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ADMINISTRATIVE HEARING
BUREAU of ALCOHOL, TOBACCO, FIREARMS and EXPLOSIVES (ATF)
IN THE MATTER OF
GOODLETTSVILLE GUN SHOP

REMOTE HYBRID VIDEOCONFERENCE HEARING
VIA MS TEAMS AND IN-PERSON IN FRANKLIN, TN

BEFORE STEVEN KOLB (ATF DIO)
9:00 A.M. PACIFIC TIME, MARCH 7, 2023

Reported by:
Blake Washington, CSR 13027

1 APPEARANCES:

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4 DIRECTOR OF INDUSTRY STEVEN A. KOLB
OPERATIONS: BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES
5 302 Innovation Drive, Suite 300
Franklin, Tennessee 37067
6 Steven.Kolb@atf.gov

7 COUNSEL FOR ATF: BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES
8 BY: JENNIFER CRIM, ESQ.
99 New York Avenue Northeast
9 Washington, DC 20226
(202) 648-9018
10 jennifer.crim@atf.gov

11

12 COUNSEL FOR
LICENSEE: SCHULMAN, LEROY & BENNETT, PC
BY: JOHN I. HARRIS, III, ESQ.
13 3310 West End Avenue, Suite 460
Nashville, Tennessee 37203
14 (615) 244-6670
jharris@slblawfirm.com
15

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17

18 ALSO PRESENT:

19 PHILLIP ARRINGTON, Licensee

20 LYNN EDWARDS, Industry Operation Investigator

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1 time frame?

2 A. I believe so, yes.

3 Q. Okay. All right. Have you ever heard that it was
4 significant to know whether or not that number, like the 94 on
5 this Report of Violations for 2008, was above or below the 5
6 percent threshold?

7 A. Wait a minute. Explain that again.

8 Q. Yeah. So, in what you do as an IOI -- and I'll back
9 up one second.

10 In preparing the report of violations, is the issue
11 of willfulness even a factor?

12 MS. CRIM: Objection. Ms. Edwards does not make any
13 willfulness determinations. That's why we're here.

14 MR. HARRIS: Well, I disagree with that. Okay?
15 Because we know why. I'm looking at the adverse action memos.
16 But more importantly the question is does the Report of
17 Violations -- does the preparation of the Report of
18 Violations, does it in any context take into consideration the
19 issue of willfulness? She prepared it. I just want to
20 know.

21 THE WITNESS: I input data, and Spartan does the
22 figuring.

23 Q. BY MR. HARRIS: Okay. So, you are not entering --
24 when you do a Report of Violation, you are not entering any
25 information about observations or thoughts or beliefs that you

1 may have as an IOI about whether the error that you are
2 documenting was done willfully?

3 A. Well, I know Spartan has data in it from previous
4 inspections.

5 Q. Right?

6 A. And if it compares it, I honestly don't know. I
7 didn't write the program.

8 Q. No, no, no. I got you there. If you make a data
9 entry point like this number one on the 2008 inspection --
10 well, I'll tell you what let's do. Let's -- is Tab 7, your
11 inspection, your report of the violations Government's Tab
12 7?

13 A. In your book -- in your book or mine?

14 Q. In the stack.

15 A. Is this what you are referring --

16 Q. Either one is fine.

17 A. Okay.

18 Q. And IOI -- or you document that I'm saying to be the
19 Report of Violations from the 2020 compliance inspection that
20 you performed; is that correct?

21 A. Yes, sir.

22 Q. Okay. And which -- which form -- okay. So, the
23 landscape version of the form that you and I are both looking
24 at, when was it generated?

25 A. The form?

1 serial number is incorrect.

2 Q. Okay. Okay. And while you were performing your
3 inspection, you detected that, and you said hey, we got a
4 problem here. There's a serial number that's wrong. You need
5 to correct it. Is that generally what happened?

6 A. Yes, sir.

7 Q. Did the Mr. Arrington give you any stonewalling about
8 making the correction or the change?

9 A. No.

10 Q. Was he cooperative?

11 A. Yes.

12 Q. Okay. Would you have also charged a violation if
13 there had been a typo on the model or the type?

14 A. The type, no. Model, yes.

15 Q. Okay. What about the manufacturer or import for --
16 there was a typo there. Would you charge a violation for
17 that?

18 A. Yes.

19 Q. Okay. And who's the manufacturer?

20 A. Century -- excuse me.

21 Canik Manufacturing.

22 Q. Okay. And then Century Arms is the importer?

23 A. Yes.

24 Q. Okay. And if we look back at Exhibit 2, the
25 Government's charge, you are going to want to keep it handy

1 because we will be going back and forth to it a little bit.

2 A. Okay.

3 Q. Okay. And go to the appendix -- go to the
4 appendix -- this page.

5 A. Okay.

6 Q. And is the data that's entered there concerning the
7 description of the gun accurate?

8 A. Yes.

9 Q. Who is the importer?

10 A. Century International Arms.

11 Q. Okay. But Century is misspelled?

12 A. Oh, yes, sir.

13 Q. If it had been misspelled in the A and D book, would
14 you have noted that as a violation?

15 A. Yes, sir. I could.

16 Q. Okay. Is the other -- other than the serial number
17 being off -- and it's hard for me to tell from this
18 photograph. Was it completely wrong, or was it just wrong by
19 like one or two digits?

20 A. It was wrong by one digit.

21 Q. Okay. And did you in discussing that or reviewing
22 this particular transaction, would you have classified that
23 violation or that error as anything other than just a human
24 error?

25 A. I can't do that. I mean, as an error.