

B R E W E R
ATTORNEYS & COUNSELORS

April 17, 2024

VIA EMAIL

Adam Gitlin
Chief, Antitrust and Nonprofit Enforcement Section
Public Advocacy Division
Office of the Attorney General for the District of Columbia
400 6th Street NW
Washington, D.C. 20001

Re: *District of Columbia v. NRA Foundation, et al.*, Case No. 2020 CA 003454 B

Dear Adam,

I write on behalf of the National Rifle Association of America (“NRA”) regarding certain false and defamatory statements made in the Press Release issued by your office concerning the settlement in this matter. We demand you retract those statements **immediately**.

As an initial matter, the NRA and NRA Foundation “admit no liability” and “expressly deny the District’s allegations.” Consent Judgment at 1. Your office knew this was a term of the Settlement Agreement. Yet it issued a public statement falsely asserting precisely the opposite—that the NRA “abus[ed] [its] trust” and “violated . . . District law.” You also accuse the NRA of using the NRA Foundation “as an unchecked piggy bank”—a statement you know to be without any evidentiary support.

These statements not only contradict terms of the parties’ settlement—they contradict the admissions of *your own expert witnesses*. See Plaintiff’s Response to NRA’s Statement of Undisputed Material Facts dated July 7, 2023, at p. 14 (admitting that it is “[u]ndisputed” that “[n]either of the District’s experts opined that the NRA did anything wrong or illegal.”)

Indeed, as you know, you chose not to bring any claims against the NRA, and the NRA was only included in the case for purposes of potential remedies. See Summary Judgment Order dated November 1, 2023, at p. 19 (“The District does not allege any claims against the NRA . . . [r]ather, the District alleges the NRA is a necessary party to this litigation because of the relief sought.”).

Your statement that “[c]aving to pressure from the NRA, the Foundation diverted millions of dollars to the NRA in grants and risky loans that were repaid only after OAG filed its lawsuit” is false. As you also know, discovery turned up no evidence that the NRA misused any grant funds. Indeed, your own experts admitted that they found no evidence of any misuse of grant funds by the NRA. Further, the first loan was repaid in March 2018, over two years before you filed suit,

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and the second loan was repaid in October 2020 pursuant to an agreement made in January 2020, months before your suit.

Also false is your statement that “The NRA tapped the Foundation’s coffers for grants and loans when the NRA needed money.” Again, your own experts admitted that they had no proof whatsoever that *any* Foundation monies were misused.

The NRA demands that you retract these false and defamatory statements immediately.

Respectfully,

BREWER, ATTORNEYS & COUNSELORS

/s/ Noah Peters

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**COUNSEL FOR THE
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cc: All Counsel of Record