

BARBER - Kinzer PPS GAL RE 0013161

Remington Arms Co., Inc.

Product Service

Legal Case #:3126

## Case Information

| RE#             | Date Opened | Date Opened(PS) | Date Closed | Incident Date | Pre Lit | Lit | Obsolete |
|-----------------|-------------|-----------------|-------------|---------------|---------|-----|----------|
| 162251 / 196487 | 2/17/2009   | 1/23/2009       |             |               | X       |     | X        |

## Customer Information

| Type     | Business | First Name | Last Name | Street             | City          | State | Zip   | Age | Contact        |
|----------|----------|------------|-----------|--------------------|---------------|-------|-------|-----|----------------|
| Incident |          | Michael    | Hartman   | 739 Lonesome Trail | Fredricksburg | TX    | 78624 |     | H 830-990-0716 |

## Incident Information

| Claims         | Codes                             | Repair Est. | Medical Treatment | Medical Status   |
|----------------|-----------------------------------|-------------|-------------------|------------------|
| PI shot foot   |                                   |             |                   |                  |
| PD Cause:4006  | Altered Adjustments or Components |             | Y                 | went to hospital |
| S Concern:1028 | Fired With Safe ON                |             |                   |                  |
| C              |                                   |             |                   |                  |

1/23/09 He went out the other day, sighted it in, then went out hunting. He raised it up to shoot @ a deer, pulled it down, put it on safety and it fired and shot his foot. He said he went to the hospital but gave no other details.cm

## Firearm Information

| Mfg.      | Type  | Model/Ga.   | SKU   | Serial | Bbl. | DOM      |
|-----------|-------|-------------|-------|--------|------|----------|
| Remington | CF/BA | 722/222 REM | 20000 | 112033 | AWW  | 3/1/1950 |

  

| Date Purchased | Where Purchased               | Accessories          | Original Owner |
|----------------|-------------------------------|----------------------|----------------|
|                | STREVEL PATERSON SALT LAKE UT | TWO PIECE SCOPE BASE | N              |

He traded for it at a gunshow, bought used. CONCERN:FSR, INJURY

Ammunition Information - None Defined

Other Products Information - None Defined

## Settlement

Remington/722/CF/BA

| Settlement  | Release of Claims       | Release Date            | Reimbursement | Cash Settlement | Reim. Date APV | Cash Date APV |
|---|-------------------------|-------------------------|---------------|-----------------|----------------|---------------|
| Repair 722 and send R15 VTR SS .223 and 2 extra clips |                         |                         |               |                 |                |               |
|   | Repair/Replacement Cost | Repair/Replacement Date |               |                 |                |               |

1/23/09 Sent ARS.cm 1/28/09 He says he needs a box. Ordered on #973388.cm 1/30/09 Rec'd email from Hartman detailing his pain and suffering and talk of a lawsuit. I called him on 2/2 and explained the BLSM program that his friends were interpreting as a recall and he still wants to send the firearm in for inspect. He is waiting for the box to arrive. I told him to keep any dr/hosp bills and take pictures if he wanted to. We just want to make it safe and make it right.cm 2/25/09 Hartman will look at the Marlin 917 models and let me know what model he wants as replacement.cm 4/9/09: Jessica Bismark @ SMB requested a copy of this file. It was scanned & emailed to her @ 12:18pm. dmf 9/11/09 Closing case, Dale Wills must be handling, we've had no feedback.cm 12/14/09 Rec'd email from Harman to return his rifle to him.cm 4/29/10 Rec'd email from Hartman stating law firm took his case but later discovered they could not do it b/c of some laws they did not know about in TX. He says we should have at least fixed the trigger before we sent it back, but we returned as rec'd per his request. He wants 2 R15 rifles and several clips and then he'll waive any actions. 4/30 Fred Roth will be contacting Hartman.cm 5/12/10 D. Wills asked that I call and offer 1 R15 and 2 extra clips as replacement for his 722 and after release signed. Spoke with Hartman and he wants to see that in writing. Wills preparing release.cm 5/14 Wills revised release to state we will repair

http://cps03ap13:200/psaapp/PrintDisplay.aspx?ID=3126&Type=Case

5/26/2010  
BARBER - Kinzer PPS GAL RE 0013161

722 BARBER-Kinzer PPS GAL RE 0013162. Back-ordered #60007. Hartman just shipped 722 on 5/20.cm 5/26, New repair # 196487, asked Ilion to expedite repair.cm

Examination[Remington/CF/BA]

| Part        | Sub-Part               | Code                              | Comment   |
|-------------|------------------------|-----------------------------------|---|
| Examination | Examiner               |                                   | B.TRAVIS  |
|             | Exam Date              |                                   | 2/19/2009   |
|             | Product Type           |                                   | RF  |
|             | Action Type            |                                   | A   |
|             | Assigned To            |                                   | F.SUPRY   |
| Cause       | 4006                   | Altered Adjustments or Components | COULD NOT CHECK SEAR LIFT DUE TO THE ALTERED SET SCREWS |
| Barrel      | Description            |                                   | 26" 222 REM   |
|             | Date Code              |                                   | AWW   |
|             | 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; Not Functioning    |   |
|             | Stock Condition        | Slightly Worn; Functioning        |   |
|             | Fore End Condition     | ---Select---                      |   |
| Receiver    | Condition              | Slightly Worn; Functioning        |   |
|             | Bulged                 | False                             |   |

## BARBER - Kinzer PPS GAL RE 0013163

|                             |              |                                   |                         |
|-----------------------------|--------------|-----------------------------------|-------------------------|
| Safety                      | Description  |                                   | STANDARD M/722 SAFETY   |
|                             | Function     | Slightly Worn;<br>Functioning     |                         |
| Sear                        | Lift         | ---Select---                      | COULD NOT GET A READING |
|                             | Notch        | Slightly Worn;<br>Functioning     |                         |
|                             | Tests        | Test Fired                        | False                   |
| Feeding Test                |              | False                             |                         |
| Trigger                     | Condition    | Slightly Worn; Not<br>Functioning | WILL FOLLOW DOWN        |
|                             | Pull         | ---Select---                      | .05#                    |
|                             | Altered      | True                              | SET SCREWS ALTERED      |
|                             | Sub-Assembly | Other Remington                   |                         |
| Non-Remington<br>Components | Description  |                                   | TWO PIECE SCOPE BASE    |

**From:** Leggett, Susan  
**Sent:** Thursday, June 24, 2010 9:58 AM  
**To:** Mitchell, Christy  
**Cc:** dwills@smbtrials.com  
**Subject:** RE: R15 # 60007

*7/14 - tracking shows sched.  
delivery to Hartman*

There are some in transit right now, should arrive by the end of the month. I'll pull one, put it in MTG for you. *today.*

---

**From:** Mitchell, Christy  
**Sent:** Thursday, June 24, 2010 9:54 AM  
**To:** Leggett, Susan  
**Cc:** dwills@smbtrials.com  
**Subject:** RE: R15 # 60007

Morning Susan! Any firm dates on the #60007 production yet?

Christy Mitchell

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**From:** Leggett, Susan  
**Sent:** Friday, May 21, 2010 11:47 AM  
**To:** Mitchell, Christy  
**Subject:** RE: R15 # 60007

I have a PO in with Bushmaster, but I'm still waiting for their production schedule. I'd guess June/July, but I don't know for sure yet....

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**From:** Mitchell, Christy  
**Sent:** Friday, May 21, 2010 11:17 AM  
**To:** Leggett, Susan  
**Subject:** R15 # 60007

Susan, I have a case that Dale Wills was involved in that I'm assisting in settling. I need a # 60007. Can you tell me when they will be produced again?

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,

BARBER - Kinzer PPS GAL RE 0013164

PS 15052

**Mitchell, Christy**

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**From:** Dale Wills [dwills@smbtrials.com]  
**Sent:** Thursday, June 03, 2010 9:57 AM  
**To:** Mitchell, Christy  
**Subject:** RE: Michael Hartman

I would suggest you keep Mr. Hartman in the loop on the expected production dates and when you would expect one of these rifles to be available for him. Alternatively, if he wants a different style of R15 that is in stock, it would probably not be a big deal to modify the release to reflect that. Just let me know.

*Dale*

---

**From:** Mitchell, Christy [mailto:Christy.Mitchell@remington.com]  
**Sent:** Thursday, June 03, 2010 7:20 AM  
**To:** Dale Wills  
**Subject:** RE: Michael Hartman

They have not nailed down the production date. The best they could tell me was June/July production. Sorry I didn't get back to you. Dell is out and the phone was ringing all afternoon.

Christy Mitchell

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**From:** Dale Wills [mailto:dwills@smbtrials.com]  
**Sent:** Wednesday, June 02, 2010 5:41 PM  
**To:** Mitchell, Christy  
**Subject:** RE: Michael Hartman

Does he want to change models? When do we anticipate the R15 he wanted becoming available?

*Dale*

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**From:** Mitchell, Christy [mailto:Christy.Mitchell@remington.com]  
**Sent:** Wednesday, June 02, 2010 11:38 AM  
**To:** Dale Wills  
**Subject:** FW: Michael Hartman

Dale, if he changes models since the R15 is out of stock, do we need to have a new release with the new model listed sent out and notarized?

Christy Mitchell

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**From:** Mitchell, Christy  
**Sent:** Tuesday, June 01, 2010 8:27 AM  
**To:** 'Dale Wills'  
**Subject:** RE: Michael Hartman

Morning Dale! The 722 has been repaired and shipped out on Friday. Total cost to Remington for this case follows.

Repair cost = 52.52

2 clips = 25.00

R15 rifle = 560.00

Total cost \$637.52

Let me know if you need any additional info to present to DuPont regarding these charges.

Thanks,

**Christy Mitchell**

Consumer Affairs Administrator/Field Armorer's School Administrator

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**From:** Mitchell, Christy  
**Sent:** Wednesday, May 26, 2010 3:19 PM  
**To:** 'Dale Wills'  
**Subject:** RE: Michael Hartman

Hi Dale, I've ordered the R15 and clips. The R15 is on backorder. Most all AR's are backordered right now.

The Model 722 has just been logged in at the Ilion plant and I've emailed them to expedite repair.

**Christy Mitchell**

Consumer Affairs Administrator/Field Armorer's School Administrator

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**From:** Mitchell, Christy  
**Sent:** Thursday, May 20, 2010 2:23 PM  
**To:** 'Dale Wills'  
**Subject:** RE: Michael Hartman

Yes, I received the signed release yesterday and he is going to fax the FFL to me today and also ship the 722 today. I'll get totals to you after all the dust settles. Thanks,

**Christy Mitchell**

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

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Armament Corp., Barnes Bullets, INTC

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---

**From:** Dale Wills [mailto:dwills@smbtrials.com]  
**Sent:** Thursday, May 20, 2010 2:20 PM  
**To:** Mitchell, Christy  
**Cc:** Coe, Lauren A.  
**Subject:** Michael Hartman

Christy,

Any further word from Mr. Hartman?

*Dale*

Dale G. Wills  
Swanson, Martin & Bell, LLP  
Suite 3300  
330 N. Wabash Ave.  
Chicago, IL 60611  
312/923-8266  
312/321-0990 fax  
[dwills@smbtrials.com](mailto:dwills@smbtrials.com)

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**Mitchell, Christy**

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**From:** Michael Hartman [mnvh@ctesc.net]  
**Sent:** Thursday, June 03, 2010 11:35 AM  
**To:** Mitchell, Christy  
**Subject:** 722 Remington

**Hello Christy,**

**UPS delivered my Remington 722 this morning .  
The trigger & safety work great.**

**Thank You,**

**Michael Hartman**



3126

26"  
AWW3/50  
3#  
018

May 14, 2010

Michael Hartman  
739 Lonesome Trail  
Fredricksburg, TX 78624

Subject: Case # 3126, Model 722

Dear Mr. Hartman,

Enclosed is the UPS ground shipping label to cover shipment of the Model 722 back to the factory for repair. Include the extra copy of this letter so that the factory knows why it was sent back. **The letter inside is important as sometimes the outside label gets damaged in transit and we want to be sure the firearm is logged in correctly.** Please mark the ends of the box with "Supry". As agreed, after I receive the notarized release, I will order the R15 SS Varmint. In addition the factory will repair the 722 and return it to you.

Sincerely,

Christy Mitchell  
Consumer Affairs Administrator

Phone: 800-243-9700 ext 8684  
E-mail: [christy.mitchell@remington.com](mailto:christy.mitchell@remington.com)

enclosure

Serial Number:

1 12033

Model: 722



RE00196487

RECEIVED  
MAY 28 2010

BY: .....

Remington Arms Company, Inc. • 870 Remington Drive • P.O. Box 700 • Madison, NC 27025  
Phone 800-243-9700 • [www.remington.com](http://www.remington.com)

Remington,

The trigger on this 722 needs to  
be fixed with the new safety device  
or replaced with a X-Mark Pro trigger.

W. Hartman