

BARBER - Kinzer PPS GAL RE 0011294

Remington Arms Co., Inc.
Product Service
Legal Case #:4949

Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
		11/3/2010		10/23/2010			X

Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Marvin	Lee	15 Crafton St	Mayflower	AR	72106		H 501-470-1245 C 501-339-6251 E mel.lee@sbcglobal.net

Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI cut thumb				
PD	Cause:4079 Other - Unexamined		U	
S Fired on safety release	Concern:1007 Fired on Safe Release			
C				

11/3/10 Per letter received, last Sat. he was deer hunting and was attempting to shoot a deer when it fired when taking off safety. Later that day he was attempting to target shoot and make sure it was ok when it happened again.cm

Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	ML/BA	700ML/	27572	ML073779		6/2/1997
Date Purchased	Where Purchased	Accessories	Original Owner			
	SPORTS SOUTH INC		U			

Ammunition Information - None Defined

Other Products Information - None Defined

Settlement

Remington/700ML/ML/BA

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV
Will have him sign release and refund for replacement after signed release recd						
	Repair/Replacement Cost	Repair/Replacement Date				

11/3/10 Mailing ARS.cm 11/22/10 Rec'd email from Lee requesting enough of a refund to allow him to buy a Thompson Ctr ML, \$399-\$629. I responded that I could not resolve until we had a chance to inspect the firearm and that I may be able to reimburse his original purchase price after inspection, send a copy of his sales receipt.cm 11/30/10 Lee emailed a request for us to send him \$199.99 and he will sign aliability release form after returning his 700ML to the factory. I will email that I will do that if the firearm has the problem he has claimed when we inspect.cm 1/17/11 Lee emailed that he would like to be reimbursed \$199.99 for the replacement he has purchased and I agreed. He would also like to have the bolt and .209 conversion back after we receive his 700ML. I told him to take the bolt and breech plug out before he ships it to save shipping the parts back to him in the end.cm

Examination[Remington/ML/BA]

Part	Sub-Part	Code	Comment

Mitchell, Christy

From: Melvin Lee [mel.lee@sbcglobal.net]
Sent: Tuesday, November 30, 2010 2:17 PM
To: Mitchell, Christy
Cc: Mel Lee
Subject: RE: #4949, Modwl 700ML

I have not been able to locate my receipt so I guess a buy-back would not be possible. As I stated, I don't want my rifle repaired because I don't think I would ever be able to trust it again. With buy-back not possible, I have ordered new rifle from CABELA'S which should be here in time for our after Christmas muzzle loader season here in Arkansas.

The new rifle was on sale and cost \$199.99 with free shipping. If you would send me \$199.99 and a liability release form, I will send my 700ML and the signed release form back to you and we will be able to consider our business concluded. I feel this would be the quickest most economical solution to our problem.

If this resolution is not acceptable, as soon as hunting season is over and I have time, I will seek legal counsel to advise me.

My rifle has the "Walker Firing Mechanism".
I was injured by this rifle.
I have pictures of the injury.
I have a witness to the injury.
I have the rifle that will fire **every** time it is taken off safety.

*12/2 ~~left over~~ Emailed
that if it has the problem
he said, I will request a
check for
him @ \$199.99
m*

As I stated before, I do not feel comfortable sending the rifle back without first being advised by legal counsel.

Thank you,
Melvin Lee
15 Crafton Street
Mayflower, AR 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

--- On Tue, 11/23/10, Mitchell, Christy <Christy.Mitchell@remington.com> wrote:

From: Mitchell, Christy <Christy.Mitchell@remington.com>
Subject: RE: #4949, Modwl 700ML
To: "Melvin Lee" <mel.lee@sbcglobal.net>
Date: Tuesday, November 23, 2010, 8:15 AM

Mr. Lee, we would not be able to offer a resolution without inspecting the rifle. This rifle was produced in 1997 and as corrosive as black powder is, we need to have the chance to see it before a decision is made.

It may be that we could reimburse the price you paid for you 700ML originally depending on the outcome of inspection. Send a copy of your receipt with it also if available so that I will have that information when it comes in.

Sincerely,

Christy Mitchell

Consumer Affairs Administrator/Field Armorer's School Administrator

PO Box 700

870 Remington Dr.

Madison, NC 27025-0700

Phone: 336.548.8684

Fax: 336.548.7872 or 336-548-7784

Freedom Group Family of Companies

Remington, Bushmaster Firearms, DPMS / Panther Arms, Marlin, H&R, NEF,
Dakota Arms, Parker Gun, L.C. Smith, EOTAC, Advanced Armament Corp.,
Barnes Bullets, INTC

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From: Melvin Lee [mailto:mel.lee@sbcglobal.net]

Sent: Monday, November 22, 2010 2:42 PM

To: Mitchell, Christy

Cc: Brandon Birmingham; Tim Daven; Bud Daven; Jim Daven; Mel Lee; Todd McBrayer; Bill Schneider

Subject: #4949, Modwl 700ML

Christy Mitchell,

I received your letter with the shipping label for shipment of my firearm to your factory for inspection. Thank you so much for your quick response.

Because the injury I sustained to my right thumb happened at my deer camp, this particular rifle is now banned from our deer lease. Even if it were to be repaired, I don't think I would ever be able to trust the gun again.

If possible, I would like for the gun to be replaced, but I understand that Remington no longer manufactures muzzle loading rifles. Would you/Remington consider a buy-back so I could purchase another muzzle loading rifle from a different company? I have checked and found that Cabela's has Thompson Center rifles from \$399.99 to \$629.99.

I really don't feel comfortable returning my rifle to you before we have reached a reasonable settlement. I believe that a buy-back, which would include a signed liability release from me would be the best and the quickest for all concerned.

Please let me know what you think of this proposal... I am and always will be a loyal Remington customer.

I currently own the following:

16 gauge model 11-48

16 gauge model 870 Wingmaster

12 gauge model 870 Wingmaster

12 gauge model 870 Express

12 gauge model 1100

Thank you so much for listening to my offer,

Melvin Lee

15 Crafton Street

Mayflower, Arkansas 72106

(H) 501-470-1245

(C) 501-339-6251

mel.lee@sbcglobal.net

Mitchell, Christy

From: Melvin Lee [mel.lee@sbcglobal.net]
Sent: Monday, November 22, 2010 2:42 PM
To: Mitchell, Christy
Cc: Brandon Birmingham; Tim Daven; Bud Daven; Jim Daven; Mel Lee; Todd McBrayer; Bill Schneider
Subject: #4949, Modwl 700ML
Attachments: Busted Thumb from Remington Model 700 ML 002.jpg; Busted Thumb Remington 700 002.jpg

Christy Mitchell,

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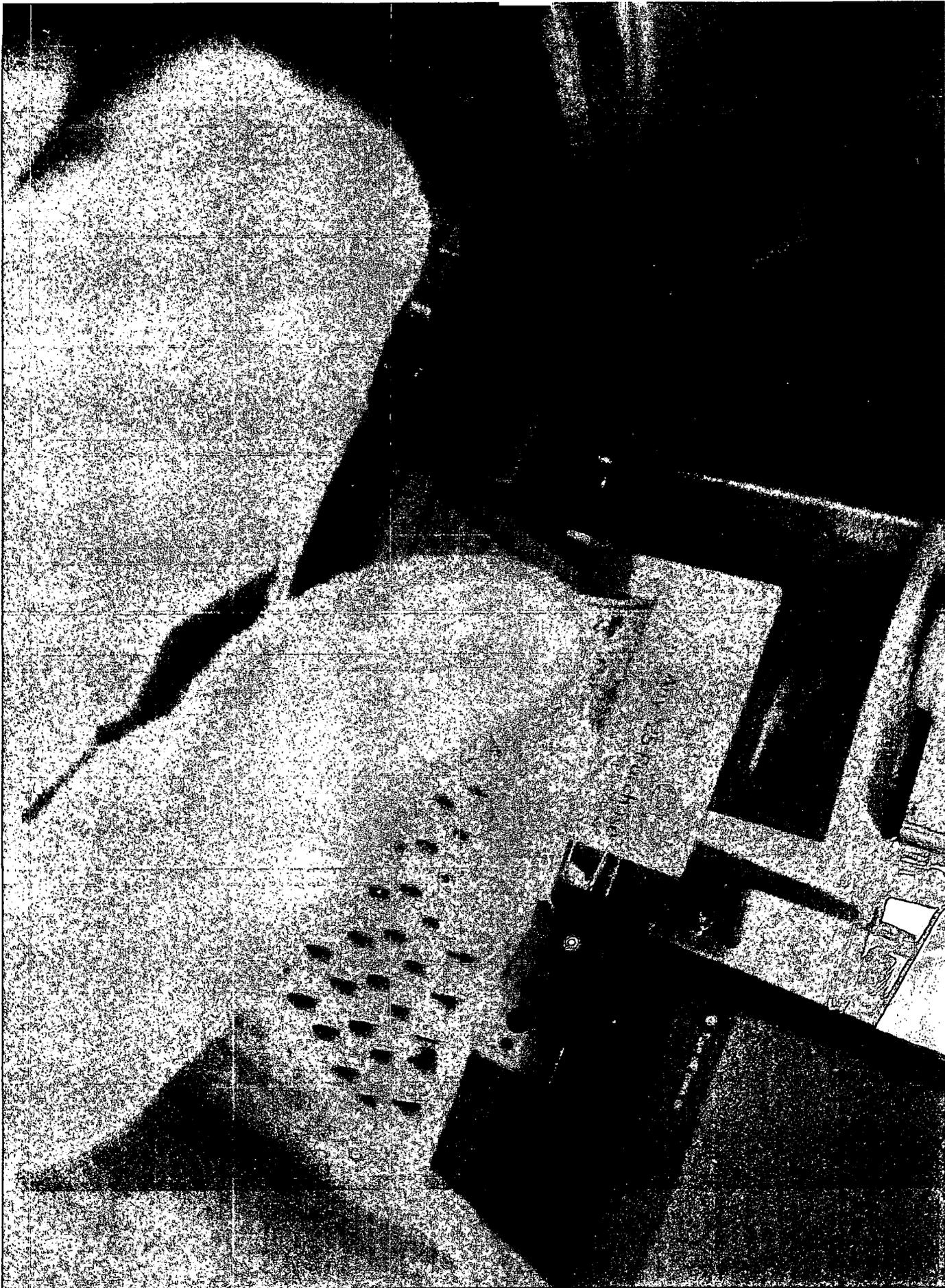
I currently own the following:

- 16 gauge model 11-48
- 16 gauge model 870 Wingmaster
- 12 gauge model 870 Wingmaster
- 12 gauge model 870 Express
- 12 gauge model 1100

Thank you so much for listening to my offer,

Melvin Lee
15 Crafton Street
Mayflower, Arkansas 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

Full retail in 1997 \$372.00



4949

-197

I have a Remington Model 700 ML, Serial # ML073779. My trigger has groves which I believe means I have the "Walker Firing Mechanism".

Last Saturday while deer hunting, I found that my rifle will fire when taken off safety without pulling the trigger. I was attempting to shoot a deer when it first happened and did not really realize what happened. Later in the day, I was attempting target shoot with the gun to make sure it was OK. (This is when things got really scary) I loaded my rifle and was preparing to fire....When I moved the Safety Lever forward to the "Fire" position the rifle fired with out touching the trigger. Because my thumb was still on the Safety Lever when the rifle fired, the kick busted the end of my thumb and blood went everywhere.

From information on the Internet, there appears to be a safety issue with Model 700 rifles with the "Walker Firing Mechanism".

Is this true? If it is true, is Remington recalling or replacing the rifles?

I thank my lucky stars that I was the only one hurt and someone didn't get killed. This gun is dangerous.

Your response, please,


Melvin Lee
15 Crafton Street
Mayflower, AR 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

NOV 01 2010

Received Date: _____

CSR: _____ *Chuck*

Response Date: _____

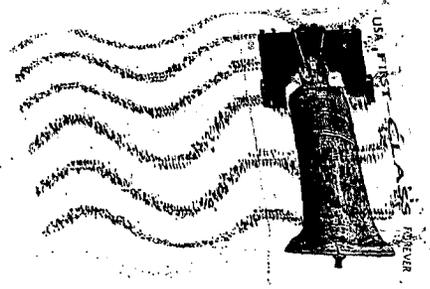
Response/File: _____

BARBER - Kinzer PPS GAL RE 0011301

Mel Lee
15 Crafton Street
Mayflower, AR 72106

LITTLE ROCK AR 720

SEP 23 1980 PM 4 P



Remington Arms Company, Inc.
870 Remington Drive
PO Box 700
Madison, NC 27025-0700

27025+0700



BARBER - Kinzer PPS GAL RE 0011301

PS 13189



www.remington.com

Remington Arms Company, Inc.
 870 Remington Drive
 P. O. Box 700
 Madison, NC 27025-0700

ARS LABEL REQUEST FORM

DATE:	11/3/2010	REQUESTED BY:	christy
QUANTITY:	1	WEIGHT PER PACKAGE:	10
PLEASE CHECK ONE:			
MEDIA COORDINATOR TO MAIL		XXXXXXXXXX	
		I WILL MAIL	
DESCRIPTION: 700ML			

LABEL INFORMATION

MAIL LABEL TO:	Melvin Lee 15 Crafton St Mayflower, AR 72106
RETURN ITEM TO:	Rem Prod Serv Ilion, NY

PLEASE COMPLETE ALL PARTS OF THIS FORM AND SEND TO THE MEDIA COORDINATOR

4XX596 NOV 3, 2010 ALL CURR USD 1 OF 1
 SVC GNDCOM ACT WT 10.0 LBS
 TRACKING# 124XX5969067710659
 REF 1: MELVIN LEE/CD/CM
 REF 2: 700ML

HANDLING CHARGE 0.00		SVC T/P USD
SINGLE-PIECE PUB RATE		RS 0.50
DV 0.00	COD 0.00	SD 0.00
DC 0.00	DGD 0.00	SP 0.00
AH 0.00	PR 0.00	PUB HANDLING 9.49
TOT PUB CHG 9.49		