifle Association of America (the "NRA").
- 2. I submit this affirmation in support of the NRA's motion for a sealing order dated January 25, 2023.
 - 3. Attached hereto are true and correct copies of the following documents:
 - a. November 21, 2019 engagement agreement between Aronson LLC and the National Rifle Association of America and Affiliates (*Exhibit 1 at 3*).
 - b. October 26, 2020 engagement agreement between Aronson LLC and the National
 Rifle Association of America and Affiliates (Exhibit 2 at 3).

INDEX NO. 451625/2020 COUNTY CLERK 01/26/2023

NYSCEF DOC. NO. 1127

RECEIVED NYSCEF: 01/26/2023

c. Email exchanges dated on or about September 30, 2022, October 4, 2022, October

6, 2022, October 7, 2022, and November 15, 2022 involving the NYAG and me as

counsel for the NRA evidencing the agreement that the NRA would produce certain

documents while any appeals regarding their privilege/admissibility status are

pending in return for a series of undertakings by the NYAG, including to return the

documents if the NRA prevails on appeal (Exhibits 3 and 4).

d. Other communications reflect the same agreement reached with other parties.

4. The email message thread attached as Exhibit D to the affirmation of Monica Connell dated

January 18, 2023, was produced by the NRA to the NYAG on or about November 15, 2022,

as a "HIGHLY CONFIDENTIAL" document pursuant to the above-described agreement.

Dated: January 25, 2023

New York, New York

/s/ Svetlana M. Eisenberg

Svetlana M. Eisenberg

2