

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 PHILLIPS, JOHN FRAZER, and
JOSHUA POWELL

Defendants.

Index No. 451625/2020

**AFFIRMATION OF
ROSCOE “ROCKY” B.
MARSHALL, JR.**

I, ROSCOE “ROCKY” B. MARSHALL, JR., make this affirmation under penalty of perjury pursuant to CPLR § 2106 and declare the following to be true:

1. I am familiar with the facts and circumstances set forth in this Affirmation, which are based upon my personal knowledge.

2. I am a resident of the State of Texas, am over the age of eighteen years, have never been convicted of a felony, and am fully competent to make this Affirmation and otherwise give testimony in the courts of New York.

3. I currently serve on the Board of Directors of the National Rifle Association of America. As a current NRA Director, I attended the NRA Board of Directors meeting held on September 7, 2024 at the Omni Las Colinas Hotel, 221 East Las Colinas Boulevard, Dallas (Irving), Texas 75039.

4. During the September 7, 2024 meeting of the NRA Board of Directors, the Board considered dissolving the Special Litigation Committee (SLC). This committee was previously

created by the Board, and had been granted authority to manage certain litigation in which NRA executives had conflicts of interest. The NRA Executives that had a conflict of interest when the SLC was created was Wayne LaPierre and John Frazer. The current members of the SLC are Charles Cotton, Bob Barr, and David Coy.

5. A roll call vote was taken on the following motion: “*To rescind the SLC.*” A roll call vote was called from the floor so that the vote would be made public and printed in the NRA American Rifleman Magazine.

6. It is my understanding that, under Robert’s Rules of Order, Newly Revised (12th edition) Section 35, paragraph 35:2(7) (which governs procedures at NRA Board meetings under NRA Bylaws Article XIV, Section 2(a)), a motion to rescind a previous action, without prior notice of the motion, requires an affirmative vote that *either* is a majority of the entire voting membership of the 76-member Board, which is 39, *or* is two thirds of the votes cast.

7. As published below, there were 60 votes cast, with 34 in the affirmative to rescind the Special Litigation Committee and 26 in the negative against rescinding it. Because previous notice of the motion had not been given and the number of votes in the affirmative was both less than 39 and less than two-thirds of the vote cast, the motion was defeated.

8. The following 34 directors voted in favor of the motion:

- | | |
|------------------------|-------------------------|
| 1. Paul D. Babaz | 7. Todd R. Ellis |
| 2. Bill Bachenberg | 8. Dennis Fusaro |
| 3. Clel Baudler | 9. Craig Haggard |
| 4. Ted W. Carter | 10. Al Hammond |
| 5. Anthony P. Colandro | 11. Maria Heil |
| 6. Rick Ector | 12. Charles T. Hiltunen |

13. Phillip B. Journey

14. Susannah Warner Kipke

15. Jeffrey A. Knox

16. Willes K. Lee

17. Robert E. Mansell

18. Rocky Marshall

19. Owen Buz Mills

20. David Norcross

21. Janet D. Nyce

22. James W. Porter II

23. David A. Raney

24. Ronald L. Schmeits

25. Steven C. Schreiner

26. Leroy Sisco

27. Amanda Suffecool

28. Craig Swartz

29. Mark E. Vaughan

30. Linda L. Walker

31. James L. Wallace

32. Bruce Widener

33. Robert Wos

34. Cathy S. Wright

9. The following 26 directors voted against the motion:

1. Joe M. Allbaugh

2. Scott L. Bach

3. Charles R. Beers III

4. Donald J. Bradway

5. J. William Carter

6. Patricia A. Clark

7. Charles L. Cotton

8. David G. Coy

9. Larry E. Craig

10. Isaac Demarest

11. Steven W. Dulan

12. Edie P. Fleeman

13. Carol Frampton

14. Joel Friedman

15. Sandra S. Froman

16. Curtis S. Jenkins

17. Amy Heath Lovato

18. Bill Miller

19. Johnny Nugent

20. Jay Printz

21. Kim Rhode

22. Barbara Rumpel

23. Don Saba

25. Dwight D. Van Horn

24. Danny Stowers

26. Eb Wilkinson

10. The following directors abstained: Bob Barr

11. The following directors was otherwise present for the meeting but not present for this
vote: Ken Blackwell

I affirm this 30 day of September, 2024, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Dated: [Center Point, Texas]
September 30, 2024



Roscoe B. Marshall, Jr.