

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

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PEOPLE OF THE STATE OF NEW YORK, BY	:	
LETITIA JAMES, ATTORNEY GENERAL OF THE	:	Index No. 451625/2020
STATE OF NEW YORK,	:	
	:	<u>AFFIRMATION</u>
Plaintiff,	:	<u>Motion Sequence No. 58</u>
	:	
-against-	:	
	:	
	:	
THE NATIONAL RIFLE ASSOCIATION OF	:	
AMERICA, WAYNE LAPIERRE, WILSON PHILLIPS,	:	
JOHN FRAZER, and JOSHUA POWELL	:	
Defendants.	:	
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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:

1. I am a Partner at Brewer, Attorneys & Counselors, counsel for the National Rifle Association of America.
2. I submit this Affirmation in further support of the NRA's motion for a sealing order (Motion Sequence No. 58).
3. On March 27, 2023, the NRA moved for a sealing order with regard to certain records described in the memorandum of law in support of the motion.
4. On April 3, 2023, the NYAG opposed the NRA's motion for a sealing order.
5. As set forth in greater detail in the accompanying reply memorandum of law in further support of the NRA's motion for a sealing order (reply memorandum of law dated

April 11, 2023), the NRA withdraws the motion to the extent it concerned a report prepared by Forensic Risk Alliance (“FRA”), but otherwise continues to seek relief identified in the memorandum of law in support of the motion.

6. Nonetheless, if the Court were to deny the motion as to the entirety of the American Express statements at issue in the motion, the NRA respectfully requests that the Court at a minimum permit the NRA to maintain redactions over the words and phrases captured in translucent redactions.

7. The redactions consist of:

- a. Names of minors;
- b. Names of individuals suspected to be minors (that is, not determined to be not minors);
- c. Other personally identifying information, such as credit card account numbers, cardholder account numbers, flight reservation numbers; and
- d. Information pertaining to the travel and lodging arrangements of the NRA's security personnel.

8. Pursuant to Part 3 Sealing Practices and Procedures, the NRA will provide translucent redactions to chambers to aid, if necessary, the Court’s review of the proposed redactions.

April 11, 2023

/s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg