

NO. 87C2042

DAVID T. CRAIG

VS.

REMINGTON ARMS CO., INC., and  
DEBBIE JAMES

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IN THE DISTRICT COURT OF

BRAZORIA COUNTY, TEXAS

23RD JUDICIAL DISTRICT

ORDER

BE IT REMEMBERED that on the 17<sup>th</sup> day of January 1990, came on to be heard Plaintiff's Second Motion to Compel Discovery and Impose Sanctions, and Defendant's Motion for Protective Order and Response to Plaintiff's Motion to Compel Discovery and to Impose Sanctions, and, the Court having considered these motions, together with Plaintiffs' Second Request for Production of Documents, Defendants' Response to Plaintiff's Second Request for Production and Motion for Protection, the Affidavit of William H. Coleman II, argument of counsel as recorded at the hearing on discovery motions before the Honorable Bert L. Huebner, Special Master, held at 10:30 a.m. on November 28, 1989, at the offices of Vinson & Elkins, and an *in camera* inspection of certain documents as further described below by Special Master Bert L. Huebner, and all pleadings, discovery-related matters, and all other papers on file herein, makes the following findings and orders:

THE COURT FINDS that on January 8, 1990, Special Master Bert L. Huebner appeared at the offices of Vinson & Elkins in Houston, Texas, whereupon defendant Remington Arms Co., Inc., produced *in camera* for the Special Master's inspection three

EXHIBIT A

boxes of documents known generally as "team minutes," which documents were sequentially numbered with the numbers TM0000001-TM0006449 and that the Special Master upon completing an *in camera* inspection of these documents made certain recommendations to the Court, which recommendations are hereby adopted as reflected in this Order.

IT IS ORDERED that Plaintiff's Motion to Compel Discovery with respect to Defendant's "team minutes" is granted in part and denied in part. It is further

ORDERED that defendant's objections to plaintiff's request for "team minutes" contained in Defendant's Response to Plaintiff's Second Request for Production and Motion for Protection, and that Defendant's Motion for Protection and Response to Plaintiff's Motion to Compel Discovery and to Impose Sanctions are granted in part and denied in part. It is further

ORDERED that plaintiff's Motion to Compel defendant's "team minutes" is granted, and defendant's objections to the production of its "team minutes" and its Motion for Protection concerning same are denied, with respect to the "team minutes" that bear the following page numbers:

TM0000225

All of item 10 of page 3 of 11/09/84 memo from J. W. Bower to W. H. Coleman entitled Update--Development Schedule Items, which is part of minutes of Firearms Business Team meeting of 12/04/84, as revealed on the agenda for that meeting.

TM0000425-TM0000426

All of item 9 on page 3 and continuing onto page 4 of 05/21/85 memo from J. W. Bower to W. H. Coleman entitled Update--Development Schedule Items, which is part of Firearms Business

Team/Staff Meeting Notes regarding Firearms Business Team meeting of 05/31/85, as referenced on page 4 of those minutes.

TM0001602

All of 1-paged document entitled NBAR Specification list, dated 09/16/87, and part of minutes of Firearms Product Team Meeting of 09/16/87, as referenced on page 4 of those minutes.

TM0002060

All of 1-paged document entitled Product Redesign Criteria, New Bolt Action Rifle (NBAR), indicated as revised 03/14/89, and part of 04/12/89 memo from T. C. Douglas to D. J. Anderson, et al., transmitting Product Specifications for projects to be reprioritized at April Product Team Meeting.

Notwithstanding the foregoing Order, it is further

ORDERED that Remington may produce redacted copies of the above-enumerated documents, which redactions shall be made as follows:

TM0000225

The top line shall not be redacted; the second through the 13th lines shall be redacted; the 14th through the 25th lines shall not be redacted; the remaining lines shall be redacted.

TM0000425

The top line shall not be redacted; the second through the 27th lines shall be redacted; the remaining shall not be redacted.

TM0000426

The top through the third lines shall not be redacted; the fourth through the tenth lines shall be redacted; the 11th through the 13th lines shall not be redacted; the remaining lines shall be redacted.

TM0001602

The printed logo in the left upper corner shall not be redacted; the date on the first line shall

not be redacted; the second line shall not be redacted; the third through the sixth lines shall be redacted; the seventh through the 12th lines shall not be redacted; the 13th through the 15th lines shall be redacted; the 16th line shall not be redacted; the remaining lines shall be redacted:

TM0002060

The heading on the first and second lines shall not be redacted; the third and fourth lines shall not be redacted; the fifth line shall be redacted; the sixth through the 13th lines shall not be redacted; the 14th through the 21st lines shall be redacted; the initials and date on the 22nd and 23rd lines shall not be redacted.

it is further

ORDERED that Plaintiff's Second Motion to Compel Discovery with respect to Defendant's "team minutes" is in all other respects denied; it is further

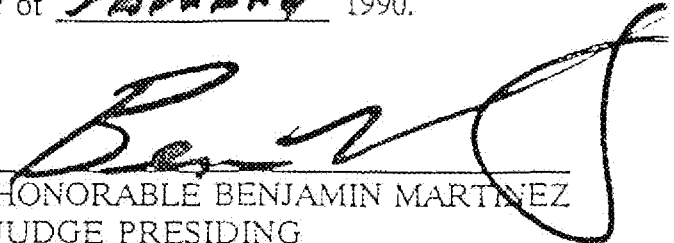
ORDERED that defendant's objections to plaintiff's request for defendant's "team minutes" contained in Defendant's Response to Plaintiff's Second Request for Production and Motion for Protection and Defendant's Motion for Protective Order and Response to Plaintiff's Motion to Compel Discovery and Impose Sanctions are in all other respects granted; it is further

ORDERED that plaintiff's motion for sanctions is denied; it is further

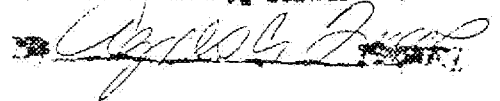
ORDERED that this Order be stayed until <sup>5:00 P.M. on</sup> the 18<sup>th</sup> day of JANUARY 1990, to provide defendants an opportunity to seek relief from this Order in the appellate courts.

Any relief not specifically granted herein is hereby denied.

SIGNED AND ENTERED this 17<sup>th</sup> day of January 1990.

  
HONORABLE BENJAMIN MARTINEZ  
JUDGE PRESIDING

Received 1289  
Frances Bennett, District Clerk  
Brazos County, Texas

  
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