

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

Motion Sequence No. ____

**AFFIRMATION OF
STEVEN SHIFFMAN
IN SUPPORT OF
PLAINTIFF'S MOTION TO
DISMISS CERTAIN OF
DEFENDANTS'
AFFIRMATIVE DEFENSES**

STEVEN SHIFFMAN, an attorney duly admitted to practice before the Courts of this State, hereby affirms the following under the penalty of perjury pursuant to CPLR § 2106:

1. I am an Assistant Attorney General in the Enforcement Section of the Charities Bureau of the Office of the New York State Attorney General ("OAG" or "Attorney General").
2. I submit this affirmation in support of Plaintiff's motion to dismiss certain of Defendants' affirmative defenses pursuant to CPLR 3211(b) and CPLR 3212.
3. Attached as Exhibit 1 is a true and correct copy of the National Rifle Association of America's Amended Verified Answer and Counterclaims, filed on July 20, 2021 (previously filed as NYSCEF 325).
4. Attached as Exhibit 2 is a true and correct copy of the Court's June 10, 2022 Decision and Order (previously filed as NYSCEF 706).

5. Attached as Exhibit 3 is a true and correct copy of Plaintiff's Second Amended Verified Complaint, filed on May 2, 2022 (previously filed as NYSCEF 646).

6. Attached as Exhibit 4 is a true and correct copy of the Verified Answer of Joshua Powell to Plaintiff's Second Amended Complaint, filed on June 6, 2022 (previously filed as NYSCEF 681).

7. Attached as Exhibit 5 is a true and correct copy of the Verified Answer of Wilson Philips to Second Amended and Supplemental Verified Complaint, filed on June 6, 2022 (previously filed as NYSCEF 682).

8. Attached as Exhibit 6 is a true and correct copy of the Verified Answer of Defendant John Frazer to Plaintiff's Second Amended Verified Complaint, filed on October 21, 2022 (NYSCEF 864).

9. Attached as Exhibit 7 is a true and correct copy of the Verified Answer of Defendant LaPierre to the Second Amended Verified Complaint, filed on October 21, 2022. (previously filed as NYSCEF 865)

10. Attached as Exhibit 8 is a true and correct copy of the Amended Answer of the National Rifle Association of America to the Second Amended Verified Complaint, filed on November 2, 2022 (previously filed as NYSCEF 889).

11. Attached as Exhibit 9 is a true and correct copy of October 3, 2022 Decision and Order on the motions to dismiss the Second Amended Verified Complaint (previously filed as NYSCEF 845).

12. Attached as Exhibit 10 is a true and correct copy of the transcript of the September 29, 2022 proceedings in this action, filed on October 3, 2022 (previously filed as NYSCEF 847).

13. Attached as Exhibit 11 is a true and correct copy of a January 6, 2023 email from Plaintiff's counsel to counsel for Defendant LaPierre.

Dated: New York, New York
February 10, 2023

Steve Shiffman

Steven Shiffman