

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,

v.

THE NATIONAL RIFLE ASSOCIATION OF
AMERICA, WAYNE LAPIERRE, WILSON
PHILLIPS, JOHN FRAZER, and JOSHUA
POWELL,

Defendants.

Index No. 451625/2020

Hon. Joel M. Cohen

**AFFIDAVIT OF
REBECCA LOEGERING
IN SUPPORT OF
DEFENDANT WILSON H.
PHILLIPS'S MOTION FOR
SUMMARY JUDGMENT**

AFFIDAVIT OF REBECCA LOEGERING

STATE OF TEXAS §

COUNTY OF DALLAS §

I, **Rebecca Loegering**, being duly sworn, hereby depose and state:

1. My name is Rebecca Loegering. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am an attorney at the law firm of Winston & Strawn LLP, attorneys for Defendant Wilson H. Phillips ("Phillips") in the above-captioned matter. As such, I have personal knowledge of the facts set forth herein.

3. I submit this Affidavit in support of Phillips's Motion for Summary Judgment under CPLR § 3212.

4. Attached hereto as Exhibit A is a true and correct copy of the Second Amended and Supplemental Verified Complaint filed on May 2, 2022 (NYSCEF No. 646) which is herein referred to as “SAC.”

5. Attached hereto as Exhibit B is a true and correct copy of Verified Answer of Wilson H. Phillips to the SAC filed in this matter on June 6, 2022 (NYSCEF No. 682).

6. Attached hereto as Exhibit C are excerpts of a true and correct copy of the transcript of the August 10, 2021 Deposition of Wilson H. Phillips which is herein referred to as “Phillips Dep.”

7. Attached hereto as Exhibit D is a true and correct copy of Wilson H. Phillips’s Independent Consulting Agreement (Phillips Dep. Exhibit 3).

8. Attached hereto as Exhibit E is a true and correct copy of invoices issued by WHiP, LLC to the NRA, invoices related to office rental space, a memorandum drafted by John C. Frazer dated June 25, 2019, and Mr. Phillips’s Independent Consulting Agreement (Phillips Dep. Exhibit 5).

9. Attached hereto as Exhibit F is a true and correct copy of HomeTelos Contract Review Sheet, Business Case Analysis and contractual agreement with HomeTelos (Phillips Dep. Exhibit 20).

10. Attached hereto as Exhibit G are excerpts of a true and correct copy of the transcript of the October 18, 2021 Deposition of Wilson H. Phillips which is herein referred to as “Phillips Oct. Dep.”


11. Attached hereto as Exhibit H are excerpts of a true and correct copy of the transcript of the October 1, 2021 Deposition of Peter R. Brownell.

12. Attached hereto as Exhibit I are excerpts of a true and correct copy of the transcript

of the June 17, 2022 Deposition of Charles C. Cotton ("Cotton Dep.").

13. Attached hereto as Exhibit J is a true and correct copy of Minutes of the Meeting of the Board of Directors of the National Rifle Association dated September 8, 2018 (Cotton Dep. Exhibit 20).

14. Attached hereto as Exhibit K is a true and correct copy of Plaintiff's Responses and Objections to Defendant Phillip's First Set of Interrogatories, dated November 18, 2022.


Rebecca Loegering

Dated: February 10, 2023
New York, New York

Respectfully Submitted,

By: /s/ Rebecca Loegering

Rebecca Loegering (admitted *pro hac vice*)

WINSTON & STRAWN LLP

2121 North Pearl St., Suite 900

Dallas, Texas 75201

Tel: (214) 453-6500

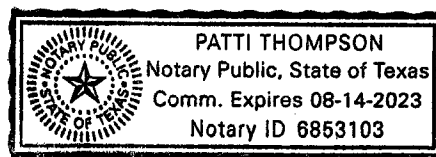
rloegering@winston.com

Counsel for Defendant Wilson Phillips

On the 10th day of February in the year 2023, before me the undersigned, personally appeared REBECCA LOEGERING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within document and he acknowledged to me that he executed the same in his capacity, and that by his signature on the document, the individual or the person upon behalf of which the individual acted, executed the document.

WITNESS my hand and official seal.

Patti Thompson



Notary Public in and for the State of Texas

CERTIFICATE OF COMPLIANCE

1. The following statement is made in accordance with N.Y.C.R.R. § 202.8-b and Commercial Division Rule 17.

2. The foregoing Affidavit In Support of Defendant Wilson H. Phillips's Motion for Summary Judgment was prepared in the processing system Microsoft Word, with Times New Roman typeface, 12-point font.

3. Relying on the word count of the word-processing system, the total number of words in this document, exclusive of the caption and signature block, is 964 words.


Dated: February 10, 2023
Dallas, Texas

By: /s/ Rebecca Loegering
Rebecca Loegering

CERTIFICATE OF CONFORMITY

The undersigned does hereby certify that she is an attorney at law duly admitted to practice in the State of Texas and is a resident of the State of Texas, that she is a person duly qualified to make this certificate of conformity pursuant to Section 299-a of the Real Property Law of the State of New York: that she is fully acquainted with the laws of the State of Texas pertaining to the acknowledgment or proof of deeds of real property to be recorded therein; that the foregoing affidavit filed as the Affidavit of Rebecca Loegering in Support of Defendant Wilson H. Phillips's Motion for Summary Judgment in the matter with the Index Number 451625/2020, dated February 10, 2023 taken before Patti A. Thompson, a notary in State of Texas, Dallas County, was taken in the manner prescribed by such laws of the State of Texas, Dallas County, being the State in which it was taken; and that it duly conforms with such laws and is in all respects valid and effective in such State.

Dated: February 10, 2023
Dallas, Texas


Rebecca Loegering
Attorney at law in State of Texas