

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)  ELK EXCHANGE, LLC. L'OPPLEMAN 27 Middlebrook ave Staunton, VA 24401, Staunton City	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 768035-2017-0123-B1B		
	3. PERMIT/LICENSE NUMBER 154790D27B13844	4a. TARGET DATE	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED  
(b)(6) - Assigned Investigator  
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)  
(b)(6), Area Supervisor, 12/19/2016

8. PURPOSE/SPECIAL INSTRUCTIONS  
\*\*Please conduct a DE inspection on this new 02 FFL. The 02 license was issued on 1/15/2014. Please conduct a DE inspection to determine if FFL is compliant with ATF law and regulations.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS		2111 - PER DIEM
NO. OF TECS CHECKS	2	NO. OF TECS HITS		2112 - P.O.A.
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.

11. ATF OFFICER'S RECOMMENDATION  
Submitted by (b)(6) - Industry Operations Investigator  
  
Submitted on: 03/10/2017  
Report of Violations Only with Warning Letter and No Recall Inspection for failure to timely report ATF F 3310.4, Report of Multiple Sale, in (b)(6) instances.  
  
All responsible persons were queried in N-Force and OpenFox by IOI (b)(6) on February 13, 2017, with no disabling information resulting.  
  
Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
FEB 2017	6.00		
ATF OFFICER'S SUBTOTAL	6.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
FEB 2017	16.00		
ATF OFFICER'S SUBTOTAL	16.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	22.00		

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### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

Viols WL ONLY and No Recall Inspection

*Stage to Inspect Fy 20.*

☒ REVIEWED

☐ CONCUR

☐ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) Area Supervisor

(b)(6)

*A/s*

REVIEW DATE

03/10/2017

#### ROUTING SEQUENCE AND DATE

- ☐ 1. \_\_\_\_\_
- ☐ 2. \_\_\_\_\_
- ☐ 3. \_\_\_\_\_
- ☐ 4. \_\_\_\_\_

CONTROL FILE POSTED DATE \_\_\_\_\_

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor ELK EXCHANGE, LLC. L'OPPLEMAN	Street Address 27 Middlebrook ave	City Staunton	State VA	Zip Code 24401-	County Staunton City	Page 1 of 1 Pages
License/Permit/Registry Number <i>(If any)</i> 154790027B13844		Expiration Date 2/1/2020	Date(s) or Period of Inspection 02/10/2016 through 02/09/2017			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

The licensee, by and through its agents and employees, failed to timely and accurately report the sale or other disposition of two or more pistols and/or revolvers to an unlicensed person in instances cited, involving firearms.

Citation: 27 CFR 478.126a

Date Corrections to be Made:

*(If not corrected immediately)*

Corrective Action to be Taken:

*(If not corrected immediately)*

Ensure proper completion and submission of the ATF Multiple Sale Report any time two or more pistols and/or revolvers are disposed to the same unlicensed individual within a five business day period.

This requirement does not apply in such cases where the firearms are disposed to the same individual from whom received, as in the case of a pawn redemption or return of a consignment.

Number: 2

Nature of Violation:

The licensee, by and through its agents and employees, failed to timely record the acquisition of firearm.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made:

*(If not corrected immediately)*

Corrective Action to be Taken:

*(If not corrected immediately)*

Ensure all acquisitions of firearms are recorded by the close of the following business day from when received.

I Have Received a Copy of This Report of Violations *(Proprietor's signature and title)*

Date

Signature and Title of ATF Officer  
March 11 2019 Document Production 487

Date

For Official Use Only

ATF E-Form 5030 5  
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
1011 Boulder Springs Drive  
Suite 300, Richmond, VA 23225

March 13<sup>th</sup>, 2017

[www.atf.gov](http://www.atf.gov)

Elk Exchange, LLC  
T/A L'Oppeleman  
27 Middlebrook Ave.  
Staunton, VA 24401

FFL No. 1-54-790-02-7B-13844

Dear Mr. Jon Galvan and Ms. Joan Eiland:

During a recent compliance inspection at your firearms business covering the audit review period 2/10/2016 through 2/9/2017 you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigators (b)(6) and (b)(6). You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that that L'Oppeleman achieves future compliance.

If you have any questions regarding this matter, please contact (b)(6) at (b)(6)

Sincerely yours,

(b)(6)

(b)(6), Area Supervisor

Enclosure

cc: Federal Firearms Licensing Center  
Richmond Area Office  
March 11 2019 Document Production



## Report of Violations

### Instructions

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License/Permit/Registry Number (If any) 154790027H13844		Expiration Date 2/1/2020	Date(s) or Period of Inspection 02/10/2016 through 02/09/2017			

### Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

#### Nature of Violation:

The licensee, by and through its agents and employees, failed to timely and accurately report the sale or other disposition of two or more pistols and/or revolvers to an unlicensed person, (b)(6) instances cited, involving (b)(6) firearms.

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken:  
(If not corrected immediately)

Ensure proper completion and submission of the ATF Multiple Sale Report any time two or more pistols and/or revolvers are disposed to the same unlicensed individual within a five business day period.

This requirement does not apply in such cases where the firearms are disposed to the same individual from whom received, as in the case of a pawn redemption or return of a consignment.

Citation: 27 CFR 478.126a

Number: 2

#### Nature of Violation:

The licensee, by and through its agents and employees, failed to timely record the acquisition of (b)(6) firearm.

Date Corrections to be Made:  
(If not corrected immediately)

Corrective Action to be Taken:  
(If not corrected immediately)

Ensure all acquisitions of firearms are recorded by the close of the following business day from when received.

Citation: 27 CFR 478.125(c)

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

(b)(6)

Mgs

Date

2-14-17

Signature and Title of ATF Officer

(b)(6)

IOI

Date

2/14/17

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# FIREARMS INSPECTION REPORT

**Name:** Elk Exchange, LLC  
**Trade Name:** L Oppleman

**UI#:** 768035-2017-0123-B1B  
**FFL#:** 1-54-790-02-7B-13844

**Address:** 27 Middlebrook Ave  
Staunton, VA 24401, Staunton City

## 1 - Introduction

### Inspection Profile:

On February 9, 2017, Industry Operations Investigator (IOI) (b)(6) and IOI (b)(6) initiated an on-site compliance inspection of Elk Exchange, LLC d.b.a. L'Oppleman. Mr. Jon Galvan, Responsible Person, was interviewed and assisted with this inspection. No other Federal, State, or local agencies participated.

The inspection covered the period of February 10, 2016 through February 9, 2017. A closing conference was held on February 14, 2017.

### Business Profile:

Elk Exchange, LLC operates as a general merchandise retailer and pawnbroker, including firearms. In the last 12 months, the licensee acquired approximately (b)(4) firearms ((b)(4) handguns, (b)(4) long guns, (b)(4) receivers), and disposed of approximately (b)(4) firearms ((b)(4) handguns, (b)(4) long guns, (b)(4) receivers). Primary suppliers include (b)(4). The licensee does not participate in gun shows. The licensee advertises through its homepage on Facebook.com, and maintains a website at www.lopplemanstaunton.com.

No other businesses are operated from the premises and no other businesses are operated by the licensee. The premises are located in an urban, commercial area. No off-site storage is utilized. This license was issued on January 15, 2014, and is appropriate for the operations conducted.

### Ownership and Control:

Elk Exchange, LLC is a limited liability company as recognized by the Virginia State Corporation Commission under VA SCC ID #S4695823. The license holds a DIN (b)(3) 26USC6103 and an EIN, (b)(3) 26USC6103.

Mr. Galvan and Ms. Joan Eiland, Owner, are reported as responsible persons. No responsible persons were added through the course of the inspection. No unreported changes were detected and no hidden ownership is suspected.

# FIREARMS INSPECTION REPORT

**Name:** Elk Exchange, LLC  
**Trade Name:** L Oppleman

**UI#:** 768035-2017-0123-B1B  
**FFL#:** 1-54-790-02-7B-13844

## Variance:

No variances are held by the licensee.

## **2 - Recommendation**

Report of Violations with Warning Letter Only and No Recall Inspection for failure to timely report ATF F 3310.4, Report of Multiple Sale, in <sup>(b)(6)</sup> instances.

All responsible persons were queried in N-Force and OpenFox by IOI <sup>(b)(6)</sup> on February 13, 2017, with no disabling information resulting.

## **3 - Inspection History**

**Date of Inspection:** August 10, 2015  
**Type of Inspection:** Compliance Inspection  
**UI#:** 768035-2015-0274-B1B, IOI <sup>(b)(6)</sup>  
**Inspection Results:** No Violations, No Further Action, No Referrals  
**Cited Violations:** No violations cited.

**Date of Inspection:** June 13, 2014  
**Type of Inspection:** Outreach Seminar  
**UI#:** 768035-2014-0001-B1B, IOI <sup>(b)(6)</sup>  
**Inspection Results:** General UI, No Further Action  
**Cited Violations:** No violations.

**Date of Inspection:** January 9, 2014  
**Type of Inspection:** Application Inspection  
**UI#:** 768035-2014-0113-B1B, IOI <sup>(b)(6)</sup>  
**Inspection Results:** Application approved.  
**Cited Violations:** No violations cited.

## **4 - Acquisition & Disposition (A&D) Record - Inventory**

On February 9, 2017, IOIs <sup>(b)(6)</sup> and <sup>(b)(6)</sup> conducted a full inventory and A&D review, resulting in <sup>(b)(6)</sup> open entries and 111 physical firearms, with <sup>(b)(6)</sup> violation cited for failure to timely record the acquisition of a firearm in <sup>(b)(6)</sup> instance.

**See Report of Violations, See Worksheet 1**



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The A&D record is in the proper format with all required information and all other entries appearing timely made. IOI (b)(6) cross-referenced (b)(6) ATF Forms 4473 against the corresponding entry in the A&D record, with no discrepancies found. No illegal firearms or firearms with obliterated serial numbers were discovered.

Store employees (b)(6) and (b)(6) are primarily responsible for making entries into the A&D record. Firearms are generally logged in upon receipt, and logged out upon disposition.

## 5 - ATF Forms 4473 – NICS & Other Dispositions

On February 9, 2017, IOIs (b)(6) and (b)(6) reviewed all ATF Forms 4473 on file for the inspection period, totaling in (b)(6) forms, with no violations cited.

Forms are filed chronologically. Transfers to other FFLs are properly conducted, and no transfers to law enforcement occurred during the inspection period. IOI (b)(6) verified 18 approval codes as provided by the Virginia State Police, with no discrepancies found.

(b)(6) and (b)(6) are primarily responsible for completing the ATF Form 4473. Upon completion, a second employee reviews the form, when possible.

## 6 - Multiple Sales

The licensee reported (b)(6) multiple sale involving (b)(6) firearms during the inspection period. IOI (b)(6) identified (b)(6) unreported multiple sales involving (b)(6) firearms, resulting in 1 violation for failure to timely execute and submit the multiple sale report.

**See Report of Violations, See Worksheet 2**

## 7 - Suspicious/Prohibited Purchasers

No suspicious or prohibited purchasers were identified.

## 8 - Trace Activity

No trace requests were received during the inspection period and no open traces exist for the licensee.



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## 9 - NFA/Importer/Collector/Manufacturer

The licensee does not engage in operations as a manufacturer, importer, or collector, or deal in NFA weapons.

## 10 - Referrals

No referrals were generated as a result of this inspection.

## 11 - Other

No other matters of note.

## 12 - Closing Actions

On February 14, 2017, IOI (b)(6) held a closing conference with Mr. Galvan. IOI (b)(6) reviewed the Report of Violations, explaining each violation and offering opportunity to ask questions. Mr. Galvan stated he understood these violations, signed and dated the Report, and was provided a copy for the licensee's records (**See Report of Violations**).

IOI (b)(6) then reviewed the Acknowledgment of Federal Firearms Regulations, offering opportunity to ask questions. Mr. Galvan stated he understood these regulations, signed and dated the Acknowledgment, and was provided a copy for the licensee's records (**See Exhibit 1**).

## 13 - Violations

### 1. 27 CFR 478.126a

**Nature of Violation:** The licensee, by and through its agents and employees, failed to timely and accurately report the sale or other disposition of two or more pistols and/or revolvers to an unlicensed person, [REDACTED] instances cited, involving [REDACTED] firearms.

**Licensee's Response:** Mr. Galvan stated he believes that the employee responsible for completing the multiple sale report thought the report was only necessary when the number of guns sold exceeded the number of firearms that could be entered on the ATF Form 4473, as the only multiple sale reported by the licensee was for 6 pistols/revolvers, and there are only 5 available lines for firearms entry on the form.

**Corrective Action:** Ensure proper completion and submission of the ATF Multiple Sale Report any time two or more pistols and/or revolvers are disposed to the same unlicensed individual within a five business day period.

# FIREARMS INSPECTION REPORT

**Name:** Elk Exchange, LLC  
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**UI#:** 768035-2017-0123-B1B  
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This requirement does not apply in such cases where the firearms are disposed to the same individual from whom received, as in the case of a pawn redemption or return of a consignment.

**See Report of Violations, See Worksheet 2**

2. **27 CFR 478.125(e)**

**Nature of Violation:** The licensee, by and through its agents and employees, failed to timely record the acquisition of <sup>(b)</sup> firearm.

**Licensee's Response:** Mr. Galvan stated that the firearm was set aside for cleaning, and was simply forgotten to be logged in.

**Corrective Action:** Ensure all acquisitions of firearms are recorded by the close of the following business day from when received.

**See Report of Violations, See Worksheet 1**

X

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Industry Operations Investigator

## **Index of Worksheets and Exhibits**

### **Report of Violations**

#### **Worksheets:**

Informational Page

Worksheet 1: Inventory and A&D Review

Worksheet 2: ATF F 4473 (2012 Edition)

Worksheet 2: ATF F 4473 (2016 Edition)

Statistical Page

#### **Exhibits:**

Exhibit 1: Acknowledgment of Federal Firearms Regulations

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