

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

Motion Sequence No. _____

**NOTICE OF DEFENDANT
WILSON PHILLIPS'S
MOTION TO EXCLUDE
EXPERT TESTIMONY OF
ERIC HINES**

**ORAL ARGUMENT
REQUESTED**

PLEASE TAKE NOTICE that, upon the annexed Affidavit of Rebecca M. Loegering dated March 24, 2023, in support of this motion, all of the exhibits thereto, the accompanying Memorandum of Law, and all prior pleadings and proceedings in this matter, defendant Wilson H. Phillips ("Defendant") shall move this Court in the Motion Submission Part Courtroom, Room 130, of the Supreme Court of the State of New York, 60 Centre Street, New York, New York, on April 10, 2023, at 9:30 a.m., or such other date as may be agreed to by the parties or ordered by the Court, for an Order for an order excluding testimony intended to be offered by Plaintiff Attorney General of the State of New York ("NYAG") through the NYAG's expert witness Eric Hines ("Hines"), and granting such other and further relief as this Court deems just and proper, on the grounds that: (1) Hines intends to offer inadmissible factual narratives and factual conclusions; (2) Hines's testimony is neither helpful nor relevant to the trier of fact because it does not rely on any expertise on matters beyond the ken of a typical juror, and further usurps the roles of the trier of fact; and (3) Hines's conclusions are irrelevant to the claims at issue and invite speculation.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), Plaintiff's opposition papers and any notice of cross-motion, with supporting papers, if any, shall be served at least seven days before April 10, 2023, or such other date as may be agreed to by the parties or ordered by the Court.

Dated: March 24, 2023
Dallas, Texas

By: /s/ Rebecca Loegering
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