

**New York State Rifle and Pistol Association
713 Columbia Turnpike
East Greenbush, New York 12061**

The Honorable Joel M. Cohen
Supreme Court, NY County
60 Centre Street
Room 655
New York, NY 10007

Re: People of the State of New York by Letitia James v. National Rifle Association of America, et al., Index No. 451625/2020

Dear Judge Cohen:

The New York State Rifle and Pistol Association (“NYSRPA”) respectfully files this letter and attached affidavit of Brian Olesen as an *amicus curia* in opposition the relief sought by the New York Attorney General (“NYAG”) against defendant National Rifle Association (“NRA”). See NYSCEF 3337 (NYAG’s “Exhibit O” that would order the appointment of a compliance monitor with power to speak to the NYAG *ex parte*, access the NRA’s information, and oversee the NRA’s “compliance with its obligations to properly administer itself as a non-profit organization and its assets, revenues, and expenditures”).

All 20,000 members of NYSRPA, in 350 clubs across the state, are NRA members (it is a requirement of NYSRPA membership). This grassroots NYSRPA network represents the NRA’s base of supporters, outreach, recruitment and member retention efforts in the State of New York. As such, the NYSRPA seeks to provide this Court with the perspectives of NRA members and supporters in the State of New York, and thus “call the court’s attention to law or facts or circumstances in a matter ... that might otherwise escape its consideration.” *Kruger v. Bloomberg*, 768 N.Y.S.2d 76, 81 (Sup. Ct. N.Y. County 2003).

The imposition of a compliance monitor poses a grave threat to NYSRPA members' First and Second Amendment rights. As set forth in the attached Affidavit of Brian Olesen, the New York government has a long history of taking actions to curtail NYSRPA members' Second Amendment right to bear arms, and New York has a sordid and despicable history of political retaliation against the NRA and its members. *See National Rifle Association v. Vullo*, 602 U.S. 175, 184 (2024). As NRA expert witness and former Charities Bureau chief Daniel Kurtz pointed out, the NYAG's pursuit of the NRA as a political adversary smacks of McCarthyism, as it has both "persecut[ed] and prosecut[ed]" the NRA. Trial Tr. 1836-38. The present case, indeed, began as an action to dissolve the NRA altogether and ban it from soliciting funds in New York. Olesen Aff. ¶ 12. And it was preceded by the NYAG's statements likening the NRA to a "terrorist organization" and a "criminal enterprise." *Id.*

The First Amendment protects NYSRPA members' reliance on the NRA for Second Amendment advocacy. Moreover, the NRA's "effectiveness derives from its complete independence from the government." Aff. of Brian Olesen at 3. If the court were to impose a monitor, it would compromise the NRA's mission and muffle the voices of the NYSRPA's members. The NYSRPA is united in its opposition to this relief.

For the forgoing reasons, the New York State Rifle and Pistol Association respectfully requests that Your Honor deny the relief that the NYAG requests.

Respectfully submitted,

New York State Rifle and Pistol Association

A handwritten signature in black ink, appearing to read "Paul A. ...", with a horizontal line underneath it.