

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  
(Cohen, J.)

**STIPULATION AND  
PROPOSED ORDER  
SETTING BRIEFING SCHEDULE  
FOR VARIOUS MOTIONS  
INCLUDING MOTION SEQUENCE  
NOS. 44 THROUGH 50**

**WHEREAS**, argument on multiple motions (Motion Seq. Nos. 37, 38 ,39, and 41) is scheduled for April 20, 2023;

**WHEREAS**, the parties are currently briefing dispositive motions and cross-motions to amend (Motion Sequence Nos. 44, 45, 46; NYSCEF 1333, 1336 (notices of cross-motion)), which are tentatively scheduled to be argued on June 8, 2023;

**WHEREAS**, the parties are currently briefing motions directed at experts, the deadline to file which was March 24, 2023;

**WHEREAS**, Defendant LaPierre and Plaintiff are meeting and conferring in regard to LaPierre's objections to certain interrogatory responses and, if the parties do not resolve these objections, LaPierre reserves the right to file a motion relating to the same, and, if he does so on or before April 17, 2023, then Plaintiff shall file any answering papers on or before May 5, 2023, and LaPierre shall file any reply on or before May 19, and Plaintiff reserves all rights to

object to and oppose such motion;

**WHEREAS**, since March 10, 2023, Defendants have filed various other motions, with return dates in March or early April 2023 and Plaintiff has asked for extensions in regard to responding to the same;

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel for the respective parties that the pending motions, identified below, shall have the briefing schedules set forth below, upon the Court's endorsement:

**IT IS FURTHER STIPULATED AND AGREED** that this Stipulation can be executed in counterparts and/or by using electronic, scanned or telefaxed signatures, with the same effect as original signatures.

<b>Mot. Seq. #/ Notice of Mot Dkt #</b>	<b>Movant and Relief Sought</b>	<b>Current Reply and/or Return Date</b>	<b>Proposed New Due Date for Opposition</b>	<b>Proposed New Due Dates for Replies or Other Papers</b>	<b>New Return Dates</b>
44	Plaintiff – Summary Judgment or Dismissal	April 3, 2023	N/A <sup>1</sup>	N/A	N/A
45	Phillips – Summary Judgment	March 27, 2023	N/A	N/A	N/A
46	Powell – Summary Judgment	April 3, 2023	N/A	April 10, 2023 <sup>2</sup>	April 11, 2023
NYSCEF 1333	Frazer – Cross-Motion to Amend	March 29, 2023	April 3, 2023	April 17, 2023	April 18, 2023

<sup>1</sup> Dates noted as N/A have either passed or were previously set and are not being modified pursuant to this Stipulation.

<sup>2</sup> This modifies the Court's endorsement on a letter (NYSCEF 1265), which provided that replies in support of summary judgment motions must be submitted by April 3, 2023. Plaintiff agrees to provide Joshua Powell an additional week for reply. Joshua Powell's counsel has requested the additional week so that, like other movants, they be permitted three weeks for a reply.

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NYSCEF 1336	LaPierre – Cross-Motion to Amend	March 29, 2023	April 3, 2023	April 17, 2023	April 18, 2023
47	NRA- Motions to Exclude Expert Dr. Erica Harris	March 27, 2023	May 12, 2023	June 9, 2023	June 12, 2023
48	NRA – Motion Relating to Interrog. Responses	March 30, 2023	April 25, 2023	May 9, 2023	May 10, 2023
49	Frazer – Motion Relating to Interrog. Responses	April 3, 2023	April 25, 2023	May 9, 2023	May 10, 2023
Unknown	LaPierre – Potential Motion Relating to Interrogatories	April 17, 2023	May 5, 2023	May 19, 2023	May 22, 2023
50	NRA – Motion to Exclude Plaintiff's Expert Jeffrey Tenenbaum	April 3, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1661	Phillips – Joinder in NRA Motion Seq. # 50	April 3, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1663	Plaintiff- Motion Directed at Security and Comp Experts		May 12, 2023	June 9, 2023	June 12, 2023

<b>Mot. Seq. #/ Notice of Mot Dkt #</b>	<b>Movant and Relief Sought</b>	<b>Current Reply and/or Return Date</b>	<b>Proposed New Due Date for Opposition</b>	<b>Proposed New Due Dates for Replies or Other Papers</b>	<b>New Return Dates</b>
1680	Phillips - Motion to Exclude Plaintiff's Expert Eric Hines		May 12, 2023	June 9, 2023	June 12, 2023
1685	Frazer- Motion to Exclude Plaintiff's Expert Jeffrey Tenenbaum	April 10, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1686	Frazer- Motion to Exclude Plaintiff's Expert Erica Harris	April 10, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1687	LaPierre – Motion to Exclude Plaintiff's Expert Jeffrey Tenenbaum	April 10, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1688	LaPierre – Motion to Exclude Plaintiff's Expert Erica Harris	April 10, 2023	May 12, 2023	June 9, 2023	June 12, 2023
1689	Plaintiff – Motion to Exclude NRA's Finance Experts	April 12, 2023	May 12, 2023	June 9, 2023	June 12, 2023

**IN WITNESS WHEREOF**, this Stipulation is executed by counsel for the parties on  
March 27, 2023.

For Plaintiff

For Defendant The National Rifle  
Association of America

ATTORNEY GENERAL  
OF THE STATE OF NEW YORK

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SO ORDERED:

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Hon. Joel M. Cohen, J.S.C.