

LAW OFFICES  
ARMSTRONG, RAWLINGS & WEST

1300 WALKER CENTER  
175 SOUTH MAIN STREET  
SALT LAKE CITY, UTAH 84111  
(801) 359-2093

BEN E. RAWLINGS  
DAVID E. WEST  
DAVID C. WEST  
STEPHEN W. BRINTON  
DAVID A. REEVE  
R. SCOTT RAWLINGS  
DAVID L. PATTERSON

OF COUNSEL  
FRANK ARMSTRONG

December 18, 1989

K-mart  
ATTN: Manager  
203 West 9000 South  
Sandy, UT 84070

Re: Defective Gun Purchased at K-mart

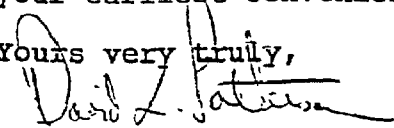
Dear Sir:

I have received a letter from Remington Arms Co., Inc., with regard to the 7mm Remington rifle that exploded and injured my client, Mr. Jon Nicholas. As you can see from the letter, a copy of which I have enclosed, the Remington Arms Co., Inc., is asking that we send the rifle and the shell exhibits to their laboratory for testing. My client would have the shell exhibits; however, your store exchanged and/or refunded the money for the damaged rifle and retained the damaged rifle. I took pictures of it at the security department of your store. I am assuming that the rifle is still located at your store and in your possession.

Would you please give me a call in order that we can make arrangements to ship the rifle and the cartridges to Remington Arms Co., Inc. If the rifle is, in fact, defective, Remington should be able to verify that and ultimately would pay the bill. I would appreciate your cooperation in order to find out who was responsible for this accident.

Please give me a call at your earliest convenience.

Yours very truly,

  
David L. Patterson

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Enclosures