

Remington Arms Co., Inc.  
Product Service  
Legal Case #:3102

Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
159388	1/20/2009	1/21/2009	1/21/2009				

Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Leon L	Konz	1220 Craig Rd	Knoxville	TN	37919		H 865-414-5667

Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI				
PD				
S	fired after releasing safety	Cause:4038 Could Not Duplicate Concern		Unknown
C		Concern:1007 Fired on Safe Release		

1/22/09 Long letter with rifle. Since 1988 he has had about 4 instances where the safety could not be moved to the fire position when out hunting. Short version is that it has been to a couple of different gunsmiths, not RARC's, and they could find nothing wrong with it. They would clean it and test it each time. He wants the rifle replaced or he will take it and sell it to someplace that has a gunsmith telling them of the problems he's had.cm

Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	CF/BA	700/3006 SPR	25773	B6515933	RD	11/1/1983
Date Purchased	Where Purchased	Accessories	Original Owner			
	K MART ENTER LAWRENCE KS		U			

CONCERN:FSR

Ammunition Information - None Defined

Other Products Information - None Defined

Settlement

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV
repair at 1/2 normal charges as goodwill gesture						
Repair/Replacement Cost	Repair/Replacement Date					

1/22/09 Could not duplicate concern. Trig works sluggish from a partially dried lubrication residue. Safety works too easily. Replace TPA, check over, clean at 1/2 normal charges as gesture of goodwill.cm

Examination[Remington/CF/BA]

Part	Sub-Part	Code	Comment
Examination	Examiner		B.TRAVIS
	Exam Date		1/21/2009
	Product Type		RF
	Action Type		A

	Assigned To		F.SUPRY
Cause	4038	Could Not Duplicate Concern	
Barrel	Description		22" 3006 SPR
	Date Code		RD
	Bore Plugged	False	
	Bulged	False	
	Fired	False	
	Fired while Obstructed		
	Muzzle/Crown Condition	Slightly Worn; Functioning	
Bolt	Firing Pin	Slightly Worn; Functioning	
	Shroud	Slightly Worn; Functioning	
	Face	Slightly Worn; Functioning	
	Handle	Slightly Worn; Functioning	
	Stop	Slightly Worn; Functioning	
Extractor	Condition	Slightly Worn; Functioning	
	Cut Condition	Slightly Worn; Functioning	
	Ext/Eject Test	False	
Locking	Block Condition	---Select---	
	Lug Condition	Slightly Worn; Functioning	
	Notch Condition	---Select---	
Overall	Exterior Condition	Slightly Worn; Functioning	
	Stock Condition	Slightly Worn; Functioning	
	Fore End Condition	---Select---	
Receiver	Condition	Slightly Worn; Functioning	
	Bulged	False	
Safety	Description		STANDARD M/700 SAFETY
	Function	Worn; Functioning	
Sear	Lift	---Select---	.011
	Notch	Like new; Functioning	
		Test Fired	False
Feeding Test	Tests	False	
Trigger	Condition	Slightly Worn; Functioning	TRIGGER SLUGGISH SAFETY WORKS TO EASILY
	Pull	---Select---	7#
	Altered	False	
	Sub-Assembly	M/700 Non-Bolt Lock	

RECEIVED  
JAN 22 2009  
BY: \_\_\_\_\_

Date: January 5, 2009

To: Attention: Firearms Services  
Remington Arms Company  
14 Hoefler Ave.  
Ilion, NY 13357

From: Leon L. Konz  
1220 Craig Road  
Knoxville, TN 37919  
Phone: (865) 414-5667

Subject: Misfire, Model 700  
Serial number B6515933

Serial Number: **B6515933**  
Model: **700**  
  
**RE00159388**

On the morning of November 22, 2008, I was deer hunting in a tree stand with my 20 year-old Model 700 30.06. When I moved the safety from "Safe" to "Fire" it went off accidentally even though I did not have a finger near the trigger. Thankfully, no one was injured. Because the safety had malfunctioned repeatedly (but never misfired before) over the years, I immediately got out of the tree stand and stopped using the rifle. **I will never use this rifle again.** Either Remington will kindly work with me to replace the rifle with a newer version of the 700 **with an improved safety/trigger mechanism** (and keep this gun) or I will take this rifle and sell it some place that has a gunsmith (I will declare the history of the trigger misfire to the buyer because I couldn't in good conscious not declare it- nor can I in good conscious sell it outright to another individual). The gun must go through a gunsmith that is aware of the problem before it gets into the hands of another owner.

**My Background:** For you to put my report into some context, I thought it best to give you a bit of information about myself.

--- I'm 56 and have hunted small and large game since a youth. I have owned many guns (centerfires, rimfires, shotguns, revolver) over the years, including a Model 700 6mm. I used that Model 700 many years to hunt fox and deer in Minnesota, but I never had a problem with it even though it went through much harsher conditions than the one I'm returning to you. It is important to note that I never had any significant problems with any of the other guns.

--- I'm a retired National Park Ranger that went through the Federal Law Enforcement Training Center and was a federally commissioned law enforcement officer. I presently work as a consulting forester.

### **The Gun's History:**

First off, I don't ever remember the gun being dropped or otherwise abused to cause the recurrent safety problem. (Yes, there are some scrapes and nicks, but I don't think that any of them affected the safety mechanism). And, I typically only shoot a handful of rounds through the rifle each year- maybe 2-5 rounds before the deer season to be sure it is still sighted in and then another two- five rounds to take deer. Again, I don't recall any event that would have caused the recurrent safety

*could not duplicate concern.  
Trigger works SLUGGISH from a  
partially dried lubrication residue.  
A shot works to F&S. Replace TPA,*

malfunctions described below and there is nothing in my experience that makes me think the gun was abused or neglected.

--- 1988\* purchased the gun brand new in Denver, CO while working at Rocky Mountain National Park.

--- 1988- early fall- sighted the rifle in and went on Antelope hunt and gun worked good.

---1988- late fall- while on elk hunt tried to shot an elk **but the safety would not "come off"** resulting in a missed opportunity. This was the first malfunction. I eventually got it to shoot and I attributed it to a "freak occurrence, probably due to the cold weather". I wish I would have returned the gun at that point, but I didn't expect the problem to persist.

--- Early 1990's my family and I moved to Great Smoky Mountains National Park and I didn't have time to use the rifle.

--- 1995 (or about this year) I started using the gun again, this time from tree stands. A deer appeared and I tried to shoot it but the "safety would not come off" so I could not discharge the gun (just like it did in CO). So, I ejected a round to try to get it so it would fire- I never got a shot at that deer. **However, I was sufficiently concerned and frustrated that I took the gun in to a gunsmith to have it examined. I left the gun there for a couple of weeks, he took it apart, cleaned it, and put it back together. He informed me that he could not find anything mechanically wrong with it; it worked good in his shop. He said maybe a bit of dirt or some oil deposit caused it.** Knowing that an experienced person had looked at it, I hoped the problem was resolved. (From this point on, the guns usage consisted of being in case essentially all year, taken to the firing range for sighting-in, and being carried from my truck to my deer stand....very little or no "Still Hunting" was occurring. The point being, there was not a reasonable opportunity for dirt, twigs and other stuff to be accumulating inside the gun).

--- 1997 & 1999 (approximately) I took deer with the gun without a problem.

---2002- **I pulled up to shoot a deer but the safety would not release** (just like it did in CO the first year I owned the gun), so I ejected a couple of rounds and eventually the Safety released and I was able to get it to fire. On this day, the gun had shot satisfactorily earlier in the morning and I got a deer.

--- 2003- It was about after this season that I was again concerned about the gun. I took it into a gun dealer/gunsmith here in Knoxville and told them the long history of the safety problem. They kept the gun, took it apart, cleaned it, inspected it. They told me they found nothing wrong with it- it worked perfectly for them.

--- 2005- I think the gun worked good this fall.

--- 2006- It was about this year that the safety again "would not come off" so that the gun would fire- just like it had done in back in Colorado in 1988. More specifically, I pulled up on a buck and I could not get the gun to go off. So I put in another round and , but the gun wouldn't fire and I put in another round to try to get it to fire.

---2007- The gun worked ok.

--- November 22, 2008. I was deer hunting and before I left the truck that morning at about 0600, I tried something that I had never done before in my life; I tried dry firing the gun because of the "Safety" malfunctions I had experienced in previous years. I moved the Safety to the "Fire" position, squeezed the trigger, and it went "click". The gun went off just like it should. All seemed good.

About 45 minutes later I was all settled in my tree stand and was checking everything to be sure I was ready if a deer came. Because of the past malfunctions, I decided to see if the Safety would move to the "Fire" position- because as I have written on several occasions it would not move to that position sometimes. Well, as I moved the Safety forward to the "Fire" position it unexpectedly discharged. I sat there for a minute or two, concluded that I would never use the rifle again, got down out of my stand and went to the truck.

--- Dec. 2, 2008 I contacted Remington Headquarters and talked to someone (forgot the guy's name) about what had happened and he suggested that I return it to the factory for inspection.

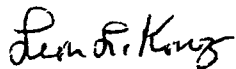
**Folks, I will never use this rifle again.** Either Remington will kindly work with me to replace the rifle with a newer version of the 700 with an improved safety/trigger mechanism (and keep this gun) or I will take this rifle and sell it some place that has a gunsmith (I will of course declare the history of the trigger misfire).

I'm hoping Remington will work with me on a replacement rifle and then keep this one- I want to get rid of it in spite of the sentimental value it has because of the elk, antelope, and deer hunting I've done with it. I want a new Model 700 **with a new safety/trigger mechanism. I will never own a Model 700 with the type of safety/trigger mechanism in this model.**

Please **DO NOT** repair this rifle at my expense.

Thank you for your inspection, evaluation, and time. I am looking forward to your prompt response.

Sincerely,



Leon L. Konz

\*It is possible that it was in 1989 that the gun was purchased, I'm not positive. And, some of the other dates are approximate. I don't think I need to dig out records for the exact hunting seasons for you to "get the picture".