

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

Motion Sequence No. 51

**AFFIRMATION OF
JONATHAN CONLEY IN
SUPPORT OF PLAINTIFF'S
OPPOSITION TO
DEFENDANT WILSON
PHILLIPS'S MOTION TO
EXCLUDE THE EXPERT
TESTIMONY OF ERIC
HINES**

Jonathan Conley, an attorney duly admitted to practice before the Courts of this State, hereby affirms the following under the penalty of perjury pursuant to Civil Practice Law and Rules CPLR § 2106:

1. I am an Assistant Attorney General in the Enforcement Section of the Charities Bureau of the Office of the New York State Attorney General ("OAG" or "Attorney General").
2. I submit this affirmation in support of Plaintiff's opposition to Defendant Wilson Phillips's motion to exclude the expert testimony of Eric Hines, Mot. Seq. 51.
3. I am familiar with the facts and circumstances set forth in this affirmation, which are based upon my personal knowledge and information contained in the files of the OAG.
4. Attached as **Exhibit A** to this affirmation is a true and correct copy of the Rebuttal Report of Eric Hines, CPA, CFF, CHC, dated October 7, 2022 ("Hines Rebuttal Report").

5. Attached as **Exhibit B** to this affirmation is a true and correct copy of the Expert Witness Disclosure filed on behalf of the National Rifle Association of America in the confidential arbitration proceeding captioned *Christopher Cox v. National Rifle Association of America*, CPR File: G-21-05-S, dated October 26, 2020, maintained and produced by the NRA at NRA-NYAGCOMMDIV-00205081 (“Sloane Report”).

6. Pursuant to paragraph 14 of the So ordered Stipulation and Order for the Production and Exchange of Confidential Information filed October 25, 2022 (NYSCEF 869 (“Protective Order”)), Exhibits A and B attached to this affirmation will be filed in sealed form, and will be replaced with their corresponding unredacted versions absent a timely motion to seal.

Dated: New York, New York
May 5, 2023

/s/ Jonathan Conley
Jonathan Conley

Attorney Certification Pursuant to Commercial Division Rule 17

I, Jonathan Conley, an attorney duly admitted to practice law before the courts of the State of New York, certify that the Affirmation of Jonathan Conley in Support of Plaintiff's Opposition to Defendant Wilson Phillips's Motion to Exclude the Expert Testimony of Eric Hines complies with the word count limit set forth in Rule 17 of the Commercial Division of the Supreme Court (22 NYCRR 202.70(g)) because the affirmation contains 277 words, excluding the parts exempted by Rule 17. In preparing this certification, I have relied on the word count of the word-processing system used to prepare this affirmation.

Dated: New York, New York
May 5, 2023

/s/ Jonathan Conley
Jonathan Conley