

# **EXHIBIT 3**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS

ELLEN MISHAGA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 10-3187
	)	
HIRAM GRAU, Director of	)	
the Illinois Department	)	
of the State Police and	)	
MICHAEL VORREYER,	)	
	)	
Defendants.	)	

Deposition of MICHAEL VORREYER, taken before Cathy J. Craggs, CSR, at the instance of the Plaintiff, on July 26, 2011, at the hour of 1:00 p.m., at 3000 Montvale, Springfield, Illinois, pursuant to attached stipulation.

ASSOCIATED COURT REPORTERS  
1-800-252-9915  
P.O. Box 684  
Taylorville, Illinois 62568

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S T I P U L A T I O N

It is stipulated between the parties herein, through their attorneys, that the discovery deposition of MICHAEL VORREYER may hereby be taken upon oral interrogatories, on July 26, 2011, at the hour of 1:00 p.m., at 3000 Montvale, Springfield, Illinois, before the instance of the Plaintiff, and before Cathy J. Craggs, CSR and RPR.

That the oral interrogatories and the answers of the witness may be taken down in shorthand by the Reporter and afterwards transcribed.

That the reading and signing of said deposition is NOT waived.

That the deposition or any portions thereof may be used by any of the parties hereto, without foundation proof, for any purpose for which depositions are competent.

That copies of the deposition may be furnished to any of the parties at his or her own expense.

1 APPEARANCES: (July 26, 2011)

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MOUNTAIN STATES LEGAL FOUNDATION

4

By Mr. Jim Manley

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Attorney at Law

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Appeared on behalf of the Plaintiff;

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ATTORNEY GENERAL'S OFFICE

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By Ms. Bianca R. Chapman

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Attorney at Law

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Springfield, Illinois 62706

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Appeared on behalf of the Defendant.

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I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RE CROSS
<b>MICHAEL VORREYER</b>				
	5	51	55	61

E X H I B I T S

EXHIBIT	PAGE
Exhibit 1	15
Exhibit 2	29
Exhibit 3	32
Exhibit 4	34
Exhibit 5	39
Exhibit 6	47

\*\*\*EXHIBITS ATTACHED\*\*\*

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**MICHAEL VORREYER,**

called as a witness herein, at the instance of the Plaintiff, having been duly sworn on his oath, testified as follows:

DIRECT EXAMINATION

CONDUCTED BY MR. MANLEY:

**Q. So has the witness been sworn in?**

COURT REPORTER: Yes.

**Q. My name is Jim Manley and I represent the Plaintiff in the case Mishaga v Grau and I called you here to take your deposition.**

**Would you state your name and spell it for the record, please?**

A. Mike Vorreyer, V, Victor, O-R-R-E-Y-E-R.

**Q. And let's just go around the table so we know who's here. If you would just state your name and who you are?**

MS. CHAPMAN: Sure. Bianca Chapman attorney for the Defendants.

MR. CARTER: Master Sergeant John Carter state police legal counsel.

**Q. So have you had your deposition taken before?**

A. Yes.



1     **like a normal FOID application, can you walk me**  
2     **through your analysis of it?**

3                     MS. CHAPMAN: Objection,  
4     foundation and calls for speculation. I don't think  
5     he's testified that he gets those applications.

6             **Q. Okay.**

7             A. If this came across my desk, it would be  
8     sent back with an informational sheet for missing  
9     drivers license number. I would have to look at other  
10    checks on the sheet, if there was a check for out of  
11    state resident.

12            **Q. Are there any other problems that you see**  
13    **with the application?**

14            A. The out of the state residents and no  
15    Illinois drivers license or Illinois State ID number.

16            **Q. Okay. Great, thank you.**

17                    **Do you know was Ms. Mishaga issued a**  
18    **FOID card?**

19            A. She was not.

20            **Q. And why not?**

21            A. It was sent back to her as incomplete.

22            **Q. And why was it incomplete?**

23            A. Do you have the checklist?  
24



1 (Exhibit 4 marked for identification  
2 by the Court Reporter.)

3 MS. CHAPMAN: Can we clarify  
4 with regard to which application are you referring  
5 because it looks like you've given him, there are two  
6 separate checklists that were returned to her, which  
7 is this regarding?

8 **Q. Sure.**

9 **Well, okay. We've just handed you a**  
10 **document labeled Exhibit 4, can you identify the**  
11 **document?**

12 A. It looks like a checklist for a returned  
13 FOID card, for returned FOID application.

14 **Q. And do you recognize the checklist, do you**  
15 **know?**

16 A. Yes.

17 **Q. Do you know what application it is in**  
18 **response to?**

19 A. No.

20 **Q. Okay. That's the response to Ms. Mishaga's**  
21 **second application, it's been previously disclosed.**

22 **So I believe the question that we were**  
23 **on was what, what, why was Ms. Mishaga not issued a**  
24 **FOID card?**

1           A. This was other reason due to Illinois State  
2 law you must have a valid Illinois drivers license or  
3 Illinois State ID in order to be eligible for an  
4 Illinois FOID card.

5           **Q. Okay. Is that an accurate statement of the,**  
6 **of the Illinois State Police policy?**

7           A. Yes.

8           **Q. Okay. Now you may have already answered**  
9 **this question but just so we are on the same page.**

10                           **Based on these applications is Ms.**  
11 **Mishaga or this application is she eligible for a FOID**  
12 **card?**

13   MS. CHAPMAN: Objection,  
14 foundation.

15           A. Based on this application I can't determine  
16 her eligibility.

17           **Q. What information would you need in order to**  
18 **determine her eligibility?**

19           A. When I refer to eligibility, I mean her  
20 eligibility to possess firearms, her criminal history  
21 based on her being an out of state resident if she did  
22 not provide any other information showing she's an  
23 Illinois resident, it's just an incomplete  
24 application.

1           **Q. What information would Ms. Mishaga need to**  
2 **provide in order for her application to be processed?**

3           A. Illinois address and Illinois drivers  
4 license or ID card.

5           **Q. So I want to direct your attention to, I**  
6 **guess, the fifth paragraph on Exhibit 4, could you**  
7 **just read that paragraph for us? It's the one that**  
8 **begins no Illinois drivers license.**

9           A. No Illinois drivers license or state  
10 identification number provided. If you're employed in  
11 the protective security or public safety fields in  
12 Illinois, and the employment requires you to have a  
13 FOID card, or you're in the United States armed  
14 services or permanent duty assigned in Illinois, you  
15 may be eligible for relief for this requirement.  
16 Please call the Firearms and Information Services  
17 Resources Bureau at 217-782-7980 if you would like  
18 information on the relief process.

19           **Q. Can you describe for us the relief process,**  
20 **what does that mean?**

21           A. The relief process in reference to the FOID  
22 card would be as read in there. If you are employed  
23 in Illinois, and it requires you to be armed, we can  
24 grant relief to issue a FOID card for that individual