

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

TERI SEE and DARREL SEE,

No. 3:13-cv-01765-BR

Petitioners ,

vs.

**REMINGTON ARMS COMPANY,
LLC.,** A Delaware Limited Liability
Company, and **SPORTING GOODS
PROPERTIES, INC.,** A Delaware
Corporation

**PETITION FOR RELIEF FROM
JUDGMENT TO REMEDY FRAUD ON
THE COURT**

Defendants.

**EXHIBIT 10
1979 PSS COMMITTEE MINUTES**

LIMITED DISTRIBUTION

PRODUCT SAFETY SUBCOMMITTEE MEETING JANUARY 2, 1979

PRESENT:

SUBCOMMITTEE

E. F. BARRETT, CHAIRMAN
J. G. WILLIAMS
E. HOOTON, JR.
R. A. PARTNOY

OTHER

R. B. SPERLING, ACTING SECRETARY

SAFE GUN HANDLING

It was reported to the Committee that in 1975, due to what we learned from a quality audit on the Mohawk 600, Remington instituted new inspection procedures for all center fire bolt action rifles which were designed to catch a gun capable of being "tricked" into firing when the safety lever is released from the "safe" position. "Tricked" in this context means, safety lever placed in between "safe" and "fire" positions, trigger is then pulled, and the safety lever is subsequently moved to the "fire" position and the gun discharges. The inspection procedures involve the following:

- (1) A visual check for adequate clearance between the sear and the connector.
- (2) Measurement of this clearance by use of a .005 shim.
- (3) Attempting to trick the gun--three times in assembly, three times in gallery and three times at final inspection.



In addition to the above inspection procedures, Remington also changed the trigger assembly for the Model 600 family of guns by adopting Model 700 design features. Changes to the 600 included:

1. Going from a folded housing to an assembly consisting of side plates held together by rivets and spacer block.
2. Providing more lift to the sear.

No such changes were made in the design of the Model 700 because it already had those features.

Remington is confident because of the checks instituted in 1975, that bolt action rifles made during and after 1975 will not trick. Since June 1978, 500 post-1975 Model 700's have been returned to Ilion for repair for various reasons. Starting in June, Remington conducted a quality audit on these returned guns and none could be tricked.

During this same period (June 1978 to the present), two hundred pre-1975 Model 700's were returned to Ilion for repair, and it was found that two could be tricked (one because of insufficient clearance between sear and connector, and one because of a warped connector). Based on this sample, about 1% of the pre-1975 Model 700's in the field may be subject to tricking. There are about 2,000,000 pre-1975 Remington guns in the field with the Model 700 trigger assembly. (By comparison, it is noted that the 1975 quality audit indicated about 50% of the Model 600 family of guns in the field were susceptible to



tricking.)

In addition to the above sample of 700's, 19 Model 700's have been returned to Ilion in response to the Model 600 recall with the complaint that the gun will fire when the safety lever is moved to the "fire" position. Remington found that only one of those guns could be tricked, the cause being insufficient clearance. Three other guns did fire with the safety being moved, but for reasons associated with owner alteration of the product. In one instance, an owner was about to return a gun for accidental discharge upon release of the safety; but just before sending the gun, the owner discovered that he was inadvertently pulling the trigger as he released the safety. It is suspected that this was also the case with the remaining 15 guns, since they were found to be in proper operating condition.

Remington has run quality audits on competitor bolt action rifles and has found that a large percentage of competitor models can be tricked. This includes some famous guns, such as the "Springfield" 30 caliber rifle, which was used in quantity in both World Wars.

The Subcommittee discussed the issue of tricking, as well as other causes of accidental discharge. It was decided that tricking, along with problems such as owner adjustment of the trigger engagement screw or the trigger adjustment screw, finger on the trigger when the safety is released, and trigger assembly alterations, are really problems more associated with abnormal use or misuse of the product rather than indication of a defective



product. Consequently, a notice warning or a series of warnings against abnormal use or misuse, and highlighting safe gun handling procedures, is the most direct solution to the problem of accidental discharge.

The Subcommittee considered the possibility of recalling all pre-1975 Remington center fire bolt action rifles, many of which have been in the hands of the public well over several decades.

The Subcommittee decided against a recall for the following reasons:

1. Based on Remington's sample, only 1% of the pre-1975 Model 700 family of guns out in the field which number about 2,000,000 can be tricked. That would mean the recall would have to gather 2,000,000 guns just to find 20,000 that are susceptible to this condition.
2. An attempt to recall all bolt action rifles would undercut the message we plan to communicate to the public concerning proper gun handling. It would indicate that the answer to accidental discharge can be found entirely within the gun, when in reality only proper gun handling can eliminate injuries resulting from such occurrences.

The Subcommittee decided to recommend that an informational warning concerning accidental firing and safe gun handling be prepared and effectively communicated to the gun handling public. The Marketing, Legal and Public Relations Departments were to



coordinate their efforts, with possible help from outside consultants, in preparing such a notice.

Further meetings would be held to ensure that this informational program was launched effectively and expeditiously.

(Secretary's Note: The President approved these recommendations on January 2, 1979.)

R. B. Sperling
Acting Secretary

