

EXHIBIT 4

DALLAS | NEW YORK

BREWER
ATTORNEYS & COUNSELORS

August 10, 2019

Via Electronic Mail (bsullivan@wc.com)

Brendan V. Sullivan, Jr.
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005

Re: Your July 29, 2019 Letter

Dear Mr. Sullivan:

On behalf of the National Rifle Association of America (the “NRA”), I write in response to your letter to John Frazer, the NRA’s Secretary and General Counsel, dated July 29, 2019, on behalf of Lt. Col. Oliver North, in which you state that the Office of the New York Attorney General (the “NYAG”) subpoenaed Lt. Col. North for documents and testimony.

The NRA objects to the production of information pursuant to the subpoena until it has reviewed those materials. We hope to avoid the need to seek an order from a court to prevent Lt. Col. North’s production pending our review.

Initially, the NRA and Board counsel must review any materials slated for production to the NYAG to ensure that any privileges belonging to the NRA or its Board — including, without limitation, attorney-client privilege and the work product doctrine — can be properly asserted and logged. It is our hope and expectation that, as a fiduciary of the NRA, Lt. Col. North shares the NRA’s interest in preserving its privileges.

Similarly, in the event that questions posed by representatives of the NYAG during Lt. Col. North’s testimony might elicit information that is likely to reveal protected information, the NRA’s counsel must have the right to be present during the questioning in order to object to questions on privilege or attorney work product grounds and to caution Lt. Col. North, an NRA fiduciary, not to divulge protected information.

As you know, issues of privilege often require thorough familiarity with both the factual record and the law. As a result, while we appreciate your and the NYAG’s willingness to be sensitive to privilege issues, neither you nor the NYAG are in the optimal position to determine what information is privileged or when a question inadvertently might elicit privileged information. There is also no basis to believe that Lt. Col. North would himself be alert to the issue because he is not an attorney.

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A similar concern exists with regard to any inadvertent disclosure to the NYAG of information revealing or tending to reveal the identity of NRA donors or members, whose support for the Association is not publicly known. Unless the NYAG were to establish that they have a sufficiently compelling interest in learning the information, the NRA must object to disclosure of such information to protect the NRA members' and donors' rights to free speech and free association under the First Amendment of the United States Constitution. The NRA hopes that, irrespective of any disagreements with its leadership, Lt. Col. North remains attentive to the constitutional rights of NRA members and donors.

Please let us know when you are available to discuss these important issues on Monday morning.

Sincerely,

/s/ Svetlana M. Eisenberg
Svetlana M. Eisenberg

cc: Emily Stern (via email: emily.stern@ag.ny.gov)
John Frazer (via email: John.Frazer@nrahq.org)
Wit Davis (via email: witdavis1980@gmail.com)