

## Exhibit 45

To Defendants' Memorandum in Support of Motion for  
Summary Judgment

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

SHAWN J. TARDY, et al.

Plaintiffs

Case No.

vs.

1:13-cv-02841-CCB

MARTIN J. O'MALLEY, et al.

Defendants

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The deposition of STEPHEN SCHNEIDER was held on Thursday, December 19, 2013, commencing at 10:00 a.m., at the Office of the Attorney General, 200 Saint Paul Place, 20th Floor, Baltimore, Maryland 21202, before Oneeka S. Hill, Notary Public.

REPORTED BY: Oneeka S. Hill

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1 A. In regard to this or in regards to this?  
2 Q. Yeah, in regard to that, Exhibit 2.  
3 A. Exhibit 2, no.  
4 Q. Okay. And you said you were involved in  
5 the preparation of the Plaintiffs' Response to  
6 Defendants' First Set of Requests -- sorry, the  
7 First Set of Interrogatories, what's been marked as  
8 Exhibit 3?  
9 A. I was.  
10 Q. Have you reviewed these responses?  
11 A. I have.  
12 Q. And is everything still accurate?  
13 A. It is.  
14 Q. Are you aware of anything that needs to  
15 be supplemented?  
16 A. Nothing that I'm aware of.  
17 Q. Okay. I'll ask you those questions for  
18 Exhibit 4 as well. Have you reviewed those  
19 responses, that's the supplemental answers?  
20 A. Yes, I have.  
21 Q. And is everything in there still

Page 15

1 accurate?  
2 A. Still accurate.  
3 Q. And is there anything you think needs to  
4 be supplemented?  
5 A. Nothing that I can think of that needs to  
6 be supplemented.  
7 Q. Okay. Thank you. Turning back to  
8 Atlantic Guns. So you said it was a family business  
9 that started in 1950?  
10 A. (Witness nods.)  
11 Q. And when did you start working there?  
12 A. Well, I actually started working there  
13 when I was still in high school. Probably in the  
14 early 70s; late 60s, early 70s. And I started  
15 working there full time a number of years after I  
16 got of college, which would have probably been the  
17 late 70s. And then purchased the business in about  
18 1983.  
19 Q. Did you have other professions besides  
20 working at Atlantic Guns?  
21 A. I did. I worked -- I worked for some

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1 distributors and so forth prior to coming on board.  
2 And then some part-time jobs while in college and so  
3 forth.  
4 Q. By distributors, did you mean firearms  
5 distributors?  
6 A. Firearms distributors and electronics  
7 distributors.  
8 Q. Any other professional experience outside  
9 of what you've listed?  
10 A. No, that was all.  
11 Q. Does Atlantic Guns have any association  
12 with Atlantic Firearms --  
13 A. None at all.  
14 Q. LLC?  
15 A. None at all.  
16 Q. Are you familiar with --  
17 A. Yes, and it's caused some confusion. We  
18 are completely separate, different, no overlap at  
19 all.  
20 Q. Okay.  
21 A. In ownership and type of business even,

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1 completely difference.  
2 Q. What is the difference between your  
3 business and theirs?  
4 MR. PORTER: Object to form --  
5 A. I believe --  
6 MR. PORTER: You can answer, if you can.  
7 A. I'm sorry. I believe that they are a --  
8 more of a wholesale or a on-line type of a business,  
9 where we are a brick and mortar store front type of  
10 business.  
11 Q. What types of firearms are sold at your  
12 stores?  
13 A. A broad variety of firearms. Rifles,  
14 shotguns, handguns, shooting sports equipment,  
15 ammunition. We -- we employ a full-time gunsmith to  
16 do repairs and maintenance of firearms. We can  
17 supply anything from somebody that wants to shoot  
18 sporting clays, to a shotgun, to going hunting, to  
19 match target shooting. Kind of run the whole gamut.  
20 (Schneider Exhibit 5 was marked for  
21 purposes of identification.)

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1 Q. I'm showing you what's been marked as  
2 Schneider Exhibit 5. This is Section 5101 of the  
3 Public Safety Article, which contains the list of  
4 regulated firearms that are now banned.  
5 A. Uh-huh.  
6 Q. Are you familiar with this document?  
7 A. Let's see, the list of --  
8 Q. Page four has the -- begins the list.  
9 A. Uh-huh. Yes, I am familiar with it.  
10 Q. Prior to October 1st of this year, did  
11 your store sell any of the weapons on this list?  
12 A. Certainly, yes, we did.  
13 Q. Which ones were those?  
14 A. You're talking about which numbers on  
15 page four did we sell; which of the --  
16 Q. You can say the names, the manufacturer's  
17 names.  
18 A. Oh my. Well, some of the items on here  
19 are not even made anymore. But I would probably say  
20 a good number of these guns at one point in time we  
21 have sold. Some of these I have never heard of, but

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1 most of them we have sold on this list, you know,  
2 over the past 20 years or 30 years.  
3 Q. Any in particular that you remember  
4 selling with some frequency?  
5 A. I would say on this list by far the most  
6 popular gun that we sell are AR15 firearms.  
7 Q. Any others?  
8 A. I would say probably the AK-47, the  
9 Springfield Armory M1A would probably be the --  
10 probably be the most popular of all these that we  
11 sell.  
12 Q. How do you decide which firearms to have  
13 in stock?  
14 A. Well, we base it on what the demand of  
15 our customers is, what -- you know -- what sells.  
16 Like I guess in any business, what -- what your  
17 clientele wants.  
18 Q. Makes sense. For the three that you just  
19 listed, the AR15, the AK-47 and the Springfield  
20 Armory M1A, did you always have those -- did you  
21 always try to have those in stock?

Page 20

1 A. Yes, we did. They -- 30 years ago -- I  
2 mean I can go back 30 or 40 years ago. They weren't  
3 nearly as much in demand as they are today. Over  
4 time it's kind of evolved and they've gotten a lot  
5 more popular in -- in recent years.  
6 Q. Why do you think that is?  
7 A. I think it's as with all technology, and  
8 automobiles, and stereo equipment, and everything,  
9 you have a younger crowd, you have more exposure to  
10 it in the military, people that have gotten out of  
11 the military, people want the latest. They want the  
12 most modern. And I think that translates in all  
13 businesses, and firearms are not immune to that.  
14 Firearms, also, the gun business is along those same  
15 lines.  
16 Q. Do you work with any manufacturers in  
17 particular?  
18 Let's start with the AR15, which  
19 manufacturers do you work with for the AR15?  
20 MR. PORTER: Object to the form of the  
21 question, but you can answer.

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1 A. Uh-huh. Number one vendor for AR15s has  
2 probably been a company called Rock River, but  
3 other -- we sell other AR15s also, other  
4 manufacturers. AR Colts and other AR15s.  
5 Q. How about for AK-47s, what's your major  
6 manufacturer?  
7 A. They -- I don't know that there's really  
8 a manufacturer. There's importers that we deal with  
9 that bring AK-47-type firearms. Some of them are  
10 actually made in this country now. I couldn't pick  
11 one particular importer that I could think of  
12 offhand.  
13 Q. For the AR15 there are hundreds of  
14 manufacturers, isn't that right?  
15 A. I don't know about hundreds. There are  
16 many.  
17 Q. There are many. How do you pick which  
18 manufacturers you plan to have in stock?  
19 A. We generally pick manufacturers that  
20 builds a very high quality product.  
21 Q. You comply with the 77R process, correct?

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1 A. Of course, we do.  
2 Q. Have you made any complaints to the  
3 Maryland State Police about your inability to comply  
4 with any part of the 77R process?  
5 MR. PORTER: Object to the form of the  
6 question, but you can answer.  
7 A. Are we talking about over time, are we  
8 talking about since October 1 or in -- in what  
9 regard do you mean?  
10 Q. In general.  
11 A. I mean, we have questions ongoing that  
12 we'll address to the State Police regarding how  
13 certain things are handled, or if there's issues or  
14 problems or something like that. I -- I -- you'd  
15 have to be a little more specific for me to answer  
16 that question I think.  
17 Q. Can you think of an example where you  
18 would asked the MSP for guidance on the 77R?  
19 A. You're talking about for completing the  
20 77R.  
21 Q. Yes.

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1 A. There was a question a number of years  
2 ago regarding the fire shell casing requirement, and  
3 whether we would need to have a fire shell casing  
4 for a company that did not hold a manufacturer's  
5 license in the United States. In other words, an  
6 importer of a firearm from overseas, the question  
7 posed was, would the firearm, when it was sold,  
8 would we have to supply a fire shell casing for that  
9 firearm.  
10 Q. Was the MSP able to answer that question?  
11 A. They were. They were.  
12 Q. Have you ever asked questions to the MSP  
13 about whether a firearm you wanted to sell qualified  
14 as a regulated firearm?  
15 A. We have.  
16 Q. Can you give me an example?  
17 A. Well, we've asked them questions  
18 regarding whether certain types of ARs, AR15s were  
19 regulated and -- you know -- in the past. And many  
20 times they could not answer directly. They say,  
21 well, here's the law, you figure it out.

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1 Q. How do you figure it out?  
2 A. It's tough sometimes. And we have always  
3 aired on the side of -- Atlantic Guns have always  
4 aired on the side of being very conservative. And  
5 when these guns were regulated, often times we would  
6 complete a 77R to send in, even though there was a  
7 question about whether the gun was a regulated gun,  
8 was a copy perhaps of one of these listed guns or  
9 not. We would go ahead and do it anyway.  
10 Q. This -- the list of banned guns that you  
11 have in Schneider Exhibit 5, are there any  
12 differences, that you know of, between that list and  
13 a list of previously regulated long guns?  
14 A. I believe it is the same list.  
15 Q. Just for ease of conversation, I'll refer  
16 to those as the banned long guns.  
17 A. Okay.  
18 Q. Since October 1st when the new law went  
19 into effect, have you asked the MSP any questions  
20 about which long guns are banned long guns?  
21 A. We have not. Atlantic Guns has not

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1 directly, no.  
2 Q. Okay. Are you aware of any criminal  
3 penalties that were put in place prior to the  
4 passage of this law with respect to the 77R process?  
5 MR. PORTER: Object to the form of the  
6 question, but you can answer.  
7 A. I don't understand what you mean by that.  
8 Q. Do you know of any gunshop owner facing  
9 many criminal penalties for problems complying with  
10 the 77R process?  
11 A. I do not.  
12 Q. And have you made any eighth day  
13 releases?  
14 MR. PORTER: Object to the form of the  
15 question.  
16 Q. Do you know what I mean when I say  
17 eight-day release?  
18 A. I think I do.  
19 Q. What I mean is, after the seven day  
20 waiting expires, but before a background  
21 investigation is completed, are you familiar with

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1 a trigger, according to your hand, eye  
2 coordination -- now I would say you cannot do that  
3 accurately. But it depends on the amount of  
4 training you have and what you're shooting at; and  
5 what you're shooting at as to how fast you want to  
6 shoot the firearm.  
7 Q. If you want to shoot it quickly, it's as  
8 fast as a pull of a trigger?  
9 A. It's as fast as how quickly you can pull  
10 the trigger.  
11 Q. Had you ever timed how quickly you can  
12 pull the trigger?  
13 A. I never have, no.  
14 Q. Do you have a sense of how long it would  
15 take between shots?  
16 MR. PORTER: Objection to form.  
17 A. A second, I guess. I really don't know,  
18 otherwise you just be wasting ammo. Because if you  
19 fired it that fast, you're probably not going to hit  
20 anything.  
21 Q. When you have fired AR15s, where have you

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1 typically been firing them?  
2 A. Most at the range, primarily, and in the  
3 woods hunting.  
4 Q. When you are at the range, how long do  
5 you take between shots?  
6 A. Oh, I'm shooting for accuracy, and  
7 usually at 100 yards or 100 yards plus, so it can be  
8 minutes between shots. I mean, there's no  
9 difference between how long I would shoot an AR15  
10 and say, a Bolt Action rifle. It would be the same.  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]

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1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
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18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]

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[REDACTED]

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1 I think the three-gun competition today does not  
2 utilize a 22 rim fire cartridge. It uses a 223,  
3 like an AR15-type of rifle, as opposed to a 22 rifle  
4 in prior years, which is what the Chevy Team  
5 Challenge was.  
6 Q. For the challenges that you participated  
7 in, were you able to pick your own weapons?  
8 A. You can pick your own weapons within  
9 certain classifications of weapons.  
10 Q. Okay.  
11 A. Yeah.

[REDACTED]

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[REDACTED]

2 Q. Okay. Do you do any competitive  
3 shooting?  
4 A. I do not anymore.  
5 Q. Not anymore, but you did at one point?  
6 A. I did.  
7 Q. Can you describe what that was?  
8 A. The competitive shooting that I did was  
9 -- there was a competition 25 years ago called the  
10 Chevrolet Team Challenge, where you shot a rifle, a  
11 shotgun and a handgun. And you shot as a team, a  
12 three-person team. And there were different stages  
13 that you would shoot; with clay birds with a shotgun  
14 and metallic or wet targets with a 22 and a handgun.  
15 It was a lot of fun.  
16 Q. Was that also known as a three-gun  
17 competition?  
18 A. It wasn't at the time.  
19 Q. Okay.  
20 A. There is a competition now called a  
21 three-gun competition. It is different but it's --

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[REDACTED]

10 MR. PORTER: Could we go off the record  
11 for just a second.  
12 MR. RUCKMAN: Sure.  
13 (A discussion was held off the record.)  
14 MR. RUCKMAN: Back on?  
15 THE REPORTER: Yes.

[REDACTED]

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[REDACTED]

Page 40

[REDACTED]

Page 39

[REDACTED]

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1 A. Well, I've -- I've been around firearms  
2 since I was a little boy. I have had hunters safety  
3 training. Primarily the training that I've had is  
4 with my -- growing up with my father, years of -- of  
5 being around firearms and handling firearms.  
6 There were a couple of courses that I  
7 took back in college, small barrel rifle courses,  
8 competition-type courses.  
9 But, I mean, I'm about 60, and I will say  
10 since I was 10 I've been around firearms so --  
11 Q. It's a lot of firearms experience.  
12 A. Yes, it is.  
13 Q. Did you ever take any courses on  
14 self-defense with firearms?  
15 A. I have not.  
16 Q. Have you ever had to use one of your  
17 firearms in your home?  
18 A. I have not.  
19 Q. Have you ever had an intruder at your  
20 home?  
21 A. I have not.



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1 direction from State Police or from the State of  
2 Maryland as to what kind of modifications would be  
3 considered okay.  
4 Q. Have you asked the State Police?  
5 A. No, we have not.  
6 Q. And I was talking about hunting a second  
7 ago. What's the most -- how many rounds -- what's  
8 the most -- strike that.  
9 What's the most number of rounds you've  
10 fired in a hunting context?  
11 A. Four or five maybe.  
12 You mean at one -- at one game animal at  
13 one time you mean?  
14 Q. Yeah, one hunting event?  
15 A. One hunting event?  
16 Q. Yes.  
17 A. I would probably say it, but I'm a good  
18 shot so it usually doesn't take more than one.  
19 Q. So regardless of the size of the beast --  
20 I have never gone deer hunting. Regardless of the  
21 size of the beast, the better you are, the fewer

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1 shots you need?  
2 A. Generally I would say that's probably  
3 true. In a hunting situation I would definitely say  
4 that's true.  
5 MR. PORTER: I'm going to withhold my  
6 objection to the use of the term "beast."  
7 MR. RUCKMAN: Beautiful animal, God's  
8 creation.  
9 MR. FADER: We've been going for an  
10 hour and and a half. Want to take a quick break.  
11 THE WITNESS: That'll be great, yeah.  
12 MR. RUCKMAN: Yeah. Yeah. Thanks. Lost  
13 track of time.  
14 (A break was taken.)  
15 MR. RUCKMAN: Back on?  
16 THE REPORTER: Yes.  
17 Q. We were talking about rounds you fired  
18 while hunting. Would you say that magazines with  
19 more than 10 rounds are commonly used for  
20 self-defense?  
21 A. You mean guns with magazines that hold

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1 more than 10 rounds are common for self-defense?  
2 Yes, of course.  
3 Q. Do you have a knowledge of an incident  
4 where more than 10 rounds have been fired in  
5 self-defense?  
6 A. I don't. I don't have any personal  
7 knowledge of that.  
8 Q. Do you have any personal knowledge of a  
9 incident in which more than six rounds were fired in  
10 self-defense?  
11 A. To be honest, I don't really know how  
12 many rounds somebody would have fired in  
13 self-defense. It's not something that I have any  
14 personal knowledge of, whether it's one or 10 or 20.  
15 Q. If, God forbid, you were ever in a  
16 situation where you did need to fire one of your  
17 weapons in self-defense, how many rounds would you  
18 expect to fire?  
19 A. As many as it takes. As many as it takes  
20 to stop the threat.  
21 Q. Do you think more fire power is always

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1 better?  
2 A. I absolutely would think that, yes.  
3 Q. If you were faced with an intruder, which  
4 weapons would you pick up?  
5 A. Well, I would pick up the weapon that was  
6 at my closest, you know, disposal, to be honest with  
7 you. But if I had a choice, it would be a firearm  
8 that had the higher capacity of rounds in it.  
9 Q. And why is that?  
10 A. Because if I missed on the first or the  
11 second or the fifth or the ninth, I'd know that I  
12 still have one or two or five rounds left in the  
13 magazine.  
14 I mean, you don't know in a stressful  
15 situation, you know, how you're going to react. You  
16 know, we have many police officers that I know have  
17 been involved in firefights, and sometimes it takes  
18 them a number of shots to -- if they use it, to  
19 subdue the situation.  
20 Q. Do you have customers that come into your  
21 stores asking specifically for a certain firearm to

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1 use for self-defense?  
2 MR. POTTER: Objection to form. You  
3 could answer.  
4 A. Sometimes people will do their own  
5 research and come in and say, I want a such and such  
6 firearm. Many times they come in and say, what  
7 would you recommend, here's my -- then we'll ask  
8 questions, what are your circumstances, what is your  
9 training, that sort of thing; what do you feel  
10 comfortable with.  
11 Q. What function would you say is served by  
12 an AR15 in home self-defense that's not served by  
13 other firearms?  
14 A. I guess some of the things that could be  
15 served by an AR would be served by others also, but  
16 I would probably say a low recoil aspect to the gun.  
17 It's very easy to handle in -- in some  
18 configurations. It can be -- as opposed to perhaps  
19 a shotgun, it can be a smaller gun in stature and  
20 size. Having a collapsible stock would be easier  
21 for many more people to use instead of -- for

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1 example, if you determine to use a shotgun in the  
2 home, it would have a longer stock, which is a  
3 little bit more difficult to use. As we mentioned  
4 earlier with a shotgun, particularly a 12 gauge, has  
5 far, far more recoil than what an AR15 would have.  
6 Q. None of those features you listed,  
7 though, are strictly necessary to defend your home,  
8 would they?  
9 A. I guess you could say that. I don't know  
10 what you mean by -- would be strictly necessary? I  
11 don't quite understand the question.  
12 Q. If you didn't have an AR15, there are  
13 other firearms you could effectively defend your  
14 home?  
15 A. Yeah. But maybe not as effectively as  
16 you could perhaps with an AR.  
17 For example, if you were -- had a  
18 military background and you used an AR15 a lot, and  
19 now you're out of the military, that's the gun that  
20 you know, and that's the gun that would be your go  
21 to simply because you've trained with it, you know

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1 the firearm, and you know its reliability and you  
2 feel comfortable with it.  
3 Q. With magazine capacity, you said more  
4 fire power is better. Is it necessary to have more  
5 than 10 rounds to defend yourself?  
6 A. It may be for some people, yes. Just --  
7 I mean -- you know, you could say you could defend  
8 yourself with a single shot Flintlock rifle, or you  
9 could defend yourself with an AR15 with 20 rounds in  
10 a magazine. I mean, they're two kind of opposite  
11 ends in a way.  
12 But if you ask somebody which they would  
13 prefer and which they feel more comfortable with,  
14 you know, defending themselves, I don't think many  
15 people would pick a Flintlock rifle, although both  
16 of them could potential get the job done.  
17 Q. You don't know of a situation where one  
18 used more than 10 rounds to defend their home?  
19 A. I do not have any personal knowledge of  
20 that.  
21 Q. You had said in Schneider Exhibit 2, in

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1 response eight, that firearm may be used effectively  
2 in home defense without a shot being fired, as its  
3 mere presence may be sufficient to dissuade an  
4 attack or intruder, is that correct?  
5 A. Yes.  
6 Q. That is consistent with the story you  
7 said at your store, is that correct?  
8 A. Yes.  
9 Q. You share this view?  
10 A. Oh, most certainly I do.  
11 Q. Do you know of situations where -- well,  
12 strike that.  
13 Can a handgun be used effectively in this  
14 manner?  
15 A. It can be. But in my opinion, a handgun  
16 does not have the deterrent effect of a long gun.  
17 Q. Can a hunting rifle be used in this way?  
18 A. It could be.  
19 Q. Earlier in our conversation I think you  
20 had said that you had questions -- you had posed  
21 questions to MSP about whether certain AR15s are

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1 covered as regulated, is that correct?  
2 A. We have in the past, yes.  
3 Q. In the past, meaning prior to October 1?  
4 A. Yes, nothing after October 1, but prior  
5 to October 1.  
6 Over the course of years we've had a good  
7 relationship with Maryland State Police. The folks  
8 in the firearms licensing have been great people.  
9 But they often times cannot answer direct questions,  
10 specific questions about the types of things -- what  
11 is regulated and what is not regulated -- what was  
12 regulated and what was not regulated.  
13 Q. What firearms were you asking them about  
14 specifically?  
15 A. I can't remember specifically what  
16 firearm it was. And the advice that we received  
17 from -- that I received from Maryland State Police  
18 was that, whatever decision -- they would not answer  
19 the question. But they said, whatever decision you  
20 make, be sure that you have good reasoning for the  
21 decision that you make, which is not the answer to

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1 the question that I was really asking. But they  
2 didn't want to go out on a limb, I assume, and say  
3 one thing or another. First of all, it would have  
4 just been a verbal.  
5 And we have -- with very few instances,  
6 been able to get anything in writing from the  
7 Maryland State Police over all the years.  
8 Q. But that one firearm you were just  
9 talking about, you can't remember --  
10 A. I cannot remember what it was. It was a  
11 number of years ago when I went to the Maryland  
12 State Police to pick up copies of, you know, 77R  
13 blank forms. And the officer that helped me load it  
14 in my vehicle, we got into a conversation and I  
15 asked -- I really cannot remember exactly what it  
16 was. But his response to me is, I cannot answer  
17 that directly, but whatever decision you make to  
18 determine whether it is a regulated or whether it  
19 isn't a regulated firearm, be sure that you have  
20 good reasoning as to why you, you know, decide one  
21 way or the other.

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1 Q. Are there other occasions where you asked  
2 questions about whether a firearm is covered?  
3 A. There may have been over the years. One  
4 in particular, going back a ways, was the 22 long  
5 rifle copies -- or they're not really copies, but 22  
6 long rifles that look like an AR15 or look like an  
7 Uzi or some of the other guns.  
8 For years we'd ask, is that considered a  
9 copy and is it regulated, and we would get varying  
10 responses. And then finally, after years the State  
11 Police finally did put in writing, that no, it's not  
12 a regulated firearm, we do not consider it a  
13 regulated firearm. That's one of the few instances  
14 that I can remember where they actually put  
15 something in writing.  
16 It was most of the time where they didn't  
17 put it in writing. They would just verbally say,  
18 you have to make the decision, but be sure whatever  
19 decision you make, you can argue for that. And that  
20 kind of left us flapping in the breeze, so to speak.  
21 And we specifically, as Atlantic Guns,

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1 maybe to our detriment, always took a conservative  
2 approach, and we considered it regulated, even  
3 though many other shops perhaps did not.  
4 Q. I think you had said earlier that there  
5 are certain weapons that are now banned as copycats?  
6 A. Certain firearms.  
7 Q. Certain firearms. What are those  
8 weapons?  
9 A. Specifically I can't think of one right  
10 -- you kind of caught me short. But, I mean, there  
11 are others that are not on that list that have two  
12 of the criteria that are detachable box magazine  
13 guns that have two or more of the features that  
14 are -- that would cause it to be banned. I can't  
15 think of any right offhand, but there are guns of  
16 that nature.  
17 And there are more guns -- when that list  
18 -- it's more firearms that were produced after that  
19 list was made, newer guns that are not on the list  
20 of specifically banned guns, but that would now be  
21 banned because they have two of those features.

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1 gas piston gun.  
2 And, you know, that's -- that's what  
3 we've been going on for years, until we get another  
4 directive from the State Police saying, no, any AR,  
5 regardless of its operating system, is now banned.  
6 So there's a great deal of confusion  
7 there about, you know, whether -- what they're  
8 saying is a copy, is really -- you know -- really  
9 has any teeth anymore; whether it does require that  
10 all the parts that can be interchangeable between  
11 the two to allow full operation.  
12 Q. So do you no longer sell those weapons as  
13 a result of your uncertainty?  
14 A. For now, yeah, we have pulled them from  
15 our shelves because we're just not certain for sure  
16 whether they're a copy or not. We never considered  
17 them a copy in the past.  
18 Q. And just for clarity, what was the most  
19 recent advice you received from MSP about that?  
20 A. We haven't received any direct advice  
21 from MSP.

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1 Q. Okay. We've been talking a lot about how  
2 you would use a weapon, one of these banned weapons.  
3 It's also possible that criminals may use one of  
4 these banned weapons. In Schneider Exhibit 3 you  
5 talk about how a criminal could substitute any  
6 available firearm for one that is banned, is that  
7 correct?  
8 A. Uh-huh. Yes.  
9 Q. Could law-abiding citizens do the same  
10 thing?  
11 A. In other words --  
12 Q. Substitute one of the banned firearms for  
13 one that's not banned?  
14 (Mr. Fader is no longer present.)  
15 A. They probably could, yes. Maybe. But it  
16 may not be their reference to do that.  
17 But, I mean, you can -- like I said  
18 earlier, you could potentially use a Flintlock rifle  
19 in your home to protect yourself, so it's a matter  
20 of what you're comfortable with.  
21 Q. What's the difference between an AR10 and

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1 an AR15?  
2 A. An AR10, the way it's -- the operation of  
3 the gun is similar to an AR15, but I guess it -- for  
4 lack of a better way to describe it, it's kind of an  
5 AR15 on steroids. It's a larger -- everything is  
6 larger than the AR10. The size of the gun, the size  
7 of the receiver. It's also in caliber -- well,  
8 there's various calibers. But most popular caliber  
9 is a 308 Winchester, which is much, much larger  
10 caliber. Much more powerful caliber than what the  
11 223 is.  
12 Q. And is it your understanding that that is  
13 not covered by the ban?  
14 A. As long as it does not fit the copycat,  
15 it would not be considered banned.  
16 And we attended a State Police seminar  
17 where the State Police specifically said that that  
18 was not covered. Verbally said that that was not  
19 covered.  
20 Q. How about the Ruger Mini 14?  
21 MR. PORTER: Object to the form.

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1 Q. Let me rephrase. Is it your  
2 understanding that the Ruger Mini 14 is not covered  
3 by the ban?  
4 A. The Ruger Mini 14 is not covered by the  
5 ban unless it has a folding stock, because that's  
6 one of the listed guns.  
7 Q. What is the difference between a folding  
8 stock and a traditional stock, and how would you  
9 explain that difference?  
10 A. Well, there's no -- I wouldn't call it a  
11 traditional stock. There are collapsible stocks.  
12 There are folding stocks and there are fixed stocks.  
13 And there are adjustable stocks, adjustable fixed  
14 stocks. So it's really -- there's different types  
15 of stocks that you could use to shoot the gun.  
16 So I wouldn't really tend to say  
17 traditional necessarily, just fixed. Meaning it's  
18 not adjustable.  
19 Q. So a Ruger Mini 14 with a folding stock  
20 more concealable than one with a fixed stock?  
21 MR. PORTER: Object to form.