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OCT 13 1981

R. B. SPERLING

E. Richard Bodyfelt  
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SEP 23 1981

September 21, 1981

Mr. Chuck Jackson  
Claims Adjuster  
Liberty Mutual Insurance Company  
1500 N.E. Irving  
Portland, OR 97232

Re: See v. Remington Arms  
P604-8934REG

Enclosed you will find the document(s) listed below for:

( ) Judge's signature (X) Your information ( ) Other: \_\_\_\_\_  
(X) Filing ( ) Recording \_\_\_\_\_

Enc: ( ) Affidavit ( ) Notice of Deposition  
( ) Answer ( ) Order  
( ) Check \$ \_\_\_\_\_ ( ) Petition  
→ ( ) Complaint ( ) Praecipe  
( ) Confirmation card ( ) Receipt of \_\_\_\_\_  
(Please complete & return) ( ) Reply  
( ) Cost Bill ( ) Request for Production  
( ) Decree ( ) Response  
( ) Judgment ( ) Satisfaction of Judgment  
( ) Memorandum ( ) Sheriff's Return of Service  
( ) Motion  
( ) Other: \_\_\_\_\_

BODYFELT, MOUNT & STROUP

  
Peter R. Chamberlain

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8 Of Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF OREGON

11 TERI SEE and DARREL SEE,  
12 wife and husband,

13 Plaintiffs,

14 v.

15 REMINGTON ARMS COMPANY, INC.,  
16 a Delaware corporation,

17 Defendant.

Civil No. 81-886

C O M P L A I N T  
(Civil Action for Personal  
Injury and Loss of Consortium)  
AND DEMAND FOR JURY TRIAL

18 For her CLAIM FOR RELIEF, plaintiff Teri See alleges:

19 I

20 Plaintiff is an individual who, at all material times,  
21 resided within and is a citizen of the State of Oregon.

22 II

23 Defendant is a Delaware corporation and is a citizen of  
24 that state.

25 III

26 The amount in controversy, exclusive of costs, exceeds  
\$10,000.

///

1 IV

2 Jurisdiction of this Court is pursuant to 28 USC 1332.

3 V

4 Defendant is in the business of designing, manufacturing  
5 and selling firearms, including a rifle known as a Remington  
6 Model 700.

7 VI

8 On or about October 27, 1979, plaintiff suffered per-  
9 sonal injury, as more fully set forth below, as a result of the  
10 unexpected discharge of a Remington Model 700 rifle designed,  
11 manufactured and sold by defendant.

12 VII

13 At the time said rifle left defendant's hands, it was in  
14 an unreasonably dangerous and defective condition in the follow-  
15 ing particulars:

16 (1) The rifle could not be unloaded without disengaging the  
17 safety; and

18 (2) The trigger mechanism could be moved despite the fact  
19 that the safety was engaged; and

20 (3) The trigger mechanism was designed such that it was  
21 susceptible to becoming contaminated by dirt and debris; and

22 (4) The rifle failed to meet the reasonable expectations of  
23 the average consumer in that it discharged without warning as the  
24 safety was being disengaged; and

25 (5) The rifle was sold and placed in the stream of commerce  
26 without adequate warnings and instructions.

VIII

The rifle was in substantially the same condition at the time it caused plaintiff's injuries as it was when it left defendant's hands and was being handled in a manner foreseeable to defendant.

IX

As a result of the above-described accident, plaintiff suffered injury, including severe and permanent injury to both of her legs, which has required medical care, all to plaintiff's general damages in the sum of \$250,000. In addition, plaintiff has incurred special damage, including lost wages, medical expenses and hospitalization expenses in the sum of \$15,000.

X

Plaintiff will incur additional medical expenses in the future.

XI

Plaintiff's earning capacity has been impaired.

For his CLAIM FOR RELIEF, plaintiff Darrel See alleges:

XII

Plaintiff is an individual who, at all material times, resided within and is a citizen of the State of Oregon.

XIII

Realleges paragraphs II, III, IV, V, VII, and VIII.

XIV

On or about October 27, 1979, plaintiff's wife suffered personal injury, as more fully set forth above, as a result of

1 the unexpected discharge of a Remington Model 700 rifle designed,  
2 manufactured and sold by defendant.

3 XV

4 The unreasonably dangerous and defective condition of  
5 the rifle caused plaintiff's wife's injuries, more fully  
6 described above, and caused plaintiff the loss of companionship,  
7 society and services of his wife, all to plaintiff's damages in  
8 the sum of \$25,000.

9 WHEREFORE, plaintiff Teri See prays for judgment against  
10 defendant as follows:

- 11 1. For \$250,000 general damages;  
12 2. \$12,500 for medical expenses and hospitalization  
13 expenses incurred to date;  
14 3. \$2,500 for lost wages;  
15 4. For her costs and disbursements incurred herein;

16 And plaintiff Darrel See prays for judgment against  
17 defendant as follows:

- 18 5. For \$25,000 on his claim for relief for loss of consor-  
19 tium; and  
20 6. For his costs and disbursements incurred herein.

21 BODYFELT, MOUNT & STROUP

22 By \_\_\_\_\_  
23 Peter R. Chamberlain, Of  
Counsel for Plaintiffs

24 Plaintiffs demand trial by jury.

25 BODYFELT, MOUNT & STROUP

26 By \_\_\_\_\_  
Peter R. Chamberlain, Of  
Counsel for Plaintiffs

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