

EXHIBIT B

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

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PEOPLE OF THE STATE OF NEW YORK, BY :	
LETITIA JAMES, ATTORNEY GENERAL OF :	
THE STATE OF NEW YORK, :	Index No. 451625/2020
:	
Plaintiff, :	
:	
v. :	DEFENDANT JOHN FRAZER'S
:	RESPONSES AND OBJECTIONS
:	TO PLAINTIFF'S FIRST SET OF
THE NATIONAL RIFLE ASSOCIATION OF :	INTERROGATORIES
AMERICA, INC., WAYNE LAPIERRE, :	
WILSON PHILLIPS, JOHN FRAZER, and :	
JOSHUA POWELL, :	
:	
Defendants. :	
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Pursuant to Article 31 of the New York Civil Practice Law and Rules ("CPLR"), defendant John Frazer ("Frazer" or "Defendant") by and through his undersigned counsel, hereby responds to Plaintiff the Attorney General of the State of New York's ("Plaintiff") First Set of Interrogatories as follows:

GENERAL OBJECTIONS

1. Defendant objects to each and every Interrogatory to the extent such Interrogatory is overly broad, ambiguous, vague, unclear, and not relevant or material to, nor reasonably calculated to lead to the discovery of evidence admissible in this action. *See, e.g., Now-Casting Econs., Ltd. v. Econ. Alchemy LLC*, 2021 U.S. Dist. LEXIS 23650, at *7 (S.D.N.Y. Feb. 8, 2021) ("Courts generally resist efforts to use contention interrogatories as a vehicle to obtain every fact and every piece of evidence a party may wish to offer concerning a given issue at trial"); *Phillies v. Harrison/Erickson, Inc.*, No. 19-CV-07239 (VM)(SN), 2020 U.S. Dist. LEXIS 206749, at *5 (S.D.N.Y. Nov. 4, 2020) ("[c]ontention interrogatories, unlike other types of discovery, are not designed to reveal new information to the opposing side. Rather, they are "designed to assist

parties in narrowing and clarifying the disputed issues" in advance of summary judgment practice or trial"); *Pasternak v. Kim*, 2011 U.S. Dist. LEXIS 113998, at *6 (S.D.N.Y. Sep. 28, 2011) ("Courts have stricken contention interrogatories which asked a party to describe "all facts" that supported various allegations of the complaint, finding that to elicit a detailed narrative is an improper use of contention interrogatories"); *Clean Earth Remediation & Constr. Servs. v. Am. Int'l Grp., Inc.*, 245 F.R.D. 137, 141 (S.D.N.Y. 2007) ("[i]nterrogatories seeking identification of all facts supporting a particular allegation are inherently improper") (collecting cases); *see also* American Bar Association Civil Discovery Standard No. 8, cmt. (2004) ("[t]he legitimate purpose of contention interrogatories is to narrow issues for trial, not to force the opposing side to marshal all its evidence on paper"); *Roberts v. Heim*, 130 F.R.D. 424, 427 (N.D. Cal. 1989) ("[i]t is not difficult to discern a significant difference between an interrogatory which, for example, asks a plaintiff to 'state all facts upon which you base your contention that defendant is liable in this action' and an interrogatory which asks a plaintiff to 'state all facts upon which you base your contention that defendant was in attendance at the meeting of January 10, 1989.' The latter is a reasonable interrogatory and the former is not").

2. Defendant objects to each and every Interrogatory to the extent such Interrogatory is duplicative and cumulative and seeks information that may be obtained from other sources or through other means of discovery that are more convenient, more efficient, more practical, less burdensome and/or less expensive.

2. Defendant objects to each and every Interrogatory to the extent such Interrogatory can be construed as requesting disclosure of information or identification of documents prepared by or at the direction of its attorneys, or by or for its attorneys' representatives or agents in anticipation of litigation.

3. Defendant objects to each and every Interrogatory to the extent such Interrogatory can be construed as requesting attorney work-product, including, without limitation, any materials containing or reflecting mental impressions, conclusions, opinions, and/or legal theories, or the basis thereof, of any of its attorneys.

4. Defendant objects to each and every Interrogatory to the extent such Interrogatory can be construed as requesting disclosure of information or release or review of documents protected from disclosure by the attorney-client privilege or any other privilege or immunity.

5. Defendant objects to each and every Interrogatory to the extent such Interrogatory seeks information not in his possession, custody or control.

6. Defendant objects to each and every Interrogatory to the extent such Interrogatory seeks information that is public, equally available to Plaintiff, and/or already in Plaintiff's possession.

7. Defendant objects to each and every Interrogatory to the extent such Interrogatory seeks disclosure of confidential, proprietary, or trade secret information.

8. Defendant objects to each and every Interrogatory to the extent such Interrogatory does not seek the "claims and contentions" of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d). *See, e.g., EEOC v. Sterling Jewelers Inc.*, No. 08-CV-00706(A)(M), 2012 U.S. Dist. LEXIS 67220, at *24 (W.D.N.Y. May 14, 2012) ("[q]uestions seeking the identification of witnesses or documents are not contention interrogatories") (quoting *B. Braun Med. Inc. v. Abbott Labs.*, 155 F.R.D. 525, 527 (E.D. Pa. 1994)); *United States v. Educ. Mgmt. LLC*, No. 2:07-CV-00461, 2013 WL 3854458, at *20 (W.D. Pa. May 14, 2013), report and recommendation adopted, No. 2:07-CV-461, 2013 WL 3863963 (W.D. Pa. July 23, 2013)

(interrogatories that seek the identification of documents or of witnesses are not contention interrogatories).

9. Defendant objects to each and every Interrogatory on the ground that Plaintiff's interrogatories are an excessive and, in the circumstances present here, abusive use of a discovery device. Plaintiff has interviewed or deposed scores of witnesses during the investigative, bankruptcy, and discovery phases of its litigation against the NRA and has been given access to more than 1.5 million pages of documents, all of which fulsomely address the issues raised in Plaintiff's contention interrogatories. Further, as Defendants were not given any fact witness to depose to learn about Plaintiff's claims, including being denied a representative deposition of Plaintiff pursuant to Commercial Division Rule 11-f, the Honorable Peter Sherwood, serving as the Court-appointed Special Master in this case, suggested that contention interrogatories as an alternative discovery device for Defendants to employ for that purpose.

10. Defendant adopts and incorporates by reference all responses and objections made by any of the other Defendants in response to similar interrogatories served on them to the fullest extent applicable here, which have not been included in response to these interrogatories.

**GENERAL INSTRUCTIONS AND CONDITIONS
FOR RESPONSES TO INTERROGATORIES**

1. In responding, Defendant does not waive any objections based on relevance, materiality, competence, privilege, immunity from disclosure, admissibility or other grounds as specified above. Defendant will produce responsive documents and information for the purpose of this action and for no other purpose.

2. Defendant will produce his responses to the Interrogatories pursuant to the governing confidentiality/protective stipulation and order executed by all parties to the litigation and entered by the Court.

3. Defendant has exercised due and reasonable diligence in responding to the instant Interrogatories. Defendant reserves the right to amend, revise, correct, add to, clarify or supplement its responses at any time. Defendant further reserves the right to assert any applicable objections to the production of any additional information.

4. Subject to each of the foregoing reservations and objections, and without waiver thereof, Defendant responds to Plaintiff's Interrogatories as follows:

RESPONSES AND SPECIFIC OBJECTIONS

INTERROGATORY NO. 1

Identify all witnesses You may, will or intend to call at the trial of this Action.

RESPONSE TO INTERROGATORY NO. 1

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 1. Defendant further objects to the request for trial witnesses in Interrogatory No. 1 as premature under Commercial Division Rule 32, and because it does not seek the "claims and contentions" of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d).

INTERROGATORY NO. 2

Identify each defense and affirmative defense (collectively "defense") asserted in Your Answer or that You expect to rely upon at trial, setting forth the facts upon which You base the defense, identities of all persons who have knowledge of those facts, and all documents and other tangible things which support Your defense.

RESPONSE TO INTERROGATORY NO. 2

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 2. Defendant further objects to the request for trial defenses in Interrogatory No. 2 on the grounds that it is overly broad and unduly burdensome, and because it does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d).

INTERROGATORY NO. 3

For each denial of an allegation in Your Answer, state all facts upon which You base the denial, identify all persons who have knowledge of those facts, and all documents and other tangible things which support Your denial.

RESPONSE TO INTERROGATORY NO. 3

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 3. Defendant further objects to Interrogatory No. 3 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, calls for legal conclusions, calls for the disclosure of information protected by confidentiality, attorney-client privilege, or any other privilege or immunity, and does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d).

INTERROGATORY NO. 4

If as a defense to the allegations against You in this Action, including without limitation as alleged in Affirmative Defenses You have asserted, You contend that You relied upon information, opinions, reports or statements of NRA employees or other professionals outside the NRA—including counsel, public accountants, and consultants—identify all facts upon which You base the defense, persons who have knowledge of those facts, and all documents and other tangible things which support such defense.

RESPONSE TO INTERROGATORY NO. 4

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 4. Defendant further objects to Interrogatory No. 4 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, and calls for legal conclusions. Subject to and without waiving those objections, Defendant responds as follows: Under express New York statutory law, Frazer, as an officer of the corporation acting in good faith, was entitled to rely on information, opinions, reports, or statements including, without limitation, the NRA's annual Form 990s, prepared or presented by reliable and competent internal and external certified public accountants and professionals, among others. Persons with knowledge of these facts include, without limitation, Emily Cummins, Arif Rahman, Svetlana Olchevski, Rick Tedrick, Mike Erstling, Sonya Rowling, Craig Spray, Wilson Phillips, Jacqueline Husar, Emily Inskeep, Michael DiSipio, Stephen McCormick, April Miller, Zack Fortsch, Greg Plotts, Will Donahue, Kathy Cuddupah, and members of the audit committee. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these facts.

INTERROGATORY NO. 5

Identify all actions You have taken to ensure the NRA's compliance with its whistleblower policy, including identifying all whistleblower complaints by current and former NRA directors, officers, trustees, employees, volunteers or others You are aware of, and any NRA response, including the facts demonstrating any investigation of and response to such complaint, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 5

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 5. Defendant further objects to Interrogatory No. 5 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, calls for legal conclusions, calls

for the disclosure of information protected by confidentiality, attorney-client privilege, or any other privilege or immunity, and does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d). Subject to and without waiving those objections, Defendant responds as follows: Frazer addressed the whistleblower complaints which came to his attention pursuant to the reporting avenues set forth in the NRA’s governing whistleblower policies including, without limitation, complaints made by a group of employees of the Treasurer’s office and Financial Services Division in July 2018, and seven other potential whistleblower instances. He investigated each instance either by himself, with the assistance of other attorneys in the Office of General Counsel, with the assistance of outside attorneys atBrewer, Attorneys & Counselors, and/or with the assistance of others at the NRA including, without limitation, NRA museum staff and members of the Audit Committee. Persons with knowledge of these facts include, without limitation, Sonya Rowling, Rick Tedrick, Emily Cummins, Michael Erstling, Lisa George, Portia Padilla, Brett Simon, Wayne LaPierre, Charles Cotton, David Coy, Carolyn Meadows, Curtis Jenkins, Herbert Lanford, previous Audit Committee members, Doug Wicklund, Rich DePalma, Eric Frohardt, Phil Schreier, Jim Supica, Sarah Gervase, and outside professionals engaged by the NRA to provide it with professional services. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 6

If You contend that there was a business purpose for expenses run through Ackerman McQueen as out-of-pocket expenses, identify the facts supporting that contention, including the facts establishing the business purpose, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 6

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 6. Defendant further specifically objects to Interrogatory No. 6 on the ground that it is overly broad and burdensome, ambiguous, vague, and unclear or calls for information protected by confidentiality, attorney-client privilege, or any other privilege or immunity. Subject to and without waiving those objections, Defendant response as follows: AMc out-of-pocket expenses were reviewed and approved by the executives directly responsible for managing the business relationship, and approved invoices were provided to Frazer for signature when greater than \$50,000 in order to comply with NRA payment policy. Frazer is in no position to contend, or deny, that there was a business purpose to those expenses.

INTERROGATORY NO. 7

Identify the bases for the Audit Committee's approval or ratification of all related party and conflict of interest transactions between 2015 to the present including all facts and documents relied upon at the time of such approvals or ratifications and all documentation relating to such consideration and decisions.

RESPONSE TO INTERROGATORY NO. 7

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 7. Defendant further objects to Interrogatory No. 7 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, calls for legal conclusions, calls for the disclosure of information protected by confidentiality, attorney-client privilege, or any other privilege or immunity, does not seek the "claims and contentions" of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff's Complaint. Subject to and without waiving those objections, Defendant responds as follows: The basis for the Audit Committee's approval or ratification of related party transactions and/or conflicts of interest

brought to its attention was that each was considered to be fair, reasonable, and in the best interests of the NRA. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 8

Identify all related party and conflict of interest transactions within the NRA from 2015 to the present including all facts and documents relating to such related party and conflict of interest transactions.

RESPONSE TO INTERROGATORY NO. 8

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 8. Defendant further objects to Interrogatory No. 8 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff’s Complaint. Subject to and without waiving those objections, Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 9

Identify all actions You have undertaken to ensure that all related party and conflict of interest transactions between 2015 to the present were reviewed, approved, and/or ratified by the Audit Committee in a manner consistent with NRA policy and New York law.

RESPONSE TO INTERROGATORY NO. 9

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 9. Defendant further objects to Interrogatory No. 9 on the grounds that it is

overly broad and unduly burdensome, ambiguous, vague, unclear, does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff’s Complaint. Subject to and without waiving those objections, Defendant responds as follows: Beginning in 2015, to bring the NRA into compliance with the New York Not-For-Profit Revitalization Act, Frazer, with the assistance of others, drafted the Conflict of Interest and Related Party Transaction Policy which the NRA Board of Directors adopted in January 2016, consolidated the organization’s then existing conflicts disclosure forms into a single Financial Disclosure Questionnaire, added requested disclosures to the FDQ to gather more complete responses, pursued follow-ups on those who didn’t respond in order to achieve a steadily increasing response rate that reached 100 percent by 2022, and initiated the process by which the Audit Committee addressed, and instructed the Audit Committee on the standard by which it needed to resolve, conflicts of interest and related party transactions brought before it. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 10

Identify all information that You conveyed to the Audit Committee between 2015 to the present regarding potential or actual related party and conflict of interest transactions, including without limitation all documents You directly or indirectly provided to Audit Committee members in connection to those transactions.

RESPONSE TO INTERROGATORY NO. 10

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 10. Defendant further objects to Interrogatory No. 10 on the grounds that it is

overly broad and unduly burdensome, ambiguous, vague, unclear, does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff’s Complaint. Subject to and without waiving those objections, Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 11

If it is Your contention that you have taken actions as part of the NRA’s “Course Correction,” which You testified the NRA has undertaken since “at least 2017,” identify such actions, including all facts, witnesses and documents upon which you base such contention.

RESPONSE TO INTERROGATORY NO. 11

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 8. Defendant further objects to Interrogatory No. 8 on the grounds that it is overly broad and unduly burdensome, ambiguous, vague, unclear, seeks information previously requested and supplied in the NRA’s corporate deposition taken pursuant to Commercial Division Rule 11-f which Plaintiff quotes from in its Interrogatory No. 11, does not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and calls for the disclosure of information protected by confidentiality, attorney-client privilege, or any other privilege or immunity. Subject to and without waiving those objections, Defendant responds as follows: Beginning in 2015, to bring the NRA into compliance with the New York Not-For-Profit Revitalization Act, Frazer, with the assistance of others, drafted the Conflict of Interest and Related Party Transaction Policy which the NRA Board of Directors adopted in January 2016, consolidated the organization’s then existing conflicts disclosure forms

into a single Financial Disclosure Questionnaire, added requested disclosures to the FDQ to gather more complete responses, pursued follow-ups on those who didn't respond in order to achieve a steadily increasing response rate that reached 100 percent by 2022, initiated the process by which the Audit Committee addressed and resolved conflicts of interest and related party transactions brought before it, and contributed to the subsequent organization-wide "compliance review" initiated by Wayne LaPierre. Witnesses include, without limitation, Wayne LaPierre, Charles Cotton, Willes Lee, David Coy, Carolyn Meadows, Curtis Jenkins, Herbert Lanford, and other former audit committee members, NRA board members from 2015 to the present, Pete Brownell, Joshua Powell, Tyler Schropp, Douglas Hamlin, Mark Ness, Wilson Phillips, Craig Spray, Sonya Rowling, Rick Tedrick, Emily Cummins, Lisa George, William "Wit" Davis, Robert Dowlut, Lisa Supernaugh, and outside professionals engaged by the NRA to provide it with professional services. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these instances.

INTERROGATORY NO. 12

Is it Your contention that you have taken reasonable steps to ensure the NRA's compliance with its procurement and contract approval policies? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 12

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 12. Subject to and without waiving those objections, Defendant responds as follows: Frazer took steps to improve the NRA's compliance with procurement and contract approval policies ranging from the creation and repeated offering of compliance training to the

staff and Board, as more fully described in his responses to Interrogatory No. 15, to routinely advising on compliance requirements, both in response to questions from others and on his own initiative when reviewing specific transactions or contracts. Frazer has given multiple compliance training sessions to NRA directors, officers, and employees. Persons with knowledge of these facts include, without limitation, Craig Spray, Sonya Rowling, Michael Erstling, Lisa Supernaugh, Lisa George, Stephen McCormick, April Miller, Portia Padilla, Vanessa Shahidi, Nicolas Perrine, Andra Fischer, attendees of the compliance training sessions, and outside professionals engaged by the NRA to provide it with professional services. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these facts.

INTERROGATORY NO. 13

Is it Your contention that You have taken reasonable steps to ensure the accuracy of the CHAR500—including accompanying documents, the IRS Form 990 and other schedules—that You signed, or caused to be filed, on behalf of the NRA? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 13

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 13. Defendant further specifically objects to Interrogatory No. 13 on the ground that it is overly broad and unduly burdensome, ambiguous, vague, and unclear or calls for information protected by confidentiality, attorney-client privilege, or any other privilege or immunity. Subject to and without waiving those objections, Defendant responds as follows: Frazer's steps to gain assurance as to the accuracy of the NRA's CHAR500 and other filings included, without limitation, meetings and discussions with those NRA employees who expended significant work effort into compiling, analyzing, reviewing, and presenting the information and

data contained in the organization's Form 990 and audited financial statements including, without limitation, Emily Cummins, Arif Rahman, Svetlana Olchevski, Rick Tedrick, Mike Erstling, Sonya Rowling, Craig Spray, and Wilson Phillips; his own efforts to compile, analyze, review, and present information contained in those documents; his meetings, discussions, and/or understandings gathered regarding the work done by third-party professionals to further improve the accuracy of those documents; his meetings, discussions, and/or understandings gathered from the NRA Audit Committee members; his work on training NRA employees to provide better and more accurate information in compliance with NRA policies; and monitoring the NRA's work to improve the processes by which it increased accountability and strengthened the accuracy of the information contained in those documents including additional training of Financial Services division staff to improve the processes by which those documents are finalized. Persons with knowledge of these facts include, without limitation, Emily Cummins, Arif Rahman, Svetlana Olchevski, Rick Tedrick, Mike Erstling, Mark, Ness, Jacqueline Husar, Emily Inskeep, Michael DiSipio, Stephen McCormick, April Miller, Linda Crouch, Shawne Soto, Sonya Rowling, Lisa George, Craig Spray, and Wilson Phillips and outside professionals engaged by the NRA to provide it with professional services. Frazer refers Plaintiff to the discovery record for supporting documents, testimony, expert reports, and other tangible things.

INTERROGATORY NO. 14

Is it Your contention that You have taken reasonable steps from 2015 to present in designing, implementing, conducting, and/or assessing the NRA's internal controls? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 14

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 14. Subject to and without waiving those objections, Defendant responds as follows: Beginning in 2015, in connection with an effort to bring the NRA into compliance with New York's Not-for-Profit Revitalization Act, Mr. Frazer helped initiate internal communications with others within the NRA including, without limitation, staff in the Financial Services Division, to strengthen a process by which the NRA identifies and assesses its risks, assess and improve controls to address those risks, , and better communicate and enforce those existing or enhanced controls. This process of improvement has included, without limitation, among other developments and by way of illustration, the adoption of a new conflict of interest and related party transaction policy, a new expense policy, and an enhanced travel and entertainment policy; the initiation of the process by which conflicts and related party transactions are considered by the Audit Committee; improvements and enhancements made to the annual Financial Disclosure Questionnaire and processes including, without limitation, a cross-checking process between departments; the introduction of a training seminar for the NRA's directors, officers, and employees addressing compliance with laws and policies applicable to the NRA and conducted multiple times since 2018; investigations of alleged violations of NRA policies; evaluations and, in some cases, terminations of employees found to have violated policies; an organization-wide audit of the NRA's vendor relationships; the termination of vendor relationships found to be in violation; improving compliance with the requirements of the NRA's procurement policy; the empowerment of finance staff to probe for details concerning vendor contracts and substantiation of invoices, including withholding of payments to vendors until staff were satisfied; Board-level consideration of new positions for a chief compliance officer and/or an internal audit function; strengthened procedures adopted by the NRA's independent outside auditors; increased use of

outside tax professionals and lawyers; and the reduction, limitation, and eventual elimination of most NRA-issued credit cards. Persons with knowledge of these facts include, without limitation, Craig Spray, Sonya Rowling, Michael Erstling, Lisa Supernaugh, Stephen McCormick, April Miller, Portia Padilla, Vanessa Shahidi, and outside professionals engaged by the NRA to provide it with professional services. Mr. Frazer refers Plaintiff to the discovery record for supporting documents, testimony, expert reports, and other tangible things.

INTERROGATORY NO. 15

Is it Your contention that You have taken reasonable steps from 2015 to present to ensure that legal, regulatory, and other requirements are understood and communicated to those responsible for effecting compliance at the NRA? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 15

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 15. Defendant further specifically objects to Interrogatory No. 15 on the ground that it is overly broad and unduly burdensome, ambiguous, vague, and unclear or calls for information protected by confidentiality, attorney-client privilege, or any other privilege or immunity. Subject to and without waiving those objections, Defendant responds as follows: Among other things, beginning in 2015, to bring the NRA into compliance with the New York Not-For-Profit Revitalization Act, Frazer, with the assistance of others, drafted the Conflict of Interest and Related Party Transaction Policy which the NRA Board of Directors adopted in January 2016, consolidated the organization's then existing conflicts disclosure forms into a single Financial Disclosure Questionnaire, added requested disclosures to the FDQ to gather more

complete responses, pursued follow-ups on those who didn't respond in order to achieve a steadily increasing response rate that reached 100 percent by 2022, initiated the process by which the Audit Committee addressed and resolved conflicts of interest and related party transactions brought before it, distributed the expansive FDQ each year along with a copy of the NRA's Conflict of Interest and Related Party Transactions Policy to ingrain a cultural understanding of compliance with these issues, and instituted in 2018 a compliance training seminar repeatedly given for the NRA's directors, officers, and employees at which legal, regulatory, and policy requirements are communicated, explained, and taught for the purpose of deepening an understanding of these issues and compliance generally within the organization. Persons with knowledge of these facts include, without limitation, Wilson Phillips, Joshua Powell, Michael Erstling, Mark Ness, Stephen McCormick, April Miller, and all directors, officers, and employees who attended the compliance training seminars. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these facts.

INTERROGATORY NO. 16

Is it Your contention that the NRA has had a legally compliant whistleblower policy in effect at all times since 2015? If yes, identify the facts and documents upon which You base that contention including when such policy was put into place, its contents and whether and how it was distributed or made known to NRA employees, volunteers and directors.

RESPONSE TO INTERROGATORY NO. 16

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 16. Subject to and without waiving those objections, Defendant responds as follows: The NRA had a whistleblower policy in effect at all times since 2015 found in its

Statement of Corporate Ethics policy, and had issued internal communications establishing a confidential and anonymous process for communication of whistleblower complaints, which was substantially consistent with applicable legal provisions subsequently imposed by the Legislature. The policy prior to 2020 stated mechanisms for reporting of violations or suspected violations of laws or corporate policies, designated individuals to administer the whistleblower policy and to report to the Audit Committee, and was distributed to employees through the employee handbook (both in hard copies and online). Following adoption of the amended policy in 2020, Frazer executed an organization-wide distribution of a copy of the policy and arranged for posting of the policy on NRA websites for access by volunteers, members, and the general public. With Frazer's assistance, the NRA is now developing an anonymous online reporting portal for use by staff.

INTERROGATORY NO. 17

Is it Your contention that as part of its Course Correction the NRA has investigated the conduct or actions of current and former employees, directors and vendors? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts and/or the results of such investigations.

RESPONSE TO INTERROGATORY NO. 17

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 17. Subject to and without waiving those objections, Defendant responds as follows: As part of the NRA's continuing efforts to improve compliance including, without limitation, its Course Correction, and as revealed in testimony and documents in Plaintiff's possession and as disclosed in publicly filed Form 990s, the NRA has investigated and continues to investigate conduct involving its current and former employees, directors, and vendors. Persons with knowledge of these facts include, without limitation, Stefan Tahmassebi, Michael Blaz, Sarah

Gervase, Skipp Galythly, Matthew Bower, William “Wit” Davis, Oliver North, Christopher Cox, Millie Hallow, Joshua Powell, Chris DeWitt, and outside professionals engaged by the NRA to provide it with professional services. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing these issues including, without limitation, the potential excess benefit transactions and diversions of assets reported beginning with the filing of the NRA’s 2019 Form 990.

INTERROGATORY NO. 18

Is it Your contention that You “determine[] ... who flies private and under what circumstances they fly private” at the NRA, as James Staples testified? If yes, identify the facts upon which You base that contention, all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 18

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 18. Defendant further objects on the ground that Interrogatory No. 18 is vague, ambiguous, and unclear. Subject to and without waiving those objections, Defendant responds as follows: Mr. Frazer does not contend that he determined “who flies private and under what circumstances they fly private.”

INTERROGATORY NO. 19

Identify all written policies at the NRA relating to charter travel in effect at any point from 2012 to the present, including the contents, location, and term of such policies.

RESPONSE TO INTERROGATORY NO. 19

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 19. Defendant further objects to Interrogatory No. 19 on the grounds that it does

not seek the “claims and contentions” of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff’s Complaint. Subject to and without waiving those objections, Frazer responds that the NRA had written travel policies in effect from 2015 to the present, refers to those written policies which speak for themselves, and refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing the requested documents.

INTERROGATORY NO. 20

If it is Your contention that the NRA has had written policies relating to first-class travel in effect from 2015 to the present, identify all facts upon which You base that contention (including such writing(s) and the time periods they were in effect), all persons who have knowledge of those facts, and all documents and other tangible things which support those facts.

RESPONSE TO INTERROGATORY NO. 20

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 20. Defendant further specifically objects to Interrogatory No. 20 on the ground that it is overly broad and burdensome, ambiguous, vague, unclear and seeks information that is equally available to Plaintiff, and/or already in Plaintiff’s possession. Subject to and without waiving those objections, Frazer responds that the NRA had written travel policies in effect from 2015 to the present, and refers to those written policies which speak for themselves. Persons with knowledge of these facts include, without limitation, Craig Spray, Sonya Rowling, Rick Tedrick, Linda Crouch, Duane Reno, Jacqueline Mongold, Stephanie Daniels, and Andra Fischer. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing the requested documents.

INTERROGATORY NO. 21

Identify all written policies at the NRA relating to defendant Wayne LaPierre's security in effect at any point from 2012 to the present including the contents, location, and term of such policies.

RESPONSE TO INTERROGATORY NO. 21

Defendant incorporates by reference each of his General Objections in response to Interrogatory No. 21. Defendant further objects to Interrogatory No. 21 on the grounds that it does not seek the "claims and contentions" of Frazer and thus exceeds the authority granted by Commercial Division Rule 11-a(d), and requests information which is outside of the time frames relevant to the claims set forth in Plaintiff's Complaint. Frazer refers Plaintiff to the discovery record for the documents, testimony, expert reports, and other tangible things addressing the requested documents.

Dated: New York, New York
November 22, 2022

By: /s/ William B. Fleming

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