FILED: NEW YORK COUNTY CLERK 03/18/2023 12:39 AM

NYSCEF DOC. NO. 1461

INDEX NO. 451625/2020

RECEIVED NYSCEF: 03/18/2023

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, **§** § § § INDEX NO. 451625/2020 Plaintiff, Hon. Joel M. Cohen v. **MOTION SEQUENCE NO. 44** THE NATIONAL RIFLE ASSOCIATION OF AMERICA ET AL., Defendants.

AFFIRMATION OF SVETLANA M. EISENBERG

- I, Svetlana M. Eisenberg, an attorney duly admitted to practice law in the courts of the State of New York, hereby affirm the following under penalty of perjury pursuant to CPLR § 2106:
 - 1. I am a Partner at Brewer, Attorneys & Counselors, counsel for the National Rifle Association of America (the "NRA").
 - 2. I am personally familiar with the facts set forth in this affirmation.
 - 3. I submit this affirmation in connection with the NRA's opposition to the NYAG's motion concerning certain of the NRA's defenses (Motion Sequence no. 44).
 - 4. Documents NYSCEF Nos. 1335, 1350, and 1357, which I filed on behalf of the NRA earlier this week, inadvertently referred to certain exhibits by incorrect numbers. These references have been corrected. Corrected documents, which also reflect correction of four typographical errors, were filed earlier today as NYSCEF Nos. 1458, 1459 and

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Attached hereto as Exhibits A-1, A-2, and A-3 are redlines reflecting the

corrections.

5. In addition, I attach to this letter several documents—most of which are publicly

available—which were referenced in this week's filings (NYSCEF Nos. 1357 and

1350,) but inadvertently were not filed.² The slip sheets appearing at the beginning of

each exhibit identify the documents that refer to these exhibits and the relevant sections

thereof.

Dated: March 17, 2023

New York, New York

By: <u>s/ Svetlana M. Eisenberg</u>

Svetlana M. Eisenberg

¹ My corrected affirmation (original at NYSCEF no. 1357) also now lists exhibits 26 and 54 (filed under NYSCEF1383 and 1412), which were inadvertently not listed in NYSCEF 1357.

² Many of these documents (e.g., news articles) are attached to multiple filed documents (e.g., my affirmation and affidavits of certain witnesses). Where an exhibit is referenced in multiple documents, it has been filed several times.

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Certification of Compliance

I, Svetlana M. Eisenberg, an attorney duly admitted to practice law before the courts of the

State of New York, certify that the foregoing Affirmation filed on behalf of the NRA in support

of its opposition to the NYAG's motion to dismiss certain of the NRA's defenses, complies with

the word count limit set in 22 CRR-NY 202.8b (a)(1). The affirmation contains fewer than 7,000

words. In executing this certification, I relied on the word count function of MS Word.

Dated: March 17, 2023

New York, New York

By: <u>s/ Svetlana M. Eisenberg</u>

Svetlana M. Eisenberg

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