

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 SERVICE

MONICA CONNELL, an attorney duly admitted to the New York State bar, affirms and avers under penalties of perjury, as follows:

1. I am an assistant attorney general in the Office of the Attorney General of the State of New York (“OAG”). I make this affirmation to demonstrate OAG’s service of the Complaint upon defendant Wayne LaPierre. As explained below, several steps and process servers were required to complete service on Mr. LaPierre. For the Court’s convenience, annexed to this affidavit are true and correct copies of affidavits establishing the means of service upon defendant LaPierre.

2. Mr. LaPierre is and was at all relevant times herein the Executive Vice President of The National Rifle Association of America, Inc. (“NRA”). During the OAG investigation that preceded the commencement of this action, Mr. LaPierre and the NRA were both represented by Brewer & Associates. When the OAG commenced this action, the OAG contacted Brewer & Associates, which agreed to accept service on behalf of the NRA but informed the OAG that it was no longer representing Mr. LaPierre.

3. The OAG made multiple attempts to serve Mr. LaPierre with the summons, complaint, Request for Judicial Intervention (“RJI”), RJI addendum and notice of electronic filing at his home and at his office at the NRA headquarters, but servers were turned away on various occasions by NRA and/or Mr. LaPierre’s security. For example, see an affidavit of attempts by one process server to serve Mr. LaPierre at his home, attached as Exhibit A hereto. Process servers also attempted to serve Mr. LaPierre at the NRA Headquarters and were turned away.

4. After multiple attempts, OAG completed service on Mr. LaPierre pursuant to CPLR 308(2) both at home and at the NRA headquarters, “by delivering the summons within the state to a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode ... and by either mailing the summons to the person to be served at his or her last known residence or by mailing the summons by first class mail to the person to be served at his or her actual place of business in an envelope bearing the legend ‘personal and confidential’”. Proof of such service is gathered and filed herewith.

4. Attached collectively as Exhibit B are two affidavits demonstrating service pursuant to CPLR 308(2) upon Mr. LaPierre at his home address by hand delivery on August 24, 2020 and by mail on August 25, 2020. Mr. LaPierre’s home address is both his dwelling place and usual place of abode. Mr. LaPierre’s home address has been redacted to protect his privacy.

5. Attached as Exhibit C are two affidavits demonstrating service pursuant to CPLR 308(2) upon Mr. LaPierre at his actual place of business, the NRA headquarters, by hand delivery on August 20, 2020, and subsequent mailing on August 21, 2020.

Dated: August 28, 2020
New York, New York



Monica Connell