

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, INC., WAYNE LAPIERRE, WILSON
PHILIPS, JOHN FRAZER, and JOSHUA POWELL,

Defendants.

Index No. 451625/2020

**SPECIAL MASTER
REPORT ON THE
APRIL 7, 2022
HEARING**

On April 7, 2022, the parties appeared before the Special Master for oral argument on the Plaintiff's (i) application to compel disclosure of documents in the possession of Aronson LLP, auditors for the National Rifle Association ("NRA"); (ii) application to enlarge the deposition of Wayne LaPierre from seven to 14 hours; (iii) request for clarification regarding whether the Brewer firm represents Paul Payne; (iv) application to address alleged discovery violations by the NRA, including a request to extend the deadline for discovery to account for the NRA's failure to timely complete discovery.

Each party was given the opportunity to present its arguments. The Special Master gave his rulings on the record. This report summarizes those rulings.

Aronson Documents

The Special Master decided that he would like to review the disputed privilege documents *in camera*. The NRA will provide the Special Master with the documents and an index by noon on April 8, 2022.

LaPierre Deposition

The Plaintiff may take Mr. LaPierre's deposition for nine hours. It is up to the parties to decide whether this occurs over one or two days. The parties are free to agree to extend the length of the deposition if so desired. If the Plaintiff believes it needs additional time to examine Mr. LaPierre and he does not agree on the amount of additional time to be allotted, then the parties are directed to telephone the Special Master to seek a resolution, 212-823-0925 (if no answer email to ops_ADR@aol.com). Counsel are encouraged to agree on an amount of additional time to examine Mr. LaPierre by other defendants. If defendants are unable to reach agreement, counsel may request a ruling by telephone at or toward the end of the nine hours.

Alleged Discovery Violations

The Plaintiff will provide a detailed list to the NRA regarding what additional documents or information that it seeks by tomorrow morning. The NRA will respond with specific responses regarding what it will or will not be able to do in response to the Plaintiff's requests by April 11, 2022.

By tomorrow, the NRA will provide the Plaintiff with information regarding text messages collected and produced by the NRA as follows: the time period covered in its search; whether Mr. Powell's phones were searched and what telephone numbers; and whether Mr. Staple's phone was searched.

With regard to Plaintiff's request for an extension of the discovery deadline, the Special Master may take this application up at the next conference.

Next Appearance

The parties will appear before the Special Master for a status update on April 13, 2022, 12:00 pm.

Dated: New York, New York

April 7, 2022


Hon. O. Peter Sherwood
Special Master