

New Yorkers Against Gun Violence Education Fund

Working to Reduce Gun Violence Since 1993

PRESS RELEASE

Monday, October 24, 2005

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Gun Violence Prevention Group to Honor Leading Lawyers, Politicians and Advocates Fighting Against Illegal Firearms

Fourth Annual Benefit Scheduled for Tomorrow Night

New York, NY – Several leaders in the fight against gun violence will be honored tomorrow night, Tuesday, Oct. 25, 2005, by New Yorkers Against Gun Violence Education Fund (NYAGV Ed Fund), New York's leading gun violence prevention organization, at its Fourth Annual Benefit & Silent Auction at New York University's Kimmel Center in Manhattan, 60 Washington Square South, at 6:30 p.m. John Feinblatt, Mayor Michael R. Bloomberg's Criminal Justice Coordinator, will also be attending tomorrow night on behalf of City Hall.

NYAGV Ed Fund will be honoring individuals and legal groups that are working to make our communities safer by reducing illegal firearms on our streets. Andy Pelosi, executive director of NYAGV Ed Fund, remarked, "Illegal guns are responsible for a large portion of the gun violence in New York City, with 85 percent of crime guns coming from out of state. In cities like Buffalo, 40 percent of crime guns originate from out of state. We are pleased to honor the advocates, attorneys and elected officials who have dedicated their lives to beating back the scourge of illegal guns flooding our communities."

The honorees include:

The Legal Community

- **New York City Law Department** – the New York City Law Department, the lead legal agency for the City, has been pursuing a suit under the guidance of its chief, Corporation Counsel Michael A. Cardozo, and its Deputy Affirmative Litigation Chief, Eric Proshansky. The suit, *City of New York v. Beretta, USA*, is seeking to stop the sale and distribution practices of gun manufacturers and distributors that contribute to illegal guns on New York City's streets.
- **Thelen Reid & Priest LLP / Michael Elkin** – Thelen Reid & Priest is a leading law firm with more than 440 lawyers nationwide. Led by Vice Chairman and partner Michael S. Elkin, Thelen Reid and its team of attorneys and staff is acting as "public service" (pro bono) and lead trial counsel on the City's gun case. The firm, which has invested considerable time in the case, is a staunch advocate of preventing gun violence and has shown strong dedication to related advocacy causes.
- **Elisa Barnes** – In 1999, Elisa Barnes and her colleagues, won the first jury verdict trial against gun makers for negligence in the way guns are sold in a case entitled *Hamilton v. Accu-tek*.

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Freddie Hamilton and Katina Johnstone (two additional award honorees) were the first plaintiffs in a group that by trial grew to eight people injured by gun violence. The *Hamilton* verdict, plus the work done by Ms. Barnes in another gun case brought by the *National Association for the Advancement of Colored People (NAACP)*, opened the way for subsequent cases, brought by states, counties and cities. These included New York City's case, *City of NY v. Beretta U.S.A.*, which seeks injunctive relief designed to prevent future harm as a result of the proliferation of illegal guns fueled by all branches of the firearm industry. As noted, this lawsuit is being brought by the New York City Law Department and its pro bono counsel, Thelen Reid & Priest, LLP, both of which are also being honored during tomorrow night's event.

Elected Official

- **Councilmember David Yassky** – David Yassky was elected to the City Council in 2001. He has compiled an impressive legislative record, including taking on irresponsible gun companies by sponsoring and passing the Gun Industry Responsibility Act (GIRA) in 2005. GIRA holds the gun industry liable when reckless sales practices results in injuries to, or death of, a New Yorker. Before 2001, Councilman Yassky had a distinguished career as a public servant, lawyer and educator. He has worked for then-Representative Charles Schumer, and helped author and enact the 1993 Brady Law and the 1994 federal Assault Weapons Ban.

The Advocates

- **Freddie Hamilton** – Freddie Hamilton's youngest son, Njuzy Ray, was killed by another young person in her community. Ms. Hamilton channeled her grief into activism by founding PURGE (Parents United to Rally for Gun Violence Elimination). She also became the lead plaintiff in the landmark case *Hamilton v. Accu-Tek*. She is an active member of NYAGV Ed Fund and the Executive Director of Child Development Support Corp., a Brooklyn non-profit providing services that empower families and youth.
- **Katina Johnstone** – Katina Johnstone became a dedicated gun violence prevention advocate after the shooting death of her husband, David, in 1992. Ms. Johnstone was a founding member of New Yorkers Against Gun Violence, a co-founder of the Silent March, one of the original plaintiffs in *Hamilton v. Accu-Tek*, and has worked with other gun violence prevention groups and advocates and groups, including the Million Mom March and attorney Elisa Barnes.

The *Hamilton*, *NAACP* and *Berretta* lawsuits have helped paved the way for introduction and passage on the city level earlier this year of the Gun Industry Responsibility Act (GIRA), sponsored by New York City Councilmember David Yassky (D-Brooklyn). GIRA holds the gun industry liable when their reckless practices result in injury or death of a New Yorker.

"Each honoree tonight has created a foundation on which others have built," noted Andy Pelosi, executive director of NYAGV Ed Fund. "There is a common thread among them – and it is being woven into plan of action that is moving our common advocacy work forward."

In turn, honorees expressed appreciation for NYAGV Ed Fund's acknowledgement.

"New Yorkers Against Gun Violence has raised the bar of awareness and helped prevent unnecessary gun tragedies. The New York City Law Department, and particularly the lawyers, led internally by Law Department attorneys Eric Proshansky, Gail Rubin, Rich Costa, Melanie Ash and

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June Buch, have been working tirelessly to stop the proliferation of illegal guns, and we are honored to receive this award," noted Corporation Counsel Michael A. Cardozo of the New York City Law Department. "My office is also very appreciative for Thelen Reid & Priest 's fine work on behalf of New York City. The firm has donated countless hours to this cause and to the City's case. Because of Thelen Reid's efforts, we're making strides in putting the firearms industry on notice that gun violence is not an acceptable byproduct of its business."

"We are proud that New Yorkers Against Gun Violence Education Fund has chosen to honor the firm for our work with New York City, under the Corporation Counsel Public Service Program, to stop the illegal marketing and sale of firearms," said Michael S. Elkin of Thelen Reid & Priest LLP, and lead trial counsel. "Our commitment to this case is part of Thelen Reid's ongoing efforts to shut down the illegal market for firearms and prevent gun violence." In addition to Elkin, Thelen Reid's legal team includes partner and former prosecutor Thomas P. Lane and lead associate Gabriel M. Nugent.

NYC Councilmember David Yassky said, "The flood of illegal guns into New York City continues unabated as the Bush Administration's dangerously lax policy toward firearms makes local action and the work of New Yorkers Against Gun Violence Education Fund as important as ever. It is an honor to be on the same team with such dedicated men and women, fighting for a safer New York."

Reporters and photographers wishing to attend tomorrow night's event can contact the NYAGV Ed Fund Executive Director Andy Pelosi, at (917) 587-4108 (cell), (212) 679-2345 (office) or nyagv@nyagv.org.

Founded in 1993, New Yorkers Against Gun Violence Education Fund's mission is to reduce gun violence through advocacy and education designed to encourage action, influence public opinion and lead to policy change. With a primary focus in New York State, the organization also advocates at the local and national levels for laws, policies and practices that protect New York State residents – and particularly youth – from gun violence. It is based in New York City, and its web site is: www.nyagv.org.

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