

Blaine Store Incident Report

STORE #: 3100

10250 Lexington Ave NE, Blaine, MN 55014 763-785-4647

**Case Information**

Incident Date/Time:	10/18/2021 1:54:00 PM	Assigned To:	Eric Bongard
Store Case #:	2021-3100-ASST-40	Case Owner:	Joseph Dorn
Incident Type:	Assisting Law Enforcement	Police Officer	Hoisington
Method of Operation:	Other	Badge#:	
Anyone Injured:		Police Case No:	
Fled:		Police Called:	
Total Case Value:	\$5,463.88	Police Arrived:	
Action:		Police Charge:	
Video Obtained:	Yes	Apprehended By:	Joseph Dorn
		Released:	

Suspect Information

Last Name:	Horton Jr	Date of Birth	XXXXXXXXXX
First Name:	Jerome	Sex:	
Middle Name:	F	Adult/Juvenile:	Adult
Address:	XXXXXXXXXXXXXXXXXXXX	Identification:	State Issued ID
City/State/Zip:	Minneapolis MN 55404	Identification #:	*****
Phone#:	XXXXXXXXXX	ID State:	

Vehicle Information

Vehicle Make:	Vehicle Model:	Vehicle Style:
Vehicle Color:	Vehicle Year:	
License Plate#:	State:	
Vehicle Notes:		

Merchandise

Description	UPC	Department	Dam	Rec	Qty	Price each	Total Price
APX Centurion 9mm - Blued	082442894379	Firearms/Ammo/Shooting	No	No	1	\$379.99	\$379.99
Critical Defense 9mm 115 Gr. FTX 25 Rnds	090255902501	Firearms/Ammo/Shooting	No	No	1	\$23.99	\$23.99
STR-9C 1 10 rd Ext mag 1 BS Night	037084317427	Firearms/Ammo/Shooting	No	No	1	\$349.99	\$349.99
GLK 43X 9MM PST 10RD FS - BLACK	764503037894	Firearms/Ammo/Shooting	No	No	1	\$499.99	\$499.99
Ec9s 9mm Pistol 7rd Black - 3283	736676032839	Firearms/Ammo/Shooting	No	No	1	\$269.99	\$269.99
Mc2c 9mm With Safety 9mm - Black	015813890144	Firearms/Ammo/Shooting	No	No	1	\$419.99	\$419.99
Glk 45 9mm Pst 17rd Fss Fs - Black	764503030895	Firearms/Ammo/Shooting	No	No	1	\$549.99	\$549.99
GLK 19X 9mm PST 17 Round Night Sights	764503026911	Firearms/Ammo/Shooting	No	No	1	\$599.99	\$599.99
Glk 17 Gen5 9mm Pst 17r Fss F - Black	764503037108	Firearms/Ammo/Shooting	No	No	1	\$549.99	\$549.99
Glk 19g3 9mm Pst 15rd Fs - Matte Black Matte	764503502194	Firearms/Ammo/Shooting	No	No	1	\$519.99	\$519.99
GLK 26G5 US 9MM 10RD FSS FS - Matte Black	764503037337	Firearms/Ammo/Shooting	No	No	1	\$549.99	\$549.99
RAD RAD-15 RP PST 5.56 7B 30SB - BLACK	814034021975	Firearms/Ammo/Shooting	No	No	1	\$749.99	\$749.99

GRAND TOTAL: \$5,463.88**Evidence Disposition:** Unknown Status**Court Information:**

Trial Date	Court Location	Disposition	Plea	Penalty	Notes

Journal Notes

Plaintiff's Exhibit

1

Journal Date	Created By	Summary	Detail
2/25/2022	Cory Klebs	Recollecting 7-31-21 Purchase	on 7/31/2021 I Operations Manager Cory Daniel Klebs (04/08/1991) was the closing manager for the evening and remember getting called to the Gun Counter to complete a double check on a firearm sale per company policy just before 5pm from team member Bret Nordquist. I arrived at the counter and was presented 3 handguns that were involved in the sale. Upon reviewing the ID that was provided to ensure the Permit to purchase was valid everything checked out. The name on the provided document were Jerome Fletcher Horton Jr. Around this time Nordquist pointed out that the sale was flagged in the system for having a previous ATF form 3310 issued on 7/27/2021. I found this odd and continued to check if there were any errors in the ATF 4473 form for the sale that I was there to double check and found none and the background check had already come back as a proceed. I then stepped away from the counter into the gun cage to give our Assistant Manager Hunter Coil that was over the department if there were any updated company policies that I may have missed about a limit of how many firearms could be purchased in any given time period which he responded with a no. I then double checked with Nordquist if he had any reason to believe that this could be a straw purchase and he stated that he did not. I then did a triple check of the ATF 4473 form and co-signed the paperwork and then had Nordquist ring up the purchase. After the purchase was finalized and the firearms were disposed of Nordquist printed the ATF 3310 form that was just generated and we completed our process of sending the info to our local CLEO via email and mail. I then took the information we had at the time and e-scanned the info over to Michelle Granato at our corporate office to see if she could give any input on the sales if we should stop any future sales which we never got a response back.
Incident Narrative			
On 10/18/2021 I Joseph Alexander Dorn (10/15/1981) received information from Operations Manager Cory Klebs that Special Agent Hoisington with the ATF is requesting records of purchases and any video footage that we may have for an ongoing criminal investigation. I was able to obtain all transactions receipts that will show the items purchased, method of payment used and footage of the suspect. All information was provided to ATF Special Agent Hoisington.			

Signature/Title: _____ Date Signed: ____ / ____ / ____

Witness Signature/Title: _____ Date Signed: ____ / ____ / ____

Release Acknowledgement (if applicable): _____ Date Signed: ____ / ____ / ____

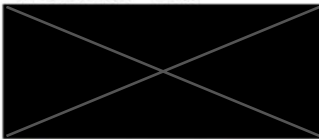
From: Cory D. Klebs [/O=MILLS FLEET FARM/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=705A28E9E5904BE484ACCA1385F7E639-CORY D.]
Sent: 7/31/2021 7:25:20 PM
To: Michelle Granato [/o=Mills Fleet Farm/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83d7176f64a64ddcb97465598d108558-Michell]
CC: Hunter T. Coil [/o=Mills Fleet Farm/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abd4b73219748a8a51abc03b47ec81b-Hunter]
Subject: Multiple Pistol Sales
Attachments: 3310 sale 7-27-21.pdf; 3310 sale 7-31-21.pdf

Michelle,

Wanted to bring you in the loop on an individual that had bought at least 6 pistols from our location from 7/23/21 to 7/31/21. Attached are the 2 different sales that triggered the 3310 prompt. I wanted to bring you in on this to get your input if we should stop any future sales from this customer?

Thank you,

Cory D. Klebs
 Operations Manager
 Fleet Farm – BLN



U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0020

Firearms Transaction Record

WARNING: The information you provide will be used to determine whether you are prohibited by Federal or State law from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine. Any person who exports a firearm without a proper authorization from either the Department of Commerce or the Department of State, as applicable, is subject to a fine of not more than \$1,000,000 and up to 20 years imprisonment.

Transferor's/Seller's
Transaction Serial
Number (if any)

Read the Notices, Instructions, and Definitions on this form. Prepare in original only at the licensed premises (including business temporarily conducted from a qualifying gun show or event in the same State in which the premises is located) unless the transaction qualifies under 18 U.S.C. 922(c). All entries must be handwritten in ink unless completed under ATF Rul. 2016-2. PLEASE PRINT.

Section A - Must Be Completed By Transferor/Seller Before Transferee/Buyer Completes Section B

1. Manufacturer and Importer (if any) (If the manufacturer and importer are different, include both.)	2. Model (if designated)	3. Serial Number	4. Type	5. Caliber or Gauge
1. Glock/Glock Inc	G43X	BTTU078	Pistol	9x19
2. Stoeger/Stoeger Industries	STR-9C	T6429-21S02199	Pistol	9x19 Para
3.				
6. Total Number of Firearms to be Transferred (Please spell total number e.g., one, two, etc. Do not use numerals.)		7. Check if any part of this transaction is a pawn redemption. ☐		
Two		Record Line Number(s) From Question 1:		
		8. Check if this transaction is to facilitate a private party transfer. ☐		

Section B - Must Be Completed Personally By Transferee/Buyer

9. Transferee's/Buyer's Full Name (If legal name contains an initial only, record the initial followed by "IO" in quotes. If no middle initial or name, record "NMN".)

Last Name (including suffix, e.g., Jr, Sr, II, III)	First Name	Middle Name
HORTON JR	JEROME	FLETCHER

10. Current State of Residence and Address (U.S. postal abbreviations are acceptable. Cannot be a post office box.)

Number and Street Address	City	State	ZIP Code	County/Parish/Borough
[REDACTED]	[REDACTED]	MN	55404	[REDACTED]

11. Place of Birth

U.S. City and State	-OR-	Foreign Country	12. Height Ft. 5 In. 9	13. Weight (lbs.) 189	14. Sex ☒ Male ☐ Female ☐ Non-Binary	15. Birth Date Month Day Year
MINNEAPOLIS MN						[REDACTED] 1996

16. Social Security Number (optional, but will help prevent misidentification)

[REDACTED]

17. Unique Personal Identification Number (UPIN) or Appeals Management Database Identification (AMD ID) (if applicable)

[REDACTED]

18.a. Ethnicity

☐ Hispanic or Latino ☒ Not Hispanic or Latino

18.b. Race (Select one or more race in 18.b. Both 18.a. and 18.b. must be answered.)

☐ American Indian or Alaska Native ☒ Black or African American ☐ White
☐ Asian ☐ Native Hawaiian or Other Pacific Islander

19. Country of Citizenship: (Check/List more than one, if applicable. Nationals of the United States may check U.S.A.)

☒ United States of America (U.S.A.) ☐ Other Country/Countries (Specify):

20. If you are an alien, record your U.S.-issued alien or admission number (AR#, USCIS#, or I94#):

21. Answer the following questions by checking or marking either the "yes" or "no" box to the right of the questions:

	Yes	No
a. Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you. Exception: If you are only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may proceed to question 21.b.	☒	☐
b. Are you under indictment or information in any court for a felony, or any other crime for which the judge could imprison you for more than one year, or are you a current member of the military who has been charged with violation(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial?	☐	☒
c. Have you ever been convicted in any court, including a military court, of a felony, or any other crime for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?	☐	☒
d. Are you a fugitive from justice?	☐	☒
e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? Warning: The use or possession of marijuana remains unlawful under Federal law regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside.	☐	☒

Previous Editions Are Obsolete

Page 1 of 6

STAPLE IF PAGES BECOME SEPARATED

ATF Form 4473 (9300.9)
Revised May 2020

CONFIDENTIAL

FF_0076302

	Yes	No
f. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution?	☐	☒
g. Have you ever been discharged from the Armed Forces under dishonorable conditions?	☐	☒
h. Are you subject to a court order, including a Military Protection Order issued by a military judge or magistrate, restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner?	☐	☒
i. Have you ever been convicted in any court of a misdemeanor crime of domestic violence, or are you or have you ever been a member of the military and been convicted of a crime that included, as an element, the use of force against a person as identified in the instructions?	☐	☒
j. Have you ever renounced your United States citizenship?	☐	☒
k. Are you an alien illegally or unlawfully in the United States?	☐	☒
21.1.1. Are you an alien who has been admitted to the United States under a nonimmigrant visa?	☐	☒
21.1.2. If you are such an alien do you fall within any of the exceptions stated in the instructions? (U.S. citizens/nationals leave 21.1.2. blank)	☐	☐

I certify that my answers in Section B are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I understand that answering "yes" to question 21.a. if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I understand that a person who answers "yes" to any of the questions 21.b. through 21.k. is prohibited from receiving or possessing a firearm. I understand that a person who answers "yes" to question 21.1.1. is prohibited from receiving or possessing a firearm, unless the person answers "yes" to question 21.1.2. and provides the documentation required in 26.d. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of Federal law.

22. Transferee's/Buyer's Signature 23. Certification Date
Month Day Year
07 27 2021

Section C - Must Be Completed By Transferor/Seller Prior To The Transfer Of The Firearm(s)

24. Category of firearm(s) to be transferred (check or mark all that apply):
☒ Handgun ☐ Long Gun ☐ Other Firearm (frame, receiver, etc.)
(rifle or shotgun)

25. If sale or transfer is at a qualifying gun show or event:
 Name of Function: _____
 City, State: _____

26.a. Identification (e.g., Virginia driver's license (VA DL) or other valid government-issued photo identification including military ID.)
 Issuing Authority and Type of Identification Number on Identification Expiration Date of Identification (if any)
 MN DL [REDACTED] Month Day Year
[REDACTED]

26.b. Supplemental Government Issued Documentation (if identification document does not show current residence address or full legal name)

26.c. Official Military Orders Establishing Permanent Change of Station (PCS):
 PCS Base/City and State: PCS Effective Date: PCS Order Number (if any):

26.d. Exception to the Nonimmigrant Alien Prohibition: If the transferee/buyer answered "yes" to 21.1.2. record the type of documentation showing the exception to the prohibition and attach a copy to this ATF Form 4473:

27.a. Date the transferee's/buyer's identifying information in Section B was transmitted to NICS or the appropriate State agency:
 Month Day Year
 07 27 2021

27.b. The NICS or State transaction number (if provided) was:
 10244FKZR

27.c. The response initially provided by NICS or the appropriate State agency was:
☒ Proceed ☐ Delayed
☐ Denied [The firearm(s) may be transferred on _____ if State law permits (optional)]
☐ Cancelled

27.d. Prior to transfer the following response(s) was/were later provided by NICS or the appropriate State agency:
☐ Proceed _____ (date) ☐ Overturned
☐ Denied _____ (date)
☐ Cancelled _____ (date)
☐ No response was provided within 3 business days.

27.e. After the firearm was transferred, the following response was provided by NICS or the appropriate State agency (if applicable) on:
 _____ (date). ☐ Proceed ☐ Denied ☐ Cancelled

27.f. Name and Brady identification number of the NICS examiner. (optional)
 _____ (name) _____ (number)

27.g. Name of FFL Employee Completing NICS check. (optional)

28. ☐ No NICS check is required because a background check was completed during the NFA approval process on the individual who will receive the NFA firearm(s), as reflected on the approved NFA application.

29. ☐ No NICS check is required because the transferee/buyer has a valid permit from the State where the transfer is to take place, which qualifies as an exemption to NICS.

Issuing State and Permit Type	Date of Issuance (if any)	Expiration Date (if any)	Permit Number (if any)
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Section D - Must Be Completed Personally By Transferee/Buyer

If the transfer of the firearm(s) takes place on a different day from the date that the transferee/buyer signed Section B, the transferee/buyer must complete Section D immediately prior to the transfer of the firearm(s).

I certify that all of my responses in Section B of this form are still true, correct, and complete.

30. Transferee's/Buyer's Signature

31. Recertification Date

Month	Day	Year
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Section E - Must Be Completed By Transferor/Seller

32. For Use by Licensee

33. Trade/corporate name and address of transferor/seller and Federal Firearm License Number (must contain at least first three and last five digits X-XX-XXXXX; hand stamp may be used)

Fleet Farm
10250 Lexington Avenue NE
Blaine, MN, 55014. FFL: 341003013G02607

David Carson
7/28/21

Minneapolis PD, Acquire Permit, 6/4/22

The Individual Transferring The Firearm(s) Must Complete Questions 34-36.

For Denied/Cancelled Transactions, The Individual Who Completed Section C Must Complete Questions 34-35.

I certify that: (1) I have read and understand the Notices, Instructions, and Definitions on this ATF Form 4473; (2) the information recorded in Sections A, C and E is true, correct, and complete; and (3) this entire transaction record has been completed at the licensed business premises ("licensed premises" includes business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless this transaction has met the requirements of 18 U.S.C. 922(c). Unless this transaction has been denied or cancelled by NICS or State agency, I further certify on the basis of — (1) the transferee's/buyer's responses in Section B (and Section D, if applicable); (2) the verification of the identification recorded in question 26 (and the re-verification at the time of transfer, if Section D was completed); and (3) State or local law applicable to the firearms business — it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section B.

34. Transferor's/Seller's Name (please print)

35. Transferor's/Seller's Signature

36. Date Transferred

Month	Day	Year
07	27	2021

Brandon Sierakowski

REMINDER - By the Close of Business Complete ATF Form 3310.4 for Multiple Sales of Handguns Within 5 Consecutive Business Days

NOTICES, INSTRUCTIONS, AND DEFINITIONS

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. 923 may determine if he/she may lawfully sell or deliver a firearm to the person identified in Section B, and to alert the transferee/buyer of certain restrictions on the receipt and possession of firearms. The transferor/seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the transferor/seller must be familiar with the provisions of 18 U.S.C. 921-931 and the regulations in 27 CFR Parts 478 and 479. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the transferor/seller is presumed to know the applicable State laws and published ordinances in both the transferor's/seller's State and the transferee's/buyer's State. (See State Laws and Published Ordinances - Firearms (ATF Electronic Publication 5300.5) on <https://www.atf.gov/>.)

Generally, ATF Form 4473 must be completed at the licensed business premises when a firearm is transferred over-the-counter. Federal law, 18 U.S.C. 922(c), allows a licensed importer, manufacturer, or dealer to sell a firearm to a nonlicensee who does not appear in person at the licensee's business premises only if the transferee/buyer meets certain requirements. These requirements are set forth in section 922(c), 27 CFR 478.96(b), and ATF Procedure 2013-2 (or subsequent update).

After the transferor/seller has completed the firearms transaction, he/she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his/her permanent records. Such Forms 4473 must be retained for at least 20 years and after that period may be submitted to ATF. Filing may be chronological (by date of disposition), alphabetical (by name of purchaser), or numerical (by transaction serial number), as long as all of the transferor's/seller's completed Forms 4473 are filed in the same manner.

FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not completed after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his/her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name of transferee) or chronological (by date of transferee's certification) order.

If the transferor/seller or the transferee/buyer discovers that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and the transferor/seller or the transferee/buyer wishes to correct the omission(s) or error(s), photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. The transferor/seller should only make changes to Sections A, C, and E. The transferee/buyer should only make changes to Sections B and D. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of the transferor's/seller's permanent records.

Section A

Questions 1-6. Firearm(s) Description: These blocks must be completed with the firearm(s) information. All firearms manufactured after 1968 by Federal firearms licensees should be marked with a serial number. Should you acquire a firearm that is legally not marked with a serial number (i.e. pre-1968); you may answer question 3 with "NSN" (No Serial Number), "N/A" or "None."

If more than three firearms are involved in a transaction, please provide the information required by Section A, Questions 1-5, on ATF Form 5300.9A, Firearms Transaction Record Continuation Sheet. The completed Form 5300.9A must be attached to this ATF Form 4473.

Types of firearms include, but are not limited to: pistol, revolver, rifle, shotgun, receiver, frame, and firearms that are neither handguns nor long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell (pistol grip firearm) or NFA firearms (machinegun, silencer, short-barreled shotgun, short-barreled rifle, destructive device, or "any other weapon").

Additional firearms purchases by the same transferee/buyer may not be added to the form after the transferor/seller has signed and dated it. A transferee/buyer who wishes to acquire additional firearms after the transferor/seller has signed and dated the form must complete a new ATF Form 4473 and undergo a new NICS check.

Question 8. Private Party Transfer: Check this box if the licensee is facilitating the sale or transfer of a firearm between private unlicensed individuals in accordance with ATF Procedure 2017-1. This will assist the licensee by documenting which transaction records correspond with private party transfers, and why there may be no corresponding A&D entries when the transfer did not proceed because it was denied, delayed, or cancelled.

Section B

The transferee/buyer must personally complete Section B of this form and certify (sign and date) that the answers are true, correct, and complete. However, if the transferee/buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the transferor/seller. Two persons (other than the transferor/seller) must then sign as witnesses to the transferee's/buyer's answers and signature/certification in question 22.

When the transferee/buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the business must complete Section B of the form with his/her personal information, sign Section B, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity; and (B) the name and address of that business entity.

Question 9. Transferee's/Buyers Full Name: If the transferee's/buyer's name is illegible, the transferor/seller must print the transferee's/buyer's name above the name written by the transferee/buyer.

Question 10. Current Residence Address: A rural route (RR) may be accepted provided the transferee/buyer lives in a State or locality where it is considered a legal residence address.

If the transferee/buyer is a member of the Armed Forces on active duty, his/her State of residence is the State in which his/her permanent duty station is located. If the service member is acquiring a firearm in a State where his/her permanent duty station is located, but resides in a different State, the transferee/buyer must list both his/her permanent duty station address and residence address. If the transferee/buyer has two States of residence, the transferee/buyer should list his/her current residence address (e.g., if the transferee/buyer is purchasing a firearm while staying at his/her weekend home in State X, list the address in State X).

Question 14. Sex: Individuals with neither male nor female on their identification document(s) should check Non-Binary.

Question 17. Unique Personal Identification Number (UPIN) or Appeals Management Database Identification (AMD ID): For transferees/buyers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a UPIN, which the transferee/buyer should record in question 17. The AMD ID is a number that will be provided to an appellant on certain types of overturned appeals and should also be recorded in question 17. The transferor/seller should provide the UPIN/AMD ID when conducting background checks through the NICS or the State POC.

Questions 18.a. and 18.b. Ethnicity and Race: Federal regulations (27 CFR 478.124(c)(1)) require licensees to obtain the race of the transferee/buyer. This information helps the FBI and/or State POC make or rule out potential matches during the background check process and can assist with criminal investigations.

Ethnicity refers to a person's heritage. Persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race, are considered Hispanic or Latino.

Race - one or more of the following responses must be selected: (1) American Indian or Alaska Native - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal

affiliation or community attachment; (2) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam; (3) Black or African American - A person having origins in any of the Black racial groups of Africa; (4) Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands; and/or (5) White - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. Select the closest representation for any other race or ethnicity that does not fall within those indicated.

Question 20. U.S.-issued Alien Number or Admission Number: U.S.-issued alien and admission numbers may be found on the following U.S. Department of Homeland Security documents: Legal Resident Card or Employment Authorization Card (AR# or USCIS#); Arrival/Departure Record, Form 194, or Form 797A (194#). Additional information can be obtained from www.cbp.gov. If you are a U.S. citizen or U.S. national, the response to this question should be left blank.

Question 21.a. Actual Transferee/Buyer: For purposes of this form, a person is the actual transferee/buyer if he/she is purchasing the firearm for him/herself or otherwise acquiring the firearm for him/herself. (e.g., redeeming the firearm from pawn, retrieving it from consignment, firearm raffle winner). A person is also the actual transferee/buyer if he/she is legitimately purchasing the firearm as a bona fide gift for a third party. A gift is not bona fide if another person offered or gave the person completing this form money, service(s), or item(s) of value to acquire the firearm for him/her, or if the other person is prohibited by law from receiving or possessing the firearm.

EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith (who may or may not be prohibited). Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT THE ACTUAL TRANSFEREE/BUYER of the firearm and must answer "no" to question 21.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown buys the firearm with his own money to give to Mr. Black as a gift (with no service or tangible thing of value provided by Mr. Black), Mr. Brown is the actual transferee/buyer of the firearm and should answer "yes" to question 21.a. However, the transferor/seller may not transfer a firearm to any person he/she knows or has reasonable cause to believe is prohibited under 18 U.S.C. 922(g), (h), (n), or (x).

Questions 21.b. - 21.i. Prohibited Persons: Generally, 18 U.S.C. 922(g) prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a felony in any Federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year; is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated as a mental defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; is subject to certain restraining orders; convicted of a misdemeanor crime of domestic violence under Federal, including a general court-martial, State or Tribal law; has renounced his/her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a nonimmigrant visa. Furthermore, section 922(n) prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony in any Federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year. An information is a formal accusation of a crime verified by a prosecutor.

A member of the Armed Forces must answer "yes" to 21.b. if charged with an offense that is referred to a general court-martial. A current or former member of the Armed Forces must answer "yes" to 21.c. if convicted under a general court-martial.

Discharged "under dishonorable conditions" means separation from the Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a general court-martial. That term does not include any other discharge or separation.

EXCEPTION: A person is not prohibited from receiving or possessing a firearm if that person: (1) has been convicted of any Federal or State offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; (2) has been convicted of a State misdemeanor punishable by imprisonment of two years or less; or (3) following conviction of a felony or other crime for which the judge could have imprisoned the person for more than one year, or a misdemeanor crime of domestic violence, has received a pardon, an expungement or set aside of the conviction, or has lost and regained civil

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OMB No. 1140-0061 (09/30/2021)

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives**Report of Multiple Sale or Other
Disposition of Pistols and Revolvers**

(Please complete all information)

1. Date of Report 07/27/2021 2a. Federal Firearms License (FFL) Number 341003013G02607

2b. Trade/Corporate Name and Address (If you have complete information available on a rubber stamp, please place information here.)
Fleet Farm
10250 Lexington Avenue NE
Blaine MN 55014

2c. Are any of the firearm(s) connected to another multiple sale? (If yes, specify date) See instruction 2. ☐ Yes ☒ No Date

2d. If you sold these firearms at a gun show or other qualifying event, identify the event and provide a complete address of the event.

3. Any Combination of Pistols and Revolvers Disposed of to the Same Unlicensed Person at One Time or During Any Five Consecutive Business Days (See instruction 3.)

Type (Pistol or revolver)	Serial Number	Manufacturer	Model	Importer	Caliber	Transfer Date
Pistol	A152030X	Beretta	APX	Beretta USA Corp	9x19	07/23/2021
Pistol	BTTU078	Glock	G43X	Glock Inc	9x19	07/27/2021
Pistol	T6429-21S02199	Stoeger	STR-9C	Stoeger Industries	9x19 Parab	07/27/2021

4. Transferee's Name (Last, first, middle)

HORTON JR, JEROME, FLETCHER

5. Residence Address (Number, street, city, county, state, zip code)

MN 55404

6. Sex Male 7a. Ethnicity ☐ Hispanic or Latino ☒ Not Hispanic or Latino 7b. Race (Check one or more boxes.) (See instruction 5.) ☐ American Indian or Alaska Native ☒ African American or Black ☐ White ☐ Asian ☐ Native Hawaiian or Other Pacific Islander

8. Identification Number 9. Type of Identification (ID) DL 10. ID State MN 11. Date of Birth 1996 12. Place of Birth (City, state, country) MINNEAPOLIS, MN, USA

13. If the buyer of the firearms listed in item 4 is a person authorized to act on behalf of a corporation, company, association, partnership or other such business entity, you must complete the following, if applicable: (See instruction 6.)

Name and Address of Business Entity

14a. Identify the official designated by the State or local authorities where you, the FFL, will be forwarding Copy 2.

Minnesota BCA Curios and Relics

1430 Maryland Ave E. St. Paul, MN 55106

Name of Agency

Street Address, City, and State

14b. Date Copy 2 was forwarded to Agency 07/27/2021

15. Additional Information Relating to the Transfer of the Firearms (if applicable)

16. Name of Employee Filling Out This Form

Date

Branden Sierakowski

07/27/2021

Email form to multiplegunsalesforms@atf.gov.

ATF E-Form 3310.4
Revised April 2019

CONFIDENTIAL

FF_0076306

Instructions

1. Federal Firearms Licensees (FFLs) must use this form to report all transactions in which an unlicensed person acquired any combination of two or more pistols or revolvers totaling two or more at one time or during five consecutive business days. This form is not required when the pistols or revolvers are returned to the same person from whom they are received.
2. If this transaction is an additional firearm(s) to a multiple sale(s) previously submitted, check "Yes" and enter the date of the previous Multiple Sale form. *(For example a multiple sale for purchases made on a Monday and Friday must be submitted by the close of business Friday. If an additional purchase is made within the five days from the Friday purchase, this purchase is part of the previous multiple sale and must be reported as part of that multiple sale under 2c).*
3. A separate form is to be submitted for each unlicensed person. If more than six pistols and/or revolvers are involved in a transaction, the information required by Item 3 must be provided for additional Pistols and Revolvers on a separate sheet of paper and shall be attached to the ATF Form 3310.4 covering the transaction.
4. Licensees must complete Items 1 through 12, 14, and 16 entirely. Items 13 and 15 must be completed, if applicable.
5. Refer to the Race and Ethnicity information provided on the ATF Form 4473 associated with this transaction when filling out the Race and Ethnicity information on this form.
6. Business Entities - Information identifying the business entity must be recorded in Item 13. The authorized person receiving the firearms must be identified in Items 4 through 12 of this form.
7. The report is to be submitted to:
 - a. Copy 1 - Email to multiplesaleforms@atf.gov, fax to 1-877-283-0288 or mail to the ATF National Tracing Center no later than the close of business on the day that the multiple sale or other disposition occurs.
 Mailing address:
 U.S. Department of Justice
 NTC
 244 Needy Road
 Martinsburg, WV 25405
 - b. Copy 2 - To Chief Local Law Enforcement Official (CLEO). The CLEO is a local or State official designated to receive this form. If you do not know your CLEO, contact your local ATF Office to find out. Provide Copy 2 to your CLEO.
 Instructions to CLEOs receiving Copy 2 of this form: 18 U.S.C. 923(g)(3)(B) provides in part that you certify in writing every six months that no disclosures have been made and that the multiple sales forms on non-prohibited persons have been destroyed by the CLEO as required by law. The following statement can be used for this purpose: "I hereby certify on behalf of (your specific agency name) that for the period of six months (give specific dates) there have been no disclosures of Multiple Sales Forms contrary to the provisions of the Brady Handgun Violence Protection Act, and that all forms and any record of the contents thereof have been destroyed as provided by that law." This statement is to be dated and on your agency letterhead, signed by the proper official and forwarded by the CLEO to: U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Tracing Center, 244 Needy Road, Martinsburg, WV 25405.
 - c. Copy 3 - Regulation 478.126a requires the licensee to retain one copy of Form 3310.4 and attach it to the firearms transaction record, ATF Form 4473, executed upon delivery of the pistols or revolvers.
8. Additional forms may be obtained online at www.atf.gov or through the ATF Distribution Center by calling (703)870-7526 or (703) 870-7528.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923 (g). The information is used to determine if the buyer (transferee) is involved in an unlawful activity. The information is stored and retrieved in accordance with Justice/ATF-008 Regulatory Enforcement Record System 68 FR 3558 dated January 24, 2003.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (transferee) is involved in an unlawful activity. The information requested is mandatory and required by statute (18 U.S.C. 923(g)).

The estimate average burden associated with this collection is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

ATF E-Form 3310.4
Revised April 2019

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0020

Firearms Transaction Record

WARNING: The information you provide will be used to determine whether you are prohibited by Federal or State law from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine. Any person who exports a firearm without a proper authorization from either the Department of Commerce or the Department of State, as applicable, is subject to a fine of not more than \$1,000,000 and up to 20 years imprisonment.

Read the Notices, Instructions, and Definitions on this form. Prepare in original only at the licensed premises (including business temporarily conducted from a qualifying gun show or event in the same State in which the premises is located) unless the transaction qualifies under 18 U.S.C. 922(c). All entries must be handwritten in ink unless completed under ATF Rul. 2016-2. PLEASE PRINT.

Transferor's/Seller's
Transaction Serial
Number (if any)

Section A - Must Be Completed By Transferor/Seller Before Transferee/Buyer Completes Section B

1. Manufacturer and Importer (if any) (If the manufacturer and importer are different, include both.)	2. Model (if designated)	3. Serial Number	4. Type	5. Caliber or Gauge
1. Mossberg	MC2C	017520MC	Pistol	9x19mm
2. Ruger	EC9S	459-55269	Pistol	9mm Luger
3. Glock/Glock Inc	G45	BSTE309	Pistol	9x19
6. Total Number of Firearms to be Transferred (Please spell total number e.g., one, two, etc. Do not use numerals.) Three		7. Check if any part of this transaction is a pawn redemption. Record Line Number(s) From Question 1: ☐		
		8. Check if this transaction is to facilitate a private party transfer. ☐		

Section B - Must Be Completed Personally By Transferee/Buyer

9. Transferee's/Buyer's Full Name (If legal name contains an initial only, record the initial followed by "IO" in quotes. If no middle initial or name, record "N/A".) Last Name (including suffix, e.g., Jr, Sr, II, III) First Name Middle Name HORTON JR JEROME FLETCHER				
10. Current State of Residence and Address (U.S. postal abbreviations are acceptable. Cannot be a post office box.) Number and Street Address City State ZIP Code County/Parish/Borough [REDACTED] [REDACTED] MN 55404 [REDACTED]				
11. Place of Birth U.S. City and State -OR- Foreign Country MINNEAPOLIS MN	12. Height Ft. 5 In. 9	13. Weight (lbs.) 189	14. Sex ☒ Male ☐ Female ☐ Non-Binary	15. Birth Date Month Day Year [REDACTED] [REDACTED] 1996
16. Social Security Number (optional, but will help prevent misidentification) [REDACTED]		17. Unique Personal Identification Number (UPIN) or Appeals Management Database Identification (AMD ID) (if applicable)		
18.a. Ethnicity ☐ Hispanic or Latino ☒ Not Hispanic or Latino				
18.b. Race (Select one or more race in 18.b. Both 18.a. and 18.b. must be answered.) ☐ American Indian or Alaska Native ☒ Black or African American ☐ White ☐ Asian ☐ Native Hawaiian or Other Pacific Islander				
19. Country of Citizenship: (Check/List more than one, if applicable. Nationals of the United States may check U.S.A.) ☒ United States of America (U.S.A.) ☐ Other Country/Countries (Specify):				
20. If you are an alien, record your U.S.-issued alien or admission number (AR#, USCIS#, or I94#):				
21. Answer the following questions by checking or marking either the "yes" or "no" box to the right of the questions:				
a. Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you. Exception: If you are only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may proceed to question 21.b.				Yes No ☒ ☐
b. Are you under indictment or information in any court for a felony, or any other crime for which the judge could imprison you for more than one year, or are you a current member of the military who has been charged with violation(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial?				☐ ☒
c. Have you ever been convicted in any court, including a military court, of a felony, or any other crime for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?				☐ ☒
d. Are you a fugitive from justice?				☐ ☒
e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? Warning: The use or possession of marijuana remains unlawful under Federal law regardless of whether it has been legalized or decriminalized for medicinal or recreational purposes in the state where you reside.				☐ ☒

Previous Editions Are Obsolete

Page 1 of 6

STAPLE IF PAGES BECOME SEPARATED

ATF Form 4473 (5300.9)
Revised May 2020

CONFIDENTIAL

FF_0076308

		Yes	No
f. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution?	☐	☐	☒
g. Have you ever been discharged from the Armed Forces under dishonorable conditions?	☐	☐	☒
h. Are you subject to a court order, including a Military Protection Order issued by a military judge or magistrate, restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner?	☐	☐	☒
i. Have you ever been convicted in any court of a misdemeanor crime of domestic violence, or are you or have you ever been a member of the military and been convicted of a crime that included, as an element, the use of force against a person as identified in the instructions?	☐	☐	☒
j. Have you ever renounced your United States citizenship?	☐	☐	☒
k. Are you an alien illegally or unlawfully in the United States?	☐	☐	☒
21.1.1. Are you an alien who has been admitted to the United States under a nonimmigrant visa?	☐	☐	☒
21.1.2. If you are such an alien do you fall within any of the exceptions stated in the instructions? (U.S. citizens/nationals leave 21.1.2. blank)	☐	☐	☐

I certify that my answers in Section B are true, correct, and complete. I have read and understand the Notices, Instructions, and Definitions on ATF Form 4473. I understand that answering "yes" to question 21.a. if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I understand that a person who answers "yes" to any of the questions 21.b. through 21.k. is prohibited from receiving or possessing a firearm. I understand that a person who answers "yes" to question 21.1.1. is prohibited from receiving or possessing a firearm, unless the person answers "yes" to question 21.1.2. and provides the documentation required in 26.d. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of Federal law.

22. Transferee's/Buyer's Signature: Deane Horton Jr

23. Certification Date
 Month: 07 Day: 31 Year: 2021

Section C - Must Be Completed By Transferor/Seller Prior To The Transfer Of The Firearm(s)

24. Category of firearm(s) to be transferred (check or mark all that apply):
☒ Handgun ☐ Long Gun (rifle or shotgun) ☐ Other Firearm (frame, receiver, etc.)

25. If sale or transfer is at a qualifying gun show or event:
 Name of Function: _____
 City, State: _____

26.a. Identification (e.g., Virginia driver's license (VA DL) or other valid government-issued photo identification including military ID.)
 Issuing Authority and Type of Identification: MN DL Number on Identification: [REDACTED] Expiration Date of Identification (if any):
 Month: _____ Day: _____ Year: _____

26.b. Supplemental Government Issued Documentation (if identification document does not show current residence address or full legal name): _____

26.c. Official Military Orders Establishing Permanent Change of Station (PCS):
 PCS Base/City and State: _____ PCS Effective Date: _____ PCS Order Number (if any): _____

26.d. Exception to the Nonimmigrant Alien Prohibition: If the transferee/buyer answered "yes" to 21.1.2. record the type of documentation showing the exception to the prohibition and attach a copy to this ATF Form 4473: _____

27.a. Date the transferee's/buyer's identifying information in Section B was transmitted to NICS or the appropriate State agency:
 Month: 07 Day: 31 Year: 2021

27.b. The NICS or State transaction number (if provided) was: 10248X YCD

27.c. The response initially provided by NICS or the appropriate State agency was:
☒ Proceed ☐ Delayed ☐ Denied ☐ Cancelled
 [The firearm(s) may be transferred on _____ if State law permits (optional)]

27.d. Prior to transfer the following response(s) was/were later provided by NICS or the appropriate State agency:
☐ Proceed _____ (date) ☐ Overturned _____
☐ Denied _____ (date)
☐ Cancelled _____ (date)
☐ No response was provided within 3 business days.

27.e. After the firearm was transferred, the following response was provided by NICS or the appropriate State agency (if applicable) on: _____ (date). ☐ Proceed ☐ Denied ☐ Cancelled

27.f. Name and Brady identification number of the NICS examiner. (optional)
 (name) _____ (number) _____

27.g. Name of FFL Employee Completing NICS check. (optional)

28. ☐ No NICS check is required because a background check was completed during the NFA approval process on the individual who will receive the NFA firearm(s), as reflected on the approved NFA application.

29. ☐ No NICS check is required because the transferee/buyer has a valid permit from the State where the transfer is to take place, which qualifies as an exemption to NICS.

Issuing State and Permit Type	Date of Issuance (if any)	Expiration Date (if any)	Permit Number (if any)
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Section D - Must Be Completed Personally By Transferee/Buyer

If the transfer of the firearm(s) takes place on a different day from the date that the transferee/buyer signed Section B, the transferee/buyer must complete Section D immediately prior to the transfer of the firearm(s).

I certify that all of my responses in Section B of this form are still true, correct, and complete.

30. Transferee's/Buyer's Signature

31. Recertification Date
Month Day Year

Section E - Must Be Completed By Transferor/Seller

32. For Use by Licensee

*MN Permit to Acquire
Minneapolis P.D.
Ex: 6/14/2022*

33. Trade/corporate name and address of transferor/seller and Federal Firearm License Number (must contain at least first three and last five digits X-XX-XXXXX; hand stamp may be used)

Fleet Farm
10250 Lexington Avenue NE
Blaine, MN, 55014. FFL: 341003013G02607

The Individual Transferring The Firearm(s) Must Complete Questions 34-36.

For Denied/Cancelled Transactions, The Individual Who Completed Section C Must Complete Questions 34-35.

I certify that: (1) I have read and understand the Notices, Instructions, and Definitions on this ATF Form 4473; (2) the information recorded in Sections A, C and E is true, correct, and complete; and (3) this entire transaction record has been completed at the licensed business premises ("licensed premises" includes business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless this transaction has met the requirements of 18 U.S.C. 922(c). Unless this transaction has been denied or cancelled by NICS or State agency, I further certify on the basis of — (1) the transferee's/buyer's responses in Section B (and Section D, if applicable); (2) the verification of the identification recorded in question 26 (and the re-verification at the time of transfer, if Section D was completed); and (3) State or local law applicable to the firearms business — it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section B.

34. Transferor's/Seller's Name (please print)

BRET Nordquist

35. Transferor's/Seller's Signature

[Signature]

36. Date Transferred

Month Day Year
07 31 2021

REMINDER - By the Close of Business Complete ATF Form 5310.4 for Multiple Sales of Handguns Within 5 Consecutive Business Days

NOTICES, INSTRUCTIONS, AND DEFINITIONS

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. 923 may determine if he/she may lawfully sell or deliver a firearm to the person identified in Section B, and to alert the transferee/buyer of certain restrictions on the receipt and possession of firearms. The transferor/seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the transferor/seller must be familiar with the provisions of 18 U.S.C. 921-931 and the regulations in 27 CFR Parts 478 and 479. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the transferor/seller is presumed to know the applicable State laws and published ordinances in both the transferor's/seller's State and the transferee's/buyer's State. (See State Laws and Published Ordinances -Firearms (ATF Electronic Publication 5300.5) on <https://www.atf.gov/>.)

Generally, ATF Form 4473 must be completed at the licensed business premises when a firearm is transferred over-the-counter. Federal law, 18 U.S.C. 922(c), allows a licensed importer, manufacturer, or dealer to sell a firearm to a nonlicensee who does not appear in person at the licensee's business premises only if the transferee/buyer meets certain requirements. These requirements are set forth in section 922(c), 27 CFR 478.96(b), and ATF Procedure 2013-2 (or subsequent update).

After the transferor/seller has completed the firearms transaction, he/she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his/her permanent records. Such Forms 4473 must be retained for at least 20 years and after that period may be submitted to ATF. Filing may be chronological (by date of disposition), alphabetical (by name of purchaser), or numerical (by transaction serial number), as long as all of the transferor's/seller's completed Forms 4473 are filed in the same manner.

FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED. If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not completed after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his/her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name of transferee) or chronological (by date of transferee's certification) order.

If the transferor/seller or the transferee/buyer discovers that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and the transferor/seller or the transferee/buyer wishes to correct the omission(s) or error(s), photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. The transferor/seller should only make changes to Sections A, C, and E. The transferee/buyer should only make changes to Sections B and D. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of the transferor's/seller's permanent records.

Section A

Questions 1-6. Firearm(s) Description: These blocks must be completed with the firearm(s) information. All firearms manufactured after 1968 by Federal firearms licensees should be marked with a serial number. Should you acquire a firearm that is legally not marked with a serial number (i.e. pre-1968); you may answer question 3 with "NSN" (No Serial Number), "N/A" or "None."

If more than three firearms are involved in a transaction, please provide the information required by Section A, Questions 1-5, on ATF Form 5300.9A, Firearms Transaction Record Continuation Sheet. The completed Form 5300.9A must be attached to this ATF Form 4473.

Types of firearms include, but are not limited to: pistol, revolver, rifle, shotgun, receiver, frame, and firearms that are neither handguns nor long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell (pistol grip firearm) or NFA firearms (machinegun, silencer, short-barreled shotgun, short-barreled rifle, destructive device, or "any other weapon").

Additional firearms purchases by the same transferee/buyer may not be added to the form after the transferor/seller has signed and dated it. A transferee/buyer who wishes to acquire additional firearms after the transferor/seller has signed and dated the form must complete a new ATF Form 4473 and undergo a new NICS check.

Question 8. Private Party Transfer: Check this box if the licensee is facilitating the sale or transfer of a firearm between private unlicensed individuals in accordance with ATF Procedure 2017-1. This will assist the licensee by documenting which transaction records correspond with private party transfers, and why there may be no corresponding A&D entries when the transfer did not proceed because it was denied, delayed, or cancelled.

Section B

The transferee/buyer must personally complete Section B of this form and certify (sign and date) that the answers are true, correct, and complete. However, if the transferee/buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the transferor/seller. Two persons (other than the transferor/seller) must then sign as witnesses to the transferee's/buyer's answers and signature/certification in question 22.

When the transferee/buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the business must complete Section B of the form with his/her personal information, sign Section B, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity; and (B) the name and address of that business entity.

Question 9. Transferee's/Buyers Full Name: If the transferee's/buyer's name is illegible, the transferor/seller must print the transferee's/buyer's name above the name written by the transferee/buyer.

Question 10. Current Residence Address: A rural route (RR) may be accepted provided the transferee/buyer lives in a State or locality where it is considered a legal residence address.

If the transferee/buyer is a member of the Armed Forces on active duty, his/her State of residence is the State in which his/her permanent duty station is located. If the service member is acquiring a firearm in a State where his/her permanent duty station is located, but resides in a different State, the transferee/buyer must list both his/her permanent duty station address and residence address. If the transferee/buyer has two States of residence, the transferee/buyer should list his/her current residence address (e.g., if the transferee/buyer is purchasing a firearm while staying at his/her weekend home in State X, list the address in State X).

Question 14. Sex: Individuals with neither male nor female on their identification document(s) should check Non-Binary.

Question 17. Unique Personal Identification Number (UPIN) or Appeals Management Database Identification (AMD ID): For transferees/buyers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a UPIN, which the transferee/buyer should record in question 17. The AMD ID is a number that will be provided to an appellant on certain types of overturned appeals and should also be recorded in question 17. The transferor/seller should provide the UPIN/AMD ID when conducting background checks through the NICS or the State POC.

Questions 18.a. and 18.b. Ethnicity and Race: Federal regulations (27 CFR 478.124(c)(1)) require licensees to obtain the race of the transferee/buyer. This information helps the FBI and/or State POC make or rule out potential matches during the background check process and can assist with criminal investigations.

Ethnicity refers to a person's heritage. Persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race, are considered Hispanic or Latino.

Race - one or more of the following responses must be selected: (1) American Indian or Alaska Native - A person having origins in any of the original peoples of North and South America (including Central America), and who maintains a tribal

affiliation or community attachment; (2) Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam; (3) Black or African American - A person having origins in any of the Black racial groups of Africa; (4) Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands; and/or (5) White - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. Select the closest representation for any other race or ethnicity that does not fall within those indicated.

Question 20. U.S.-issued Alien Number or Admission Number: U.S.-issued alien and admission numbers may be found on the following U.S. Department of Homeland Security documents: Legal Resident Card or Employment Authorization Card (AR# or USCIS#); Arrival/Departure Record, Form I94, or Form 797A (I94#). Additional information can be obtained from www.dhs.gov. If you are a U.S. citizen or U.S. national, the response to this question should be left blank.

Question 21.a. Actual Transferee/Buyer: For purposes of this form, a person is the actual transferee/buyer if he/she is purchasing the firearm for him/herself or otherwise acquiring the firearm for him/herself, (e.g., redeeming the firearm from pawn, retrieving it from consignment, firearm raffle winner). A person is also the actual transferee/buyer if he/she is legitimately purchasing the firearm as a bona fide gift for a third party. A gift is not bona fide if another person offered or gave the person completing this form money, service(s), or item(s) of value to acquire the firearm for him/her, or if the other person is prohibited by law from receiving or possessing the firearm.

EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith (who may or may not be prohibited). Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT THE ACTUAL TRANSFEREE/BUYER of the firearm and must answer "no" to question 21.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown buys the firearm with his own money to give to Mr. Black as a gift (with no service or tangible thing of value provided by Mr. Black), Mr. Brown is the actual transferee/buyer of the firearm and should answer "yes" to question 21.a. However, the transferor/seller may not transfer a firearm to any person he/she knows or has reasonable cause to believe is prohibited under 18 U.S.C. 922(g), (h), (n), or (x).

Questions 21.b. - 21.i. Prohibited Persons: Generally, 18 U.S.C. 922(g) prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a felony in any Federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year; is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated as a mental defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; is subject to certain restraining orders; convicted of a misdemeanor crime of domestic violence under Federal, including a general court-martial, State or Tribal law; has renounced his/her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a nonimmigrant visa. Furthermore, section 922(n) prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony in any Federal, including a general court-martial, State or local court, or any other crime, punishable by imprisonment for a term exceeding one year. An information is a formal accusation of a crime verified by a prosecutor.

A member of the Armed Forces must answer "yes" to 21.b. if charged with an offense that is referred to a general court-martial. A current or former member of the Armed Forces must answer "yes" to 21.c. if convicted under a general court-martial.

Discharged "under dishonorable conditions" means separation from the Armed Forces resulting from a dishonorable discharge or dismissal adjudged by a general court-martial. That term does not include any other discharge or separation.

EXCEPTION: A person is not prohibited from receiving or possessing a firearm if that person: (1) has been convicted of any Federal or State offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; (2) has been convicted of a State misdemeanor punishable by imprisonment of two years or less; or (3) following conviction of a felony or other crime for which the judge could have imprisoned the person for more than one year, or a misdemeanor crime of domestic violence, has received a pardon, an expungement or set aside of the conviction, or has lost and regained civil

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Multiple Sale or Other Disposition of Pistols and Revolvers

(Please complete all information)

1. Date of Report 07/31/2021	2a. Federal Firearms Licensee (FFL) Number 341003013G02607
2b. Trade/Corporate Name and Address (If you have complete information available on a rubber stamp, please place information here.) Fleet Farm 10250 Lexington Avenue NE Blaine MN 55014	

2c. Are any of the firearm(s) connected to another multiple sale? (If yes, specify date) See instruction 2. ☒ Yes ☐ No Date 07/27/2021

2d. If you sold these firearms at a gun show or other qualifying event, identify the event and provide a complete address of the event.

3. Any Combination of Pistols and Revolvers Disposed of to the Same Unlicensed Person at One Time or During Any Five Consecutive Business Days (See instruction 3.)

Type (Pistol or revolver)	Serial Number	Manufacturer	Model	Importer	Caliber	Transfer Date
Pistol	BTTU078	Glock	G43X	Glock Inc	9x19	07/27/2021
Pistol	T6429-21S02199	Stoeger	STR-9C	Stoeger Industries	9x19 Parab	07/27/2021
Pistol	017520MC	Mossberg	MC2C		9x19mm	07/31/2021
Pistol	459-55269	Ruger	EC9S		9mm Luger	07/31/2021
Pistol	BSTE309	Glock	G45	Glock Inc	9x19	07/31/2021

4. Transferee's Name (Last, first, middle)

HORTON JR, JEROME, FLETCHER

5. Residence Address (Number, street, city, county, state, zip code)

MN 55404

6. Sex Male	7a. Ethnicity ☐ Hispanic or Latino ☒ Not Hispanic or Latino	7b. Race (Check one or more boxes.) (See instruction 5.) ☐ American Indian or Alaska Native ☒ African American or Black ☐ White ☐ Asian ☐ Native Hawaiian or Other Pacific Islander	
8. Identification Number	9. Type of Identification (ID) DL	10. ID State MN	11. Date of Birth 996
12. Place of Birth (City, state, country) MINNEAPOLIS, MN, USA			

13. If the buyer of the firearms listed in item 4 is a person authorized to act on behalf of a corporation, company, association, partnership or other such business entity, you must complete the following, if applicable: (See instruction 6.)

Name and Address of Business Entity

14a. Identify the official designated by the State or local authorities where you, the FFL, will be forwarding Copy 2.

Minnesota BCA Curios and Relics

1430 Maryland Ave E. St. Paul, MN 55106

Name of Agency

Street Address, City, and State

14b. Date Copy 2 was forwarded to Agency 07/31/2021

15. Additional Information Relating to the Transfer of the Firearms (if applicable)

16. Name of Employee Filling Out This Form

Bret Nordquist

Date

07/31/2021

Email form to multiplegunsalesforms@atf.gov.

ATF E-Form 3310.4
Revised April 2019

CONFIDENTIAL

FF_0076312

Instructions

1. Federal Firearms Licensees (FFLs) must use this form to report all transactions in which an unlicensed person acquired any combination of two or more pistols or revolvers totaling two or more at one time or during five consecutive business days. This form is not required when the pistols or revolvers are returned to the same person from whom they are received.
2. If this transaction is an additional firearm(s) to a multiple sale(s) previously submitted, check "Yes" and enter the date of the previous Multiple Sale form. *(For example a multiple sale for purchases made on a Monday and Friday must be submitted by the close of business Friday. If an additional purchase is made within the five days from the Friday purchase, this purchase is part of the previous multiple sale and must be reported as part of that multiple sale under 2c).*
3. A separate form is to be submitted for each unlicensed person. If more than six pistols and/or revolvers are involved in a transaction, the information required by Item 3 must be provided for additional Pistols and Revolvers on a separate sheet of paper and shall be attached to the ATF Form 3310.4 covering the transaction.
4. Licensees must complete Items 1 through 12, 14, and 16 entirely. Items 13 and 15 must be completed, if applicable.
5. Refer to the Race and Ethnicity information provided on the ATF Form 4473 associated with this transaction when filling out the Race and Ethnicity information on this form.
6. Business Entities - Information identifying the business entity must be recorded in Item 13. The authorized person receiving the firearms must be identified in Items 4 through 12 of this form.
7. The report is to be submitted to:
 - a. Copy 1 - Email to multiplehandgunsalesforms@atf.gov, fax to 1-877-283-0288 or mail to the ATF National Tracing Center no later than the close of business on the day that the multiple sale or other disposition occurs.
 Mailing address:
 U.S. Department of Justice
 NTC
 244 Needy Road
 Martinsburg, WV 25405
 - b. Copy 2 - To Chief Local Law Enforcement Official (CLEO). The CLEO is a local or State official designated to receive this form. If you do not know your CLEO, contact your local ATF Office to find out. Provide Copy 2 to your CLEO.
 Instructions to CLEOs receiving Copy 2 of this form: 18 U.S.C. 923(g)(3)(B) provides in part that you certify in writing every six months that no disclosures have been made and that the multiple sales forms on non-prohibited persons have been destroyed by the CLEO as required by law. The following statement can be used for this purpose: "I hereby certify on behalf of (your specific agency name) that for the period of six months (give specific dates) there have been no disclosures of Multiple Sales Forms contrary to the provisions of the Brady Handgun Violence Protection Act, and that all forms and any record of the contents thereof have been destroyed as provided by that law." This statement is to be dated and on your agency letterhead, signed by the proper official and forwarded by the CLEO to: U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Tracing Center, 244 Needy Road, Martinsburg, WV 25405.
 - c. Copy 3 - Regulation 478.126a requires the licensee to retain one copy of Form 3310.4 and attach it to the firearms transaction record, ATF Form 4473, executed upon delivery of the pistols or revolvers.
8. Additional forms may be obtained online at www.atf.gov or through the ATF Distribution Center by calling (703)870-7526 or (703) 870-7528.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923 (g). The information is used to determine if the buyer (transferee) is involved in an unlawful activity. The information is stored and retrieved in accordance with Justice/ATF-008 Regulatory Enforcement Record System 68 FR 3558 dated January 24, 2003.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (transferee) is involved in an unlawful activity. The information requested is mandatory and required by statute (18 U.S.C. 923(g)).

The estimate average burden associated with this collection is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

ATF E-Form 3310.4
Revised April 2019

From: Jackie Walz [/O=MILLS FLEET FARM/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D841CB6AE5FD43E29CC1793525952754-JACKIE]
Sent: 10/29/2021 12:07:09 PM
To: Mike Radl [/o=Mills Fleet Farm/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2e99008966d449838732dab1f38436d7-Mike Ra]
Subject: Re: Straw Purchase

I will when I get back
Jackie Walz
Fleet Farm
Senior HR Manager

On Oct 29, 2021, at 11:52 AM, Mike Radl [REDACTED] wrote:



Mike Radl
Safety & Firearms Compliance Manager
Fleet Farm Store Support Center



Fleet Farm
Built for real life



From: Jackie Walz
Sent: Friday, October 29, 2021 11:50 AM
To: Brad Hansen [REDACTED]

Plaintiff's Exhibit

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Cc: Mike Radl [REDACTED]
Subject: Re: Straw Purchase

Yes, give me a call on Monday.

Jackie Walz
Fleet Farm
Senior HR Manager

On Oct 29, 2021, at 11:44 AM, Brad Hansen [REDACTED] wrote:

Mike and Jackie,

Ankeny reached out regarding a possible straw purchase situation at their store. This straw purchase also involves a Team Member possible assisting with the straw purchase. I have spoken with Mike regarding this and he is planning on contacting the ATF regarding it. Jackie, can we touch base next week on this to see how we want to address the Team Members involvement in the Straw Purchase?

Below is the information from the Ankeny store along with copies of the 4473 forms.

Brad Hansen

Today a Sporting Goods employee, who requested to remain anonymous, reported to Sales Manager Bri that Mark Jewell, the Sporting Goods Team Lead, had a friend of his come into the store and try to purchase a firearm. Mark's friend was denied by NICS so Mark told him to have his wife come in and buy it for him (which is a straw purchase). Mark ensured he was not part of the sale so it would not be linked back to him. The employees who sold the firearm to the wife had no idea what was going on. The employee provided Bri with a last name of [REDACTED] for the customer.

Upon hearing this Bri came to me to help investigate the claim. I looked up Mark on Facebook and searched his Facebook friends for someone with the last name of [REDACTED] was one of his friends on there. Bri recognized her and her husband as customers that have shopped her before and Mark was friends with. I then searched SOM/Report Server for a firearm sale with that name- two pistols were sold to [REDACTED] on 9/2/2021. Then we looked for dead forms for the denied sale- [REDACTED] who has the same address listed as [REDACTED], had filled out a 4473 form on 8/29/2021. We received a response from NICS on 9/1/2021 saying he was denied. A search of his name on Iowa Courts showed that he has several assault and domestic charges on his record which is most likely why he was denied. Video of the denied sale is gone, however, video of [REDACTED] sale was still there so I reviewed and saved it. [REDACTED] was accompanying [REDACTED] during the sale (identified based on the Facebook photos). [REDACTED] bought the exact same gun (serial numbers matched) that [REDACTED] had been denied for the day prior. Below are the 4473 forms.

Please let us know how you would like us to handle this situation (notify PD of straw purchase, discipline Mark, etc.). I was also informed today that Mark had recently let a gun go out the door without receiving a response from NICS- he called the customer back in saying there was a recall on the gun to get the customer/gun back in the store (not sure when this happened, but it was recent- just shows that he is not responsibly selling firearms).

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record

WARNING: The information you provide will be used to determine whether you are prohibited by Federal or State law from receiving a firearm. Certain violations of the Gun Control Act (GCA), 18 U.S.C. 922, et seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine. Any person who exports a firearm without a proper authorization from either the Department of Commerce or the Department of State, as applicable, is subject to a fine of up to \$1,000,000 and up to 20 years imprisonment.

Read the Notice, Instructions, and Exclusions on this form. Prepare in original only at the licensed premises (including business temporarily conducted from a dwelling) you show or move to the same place to which the transaction is to occur unless the transaction qualifies under 18 U.S.C. 922(b). All entries must be handwritten in ink unless completed under ATF Rule 2016-2. PLEASE PRINT.

Section A - Must Be Completed By Transferee/Buyer Before Transferee/Buyer Completes Section B

1. Manufacturer and Importer (if any) (If the manufacturer and importer are different, include both.)	2. Model (If designated)	3. Serial Number	4. Type	5. Caliber or Gauge
1. H&K/Höckler & Koch (H&K)	VP9	224-328386	Pistol	9x19mm
2. Höckler & Koch	HK41	HKU-650230	Pistol	45 Auto
3.				

6. Total Number of Firearms to Be Transferred (Please spell total number e.g., one, two, etc. Do not use numbers.)

Two

7. Check if any part of this transaction is a prior redemption.
Redeemed Line Number(s) from Question 1.

8. Check if this transaction is to facilitate a private party transfer.

Section B - Must Be Completed Personally By Transferee/Buyer

9. Transferee's/Buyer's Full Name (If legal name contains no initial, only insert the initial followed by "F" or "M" as appropriate. If no middle initial or name, insert "NONE")

10. Current State of Residence and Address (U.S. postal abbreviations are acceptable. Cannot be a post office box.)

State: IA ZIP Code: 50017 County: Polk/Borough

11. Place of Birth

U.S. City and State: DES MOINES IA Foreign Country: 12. Height (ft.): 5 13. Weight (lbs.): 190 14. Sex: ☒ Male ☐ Female 15. Birth Date: Month: 1 Day: Year: 1964

16. Social Security Number (optional; but will help prevent misidentification)

17. Unique Personal Identification Number (UPIN) or Appendix Management Database Identification (AMD ID) (if applicable)

18. Race (Select one or more race in 18.b. Birth 18.a. and 18.b. must be answered.)

☒ Hispanic or Latino ☐ American Indian or Alaska Native ☐ Black or African American ☒ White

☒ Not Hispanic or Latino ☐ Asian ☐ Native Hawaiian or Other Pacific Islander

19. Country of Citizenship (Check List more than one, if applicable. Nationals of the United States may check U.S.A.)

☒ United States of America (U.S.A.) ☐ Other Country/Countries (Specify):

20. If you are an alien, attach your U.S. arrest alien or admission number (ARA, USCIS, or I-94#)

21. Answer the following questions by checking or marking either the "yes" or "no" box to the right of the questions.

	Yes	No
a. Are you the actual transferee/buyer or the licensee(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you. Exception: If you are only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may proceed to question 21.b.	☒	☐
b. Are you, under indictment or information or any other crime for a felony, or any other crime for which the judge could imprison you for more than one year, or are you a member of the military who has been charged with violation(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial?	☐	☒
c. Have you ever been convicted in any court, including a military court, of a felony, or any other crime for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?	☐	☒
d. Are you a fugitive from justice?	☐	☒
e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? Warning: The use or possession of controlled substances is unlawful under Federal law regardless of whether it has been legitimized or decriminalized for medical or recreational purposes in the state where you reside.	☐	☒

ATF Form 4471 (100-0)
Revised May 2020

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28. ☒ No NICS check is required because the transferee/buyer has a valid permit from the State where the transfer is to take place, or an exemption to NICS.

Issuing State and Permit Type: IOWA PERMIT TO CARRY Date of Issuance (if any): 03/28/2018 Expiration Date (if any): 03/28/2023 Permit Number (if any): 100KCV0581

Section D - Must Be Completed Personally By Transferee/Buyer

If the transfer of the firearm(s) takes place on a different day from the date that the transferee/buyer signed Section B, the transferee/buyer must complete Section D immediately prior to the transfer of the firearm(s).

I certify that all of my responses in Section B of this form are still true, correct, and complete.

30. Transferee's Signature: [Signature] 31. Recertification Date: Month: Day: Year:

Section E - Must Be Completed By Transferor/Seller

32. For Use by Licensee: [Signature] 33. Transferor's Name and Address of Transferor/Seller and Federal Firearms License Number (must contain at least first three and last five digits X-XX-XXXX, hand stamp may be used):
Flint Farm
3875 SE Delaware Ave
Ankeny, IA, 50021. PFL#: 542153012003259

The Individual Transferee(s) Must Complete Questions 34-36. For Denied/Canceled Transactions, The Individual Who Completed Section C Must Complete Questions 34-35.

I certify that: (1) I have read and understand the Notice, Instructions, and Definitions on this ATF Form 4473; (2) the information recorded in Sections A, C and E is true, correct, and complete; and (3) this entire transaction record has been completed at the licensed business premises ("licensed premises" includes business temporarily conducted from a qualifying gun show or event in the same State in which the licensed premises is located) unless this transaction has met the requirements of 18 U.S.C. 922(a). Unless this transaction has been denied or cancelled by NICS or State agency, I further certify on the basis of: (1) the transferee/buyer's responses in Section B (and Section D, if applicable); (2) the verification of the identification recorded in question 26 (and the re-verification at the time of transfer, if Section D was completed); and (3) State or local law applicable to the firearm's business — it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section B.

34. Transferee's Name (p.c. use print): Harrison Simon 35. Transferee's Signature: [Signature] 36. Date Transferred: Month: Day: Year: 03 02 2021

REMINDER - By the Close of Business Complete ATF Form 3310.4 for Multiple Sales of Handguns Within 5 Consecutive Business Days

NOTICES, INSTRUCTIONS, AND DEFINITIONS

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. 922 may determine if he/she may lawfully sell or deliver a firearm to the person identified in Section B, and to alert the transferee/buyer of certain restrictions on the receipt and possession of firearms. The transferee/buyer of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the transferor/seller must be familiar with the provisions of 18 U.S.C. 921-923 and the regulations in 27 CFR Parts 478 and 479. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the transferor/seller is presumed to know the applicable State laws and published regulations in both the transferor/seller's State and the transferee's State. (See State Laws and Published Ordinances - Firearms (ATF Firearms Publications 5100.5) on <https://www.atf.gov>.)

Generally, ATF Form 4473 must be completed at the licensed business premises where a firearm is transferred over the counter. Federal law, 18 U.S.C. 922(a), allows a licensed importer, manufacturer, or dealer to sell a firearm to a nonlicensee who does not appear in person at the licensee's business premises only if the transferee/buyer meets certain requirements. These requirements are set forth in section 922(c), 27 CFR 478.36(c), and ATF Procedure 20-15-2 (or subsequent updates).

After the transferor/seller has completed the firearm transaction, he/she must make the completed original ATF Form 4473 (which includes the Notice, General Instructions, and Definitions, and any reporting documents, part of transfer permit(s) on file. Each Form 4473 must be retained for at least 20 years and after that period may be submitted to ATF. Filing may be chronological (by date of disposition), alphabetical (by name of purchaser), or numerical (by transaction serial number), as long as all of the transferor's seller's completed Forms 4473 are filed in the same manner.

FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED

If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not completed after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his/her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name of transferee) or chronological (by date of transferee's certification) order.

If the transferor/seller or the transferee/buyer discovers that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and the transferor/seller or the transferee/buyer wishes to correct the omission(s) or error(s), photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. The transferor/seller should only make changes to Sections A, C, and E. The transferee/buyer should only make changes to Sections B and D. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of the transferor/seller's permanent records.

Section A

Questions 1-4. Firearm(s) Description: These blocks must be completed with the firearm(s) information. All firearms manufactured after 1968 by Federal Firearms Licensees should be marked with a serial number. Should you acquire a firearm that is legally not marked with a serial number (i.e. pre-1968), you may answer question 3 with "NON" (No Serial Number), "N/A" or "None."

If more than three firearms are involved in a transaction, please provide the information required by Section A, Questions 1-5, on ATF Form 5300.9A, Firearm Transaction Record Continuation Sheet. The completed Form 5300.9A must be attached to this ATF Form 4473.

Page 3 of 8 STAPLE IF PAGES BECOME SEPARATED ATF Form 4473 (5300.9A) Revised May 2020

Dead

(Rev. 10-2020)

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record

WARNING: The information you provide will be used to determine whether you are prohibited by Federal or State law from receiving a firearm. Certain violations of the laws listed in 18 U.S.C. 922(a) are subject to up to 10 years imprisonment and/or up to a \$250,000 fine. Any person who receives a firearm without a proper authorization from either the Department of Commerce or the Department of State, as applicable, is subject to a fine of not more than \$1,000,000 and up to 20 years imprisonment.

Read the Notice, Instructions, and Definitions on this form. Requests to register only at the licensed premises (including business temporarily considered from a public use and other) in the state in which the person is located) under the transaction and/or under 18 U.S.C. 922(a). All entries must be handwritten in ink unless completed under ATF Form 300-2. PLEASE PRINT.

Section A - Must Be Completed By Transferee/Receiver Before Transferee/Receiver Completes Section B

1. Manufacturer and Designer (if any) (If the manufacturer and designer are different, include both.)	2. Model (If designated)	3. Serial Number	4. Type	5. Caliber or Gauge
1. Remington-Union	1845	HKU-055230	Pistol	47 Auto
2.				
3.				

8. Total Number of Firearms to be Transferred (Please spell out number e.g., one, two, etc. Do not use numerals.)

9. Check if any part of this transaction is a prior redemption ☐
Redeem Line Number(s) from Question 1.

10. Check if this transaction is to facilitate a private party transfer ☐

Section B - Must Be Completed Personally By Transferee/Receiver

11. Transferee/Receiver's Full Name of legal name (last, first, and middle initial) and date of birth (MM/DD/YYYY) (If no middle initial or name, insert "NM/MI")

12. A. Street, State of Residence, and Zip Code (If you are a resident of a foreign country, please provide the country name and the city and state or province.)

13. A. Street, State of Residence, and Zip Code (If you are a resident of a foreign country, please provide the country name and the city and state or province.)

14. City and State (If you are a resident of a foreign country, please provide the country name and the city and state or province.)

15. Date of Birth (MM/DD/YYYY)

16. Sex: ☒ Male ☐ Female

17. Unique Personal Identification Number (UPIN) or Applicant Management Database Identification (AMD ID) (if applicable)

18. Race (Select one or more race as applicable. Nationalities of the United States may check USA.)

19. Ethnicity (Select one or more ethnicity as applicable. Nationalities of the United States may check USA.)

20. Country of Birth (Select one or more country as applicable. Nationalities of the United States may check USA.)

21. If you are an alien, provide your alien registration number (ARA, IIR, IIR-1, or IIR-2).

22. Answer the following questions by checking or marking either the "yes" or "no" box to the right of the questions.

23. Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheets (ATF Form 300-2A)?

24. Are you not the actual transferee/buyer of the firearm(s) listed on this form and you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you. Exception: If you are only picking up a repaired firearm for the transfer, you are not required to answer 23.a. and may proceed to question 23.b.

25. Are you under indictment or conviction for any crime for which the judge could suspend you for more than one year, or are you a member of the military who has been charged with violations of the Uniform Code of Military Justice and whose charges have been referred to a general court-martial?

26. Have you ever been convicted in any court, including a military court, of a felony, or any other crime for which the judge could have suspended you for more than one year, or of a conviction of a crime involving a firearm including probation?

27. Are you a fugitive from justice?

28. Are you an individual who is prohibited by law from receiving, possessing, or using any other controlled substance?

WARNING: The use of a prohibited person's name in this form is prohibited under Federal law regardless of whether it has been legitimized or disestablished by a federal or state court in the state where you reside.

Printed Name of the Transferee/Receiver

Page 1 of 6

STAPLE IF PAGES DO NOT SEPARATE

ATF Form 300-2 (7/2019)
Revised July 2019

CONFIDENTIAL

FF_0002720

CASE 0:22-cv-02694-JRT-JFD Doc. 222-6 Filed 04/25/25 Page 6 of 7

1. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution?

2. Have you ever been discharged from the Armed Forces under dishonorable conditions?

3. Are you subject to a court order, including a Military Protection Order issued by a military judge or magistrate, restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner?

4. Have you ever been convicted in any court of a misdemeanor crime of domestic violence, or are you or have you ever been a member of the military and been convicted of a crime that included, in its element, the use of force against a person as identified in the instructions?

5. Have you ever transmitted your United States citizenship?

6. Are you an alien illegally or unlawfully in the United States?

21.1.1. Are you an alien who has been admitted to the United States under a nonimmigrant visa?

21.1.2. If you are such an alien do you fall within any of the exceptions stated in the instructions? (U.S. citizens/aliens have 21.1.2. blank.)

I certify that my answers in Section II are true, correct, and complete. I have read and understand the Notice, Instructions, and Definitions on ATF Form 4473. I understand that answering "yes" to question 21.a. if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I understand that a person who answers "yes" to any of the questions 21.a. through 21.k. is prohibited from receiving or possessing a firearm, receiving or possessing a firearm, I understand that a person who answers "yes" to question 21.1.1. is prohibited from existing or possessing a firearm, or under the person answers "yes" to question 21.1.2. and provides the documentation required in 26.d. I also understand that making any false oral or written statement, or exhibiting any false or misrepresents identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of Federal law.

22. Transferee's Signature

23. Certification Date
Month Day Year

Section C - Must Be Completed By Transferee/Seller Prior To The Transfer Of The Firearm(s)

24. Category of firearm(s) to be transferred (check or mark all that apply):
☒ Handgun ☐ Long Gun (rifle or shotgun) ☐ Other Firearm (Name, number, etc.)

25. If sale or transfer is at a qualifying gun show or event, Name of Location: _____
City, State: _____

26.a. Identification is a Virginia driver's license (VIRDL) or other valid government-issued photo identification including military ID?

Issuing Authority and Type of Identification: _____
ID/A DL

26.b. Supplemental Government issued Documentation (if identification document does not show current resident address or full legal name): _____

26.c. Official Military Order Establishing Permanent Change of Station (PCS):
PCS Base/City and State: _____ PCS Effective Date: _____ PCS Order Number (if any): _____

26.d. Exception to the Nonimmigrant Alien Prohibition: If the transferee has answered "yes" to 21.1.2, record the type of documentation showing the exception to the prohibition and attach a copy to this ATF Form 4473:

27.a. Does the transferee's name's identifying information in Section II was transmitted to NICS or the appropriate State agency:
Month Day Year 05 29 2021 14:12

27.b. The NICS or State transaction number (if provided) was: 1025 BPT P3

27.c. The response initially provided by NICS or the appropriate State agency was:
☐ Proceed ☐ Delayed (The transferee may be transferred on _____ if State law permits (optional))
☐ Denied ☐ Cancelled

27.d. Prior to transfer the following response(s) was/were later provided by NICS or the appropriate State agency:
☐ Proceed (date) _____
☒ Denied 9/01/2021 (date) 9:15 AM
☐ Cancelled (date) _____
☐ No response was provided within 5 business days

27.e. After the firearm was transferred, the following response was provided by NICS or the appropriate State agency (if applicable) on: _____
☐ Proceed ☐ Denied ☐ Cancelled

27.f. Name and third identification number of the NICS examiner (optional): _____
(name) (number)

27.g. Name of FFL Employee Completing NICS check (optional): _____

28. ☐ No NICS check is required because a background check was completed during the NEA approval process on the individual who will receive the firearm, as indicated on the approved NEA application.

Page 2 of 6

EXAMPLE IF PAGES BECOME SEPARATED

ATF Form 4473 (1206 R)
Revised May 2020

Aubrey Hastings
Loss Prevention
Fleet Farm - AKY





All Store Quarterly Firearm Compliance Webinar

November 9, 2021 and November 10, 2021



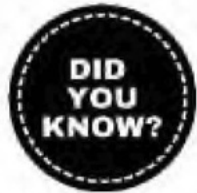
Agenda

- Recap of Annual Corporate Firearm Compliance Audits
- Straw Purchases
 - Suspicious Activity
 - Customer Look Up
 - Manual Sales
 - Submitting 3310 form
 - COMING SOON
- SOM Sales Maintenance
- Store Transfers

Annual Corporate Firearm Compliance Audits

- 80 audits completed to date
- 87% average score
- Common errors
 - 3310 email confirmation page not printed and retained
 - SOM edits for manual corrections to address
 - Corrections not being done on photocopy
 - Lack of error tracking log/Management follow-up
- Future audits will be unannounced and start in Spring 2022

Straw Purchases



A straw purchase is an illegal firearm purchase where the actual buyer of the gun, being unable to pass the required federal background check or desiring to not have his or her name associated with the transaction, uses a proxy buyer who can pass the required background check to purchase the firearm for him or her.

Evidence of a possible Straw Purchase includes:

- The customer is observed receiving money from another customer before, during or after the firearm purchasing process
- Conversation is overheard that indicates that the customer is purchasing the firearm for someone else
- A friend is observed helping the customer complete the ATF Form 4473
- One person is asking the questions regarding the firearm but the other person completes the 4473 form
- The transactions feels wrong and deceitful – trust your “gut”

Straw Purchase

What if nothing suspicious was observed or heard, can it still be a straw purchase?



Maybe the straw purchaser has received payment prior to arriving at the store. Straw purchases can come to light in other ways.

- Team Member recognizes the customer as being a frequent purchaser.
- 3310.4 Multiple Handgun form alerts you to large or multiple handgun transfers with in 5 consecutive days.

Suspicious Sales Activity - 3310 Form

3. Any Combination of Pistols and Revolvers Disposed of to the Same Unlicensed Person at One Time or During Any Five Consecutive Business Days (See Instruction 3.)

Type (Pistol or revolver)	Serial Number	Manufacturer	Model	Importer	Caliber	Transfer Date
Pistol	A152030X	Beretta	APX	Beretta USA Corp	9x19	07/23/2021
Pistol	BTTU078	Glock	G43X	Glock Inc	9x19	07/27/2021
Pistol	T6429-21S02199	Stoeger	STR-9C	Stoeger Industries	9x19 Parab	07/27/2021

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Pistol	BTTU078	Glock	G43X	Glock Inc	9x19	07/27/2021
Pistol	T6429-21S02199	Stoeger	STR-9C	Stoeger Industries	9x19 Parab	07/27/2021
Pistol	017520MC	Mossberg	MC2C		9x19mm	07/31/2021
Pistol	459-55269	Ruger	EC9S		9mm Luger	07/31/2021
Pistol	BSTE309	Glock	G45	Glock Inc	9x19	07/31/2021

Does anyone else find this suspicious?



Suspicious Activity

- Be observant – don't ignore or put the blinders on!
- Get to know your customers – customers who are "regulars" are usually good – but ask questions
- Multiple handgun form (3310) can provide information on potential handgun straw purchases.



Using Report Server for RMS 11g (BI Publisher)



- Learn how to use this! Ask for help if you don't know how to use this!
- Use to look up past sales to a particular customer

The screenshot shows a search interface with the following fields and values:

- Manufacturer: All
- Serial Number: freeform
- Acquisition Date (From Year): All
- Acquisition Date (To Year): All
- Acquisition Location Type: All
- Disposition Date (From Year): All
- Disposition Date (To Year): All
- Disposition Location Type: C - Customer
- Disposition Customer First Name: Customer
- Disposition Transaction Type: All
- Mode: All
- Importer: All
- Serial Number: All
- Acquisition Date (From Month): All
- Acquisition Date (To Month): All
- Acquisition Location: All
- Disposition Date (From Month): All
- Disposition Date (To Month): All
- Disposition Location: All
- Disposition Customer Last Name: Smith
- Disposition Transaction Reason: All
- Final Trans Only?: No
- Firearm Type: All
- SKU: freeform
- Acquisition Date (From Day): All
- Acquisition Date (To Day): All
- Disposition Date (From Day): All
- Disposition Date (To Day): All
- Disposition Customer Address:
- Sort Mode: Dispose Timestamp
- Audit Mode: No

- Highlighted fields are used to search by customer's name
- This is REQUIRED to be done for EVERY manual sale involving a handgun

Straw Purchase

The following are examples that should NOT be considered a Straw Purchase:

- Customer purchasing a firearm as a gift
- Spouses openly making payment
- Address incorrect on ID
- Disqualifying question answered incorrectly



Reporting a possible Straw Purchase

In-Progress Transactions

- Do not submit background check
- Print 4473 and have customer sign
- Step away from counter with forms and proceed to back room
- Inform Loss Prevention of situation and ask them to monitor customers
- Contact Management to meet you in back room to provide details
- Form should remain in back room while Management pulls customer aside to refuse sale in a polite and professional manner – do not give Denied/Delayed Card
- Request LP or Management to generate a Straw Purchase Alert via Lotus Notes
- Close sale and file form in current month's No Sale file – don't forget to print/sign form



Post Transactions

- Email [REDACTED] with details
- SSC Firearm Compliance team will research sales company-wide and will contact ATF when needed

3310 Submissions

- A 3310 form is required to be submitted to the ATF and your CLEO anytime two or more handguns are purchased within a 5 day period
- For electronics sales, SOM will automatically search for past sales and then create a 3310 if needed
- TM must right-click on the sale and select "Email ATF3310"
- TM must then go into Outlook and search for and print the "confirmation" email
- Attach the 3310 and printed email confirmation to the 4473
 - No need to have a separate file for 3310s

ATF Form 3310: Report of Multiple Sale or Other Disposition of Firearms and Revolvers. The form includes fields for the seller's name, address, and contact information, as well as a table for listing multiple firearms sold. It also includes a section for the buyer's information and a signature line for the seller.

The screenshot shows a software interface with a list of sales. A context menu is open over the first row, showing options: Continue, Close, Review + Enter NICS info, Review + Print ATF3310, Email ATF3310, and Review + Print ATF4473. The table has columns for ID, First Name, Middle Initial, Last Name, Address, City, State, Zip, NICS Response, Completed Date, Printed Date, and Close Date.

ID	First	Middle	Last	Address	City	State	Zip	NICS Response	Completed Date	Printed Date	Close Date
425098	JOHN	NATHAN	BURMAN	262 E ARNDT	FOND DU	WI	54940	DL	08/30/21	08/30/21	
426371	SCOTT	BRIAN	CUNNINGHAM			WI	54110	DL	09/04/21	09/13/21	
429378	VICTOR	MANUEL	FLORES		MON	WI	54914	DL	09/16/21	09/16/21	
429500	PETER	JOHN	SHAWANG	N7148 OAKWOOD DRIVE	SHAWANG	WI	54166	DL	09/29/21	09/29/21	
436578	STEVEN	EDWARD	BLAKE	110 N MAPLE ST	BLACK CREEK	WI	54106	DL	10/11/21	10/11/21	
436950	PETER	DAVID	HALL	6114 10TH AVE	KEESHAWA	WI	53141	PR	0/12/21	10/12/21	10/12/21
436951	WALTER	WALTER	SACCOMBE	1845 SCHILLER RD	WILSON	WI	53190	DL	10/18/21	11/18/21	
436952	LEE	ROSE	STELMAN	2817 E. HAWLEY AVE	APPLETON	WI	54911	DL	10/18/21	10/18/21	

3310 Submissions

Wisconsin Stores WI Crime Information Bureau PO Box 2718 Madison, WI 53701-2718 Attn: Handgun Hotline Email: wihotline@doj.state.wi.us	Mason City, IA Store Mason City Police Department 78 S. Georgia Ave Mason City, IA 50401 Email: jimon@masoncity.net & kbecker@masoncity.net	Sioux Falls, SD Store Minnehaha County Sheriff's Dept 320 W. 4th St Sioux Falls, SD 57104 FAX# 605-387-7319
North Dakota Stores North Dakota BCI 800 E. Boulevard Ave Dept. 125 Bismark, ND 58505 FAX#: 701-328-5510	Ankeny, IA Store Polk County Sheriff's Office 6023 NE 14th St. Des Moines, IA 50313 FAX #: 515-286-3399	Cedar Falls, IA Store Black Hawk County Sheriff 225 East 6th Street Waterloo IA 50703
Minnesota Stores MN BCA Attn: Curios and Relics 1430 Maryland Ave E St. Paul, MN 55106	Sioux City, IA Store Woodbury County Sheriff's Office 407 7th St. Sioux City, IA 51101 Email: twingert@woodburycountyiowa.gov	Cedar Rapids, IA Store Linn County Sheriff's Office 310 2nd Ave SW Cedar Rapids, IA 52404 Email: Gerald.Hansel@LinnCounty.org
Waukegan, IA Store Waukegan Police Department 1300 SE L.A. Grant Parkway Waukegan, IA 50263 Email: jquinn@waukegan.org	Rapid City, SD Store Pennington County Sheriff DEPT 300 Kansas City Street Rapid City, SD 57701 Email: schulz@pennco.org	

- TM must know how their CLEO receives their copy
 - Email
 - Fax
 - US Mail
- Stores in which the CLEO accepts emails, SOM will email the 3310 at the same time the ATF copy is emailed via SOM
- Stores that have to use fax must attach the confirmation page that prints from the eCopier

3310 Submissions – Mailing – NEW PROCEDURE

Item #: 3310 | Model #: COS035586 3.5 ★★★★★ 7 Reviews [Ask a question](#) [Share](#)



\$11.49

1 each

☒ **Delivered in 1-2 days**

Arrives by Fri, Oct 29 to **Neenah, WI** ▾

Order within 6 hrs 30 mins

☐ Store pick up

Quantity

1

Add to cart

[Compare](#)

[Add to list](#)

- Stores that have to mail a copy to their CLEO must order stamper from Staples
- TM will stamp our copy of the 3310 and initial confirming a copy was mailed to the CLEO

Coming Soon....

- IT is currently working on the following:
 - Add a search option in BI Publisher to conduct searches for customers with multiple firearm purchases
 - Automated report sent to SSC Firearm Compliance Team to identify customers who have purchased multiple firearms from different store locations
 - Automated multiple sale check during manual sales



SOM Sales Maintenance

Sales are valid for 30 days once the background check is submitted. Overnight, SOM will automatically close the sale if the following criteria is met:

- 4473 Form is printed
- NICS status is “Denied” or “Proceed”
- “Proceed” firearms have been disposed

After 3 days, the closed sale will be deleted from SOM Firearm Sales

OH
CRAP
well that just sucks doesn't it?!

SOM Sales – Manual Close

Sales that didn't meet the criteria for the automatic close process must be manually closed in SOM so they can be purged.

Manual Sale Close Criteria

- Sale is stopped before background check is submitted, close the sale right away.
- Customer is contacted concerning the NICS proceed response and no longer wants the firearm.
- Sale is older than 30 days and the background check is no longer valid.

SOM Sales Purge

- Sales are purged to maintain the integrity of SOM. At no time should there be sales that are older than 35 days.
- SOM sales should be reviewed weekly and expired sales closed ***after you have verified the printed copy is filed***. A good time to review these are when the weekly scan audits are completed.
- Before SOM will purge, the sale must have the ATF 4473 form printed and the sale must be marked closed.
- SOM will purge the sale three days after it is marked closed.

"NMN"	WAUKECHON	W2816 CHIEF CARRON R
ANTON	HARGROVE	1231 E HANSON DR
RICHARD	SABOCCA	114 ALEXANDER DR
ALIAHA		0695 VINES CREEK RD
KAYE		742 N. OWAISSA ST
VERNON		17 COZY LN
MICHAEL		W7134 GLEN VALLEY DR
CHRIS		141 INDIANA AVE
JAMES		1015 KILLBOURN ST
DAN	PAMENTER	2490 STROEBE ISLAND D

- Continue
- Close
- Review + Enter NICS Info
- Review + Print ATF3310
- Email ATF3310
- Review + Print ATF4473

Store Transfers

- Should be rare and approved by Management
- Shipped using FedEx only
 - 2nd Day Air – Handguns
 - Ground – Rifles



Store Transfers

Transaction Information

Origin Location: 100
 Origin Address: 2025 W. Wisconsin Avenue
 Origin City: Appleton
 Origin State: WI
 Origin Zip Code: 54914

Destination Location Type: Store
 Destination Location: 1000 Wauwatosa
 Destination Location: Select One

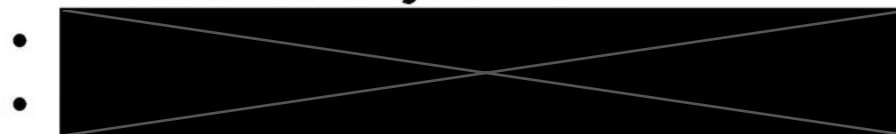
Destination Address: 1011 Badger Avenue
 Destination City: Wauwatosa
 Destination State: WI
 Destination Zip Code: 54401

Shipped Via: FedEx
 Shipper Name: 2nd Day Air
 Tracking Number: 7940480364
 Transfer Number:
 Comments: Customer - George Corbano

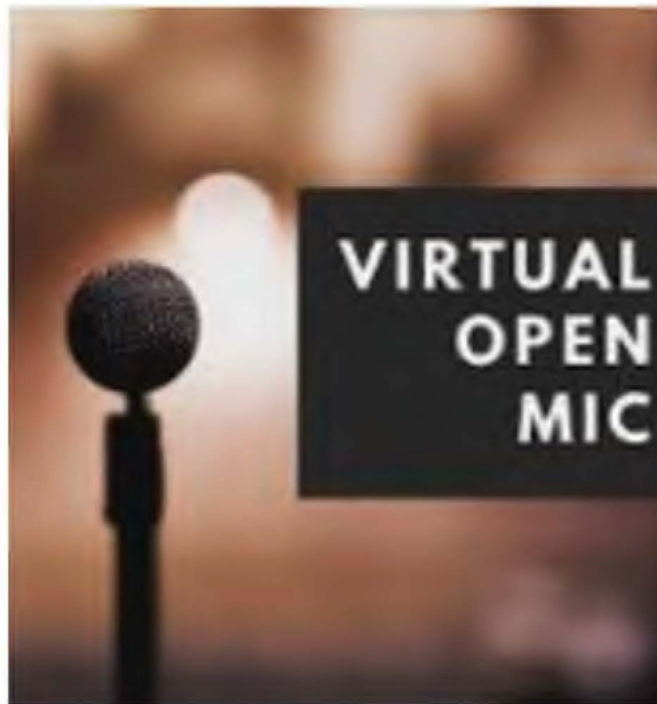
- Email IM at 
- Include the following in your email request
 - To and from stores
 - SKU/UPC and Qty needed
 - Name of who was contacted at the sending store (who verified the inv and set aside)
 - Name of customer waiting for unit
 - Any special instructions
- Do not send out until after a SIM Transfer has been created for you
- Dispatch Transfer and include a copy of the Transfer Report when unit leaves the store **AND** dispose the firearm in SOM using the "Transfer" option
- Receiving store, Receive into SIM as soon as it arrives **AND** acquire firearm using TC51

Need Help?

- **Workplace**
 - Procedure Updates
 - Urgent Messages/Posts
 - Procedure Clarification
 - Fellow TM Questions
- **FLC**
 - All procedures and policies
- **Quarterly Webinars**
 - Review recent issues
 - Reminders
 - Q&A
- **Neighboring Stores**
- **Mike & Michelle**
 - Available anytime!



Q&A



We appreciate all of you....



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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

STATE OF MINNESOTA by its
Attorney General, Keith Ellison,

Plaintiff,

Case No. 0:22-cv-02694-JRT-JFD

vs.

FLEET FARM LLC, FLEET FARM GROUP
LLC, and FLEET FARM WHOLESALE
SUPPLY CO. LLC,

Defendants.

DEPOSITION OF MICHELLE GRANATO

Deposition of MICHELLE GRANATO, taken
before me at Henes & Associates, Appleton,
Outagamie County, Wisconsin, on the 19th day of
June, 2024, A.D., otherwise than as a witness on
the trial, in a certain action now pending in the
United States District Court, District of
Minnesota, wherein the parties thereto are as set
forth above.

- - - - -

Jessica Koepsell, RPR, CRR

Plaintiff's Exhibit

12

1

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1 Said MICHELLE GRANATO, having been
2 first duly sworn by me to testify the truth,
3 the whole truth, and nothing but the truth
4 relative to said cause, in answer to oral
5 interrogatories, deposed and made answer as
6 follows:

7 - - - - -

8 (The examination began at 8:56 a.m.
9 on June 19, 2024.)

10 - - - - -

11 EXAMINATION

12 BY MR. MALONEY.

13 Q Good morning, Ms. Granato. Can you please
14 state your name for the record?

15 A Michelle Granato.

16 MR. DAVIS: Mr. Maloney, could we go
17 on the record first and designate the
18 deposition as confidential?

19 MR. MALONEY: Go ahead, Counsel.

20 MR. DAVIS: As we discussed just
21 before coming on the record this morning,
22 consistent -- pursuant to the protective
23 order that exists in this case, we will
24 designate this deposition transcript as
25 confidential.

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1 MR. MALONEY: Thank you.

2 BY MR. MALONEY:

3 Q So, Ms. Granato, where do you work
4 currently?

5 A Fleet Farm.

6 Q And what is your job there?

7 A I am a firearms specialist.

8 Q I'm going to start with some basic questions
9 here. Are you represented by a lawyer
10 today?

11 A Am I represented? No.

12 Q Do you have a lawyer here today on behalf of
13 Fleet Farm?

14 A Yes.

15 Q And who is that?

16 A Andrew.

17 Q Andy Davis?

18 A Andy Davis.

19 Q Thank you. And when did this representation
20 begin by Mr. Davis?

21 A Last week.

22 Q Which day last week?

23 A Last Tuesday.

24 Q So I'm going to start with some ground rules
25 here so that we can get through this

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1 can answer, if you understand the question.

2 THE WITNESS: Based on my knowledge
3 at that time, it seemed obvious, but prior
4 to that, I don't know that it would have
5 been.

6 BY MR. MALONEY:

7 Q What seemed obvious?

8 A That we had a straw purchaser.

9 Q Is that at least in part because there were
10 multiple red flags, right?

11 A Not multiple red flags.

12 Q But there were multiple guns purchased,
13 correct?

14 A But every gun purchase isn't a red flag.

15 Q So what, in your opinion, made this -- made
16 it pretty obvious that there was a straw
17 purchase happening here?

18 A That I had just worked with ATF, and we knew
19 that we were dealing with a straw purchaser.

20 MR. MALONEY: Can we play this one
21 more time, Katie?

22 (Video playing.)

23 MR. RADL: So all we can do as a
24 responsible FFL --

25 MS. GRANATO: Those ATF

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1 *communications should always come through*
2 *corporate. We don't want the stores --*

3 *MR. RADL: Reaching out --*

4 *MS. GRANATO: -- reaching out every*
5 *time they feel something suspicious is*
6 *happening. So on this slide here, we can*
7 *see actual 3310 forms. So we see on the*
8 *first one we had a transfer date of 7/23,*
9 *and then two more on 7/27. Not real*
10 *suspicious, but, you know, should raise a*
11 *flag. But then we see again a few days*
12 *later the customer's purchases from 7/27,*
13 *and then there's three more on 7/31. Does*
14 *anybody else find this suspicious? They're*
15 *coming in. They're buying 9 millimeters,*
16 *handguns. It appears to be pretty obvious*
17 *what's going on here.*

18 *(Video stopped.)*

19 *MR. MALONEY: Can you stop right*
20 *there?*

21 BY MR. MALONEY:

22 Q So when you're presenting in the webinar
23 back in November 2021, I mean you're not
24 talking about the ATF investigation, are
25 you?

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1 A I'm talking about knowledge that I had
2 gained from the ATF investigation.

3 Q I mean, you're looking at the slide --

4 MR. MALONEY: Go back a little bit,
5 Katie, so we have the slide on the screen.

6 BY MR. MALONEY:

7 Q You're describing the content of the two
8 Form 3310s and saying why those forms on
9 their face look suspicious, right?

10 A Right.

11 Q And you're mentioning indicators such as the
12 purchases happened close in time, right?

13 A Yes, because it would fall within that five
14 consecutive days.

15 Q You mentioned 9 millimeter, right?

16 A Yes.

17 Q You mentioned that there were 9 millimeter
18 handguns and which we talked about
19 previously multiple guns of the same caliber
20 can be a warning sign of straw purchasing,
21 right?

22 A Right.

23 Q So when you're asking in this recording or
24 saying that it's pretty obvious what's going
25 on here, you're referring to looking at the

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1 Jerome Horton, did you review the forms
2 related to Jerome Horton's purchases from
3 Fleet Farm?

4 A Yes, I did review them.

5 Q And did you look at them for all of the
6 purchases by Jerome Horton or just a subset?

7 A I looked at all the forms.

8 Q Okay. And in your review of those forms,
9 did Fleet Farm complete and receive all the
10 required Form 4473s for those purchases?

11 A Yes.

12 Q Did Fleet Farm complete and submit all
13 required 3310 forms for those purchases?

14 A There was one that was missing.

15 Q Do you recall for which transaction or
16 transactions that form was missing?

17 A No, I don't.

18 Q And, to your knowledge, did Fleet Farm ever
19 alert the ATF that Horton was a possible
20 straw buyer?

21 A Not to my knowledge.

22 Q But you know that the ATF did ask Fleet Farm
23 for information about Horton's purchases,
24 right?

25 A Yes, I received an e-mail from ATF.

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1 got OAK, still waiting for BRP; is that
2 right?

3 A Yes.

4 Q OAK is Oakdale?

5 A Yes.

6 Q And then BRP is Brooklyn Park?

7 A Yes.

8 Q Do you recall if you ever got the
9 Brooklyn Park 3310s?

10 A I -- yes.

11 Q Okay. And it looks like here you got the
12 Oakdale 3310s, too, right?

13 A I did get them.

14 Q Does this help refresh your memory at all
15 which store had the missing 3310 form that
16 you referenced?

17 A It looks like Oakdale.

18 Q You think it was Oakdale?

19 A It says, Oakdale missing 3310.4 for serial
20 -- and then I gave the serial number. No
21 e-mail confirmation. I have e-mailed Jeff
22 Frank asking for them.

23 Q You're reading from the second-to-last
24 message --

25 A Yes.

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1 Q -- towards the bottom of the page, right?

2 A Yes.

3 Q Where it says, OAK missing. 3310.4 for
4 Serial No. AFVB754. No e-mail confirmation.
5 I have e-mailed Jeff Frank asking for them.
6 No e-mail confirmation for either 3310.4.
7 These damn stores.

8 A Yes.

9 Q Did Oakdale ever correct the fact that at
10 the time of purchase or sale it did not
11 complete the 3310.4? Like did it do it
12 later on?

13 A I don't remember.

14 Q But at least at the time that you were
15 looking at this information, Oakdale was
16 still missing that 3310.4?

17 A Yes.

18 Q Okay. What did you mean by *these damn*
19 *stores*?

20 A I think it was more frustration.

21 Q About what?

22 A We had covered printing the confirmation and
23 printing the e-mail -- or the 3310.

24 Q And you were frustrated that,
25 notwithstanding your training, a store had

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1 shifted over the course of this deposition.
2 Your testimony now is that all the 3310.4s
3 that were required to be completed for Fleet
4 Farm sales to Jerome Horton were completed?

5 A They were completed and sent to ATF.

6 Q Okay. Were they completed and sent to ATF
7 in a timely fashion as required by law?

8 A Yes.

9 Q Could you pull up Exhibit 73 from the stack?
10 Sorry to make you dig. Do you have 73 in
11 front of you, Ms. Granato?

12 A Yes, I do.

13 Q Could you turn to the page with the Bates
14 number in the bottom right of 2471?

15 A Okay.

16 Q And, again, this is a text chat thread
17 between you and Mike Radl, correct?

18 A Yes.

19 Q If you're looking at 2471, about a third of
20 the way down the page, there's a message
21 from Mike Radl at 1:51 p.m. He says, so I
22 guess 13310 at OAK was never submitted
23 because he had listed, quote, JR in the
24 wrong box, so it didn't trigger for a 3310.
25 Another issue we might need to fix. They

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1 are making one now and will be submitting it
2 as unusual and scan us a copy.

3 So based on this chat from Mike Radl,
4 at least one of the 3310s -- one of the
5 3310s from Oakdale was not submitted on
6 time, correct?

7 A It was later submitted.

8 Q So at the time of the sale, Oakdale did not
9 submit the 3310 to the ATF or the CLEO,
10 right?

11 A Right.

12 Q They fixed it later after they caught the
13 problem?

14 A Yes.

15 Q Okay. So in the end it was more than just a
16 missing confirmation e-mail? There was a
17 3310 that was not submitted at the time of
18 sale, correct?

19 A Correct.

20 MR. MALONEY: Okay. That's all I
21 have.

22 MR. DAVIS: I have got one more.

23 FURTHER EXAMINATION

24 BY MR. DAVIS:

25 Q Ms. Granato, just going to that same chat,

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1 STATE OF WISCONSIN)
2 COUNTY OF OUTAGAMIE) ss.

3
4 I, Jessica Koepsell, Certified
5 Realtime Reporter and Notary Public in and for
6 the State of Wisconsin, do hereby certify that
7 the attached and foregoing deposition was taken
8 before me at Henes & Associates, Appleton,
9 Outagamie County, Wisconsin, on the 19th day of
10 June, 2024, A.D., at 8:56 a.m.; that it was taken
11 at the request of the adverse parties, upon oral
12 interrogatories; that said MICHELLE GRANATO was
13 sworn by me to tell the truth, the whole truth,
14 and nothing but the truth relative to said cause.

15 Dated this 25th day of June, 2024.

16
17 HENES & ASSOCIATES
18 COURT REPORTING SERVICE

19
20 _____
21 Jessica Koepsell
22 Registered Professional Reporter
23 Certified Realtime Reporter

24 My commission expires January 24, 2028.

25

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SIGNATURE PAGE

I, MICHELLE GRANATO, do hereby certify that I have read the foregoing transcript of my testimony in the above-mentioned matter, and it is true and correct as transcribed except for changes noted on the errata sheet.

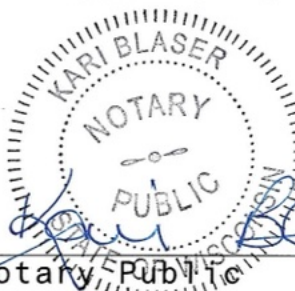
Dated this 23 day of July, 2024.

Michelle Granato
MICHELLE GRANATO

* * * * *

Subscribed and sworn to before me:

this 23 day of July, 2024.


Kari Blaser
Notary Public

My commission expires 8-31-27.

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CONFIDENTIALERRATA SHEET

The witness, MICHELLE GRANATO, states she wishes to make the following changes in testimony as originally given:

<u>PAGE</u>	<u>LINE</u>	<u>SHOULD READ</u>	<u>REASON</u>
37	25	Maybe	Actual Answer
53	12	reference	Actual Answer
73	4	Platform	Actual Answer
112	9	Mr. Davis	Transcription error
169	14	hear of her	Actual Answer
228	20	Rudy is an ATF agent	Actual Answer

Michelle Granato
MICHELLE GRANATO

Subscribed and sworn to before me
this 23 day of, July 2024.

Kari Blaser
Notary Public
My commission expires 8-31-27



Michelle Granato

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1	UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA	1	<u>EXHIBIT NUMBER</u>	<u>PAGE MARKED</u>
2		2	54 Documents entitled Multiple Handgun Sales	91
3	STATE OF MINNESOTA by its Attorney General, Keith Ellison,	3	55 Documents entitled All Store Quarterly Firearm Compliance Webinar	97
4	Plaintiff,	4	58 Video recording	124
5		5	59 E-mail dated 10/27/21 with attached Quarterly Firearm Compliance Webinar	118
6	Case No. 0:22-cv-02694-JRT-JFD	6	61 Tuesday's Tidbit dated 11/2/21	145
7	vs.	7	62 E-mail dated 2/18/21 concerning Conversation with Michelle Granato	148
8	FLEET FARM LLC, FLEET FARM GROUP LLC, and FLEET FARM WHOLESALE SUPPLY CO. LLC,	8	64 E-mails from 1/2022 concerning Straw Purchase Alert - Zachary Michael St. John	155
9	Defendants.	9	65 E-mails dated 1/2022 concerning Straw Purchase Alert - Zachary Michael St. John	162
10		10	67 Tuesday's Tidbit dated May 10th	164
11		11	68 Tuesday's Tidbit from 8/8/23	167
12		12	69 E-mail dated 10/14/21 from Ms. Williamson to Ms. Granato	181
13		13	72 E-mail chain from October of 2021 concerning ATF Active Investigation 3100	183
14	<u>DEPOSITION OF MICHELLE GRANATO</u>	14	73 E-mail chain dated 10/21/21 between Ms. Granato and Mr. Radl	195
15	Deposition of MICHELLE GRANATO, taken before me at Henes & Associates, Appleton, Outagamie County, Wisconsin, on the 19th day of June, 2024, A.D., otherwise than as a witness on the trial, in a certain action now pending in the United States District Court, District of Minnesota, wherein the parties thereto are as set forth above.	15	76 E-mail dated 11/1/21 from Ms. Granato to Ms. Cartier concerning straw purchase	212
16		16	77 December of 2021 Tuesday's Tidbit	214
17		17	79 E-mail dated 2/22/22 from Mr. Hansen to Ms. Granato concerning Conversation with Michelle Granato	217
18		18	80 E-mails dated 6/14/21 concerning Straw Purchase	170
19		19	81 E-mail dated 8/4/22 from Mr. McAdams to Ms. Granato concerning Purchase History Document entitled Fleet Farm Firearm ATF ACQ/DIS Detail Report Hermantown (S 3600)	224
20		20	82	225
21		21		
22		22		
23		23		
24		24		
25	Jessica Koepsell, RPR, CRR	25		
	1			3
1	<u>APPEARANCES</u>	1	<u>EXHIBIT NUMBER</u>	<u>PAGE MARKED</u>
2	MR. ERIC MALONEY and MS. KATHERINE MOERKE, Assistant Attorneys General, State of Minnesota, of St. Paul, Minnesota, appeared on behalf of the Plaintiff.	2	88 E-mails dated 6/27/22 concerning CFI Straw Purchase	227
3		3	91 E-mail dated 4/15/21 from Mr. Kurtzweil to Ms. Granato	228
4	STINSON, LLP, of Minneapolis, Minnesota; MR. ANDREW DAVIS of that firm appeared on behalf of the Defendants.	4	92 E-mails from 2021 concerning Kent Kirkham	230
5		5	102 Packet of receipts and order forms	186
6	AJ PETERMAN was also present in person.	6	103 E-mail chain from November of 2021 concerning Quarterly Firearm Compliance Webinar - 11-2021.pdf; ATT20917	115
7		7	104 E-mails dated 9/8/21 concerning 7 trace requests	174
8		8		
9		9		
10	<u>INDEX TO EXAMINATION</u>	10	(Original exhibits placed with original transcript.)	
11	Examination by Mr. Maloney	11		
12	Examination by Mr. Davis	12		
13	Further Examination by Mr. Maloney	13		
14	Further Examination by Mr. Davis	14		
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HENES & ASSOCIATES REPORTING SERVICE, INC.

henes@henesreporting.com

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1 Said MICHELLE GRANATO, having been 2 first duly sworn by me to testify the truth, 3 the whole truth, and nothing but the truth 4 relative to said cause, in answer to oral 5 interrogatories, deposed and made answer as 6 follows: 7 - - - - - 8 (The examination began at 8:56 a.m. 9 on June 19, 2024.) 10 - - - - - 11 <u>EXAMINATION</u> 12 BY MR. MALONEY. 13 Q Good morning, Ms. Granato. Can you please 14 state your name for the record? 15 A Michelle Granato. 16 MR. DAVIS: Mr. Maloney, could we go 17 on the record first and designate the 18 deposition as confidential? 19 MR. MALONEY: Go ahead, Counsel. 20 MR. DAVIS: As we discussed just 21 before coming on the record this morning, 22 consistent -- pursuant to the protective 23 order that exists in this case, we will 24 designate this deposition transcript as 25 confidential. 5	1 deposition and make a clear record. The 2 first rule is that we both speak one at a 3 time so that the court reporter can take our 4 words down and we're not fighting over each 5 other to be heard. Does that sound good to 6 you? 7 A Yes. 8 Q The second rule is that your counsel today, 9 Mr. Davis, may object. You will still need 10 to answer, unless you are instructed not to 11 by him. Understand? 12 A Yes. 13 Q The third rule is that because we have a 14 court reporter here who's taking down our 15 words, we have to verbalize our answers, 16 right? So yes or no if it's a yes or no 17 question. No uh-huhs, uh-uhs. You know, 18 those are hard for her to take down. So 19 just make sure to verbalize all of your 20 answers. Does that make sense? 21 A Yes. 22 Q If I ask you a question and you don't 23 understand it, don't try to answer it. You 24 can ask me to clarify or tell me that you 25 don't understand it if you have any issues 7
1 MR. MALONEY: Thank you. 2 BY MR. MALONEY: 3 Q So, Ms. Granato, where do you work 4 currently? 5 A Fleet Farm. 6 Q And what is your job there? 7 A I am a firearms specialist. 8 Q I'm going to start with some basic questions 9 here. Are you represented by a lawyer 10 today? 11 A Am I represented? No. 12 Q Do you have a lawyer here today on behalf of 13 Fleet Farm? 14 A Yes. 15 Q And who is that? 16 A Andrew. 17 Q Andy Davis? 18 A Andy Davis. 19 Q Thank you. And when did this representation 20 begin by Mr. Davis? 21 A Last week. 22 Q Which day last week? 23 A Last Tuesday. 24 Q So I'm going to start with some ground rules 25 here so that we can get through this 6	1 with that. Does that make sense? 2 A Yes. 3 Q Last issue on this, is there any reason that 4 you cannot testify truthfully today? 5 A No. 6 Q With the ground rules disposed of, I wanted 7 to ask you if you've ever been deposed 8 before. Have you ever sat for a deposition 9 in the past? 10 A No. 11 Q Have you ever testified at a trial before? 12 A No. 13 Q Have you ever given any testimony under oath 14 before? 15 A I am not sure if it was under oath. I don't 16 remember. 17 Q What are you thinking of where you may have 18 been under oath before? 19 A I did attend an ATF hearing one time in 20 January. 21 Q Did you give testimony to the ATF? 22 A I answered questions that they had, but I 23 don't know that it was considered testimony. 24 Q Okay. What was the interview about? 25 A It was in regards to some compliance -- 8

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1 A I don't think so. 2 Q Okay. Could this have been through 3 Workplace? 4 A No. It wouldn't have been through -- it was 5 either Zoom -- maybe it was Microsoft, part 6 of the Microsoft e-mail suite. 7 Q Could you turn to Page 3, the third page? 8 It's Bates number ending 12588. 9 A Yes. 10 Q If you go to about the middle of the page, a 11 message you sent at 10:58 a.m., you say 12 obviously they aren't closing them out. I 13 will create a tidbit that no one will read. 14 Were you referencing your Tuesday Tidbits 15 there? 16 A Yes. 17 Q And this document, if you go back to the 18 first page, is from February 18, 2021, 19 right? 20 A Yes. 21 Q So were you concerned at this time that you 22 were creating and circulating the Tuesday 23 Tidbits but no one was reading them? 24 A No. I wasn't concerned that no one was 25 reading them. I was more concerned that it 149	1 Compliance Tools, and then it says, 2 Tuesday's Tidbits, moved to ThinkTime, will 3 be assigned as task to ensure everyone reads 4 them. 5 A Yes. 6 Q So you testified previously that Tuesday's 7 Tidbits were on Workplace, but now they 8 moved somewhere else, right? 9 A They wanted to do it in ThinkTime, but the 10 application that they were asking us to move 11 it to wasn't the way that we wanted it to 12 perform. It's not really a social media 13 type. It's more of a task or generated 14 type, and it was too hard to create them in 15 ThinkTime. 16 Q So you tried it in ThinkTime, as it says 17 here, but didn't end up using that in the 18 long term? 19 A No. 20 Q Where are they now? 21 A They haven't -- we haven't done them in a 22 while. 23 Q Okay. And the second bullet point here, 24 will be assigned as tasked to ensure that 25 everyone reads them, what kind of motivated 151
1 wasn't reaching all of our team members. 2 But there were people that were 3 participating and reading them. 4 Q What drove your concern that not every team 5 member was getting eyes on the Tuesday 6 Tidbits? 7 A It could have been that they would call and 8 ask a question on something that I had just 9 posted. And so when I would ask them if 10 they reviewed the tidbit, they would say I 11 haven't had a chance yet. 12 Q Anything else that prompted you to make the 13 statement about people not reading tidbits? 14 A No. 15 Q You can set that aside. So for this one, 16 this is the already admitted Exhibit 20, 17 which would be in your stack. All right. 18 You're looking at Exhibit 20. It's the 19 All Store Quarterly Firearms Compliance 20 Webinar from April '22; is that right? 21 A Yes. 22 Q Could you go to Slide 7, which I believe is 23 on Bates number ending 520? Are you there? 24 A Yes. 25 Q And in the slide it says, it's titled New 150	1 that need to have that kind of assignments 2 for the Tuesday Tidbits? 3 MR. DAVIS: Object to the form of the 4 question. Lack of foundation. You can 5 answer, if you know. 6 THE WITNESS: Just based on, like I 7 said, if I would question a store whether 8 they read it, they would say, no, I haven't 9 had the opportunity yet. So we just wanted 10 to ensure that everybody was aware that 11 there was a tidbit that they should read. 12 BY MR. MALONEY: 13 Q Okay. You can put that aside. This is 14 another one in the existing stack, No. 46. 15 Do you have No. 46 in front of you? 16 A I do. 17 Q And this is an e-mail from Mike Radl to 18 several recipients, including yourself, on 19 November 29, 2021, correct? 20 A Yes. 21 Q Do you recall getting this e-mail from 22 Mr. Radl? 23 A I don't recall it, but it was sent. 24 Q At the bottom of the first page, in the 25 e-mail thread, there's an e-mail from Cory 152

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1 Klebs. Do you know who Cory Klebs is? 2 A No, I don't. 3 Q If you turn to the top of the first page, 4 his e-mail signature says that he's the 5 operations manager at the Blaine Fleet Farm. 6 Do you have any reason to dispute that 7 that's his role? 8 A No. 9 Q So if you go back to the bottom of the first 10 page, it looks like Cory Klebs was asking 11 you or Mr. Radl, can you verify for us the 12 procedure for straw purchases, if they have 13 a wait period before they are allowed to 14 make another sale, or are they banned from 15 sales with Fleet Farm going forward, as a 16 family member called and talked to Leif 17 trying to get him to overturn the decision? 18 Do you see that at the bottom of the page? 19 A Yes. 20 Q Now, during the relevant time period for 21 this case, was there -- did Fleet Farm have 22 a wait period in which someone who was 23 flagged as a straw purchaser was unable to 24 make a future purchase? 25 A There was no wait period that I was aware 153	1 basically we should not sell a specific 2 firearm to that customer, period, no matter 3 how much time has lapsed. So that would be 4 our policy. 5 Q For that specific firearm that the straw 6 purchaser tried to purchase, right? 7 A No. That's our policy. 8 Q But the sentence that I just read to you 9 says that if it's a different firearm, you 10 would basically reevaluate whether or not 11 the customer -- that was also a straw 12 purchase, right? 13 A We would reeval -- we would look at that 14 situation, the circumstances surrounding 15 that sale. 16 Q Okay. So there's no automatic ban at the 17 company level that comes after being flagged 18 as a straw purchaser, correct? 19 MR. DAVIS: Object to the form of the 20 question. 21 THE WITNESS: Not that I'm aware of. 22 MR. MALONEY: Okay. Thank you. You 23 can set that aside. 24 (Exhibit 64 marked.) 25 BY MR. MALONEY: 155
1 of. 2 Q If there was no wait period, there was also 3 a no-going-forward ban for that person from 4 buying guns in the future, right? 5 MR. DAVIS: Object to the form of the 6 question. 7 THE WITNESS: We wouldn't want to 8 sell them at all. It would be a permanent 9 thing. 10 BY MR. MALONEY: 11 Q But if you go up to Mr. Radl's response, the 12 top third of the page, in the middle he 13 says, now that customer could come back and 14 purchase a completely different firearm, and 15 we can legally sell to the customer if we 16 feel the purchase isn't a straw purchase. 17 So it is not black and white. Is that what 18 it says there? 19 A Yes, that's what it says. 20 Q And, to your knowledge, does Mr. Radl's 21 response reflect company policy on, you 22 know, when a firearm can be sold to a straw 23 purchaser after they are flagged as a straw 24 purchaser? 25 A Well, I think in the line above it, he says, 154	1 Q I'm handing you what's been marked as 2 Exhibit 64. In the top -- this is an e-mail 3 thread between you and Mr. Radl, correct? 4 A Yes. 5 Q And if you go to the second-to-last page, 6 2504, the first e-mail in this chain is a 7 confidential straw purchase/decline sale 8 alert, right? 9 A The last page? 10 Q If you're at the page ending 2504 about 11 halfway down. 12 A Yes. 13 Q Okay. If you go, if you look underneath 14 that, there's the No. 1, and then it says 15 summary. 16 A Uh-huh. 17 Q It says, St. John answered yes to 21 i 18 domestic violence and did not change his 19 answer when prompted from a team member to 20 double-check the form. Is that what it says 21 there? 22 A Yes, it does. 23 Q And that 21 i, that's referencing a question 24 on the Form 4473, right? 25 A Yes. 156

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1 Q Do you know who that is? 2 A No, I don't. 3 Q Do you know that Mr. Williamson was fired by 4 Fleet Farm in June 2021? 5 A No, I do not. 6 MR. MALONEY: You can put that aside. 7 I'm just about to do a new topic, so if you 8 want a break, now might be a good time. 9 It's up to you. 10 MR. DAVIS: We'll take a short one 11 and be back in just a few minutes. 12 (Recess was taken.) 13 BY MR. MALONEY: 14 Q Welcome back, Ms. Granato. We are back on 15 the record. I wanted to transition to a 16 different straw purchaser than Sarah Elwood, 17 Jerome Horton. Do you know how many guns 18 Fleet Farm sold to Jerome Horton? 19 A I do not know right off the top of my head. 20 Q If I told you 24, would you have any reason 21 to dispute that number? 22 A No. 23 Q Okay. And was -- when Fleet Farm became 24 aware -- let's do it this way: When the ATF 25 reached out to Fleet Farm for information on 177	1 Q When you were referencing the ATF's 2 investigation earlier, was that referring to 3 that e-mail or to something else? 4 A No, it was referring to that e-mail from 5 Kylie Williamson. 6 Q Is there any other investigatory action by 7 the ATF that you were referencing when you 8 talk about the ATF investigation? 9 MR. DAVIS: Object to the form of the 10 question. Vague. You can answer it, if you 11 understand the question. 12 THE WITNESS: Can you repeat the 13 question or rephrase it? 14 BY MR. MALONEY: 15 Q Yeah. To your knowledge, was there anything 16 to the ATF's investigation into Jerome 17 Horton and Fleet Farm beyond the e-mail that 18 you received from Kylie Williamson about 19 Jerome Horton? 20 A No. That was it. 21 Q Are you aware of the shooting at the Seventh 22 Street Truck Park Bar on October 10, 2021? 23 A Could you repeat the question, please? 24 Q Are you aware of a shooting at the Seventh 25 Street Truck Park Bar on October 10, 2021? 179
1 Jerome Horton, did you review the forms 2 related to Jerome Horton's purchases from 3 Fleet Farm? 4 A Yes, I did review them. 5 Q And did you look at them for all of the 6 purchases by Jerome Horton or just a subset? 7 A I looked at all the forms. 8 Q Okay. And in your review of those forms, 9 did Fleet Farm complete and receive all the 10 required Form 4473s for those purchases? 11 A Yes. 12 Q Did Fleet Farm complete and submit all 13 required 3310 forms for those purchases? 14 A There was one that was missing. 15 Q Do you recall for which transaction or 16 transactions that form was missing? 17 A No, I don't. 18 Q And, to your knowledge, did Fleet Farm ever 19 alert the ATF that Horton was a possible 20 straw buyer? 21 A Not to my knowledge. 22 Q But you know that the ATF did ask Fleet Farm 23 for information about Horton's purchases, 24 right? 25 A Yes, I received an e-mail from ATF. 178	1 A I had heard about it on the news. 2 Q What did you hear about it? 3 A That there was a shooting at a bar. 4 Q Did you hear that someone died in that 5 shooting? 6 A I think I might have heard it on the news as 7 well, yes. 8 Q And that there were multiple people injured 9 from gunshots? 10 A Yes. 11 Q Did you know that a Fleet Farm gun, a gun 12 sold by Fleet Farm, I should say, was used 13 by one of the shooters at that incident? 14 MR. DAVIS: Object to the form of the 15 question. Not clear as to the time that 16 you're asking the witness when her knowledge 17 of the firearm was. So are you saying at 18 the time she learned of the shooting or 19 sometime -- 20 MR. MALONEY: I can ask both. 21 BY MR. MALONEY: 22 Q Do you know sitting here today that a gun 23 sold by Fleet Farm was used in that 24 shooting? 25 A Today I do. 180

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1 Q And when did you find out that a gun sold by 2 Fleet Farm was used in that shooting? 3 A I don't recall exactly when I found out. 4 Q Could it have been around the time that the 5 ATF reached out to Fleet Farm about Jerome 6 Horton's purchases? 7 A It could have been. I don't know if I made 8 the connection at that point, but it could 9 have been. 10 Q What was your reaction when you learned that 11 a Fleet Farm gun was involved in that 12 shooting? 13 MR. DAVIS: Objection. Vague. 14 THE WITNESS: I guess I was 15 concerned. 16 BY MR. MALONEY: 17 Q Why were you concerned? 18 A Because as an FFL dealer, you never want to 19 have something that you transferred be 20 involved in a crime. We want to keep our 21 community safe. 22 (Exhibit 69 marked.) 23 BY MR. MALONEY: 24 Q I am handing you what's been marked as 25 Exhibit 69. Now, Ms. Granato, you are 181	1 sent this e-mail to Fleet Farm on October 14, 2 2021? 3 A No. 4 Q And that includes yourself? You didn't have 5 any suspicions about him prior to this date? 6 A I didn't even know who Jerome Horton was. 7 (Exhibit 72 marked.) 8 BY MR. MALONEY: 9 Q Okay. You can put that aside. I hand you 10 what's been marked as Exhibit 72. So this 11 is a long e-mail chain. Probably the 12 easiest way it digest this would be to go to 13 the end. If you go to the third-to-last 14 page, 1476, the Bates number in the corner, 15 at the bottom of Page 1476, there's an 16 e-mail from you to several folks. And this 17 is you following up on the e-mail, the 18 October 14th e-mail, from Kylie Williamson, 19 right? 20 A Are we talking about the very last? 21 Q At the very bottom of 1476, yep. Because 22 then if you turn to Page 1477, you see that 23 you copy and pasted the content from Agent 24 Williamson's e-mail, right? 25 A Right. 183
1 referencing an e-mail from a Kylie 2 Williamson at the ATF. Is Exhibit 69 the 3 e-mail that you were referencing? 4 A Yes. 5 Q This is from October 14, 2021; is that 6 right? 7 A Yes. 8 Q And Kylie Williamson is asking you to trace 9 several purchases of firearms made by Jerome 10 Horton, right? 11 A Yes. 12 Q And, again, this was -- was this e-mail the 13 first time that Fleet Farm -- let me ask you 14 -- strike that. So, again, I think you've 15 already testified to this. But the Fleet 16 Farm -- Fleet Farm did not notify or tell 17 the ATF that it suspected Jerome Horton was 18 a straw purchaser, right? 19 MR. DAVIS: Object to the form of the 20 question. Assumes facts not in evidence. 21 THE WITNESS: No. We -- I don't 22 believe that we reported him. 23 BY MR. MALONEY: 24 Q Are you aware of anyone at Fleet Farm who 25 had suspicions about Horton before the ATF 182	1 Q So then if we go up in the e-mail thread 2 here, you can see -- let's go to the top of 3 Page 1474 in this e-mail thread. That's an 4 e-mail from Mike Radl to Derrick Hoernke. 5 And who is Derrick Hoernke? 6 A I'm trying to follow. 7 MR. DAVIS: Which page? 8 MR. MALONEY: At the bottom of 1473, 9 the first page, the top of 1474. It spills 10 over. 11 BY MR. MALONEY: 12 Q And who is Derrick Hoernke again before we 13 go into it? 14 A At the time Derrick Hoernke was -- I don't 15 know his exact title at that time. But he 16 was part of loss prevention or he was like a 17 director of loss prevention. 18 Q And he was Mr. Radl's boss, right? 19 A Yes. 20 Q Okay. And he says, phone won't let me 21 forward. Can you forward BLN stuff to 22 Michelle? She will verify the 3310 sales 23 were completed correctly. That's what it 24 says, right? 25 A Yes. 184

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1 Q Is BLN a reference to the Blaine store? 2 A Yes. 3 Q And then the next e-mail up in the chain, if 4 you go to Page 1473, the first page, is your 5 response. And you say, thank you, I looked 6 through them and noticed the e-mail 7 confirmation for the 3310.4 multiple handgun 8 form was missing. When a 3310.4 is e-mailed 9 to the ATF e-mail address, the store 10 sporting goods account is cc on the e-mail 11 as proof we sent it. I contacted Leif, and 12 they still had the e-mail, printed a copy 13 for their records, and scanned a copy to me. 14 BLN is complete. Is that what your e-mail 15 said from October 21, 2021? 16 A Yes. 17 Q And this was you -- as Mr. Radl indicated in 18 his e-mail, you reviewing the Blaine 19 paperwork for Jerome Horton? 20 A Right. 21 Q Okay. And did you check the other stores as 22 well in addition to Blaine? 23 A I checked every store. 24 Q Do you recall which stores were involved? 25 A Not right off the top. I mean, I don't know 185	1 and then the sales transactions that we 2 provided to ATF. 3 Q To your recollection, is this the document 4 packet that you reviewed related to Jerome 5 Horton's purchases at the Blaine Fleet Farm? 6 A I would have looked at all the 4473 forms, 7 and based on that, I would have looked for 8 the 3310 form. 9 Q Did you look at documents like this first 10 page as well, the transaction information? 11 A No. 12 Q But would these have been in the packet of 13 information that was sent to the ATF? 14 A Yes. 15 Q Okay. Looking at this first page, what 16 exactly is this document? Is it a receipt? 17 A It's a -- yeah, from the point-of-sale 18 receipt. 19 Q Okay. And it has -- there's some 20 highlighting on it. Do you know where that 21 highlighting may have come from? 22 A No. 23 Q Okay. If you go down in the left column, 24 about two-thirds of the way down the page, 25 it says <i>cash</i> right there, and then two lines 187
1 I would get them all, but I do know that 2 Blaine and Oakdale were involved. 3 Q How about Brooklyn Park? 4 A Yes, they were involved. 5 Q And Lakeville? 6 A Yes. 7 Q Okay. And we've already discussed that in 8 the course of doing this review, you found 9 that one 3310.4 form was not completed, 10 right? 11 A Yes. 12 (Exhibit 102 marked.) 13 BY MR. MALONEY: 14 Q You can put that aside. I'm going to show 15 you Exhibit 102. This is the big one and 16 kind of hard to read. 17 MR. DAVIS: Are we done with 72? 18 MR. MALONEY: We are done with it, 19 yes. 20 BY MR. MALONEY: 21 Q Why don't you skim through 102, and then 22 I'll ask you a question about it. 23 A Okay. 24 Q Do you recognize these documents? 25 A I recognize the 4473 forms, the MDSE 31s, 186	1 lower it says, cash tendered \$400. Do you 2 see that there? 3 A Yes. 4 Q Do you know if Jerome Horton paid cash for 5 some of his firearm purchases from Fleet 6 Farm? 7 A I don't know. 8 Q Does this document show Jerome Horton paying 9 \$400 in cash for a firearm? 10 A It says, cash tendered \$400. 11 Q If you go up to where it says UPC number and 12 then it has a highlight, under that it says, 13 APX Centurion 9 millimeter blued, Quantity 1 14 at \$379.99. To your knowledge, is that a 15 firearm? 16 A Yes. That would be the firearm. 17 Q So does this first page of Exhibit 102 show 18 Jerome Horton paying \$400 in cash for a 19 firearm? 20 MR. DAVIS: Objection. Lack of 21 foundation. 22 THE WITNESS: It says, cash tendered 23 \$400, but it also says debit, credit or 24 credit, debit. 25 BY MR. MALONEY: 188

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1 Q If you go up three lines, it says, total 2 \$432.76, right? 3 A Right. 4 Q Is it possible that Jerome Horton paid \$400 5 in cash and then paid the rest on 6 credit/debit? 7 A Sure. 8 Q Okay. All right. I want you to turn to -- 9 I'll get you a page number -- 1244. And 10 this is a similar document showing the 11 purchase, right? 12 A Yes. 13 Q The top third of the left column where it 14 says UPC number, under that it says, STR-9C. 15 Do you know, is that a firearm? 16 A Just based on the description, no. 17 Q Do you know what a Stoecker is -- 18 A No, I don't. 19 Q -- as a brand of firearm? 20 A No, I don't. 21 Q The line under that, Quantity 1 at \$349.99, 22 is that the price range for a 9 millimeter 23 pistol sold by Fleet Farm? 24 A I couldn't tell you. 25 Q Okay. A few lines under that, the other 189	1 Q And how does that program work? 2 A I can't tell you how it works. I am not 3 involved with the point of sale in that 4 process, but I know we have a loyalty 5 account, a loyalty program. 6 Q Does it give you cash off on purchases if 7 you're a member of the program? 8 A When you spend X amount of dollars, then you 9 get -- you earn points. 10 Q So is it fair to say, based on this 11 document, that Jerome Horton purchased 12 firearms here with \$900.55 in cash and then 13 \$10 in Fleet Farm loyalty rewards? 14 A Based on the receipt, yes. 15 Q Okay. Could you go to 1258 is the Bates 16 number? This is, again, a similar document, 17 a purchase transaction receipt, right? 18 A Uh-huh. 19 Q The first UPC number that's highlighted, the 20 line under that, it says it's an MC2c 21 9 millimeter with safety. Is that a 22 handgun? 23 A Based on the description, I would say yes. 24 Q Could it be a Mossberg handgun? 25 A I don't know. 191
1 highlighted UPC number, it says, GLK 43X 2 9 millimeter PST. Do you know if that's a 3 firearm? 4 A That I recognize as a firearm. 5 Q What kind of a firearm is that? 6 A It's a Glock 43. 7 Q Okay. And that's a 9 millimeter handgun? 8 A Yes. 9 Q Okay. If you go down towards the bottom of 10 the left column, you see there's a 11 highlighting. Just before that it says, 12 button at 19:24:20. It says cash, and then 13 two lines lower it says, cash tendered. Do 14 you see that there? 15 A Yes. 16 Q Then actually below that it says, total 17 tendered \$910.55. Do you see that? 18 A Yes. 19 Q All right. If you go a few lines up, 20 there's two lines that say, loyalty reward 21 tendered, \$5. Do you see those two lines? 22 A Yes. 23 Q Does Fleet Farm have a loyalty rewards 24 program? 25 A Yes. 190	1 Q And then a few lines under that we have a 2 GLK 45 9 millimeter. Is that a handgun? 3 A Yes. 4 Q That's a Glock 9 millimeter again? 5 A Yes. 6 Q And then at the bottom we have the word <i>cash</i> 7 highlighted. A few lines down it says, cash 8 tendered \$1,020, right? 9 A Uh-huh. 10 Q Under that it says total tender of \$1,045, 11 right? 12 A Right. 13 Q And then above the cash highlight there's 14 one, two, three, four, five lines of loyalty 15 reward tendered for \$5, correct? 16 A Yes. 17 Q So is it fair to say for this transaction 18 that the buyer paid \$1,020 in cash and then 19 \$25 in loyalty rewards to purchase two 20 handguns? 21 A Yes. 22 Q Could you turn to Page 1296? 23 A Okay. 24 Q Are you there? 25 A Yes. 192

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1 Q Okay. Again, we have a highlighted UPC 2 number in the left column about a third of 3 the way down the page. Under that it says, 4 GLK 19 G3 9 millimeter. Is that a handgun? 5 A Yes. 6 Q And, again, that's a Glock 9 millimeter? 7 A Yes. 8 Q And the next highlight on the page towards 9 the bottom of the left column is cash is 10 highlighted. It says two lines below that, 11 cash tendered \$580, right? 12 A I think it's \$560. 13 Q \$560, thank you. And then the total tender 14 is \$575? 15 A Yes. 16 Q And then above the cash highlight there's 17 three lines of loyalty reward tendered of 18 \$5? 19 A Yes. 20 Q So, again, is it fair to say that this 21 transaction involved someone paying \$560 in 22 cash and \$15 in Fleet Farm loyalty rewards 23 to purchase a Glock 9 millimeter? 24 A Yes. 25 Q Could you go to Page 1306? And, again, this 193	1 A Yes, I do. 2 (Exhibit 73 marked.) 3 BY MR. MALONEY: 4 Q Okay. You can put that aside. All right. 5 I'm handing you what's been marked as 6 Exhibit 73. Taking a look at this, do you 7 recognize this document? 8 A Yes, I do. 9 Q What is it? 10 A It looks like a chat between Mike Radl and 11 myself. 12 Q And is this the same platform as the 13 previous chat messages that we were looking 14 at? 15 A Yes. 16 Q But we're still not sure which platform that 17 could be? 18 A Right. 19 Q Okay. And this is between you and Mike 20 Radl, right? 21 A Yes. 22 Q The subject line says Kylie Williamson, is 23 that right, at the top of Page 2468? 24 A Yes. 25 Q And she's the ATF agent that we were looking 195
1 is the same type of purchase information, 2 right? 3 A Yes. 4 Q The first highlighted UPC number in the 5 upper left, the title -- the line under that 6 says a GLK 26 G5 US 9 millimeter. To your 7 knowledge, is that a handgun? 8 A Yes. 9 Q And is that another Glock 9 millimeter? 10 A Yes. 11 Q And then the next highlighted UPC number is 12 for an RAD RAD-15 RP PST 5.56. Do you know 13 if that's a firearm? 14 A I don't know for sure. 15 Q If given your knowledge of firearms, is a 16 5.56 typically a handgun or a different kind 17 of firearm? 18 A It's typically another type of firearm. 19 Q A rifle? 20 A It could be. 21 Q Okay. And, again, if you go down towards 22 the bottom where the cash highlight is, just 23 above that it says, total \$1,392.60. Two 24 lines under that it says cash tendered of 25 \$1,400. Do you see that there? 194	1 at the e-mails from previously? 2 A Right, yes. 3 Q The first line of the chat, Mike Radl at 4 12:15 p.m. says, well, the plane didn't 5 crash, so that's good, I guess. Do you see 6 that there? 7 A Yes, I do. 8 Q What plane was Mr. Radl referring to that 9 didn't crash? 10 MR. DAVIS: Objection. Lack of 11 foundation. You can answer, if you know. 12 THE WITNESS: The one that he took to 13 Rapid City, South Dakota. 14 BY MR. MALONEY: 15 Q What was he going to Rapid City for? 16 A I don't know the exact nature of his 17 business. Probably to do a compliance 18 inspection or a safety inspection. 19 Q Oh, so he was traveling for work, not for 20 something else? 21 A He was traveling, right. 22 Q Okay. And then you respond by saying, yep, 23 a good start to the week. Nothing going on 24 here. Do you see that there? 25 A Yep. 196

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1 Q I have a hard time reading sarcasm from text
2 messages, but your phrase, nothing going on
3 here, did you mean nothing was going on or
4 was a lot going on?
5 A I don't remember.
6 Q So these chats were occurring on October 21,
7 2021; is that right?
8 A Yes.
9 Q Was this just after Fleet Farm learned
10 about, you know, that the ATF was looking at
11 its sales to Jerome Horton?
12 A Yes.
13 Q So in actuality at that point was nothing
14 going on at Fleet Farm and for you in your
15 job?
16 A No. I'm sure there was a lot going on.
17 Q Okay. So you think you may have been
18 sarcastic there?
19 A Could have been.
20 Q About halfway down the second page, if you
21 go to 2469, there's a chat from Mike Radl
22 saying, can you e-mail the stores involved
23 to ensure that if the ATF took the original
24 4473s and if they didn't make a copy of the
25 form first, that they need to go into their

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1 sent e-mail and print off scanned copy, make
2 copy of the agent's business card, and
3 attach to each of those forms with a note
4 that the ATF has original for case. I guess
5 Blaine didn't photocopy any of them and just
6 handed them over. Do you see that there?
7 A Yes.
8 Q Is he referring to the ATF's request for
9 Jerome Horton documents?
10 A Yes.
11 Q Okay. And it looks like there was at least
12 one store here, Blaine, that didn't make a
13 copy and just gave over their originals?
14 A Yes.
15 Q Was that a problem?
16 A No. We wanted to make sure we had copies,
17 though, for our records.
18 Q Right. And then the next message from Mike
19 Radl is it looks like it's the next day.
20 We're going from 4:03 p.m. to 11:12 a.m. He
21 asks you, have you been able to confirm yet
22 if all the 3310s are at least accounted for?
23 Is that what it says there?
24 A Yes.
25 Q And then you respond a minute later, just

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1 got OAK, still waiting for BRP; is that
2 right?
3 A Yes.
4 Q OAK is Oakdale?
5 A Yes.
6 Q And then BRP is Brooklyn Park?
7 A Yes.
8 Q Do you recall if you ever got the
9 Brooklyn Park 3310s?
10 A I -- yes.
11 Q Okay. And it looks like here you got the
12 Oakdale 3310s, too, right?
13 A I did get them.
14 Q Does this help refresh your memory at all
15 which store had the missing 3310 form that
16 you referenced?
17 A It looks like Oakdale.
18 Q You think it was Oakdale?
19 A It says, Oakdale missing 3310.4 for serial
20 -- and then I gave the serial number. No
21 e-mail confirmation. I have e-mailed Jeff
22 Frank asking for them.
23 Q You're reading from the second-to-last
24 message --
25 A Yes.

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1 -- towards the bottom of the page, right?
2 A Yes.
3 Q Where it says, OAK missing. 3310.4 for
4 Serial No. AFVB754. No e-mail confirmation.
5 I have e-mailed Jeff Frank asking for them.
6 No e-mail confirmation for either 3310.4.
7 These damn stores.
8 A Yes.
9 Q Did Oakdale ever correct the fact that at
10 the time of purchase or sale it did not
11 complete the 3310.4? Like did it do it
12 later on?
13 A I don't remember.
14 Q But at least at the time that you were
15 looking at this information, Oakdale was
16 still missing that 3310.4?
17 A Yes.
18 Q Okay. What did you mean by *these damn*
19 *stores*?
20 A I think it was more frustration.
21 Q About what?
22 A We had covered printing the confirmation and
23 printing the e-mail -- or the 3310.
24 Q And you were frustrated that,
25 notwithstanding your training, a store had

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1 failed to fill out a Form 3310.4, right? 2 A Yes. 3 Q About halfway down the next page, 2470, you 4 say in capital letters, OMG, they gave ATF 5 the originals without making copies, just 6 shoot me. What were you referencing there? 7 A That was the store that gave the originals 8 to the ATF. 9 Q And we referenced that earlier, right? 10 A Right. 11 Q And Mike Radl responds by saying, RUFKM. Do 12 you know what that means? 13 A Yes, I do. 14 Q What does it mean? 15 A Are you fucking kidding me? 16 Q So Mike was a little frustrated, too, uh? 17 A Uh-huh. 18 Q A few messages down Mike Radl at 1:40 p.m., 19 he says, sounds good, I just want D off my 20 back. Who is D? 21 A I don't know who he's referring to, or I 22 don't want to speculate. 23 Q Could it be Derrick Hoernke? 24 A Could be. 25 Q On the next page, 2471, there's a message 201	1 A This was the start of it. 2 Q So you were able to successfully plead your 3 case? 4 A Right. 5 Q If you go towards the bottom of this page, 6 there's a chat from you at 3:03 p.m. My 7 CR6360 multiple handgun manual sales alert 8 was pushed too high, so that should help 9 with the stores not looking up the 10 customers. And then Mike responds, good to 11 hear. Do you see that? 12 A Yes. 13 Q What was that in reference to? 14 A The change request that I submitted being 15 accepted and made a high priority. 16 Q So you were excited about this CR being put 17 into high priority, right? 18 A Yes. 19 Q And given the timing of these chat requests 20 and the fact that you're dealing with the 21 Jerome Horton issues at this time period, 22 did Fleet Farm sales to Jerome Horton 23 influence your decision to push for a change 24 to this manual sale multiple handgun 25 verification process? 203
1 from you at 1:46 p.m. In the middle of it 2 it says, CCB meeting at 2 o'clock for the 3 manual sale multiple handgun verification 4 CR. 5 A Yes. 6 Q What is a CR? 7 A A change request. 8 Q What's a change request? 9 A We turn in a change request to our IT 10 department when we're asking for program 11 changes. 12 Q So in this chat were you referencing having 13 a meeting to put in a change request to 14 change the manual sale multiple handgun 15 verification process? 16 A You would turn in a CR, and then you would 17 attend the CCB meeting to basically plead 18 your case. 19 Q What's the CCB? 20 A It's part of the IT structure. I don't know 21 exactly what it stands for. 22 Q And I think we've already gone over that 23 there were changes to the manual sale of 24 multiple handgun verification process, 25 right? 202	1 A No. 2 Q Okay. Do you recall what did motivate your 3 request to change this process? 4 A No, I don't recall what motivated, other 5 than we're always trying to improve. 6 Q Okay. You can set this aside. Pull out 7 from that pile Exhibit 10. Have you got it 8 in front of you? 9 A I do. 10 Q All right. Exhibit 10 is an e-mail from you 11 to Derrick Hoernke and Mike Radl, correct? 12 A Yes. 13 Q And that's from October 20, 2021, at 14 3:40 p.m.? 15 A Yes. 16 Q The subject was Kylie Williamson, the ATF 17 agent we've talked about, right? 18 A Yes. 19 Q Now, this e-mail is not from the ATF, 20 correct? 21 A No. 22 Q They're not in this e-mail thread that we're 23 looking at? 24 A No, they're not. 25 Q Okay. And this e-mail is generally going 204

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1 through, you know, the process you've been	1 Q As you sit here today, does that refresh
2 doing to look at the Jerome Horton documents	2 your recollection of what was said in that
3 and get them over to the ATF, right?	3 conversation?
4 A This e-mail was a follow-up to a	4 A Yes.
5 conversation I had had with Agent Williamson	5 Q Including that Agent Williamson used the
6 that day on the phone. I had contacted her.	6 words <i>in no way did we do anything wrong</i> ?
7 Q And so you drafted this e-mail	7 A That's how she expressed in no way that we
8 contemporaneously with your conversation	8 did anything wrong.
9 with her?	9 Q Those were the exact words that she spoke to
10 A I drafted this e-mail so that Derrick and	10 you on the telephone?
11 Mike were aware of what we were doing in the	11 A That sounds like how she would have said it,
12 investigation with Kylie.	12 in no way that we did anything wrong.
13 Q And Kylie in the third paragraph here says,	13 Q Just to be clear, I think we're dancing
14 Kylie also wanted us to know that the	14 around it. Is that your memory that those
15 cooperation she received was fantastic and	15 are her exact words?
16 everything she requested was provided very	16 A Yes.
17 quickly. She was impressed by our	17 Q Okay. Now, that second sentence, there was
18 organization in gathering the items not just	18 nothing in his background that would have
19 at one store but every store involved. Is	19 rendered a denied response. What does a
20 that what you wrote?	20 denied response refer to?
21 A Yes.	21 A Background check.
22 Q And as you sit here today and think back on	22 Q So she's saying that there's nothing in
23 your phone call with Kylie, is that an	23 Jerome Horton's background that would have
24 accurate reflection of what was said in that	24 rendered a denied response?
25 phone call?	25 A Exactly.
205	207
1 A Yes, it is.	1 Q So, in other words, Agent Williamson is
2 Q Were Mike -- so Mike and Derrick received	2 saying we didn't do anything wrong,
3 this e-mail, right?	3 referring to Fleet Farm? She's referring to
4 A Yes.	4 the fact that there was no -- that the
5 Q Did this get sent around to anyone else at	5 background check was a proceed, yes?
6 Fleet Farm besides those two?	6 MR. DAVIS: Objection.
7 A Not that I'm aware of.	7 Mischaracterizes the testimony. You can
8 Q Were Mike and Derrick pleased that you got	8 answer if you understand the question.
9 this kind of response from the ATF about	9 THE WITNESS: I don't understand the
10 Fleet Farm's cooperation?	10 question.
11 MR. DAVIS: Objection. Lack of	11 BY MR. MALONEY:
12 foundation.	12 Q Let me try again. The second sentence says,
13 THE WITNESS: I don't recall.	13 there's nothing in his background that would
14 BY MR. MALONEY:	14 have rendered a denied response, right?
15 Q Did either Mike or Derrick respond to this	15 A Yes.
16 e-mail?	16 Q And that denied response refers to the fact
17 A I don't recall.	17 that he passed a background check, right?
18 Q The next line in that third paragraph says,	18 A Correct.
19 she, referencing Kylie Williamson, expressed	19 Q So this is saying that Fleet Farm did
20 that in no way did we do anything wrong by	20 nothing wrong by selling this individual the
21 selling this individual the firearms. There	21 firearms because he passed a background
22 was nothing in his background that would	22 check, right?
23 have rendered a denied response. Is that	23 A Yes.
24 what it says?	24 Q But, again, as we've discussed previously,
25 A Yes.	25 straw purchasers are able to pass a
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1 background check, right?	1 A Okay. Yes.
2 A Yes.	2 Q Looking at the purchases that are in the red
3 Q And that Fleet Farm trains its employees to	3 square, do you have any idea why those would
4 watch for signs of straw purchasing and not	4 have been denoted with the red square?
5 simply rely on a proceed background check	5 A No, I don't.
6 result before selling, right?	6 Q Oh, and just so we're clear on the
7 A Yes.	7 abbreviations, we've already talked about
8 Q Okay. You can put that aside. Pull out	8 OAK is the Oakdale store, right?
9 No. 7 and 8 from that stack. So if you look	9 A Yes.
10 at No. 7, this is another e-mail in the	10 Q BPR is Brooklyn Park?
11 e-mail thread we discussed a few times	11 A Yes.
12 already. It has the subject line, RE: ATF	12 Q BLN is Blaine?
13 active investigation 3100. And the first	13 A Yes.
14 e-mail is an e-mail from Derrick Hoernke to	14 Q And LKE would be Lakeville?
15 you; is that right?	15 A Yes.
16 A Yes.	16 Q Okay. From looking at the spreadsheet in
17 Q Does this e-mail look familiar to you as you	17 the e-mail chain, who at Fleet Farm do you
18 look at it?	18 think would know why there's this
19 A It looks familiar.	19 highlighting on Exhibit 8?
20 Q The e-mail from Derrick at the top of the	20 A I don't know. I don't know who generated
21 first page says, I think we should have a	21 it.
22 few of these by location. What is he	22 Q The e-mail is from Derrick Hoernke, so
23 referring to with <i>a few of these</i> ?	23 possibly Derrick Hoernke, right?
24 A I don't know what he's referring to.	24 MR. DAVIS: Objection. Calls for
25 Q And then he says, we should make sure we	25 speculation.
209	211
1 have copies of all the paperwork here at the	1 MR. MALONEY: If you know.
2 SSC as well. What is that referring to?	2 THE WITNESS: I don't know.
3 A The 4473 forms we should have copies back at	3 MR. MALONEY: You can put those
4 the corporate office.	4 aside.
5 Q And then if you look at this e-mail, it says	5 (Exhibit 76 marked.)
6 there's an attachment, dispose dates.xlsx.	6 BY MR. MALONEY:
7 If you pull out Exhibit 8, do you recall	7 Q Handing you what's been marked Exhibit 76,
8 seeing this document before?	8 this is an e-mail from you to -- I'm going
9 A I don't recall.	9 to butcher this pronunciation -- Jana
10 Q In the top left corner, it says Jerome	10 Cartier --
11 Fletcher, Jr., sales; do you see that?	11 A Yes.
12 A Yes.	12 Q Cartier?
13 Q Is that a reference to Jerome Horton?	13 A Cartier.
14 MR. DAVIS: Objection. Lack of	14 Q -- Cartier on November 1, 2021; is that
15 foundation.	15 right?
16 THE WITNESS: It could be. I don't	16 A Yes.
17 think I've ever seen this.	17 Q Who is Jana Cartier?
18 BY MR. MALONEY:	18 A She was an employee at Fleet Farm who had
19 Q If you go back to No. 7, this was sent to	19 taken over the firearm compliance, so I
20 you by Derrick Hoernke on October 21, 2021,	20 would now report to her and Mike.
21 right?	21 Q When did she start at Fleet Farm?
22 A Uh-huh.	22 A I don't know.
23 Q So going back to No. 8, do you see the	23 Q Was she a new hire from the outside, or did
24 purchases that are in the red square on	24 she get promoted from somewhere?
25 No. 8?	25 A She was a new hire.
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1 Q Does she still work there? 2 A No. 3 Q When did she leave? 4 A I can't tell you. I don't know. I don't 5 know exact. HR would have that information. 6 Q Did she hold the same position that Kevin 7 McKown holds now? 8 A I don't think so. 9 Q So it was different than Kevin McKown's 10 position, different than Mike Radl's 11 position, and different than Derrick 12 Hoernke's position, too? 13 MR. DAVIS: Objection. Lack of 14 foundation. 15 MR. MALONEY: If you know. 16 THE WITNESS: I don't know. 17 BY MR. MALONEY: 18 Q Sorry if I missed it. But she -- when Jana 19 came in, she was your boss? 20 A Mike was my boss, but we reported to her. 21 Q Both you and Mike did? 22 A Right. 23 Q Okay. Do you recall approximately how long 24 you were reporting to her? 25 A No. 213	1 December 28, 2021? 2 A Yes. 3 Q And just under where it says Tuesday's 4 Tidbit it says, 2021, the good, the bad, and 5 the ugly, right? 6 A Yes. 7 Q And under the ugly, the second bullet point 8 says, we saw an increase in the number of 9 traced firearms and straw purchases in 2021; 10 is that right? 11 A Yes. 12 Q And is that your recollection sitting here 13 today is that the number of traced firearms 14 and straw purchases did go up in 2021? 15 A Yes. 16 Q And was that just because of Jerome Horton? 17 A No. 18 Q What else contributed to the number of 19 traced firearms and straw purchases in 2021? 20 MR. DAVIS: Objection. Lack of 21 foundation. You can answer, if you know. 22 THE WITNESS: I don't know exactly 23 what caused that. 24 BY MR. MALONEY: 25 Q Were there other straw purchasers that Fleet 215
1 Q Okay. Let's go to the e-mail. You told 2 Jana that the link will take you to the ATF 3 weekly article concerning our Minnesota 4 straw purchaser. I thought you might be 5 interested. This is in reference to Jerome 6 Horton, right? 7 A Yes. 8 Q Why did you think that Jana would be 9 interested in an article about this straw 10 buyer and the shooting tied to him? 11 A Because she was overseeing us. She was 12 overseeing Mike and myself. 13 Q And did you think or know prior to that Jana 14 would have been unaware of this prior to you 15 sending this e-mail? 16 A I don't know. 17 Q Okay. Put that aside. One last Tuesday 18 Tidbit. 19 A Oh, boy. I have to get my magnifying glass. 20 MR. DAVIS: Get your glasses. 21 (Exhibit 77 marked.) 22 BY MR. MALONEY: 23 Q I've handed the witness what has been marked 24 as Exhibit 77. And, Ms. Granato, do you 25 recognize this as a Tuesday Tidbit from 214	1 Farm was aware of in 2021? 2 A I don't recall. 3 Q To probe a little bit further, reading the 4 sentence, we saw an increase in the number 5 of traced firearms and straw purchases in 6 2021. Why would you say that Jerome Horton 7 would not contribute to those numbers for 8 2021? 9 MR. DAVIS: Objection. 10 Mischaracterizes the testimony. 11 THE WITNESS: Because I don't feel 12 like that was the only reason. 13 BY MR. MALONEY: 14 Q But you don't recall the other reason 15 sitting here today? 16 A No, I don't. 17 Q Under the good in the second bullet point, 18 it says, multiple handgun sales was an area 19 we really needed to improve; is that right? 20 A It was an area we really needed to improve. 21 Q And then it goes on to say that with the IT 22 and functionality upgrades that got put in 23 place that that did improve that system, 24 right? 25 A Yes. 216

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1 (Exhibit 79 marked.) 2 BY MR. MALONEY: 3 Q I think you can put that aside. I hand you 4 what's been marked as Exhibit 79. It looks 5 like this is a chat between Brad Hansen and 6 yourself, yes? 7 A Yes. 8 Q Who is Brad Hansen? 9 A Brad Hansen was regional LP, loss 10 prevention. 11 Q And you say was. Is he no longer with Fleet 12 Farm? 13 A Correct. 14 Q And which region did he oversee? 15 A I think -- I don't know exactly what 16 regions. 17 Q Brad's first message says, I haven't been to 18 the Oakdale office this week. But do you 19 know if you or Mike have shipped out the 20 Jerome Horton information to the Oakdale 21 office? 22 So to go back to my question on the 23 region, his region must have included at 24 least Oakdale, right? 25 A Right. 217	1 Q You can put that aside. In addition to all 2 the materials and things we've already 3 talked about, can you think of anything else 4 that Fleet Farm has done after it learned 5 about the -- its straw purchase sales to 6 Jerome Horton and Sarah Elwood? 7 MR. DAVIS: Objection. Vague. 8 THE WITNESS: Done as far as what? 9 BY MR. MALONEY: 10 Q I guess we can start with, you know, any 11 other changes to training materials that 12 Fleet Farm has made after these -- those 13 straw purchase sales? 14 MR. DAVIS: Object to the form of the 15 question. 16 THE WITNESS: Our training is always 17 evolving. As things do in the compliance 18 world, they evolve. 19 BY MR. MALONEY: 20 Q So, to your knowledge, Fleet Farm has not 21 made any specific changes to its training in 22 response to those straw purchase sales? 23 MR. DAVIS: Object to the form of the 24 question. Mischaracterizes the testimony. 25 THE WITNESS: I am not sure what 219
1 Q Do you know what information he's referring 2 to you or Mike shipping out about Jerome 3 Horton? 4 A It would have been whatever. I just gave 5 him what I had. I don't know exactly what 6 they're talking about there. I don't 7 recall. 8 Q You don't recall what exactly the Jerome 9 Horton info was? 10 A No. 11 Q And then the last sentence of that message 12 says, I've contacted the stores to gather 13 the video as well. Do you see that there? 14 A Yes. 15 Q And is he referring to gathering the Jerome 16 Horton surveillance videos from the stores? 17 A I believe so. 18 Q Do you know if Mr. Hansen actually did that? 19 A I don't know. 20 Q Did you play any role in helping to gather 21 the surveillance videos for Jerome Horton? 22 A No. 23 Q Was that typically a loss prevention issue 24 about the store videos? 25 A Yes. 218	1 you're asking. 2 BY MR. MALONEY: 3 Q I'm asking if the sales to Jerome Horton and 4 Sarah Elwood prompted any specific changes 5 to Fleet Farm's training materials? 6 A I am not sure directly, but it did change. 7 We've done more webinars, cover straw 8 purchases. We've added new parts to our 9 alert system. 10 Q And those changes are in part at least 11 driven by Fleet Farm learning that it made 12 sales to these two straw purchasers? 13 A No. 14 Q They're not? So it's just a coincidence in 15 timing that those changes have happened 16 after Fleet Farm learned about these two 17 straw purchases -- straw purchasers, rather? 18 MR. DAVIS: I'm going to object to 19 the question on vagueness grounds as to the 20 use of the word <i>changes</i>. 21 THE WITNESS: Our compliance 22 department is always evolving and changing 23 as the need arises. So we're always looking 24 at ways to improve our training, our systems 25 to prevent any kind of bad purchases. 220