

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JUAN LOPEZ

V.

REMINGTON ARMS
COMPANY, INC.

§
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§
§

C.A. NO. C-80-120

FIRST ANSWER OF DEFENDANT,
REMINGTON ARMS COMPANY, INC.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Remington Arms Company, Inc., Defendant herein,
and in answer to Plaintiff's Original Petition would show the
Court the following:

I.

Defendant admits the allegations contained in Paragraph I.

II.

Defendant does not have sufficient information at this time
to either admit or deny the allegations contained in Paragraph II.

III.

Defendant denies the allegations contained in Paragraph III.

IV.

Defendant denies the allegations contained in Paragraph IV.

V.

Defendant can neither admit nor deny Paragraph V for the rea-
son that the same is in the form of a Prayer for Relief.

VI.

All of the allegations contained in Plaintiff's Original
Petition fail to state a cause of action against this Defendant

upon which relief may be granted.

VII.

Plaintiff, Juan Lopez, was negligent in his use of the rifle in question, which was a proximate cause and/or the sole proximate cause of any injury or damages he may have sustained. In addition, Plaintiff, Juan Lopez, had knowledge of the risks and dangers involved in the use of the rifle in question and voluntarily assumed the risks inherent in the use of such rifle. Finally, Plaintiff, Juan Lopez, misused the rifle in question and such misuse was a concurring and/or the sole proximate cause of any injuries or damages he may have suffered.

WHEREFORE, PREMISES CONSIDERED, Defendant, Remington Arms Company, Inc. prays that the Plaintiff, Juan Lopez take nothing herein and that judgment be entered in favor of this Defendant and against Plaintiff and for such other relief that this Defendant may show itself entitled.

Respectfully submitted,

BY: J. ROBERT MCKISSICK

ATTORNEY IN CHARGE FOR DEFENDANT,
REMINGTON ARMS COMPANY, INC.

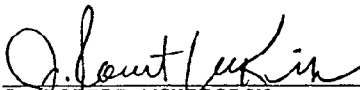
Post Office Box 2446
Corpus Christi, Texas 78403
512/884-3551

OF COUNSEL:

KLEBERG, DYER, REDFORD & WEIL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing First Answer of Defendant, Remington Arms Company, Inc. has been served on counsel for Plaintiff, GERALD H. BECKMAN, Post Office Box 7219, Corpus Christi, Texas 78415 by depositing same with the United States Postal Service properly addressed with proper First Class Certified Mail, Return Receipt Requested, postage prepaid on this 4th day of September, 1980.


J. ROBERT MCKISSICK