

## **Exhibit 4**

**In The Matter Of:**

*Shawn J. Tardy, et al. vs.  
Martin J. O'Malley, et al.*

---

*Joseph Vince, Jr.  
Vol. 1  
January 17, 2014*

---

*Gore Brothers Reporting & Videoconferencing  
20 South Charles Street, Suite 901  
Baltimore, MD 21201  
410-837-3027  
[www.gorebrothers.com](http://www.gorebrothers.com)*



*Since 1961 - Serving MD, DC & VA - Worldwide*

Min-U-Script® with Word Index

1 correlation between one bullet and another and then  
2 subsets of that. And over time I've certainly had, I  
3 wouldn't say courses, but I've had education and  
4 experience in some types of ballistics, and especially  
5 with ATF. I was in charge at one time with their IBIS  
6 System, Integrated Ballistic Identification System, and  
7 getting that out to law enforcement, so I did get some  
8 knowledge of the use of that.

9 Q There are a number of -- of experts in  
10 ballistics employed by the ATF, are there not?

11 A Yes, sir, there are.

12 Q And you wouldn't consider yourself one of  
13 them, would you?

14 A No, sir, I would not.

15 Q Did you have any course work outside of the  
16 ATF in firearms?

17 A Outside of the training as an agent, I  
18 can't recall any at this time.

19 Q All right. What was your training as an  
20 agent in regards to firearms?

21 A Well, you initially certainly go through --

1           A           You know, I -- it is a small caliber rifle,  
2 but without looking at it, I mean it's been too long  
3 since I -- I don't want to say something that I'm not  
4 exactly telling you --

5           Q           I appreciate that. And you're not really  
6 here as a firearms expert, correct?

7           A           Not per se.

8           Q           All right.

9           A           I'm here because I know about criminals  
10 with firearms and other uses.

11          Q           And you're not really here as a firearms  
12 history expert either, though?

13          A           No, I wouldn't call myself a firearms  
14 history expert. No, sir.

15          Q           All right. If I understand correctly, your  
16 report states that the military use of the M-16 was to  
17 instruct their soldiers to use their rifles in  
18 semi-automatic mode, both for greater accuracy and to  
19 conserve ammunition, correct?

20          A           That's still the case today, sir.

21          Q           All right. And so in terms of the primary