

8/15/80 ✓
Remington.



REMINGTON ARMS COMPANY, INC.

TELEX
964-201
BRATFORD, CT

SPORTING ARMS-AMMUNITION-TARGETS-TRAPS
BRIDGEPORT, CONNECTICUT 06602

TELEPHONE
203-333-1112

August 15, 1980

Mr. Richard W. Hall
Claims Supervisor
Liberty Mutual Insurance Co.
3715 Main Street
Bridgeport, CT 06601

Juan Lopez v.
Remington Arms Company, Inc.
PD186-7937, 7938

Dear Mr. Hall:

Enclosed are summons and complaint served upon Remington's agent for service, the Secretary of State in Hartford, Connecticut, on August 8, 1980. The summons specifies that the answer is due the Monday following 20 days from date of service, which means we have until September 1, 1980, to respond. (Since September 1 is a holiday, perhaps the due date is September 2.)

The complaint alleges that in Texas on October 22, 1978, the plaintiff, a former police officer, sustained serious abdominal injuries when Rudy Lozano, a police officer, pushed the safety lever on his Remington Model 700 (Serial Number 6442084) 30-06 caliber rifle to the "fire" position and the gun discharged.

Liberty Mutual presently has a file on this matter.

Please make the appropriate arrangements to defend Remington's interests in this matter pursuant to the terms of our policy. Kindly advise as to choice of counsel in accordance with our prior understanding.

Very truly yours,

REMINGTON ARMS COMPANY, INC.

Encs.

2cc: Liberty Mutual

Free

IV.

As a result of this occurrence, Plaintiff has suffered and will suffer great physical pain and mental anguish, medical and doctor bills, past and future, and lost earnings and earning capacity, all of which exceed the minimum Jurisdictional limits of this court, and for all of which your Plaintiff sues.

V.

WHEREFORE, PREMISES CONSIDERED, your Plaintiff prays that the defendant be cited to appear and answer herein; that upon final hearing he have judgment against the defendant for his damages, cost of court and general relief.

Respectfully submitted,

HUERTA, PENA, BECKMAN & RODRIGUEZ
ATTORNEYS AT LAW
P. O. BOX 7219 3301 AYERS ST.
CORPUS CHRISTI, TEXAS 78415

BY:

GERALD H. BECKMAN

STATE OF TEXAS
COUNTY OF DUVAL

I, A. Salinas, District Clerk of Duval County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession.

Filed on July 21st, 1980 as appears

on File in my official

Witness my official hand and seal of office, this

July 21st, 1980

A. SALINAS, District Clerk,
Duval County, Texas

H. H. Gonzalez

A TRUE COPY

ATTEST:

DEPUTY SHERIFF

JOSEPH A. RUBERA

HARTFORD, CONN.

866-4930



Barbara B. Kennelly
Secretary of the State
Marc Rosen
Deputy Secretary of the State

Office of the Secretary of the State
State of Connecticut
P.O. Box 846, 30 Trinity Street
Hartford, Connecticut 06115

203-566-4346

August 11, 1980

Remington Arms Company, Inc.
939 Barnum Ave.
Bridgeport, Conn. 06602

Re: Juan Lopez vs. Remington Arms Company

Gentlemen:

Legal process was served August 8, 1980

on the Secretary of the State as statutory attorney in the above
matter. Enclosed is a copy of this document.

Sincerely,

Barbara B. Kennelly
Secretary of the State

Maura L. Melley
Maura L. Melley
Director, Corporations Division

MLK/lk

THE STATE OF TEXAS

TO: Remington Arms Company, Inc. - 939 Barnum Avenue, Bridgeport, Connecticut
96602 - By serving their agent Secretary of State, 30 Trinity, Hartford
Connecticut 06115

Defendant , Greeting:

You are hereby commanded to appear by filing a written answer to the Plaintiff's
Original Petition at or before ten o'clock A.M. of the Monday next
after the expiration of twenty days after the date of service of this citation before the Honorable

229th Judicial Court of Duval

County, Texas, at the Court House of said County in San Diego , Texas.

Said Plaintiff's Petition was filed in said Court, on the 21st, day of July
A. D. 19 80 in this cause, numbered 10,902 on the docket of said court, and styled,

Juan Lopez ----- Plaintiff ,

VS. Remington Arms Company Inc. ----- Defendant ,

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's
Petition, accompanying this citation and made a part hereof.

If this citation is not served within ninety days after the date of its issuance, it shall be returned
unserved.

The officer executing this writ shall promptly serve the same according to requirements of law,
and the mandates hereof, and make due return as the law directs.

Issued and given under my hand and the seal of said Court at San Diego , Texas,
this the 29th day of July, A. D. 1980.

Attest: A. Salinas Clerk District Court,

Duval County, Texas.

(SEAL)

A TRUE COPY

ATTEST:

DEPUTY SHERIFF *Joseph A. Rubera*
JOSEPH A. RUBERA
HARTFORD, CONN.
800-4432

By *N. G. Gonzalez*, Deputy

Rule 104: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery
endorsed thereon and with a copy of the petition attached thereto."

SHERIFF'S RETURN

Came to hand on day of, 19....., at o'clock
 M., and executed in County, by delivering to
 each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon
 the date of delivery, together with the accompanying true and correct copy of the Plaintiff's petition,
 at the following times and places, to-wit: -

[illegible]

And not executed as to the defendant....

the diligence used in finding said defendant..., being:.....

and the cause of failure to execute this process is:.....

and the information received as to the whereabouts of the said defendant..., being.....

I am a disinterested person competent to make oath of the fact.

I actually and necessarily traveled.....miles in the service of this Writ in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

FEES—Serving.....cop.... \$.....

Mileage.....miles \$.....

Total..... \$.....

Subscribed and sworn to by.....
before me, the undersigned authority, this..... day of..... A. D., 19.....

CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to.....

19....., at.....o'clock.....M., this copy of this instrument.

A TRUE COPY
ATTEST:
Secretary

46.2
 File No. 10,902
 NON-RESIDENT
 NOTICE
 Juan Lopez
 vs.
 Remington Arms Company,
 INC.
 In District Court
 of Duval County, Texas.
 Issued
 This 29 day of July A. D., 19 80
 A. Salinas
 Clerk District Court
 By *H. H. Angaly*, Deputy.
 Filed
 This day of A. D., 19
 Clerk Court
 By Deputy.

FOR SALE BY SIMPSON-LONDON CO. POST WORTH

RECEIVED
STATE OF CONNECTICUT
NO. 10,902

AUG 11 1980

JUAN LOPEZ

VS.

By Barbara B. Kanelly
SECRETARY OF STATE
Time 1:20 P.M.
REMINGTON ARMS COMPANY,
INC.

IN THE DISTRICT COURT
229th JUDICIAL DISTRICT
DUVAL COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

COMES NOW Juan Lopez, Plaintiff, complaining of
Remington Arms Company, Inc., defendant, and as cause of action
would show the court as follows:

I.

Plaintiff, Juan Lopez, is a resident of the State of
Texas. Remington Arms Company, Inc., defendant, is a foreign
corporation, incorporated in the State of Delaware, doing business
in Texas and maintaining their corporate headquarters at 939 Barnum
Avenue, Bridgeport, Connecticut 96602. The defendant may be
served by serving their agent for service which is the Secretary of
State, 30 Trinity, Hartford, Connecticut 06115. The defendant may
also be served by serving the Secretary of State of the State of
Texas.

II.

On October 22, 1978, Plaintiff was seriously and permanent
injured in Duval County, Texas, when a Remington model 700, 30-06
Calibre rifle, serial number 6442084, suddenly discharged while in
the safety position, Proximately Resulting in serious abdominal
injuries.

III.

At the time the rifle left the control of the defendant,
it was in a defective condition, unreasonably dangerous to a user
or a consumer such as Plaintiff, which defective condition was a
producing cause of Plaintiff's injury. Further, Plaintiff will show
the defendant breached warranties of fitness for use intended and
merchantability, whether explicit or implied.

IV.

As a result of this occurrence, Plaintiff has suffered and will suffer great physical pain and mental anguish, medical and doctor bills, past and future, and lost earnings and earning capacity, all of which exceed the minimum Jurisdictional limits of this court, and for all of which your Plaintiff sues.

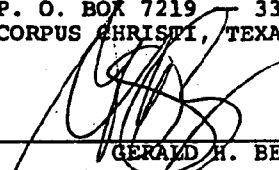
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Respectfully submitted,

HUERTA, PENA, BECKMAN & RODRIGUEZ
ATTORNEYS AT LAW
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BY:


GERALD H. BECKMAN

STATE OF TEXAS
COUNTY OF DUVAL

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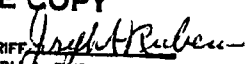
July 21st, 1980

A. SALINAS, District Clerk,
Duval County, Texas



A TRUE COPY

ATTEST:


DEPUTY SHERIFF
JOSEPH A. RUBERA
HARTFORD, CONN.
866-4930