

Remington Arms Co., Inc.
Product Service
Legal Case #:10475

Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
448967	10/10/2014	7/10/2014	11/14/2014				

Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Christopher	Johnson	300 Madison Street	Danforth	IL	60930		H 815 272 4806 E Tortoise8878@gmail.com

Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI partial black out, hearing				
PD Shot through ceiling fan & ceiling	Cause:4038	Could Not Duplicate Concern	N	
S FBC	Concern:1008	Fired on Bolt Closing		
C				

7/7/14: Customer emailed. He received XMP Recall ARS & SR docs from Consumer Service Dept. Customer stated that he loaded the rifle in his home "safely aimed at my ceiling in my computer room, and I began driving the bolt home... and it went off". Customer stated the discharge blew his ceiling fan apart & went into the air duct above it & into his attic. Customer is asking for compensation because of the firearm going off and "knocking me on my ass, partially blacking out, getting showered with glass from the light fixture on the ceiling fan blowing apart, the rifle round in my air duct, a hole in my ceiling, temporary hearing loss, might be worth a few more of your coupons". Customer wants the rifle replaced with one that has a scope like what he purchased. He stated he could have killed someone, himself, his wife, his dog, a friend, a neighbor. No medical treatment, no repair estimates. df

Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	CF/BA	700/308 WIN	85569	RR41226B	LA	2/7/2013 1:54:14 PM
Date Purchased	Where Purchased	Accessories	Original Owner			
	OVERTON S	TWO PIECE BASE	Y			

CONCERN: FBC

Ammunition Information - None Defined

Other Products Information - None Defined

Settlement

Remington/700/CF/BA

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV
Per Release - Replace gun w/Item# 84218, replace scope & send ammo	Y	11/7/2014				
Repair/Replacement Cost		Repair/Replacement Date				
\$233						

7/10/14: Emailed customer through C4C System & asked him to send firearm with paperwork into the factory & mark it Attn: Product Service. Ticket# 134046. df 10/30/14: Emailed customer to let him know the inspection was complete & I offered to replace his rifle as he requested with

REDACTED

Waiting on a reply. df 10/31/14: Customer replied and agreed to the replacement offer & he used profanity in his email. I replied back stating the Release would be mailed out today & he should have it within 3-4 business days & kindly asked him to refrain from using profanity & let's keep it professional. I sent Release out to him via Fed Ex so I would have tracking info. df 11/1/14: Customer emailed again & apologized for his language & rant. He stated he was a little inebriated after a Halloween party & was more emotional than normal. df 11/13/14: Received signed & Notarized Release from customer. Replacement gun is on SAP Order# 1757493. Submitted SNC order to Customer Service Dept for is on SAP parts order# 1757933. df 11/14/14: Emailed customer w/update. df

Examination[Remington/CF/BA]

Part	Sub-Part	Code	Comment
Examination	Examiner		B.TRAVIS
	Exam Date		10/13/2014
	Product Type		RF
	Action Type		A
	Assigned To		S.NICHOLS
Cause	4038	Could Not Duplicate Concern	TRIGGER ASSM HAD BEEN CHANGED/UPDATED BEFORE REC'D TO PROD SERV
Barrel	Description		26" 308 WIN
	Date Code		LA
	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; Functioning	
	Stock Condition	Slightly Worn; Functioning	
	Fore End Condition	---Select---	
Receiver	Condition	Slightly Worn; Functioning	
	Bulged	False	
Safety	Description		XMP SAFETY
	Function	Like new; Functioning	
Sear	Lift	---Select---	.011
	Notch	Like new; Functioning	
		Test Fired	False
Feeding Test	Tests	False	
Trigger	Condition	Like new; Functioning	
	Pull	---Select---	5#
	Altered	False	
	Sub-Assembly	X-Mark Pro	

Ship To:	Chris Johnson	Customer Service Notations
	300 Madison Street	
	Danforth, IL 60930	
	Phone: 815-272-4806	

Requested Delivery Date: 4/24/97

Special Instructions (processing, shipping, notification, other etc.)		FFL # _____
Please rush if possible		
		FFL Expiration Date _____
Shipping Approval If Required		

<u>QUANTITY</u>	<u>PAMAC NUMBER</u>	<u>UNIT OF MEASURE</u>	<u>DESCRIPTION</u>	<u>MSP -(Discount) / Unit</u>	<u>Extension</u>
3	29214	EA	308 WIN, 165 gr, Accutip BT	\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Grand Total				\$ -	\$ -

SNC Reason / Customer:

Consumer Affairs/Legal Dept - Release Agreement. Case# 10475

Must be completed for Processing to Occur				
Reasons for SNC	Check One	Charge Code	Check - One	
Advertising/Promotion		Product Service	238145 8850050	XX
Country Store				
Donation to IRC Sec 501 (c) (3) org				
Field/Pro Staff				
Gifts				
Outdoor Writer				
Product Testing				
Replacement Goods for Defective Product				
Sample Allowance for Reps				
Tournament/Shoot				
Gallery				
Employee Stores				
Other - Release Agreement	XXXX			



Remington Arms Company, LLC. | 870 Remington Drive | PO Box 700 | Madison, NC | 27025-0700 | USA

Sales Order Confirmation

IRS# 51-0350935
IT03373070170
IE6601509R
GST 138911094RT

ACCT. NO.
AMMUNITION

BILL TO: RAC, LLC - AMMO & COMP SAMPLES
870 REMINGTON DRIVE
PO BOX 700
MADISON NC 27025-0700

SHIP TO: CHRIS JOHNSON
815-272-4806
300 MADISON STREET
DANFORTH IL 60930

PURCHASE ORDER NO.	P.O. DATE	ORDER NO.	ORDER DATE	CANCEL DATE	REQ. DELV.	DELIVERY TERMS	NET WEIGHT
SNC/FULCHER/10475	11/14/2014	1758082	11/14/2014		11/14/2014	PPD	3 LB

ITEM NO.	DESCRIPTION	ORD QTY	UNIT	PROGRAM PRICE	EXT PRICE
29214	PRA308WB PR 308 WIN 165 ACCUTIP BT	3	BOX	11.68	35.04
To get VPRS info :					
	100.000- % 25.96-				

8850050 / 230145

Items total			9.08
Sample Cost	100.000 %	25.96	25.96

CURRENCY CODE: USD	TOTAL ORDER AMOUNT:	35.04 USD
CUST. SERV. REP: NONA TUTTLE	TERMS:	NET 30 DAYS
PH: 1-888-736-4867 EXT 8727 FAX: 336-548-8736 Email: Nona.Tuttle@remington.com		

Please Note:

- A. Purchases are subject to REMINGTON ARMS standard conditions of sale.
- B. Please review confirmation and advise us of any discrepancies with your purchase order within two business days.

RELEASE OF ALL CLAIMS

KNOW ALL PERSONS BY THESE PRESENTS:

That I Christopher Johnson having an address of 300 Madison Street, Danforth IL 60930 being of lawful age, in consideration of and upon receipt

REDACTED

(“Consideration”), do hereby release and forever discharge REMINGTON ARMS COMPANY, LLC its/their parent and affiliated companies and its/their predecessors, successors, assigns, employees, officers, agents and directors and any other persons or entities (“Releasees”) from all debts, claims, demands, damages, costs, expenses, injuries, actions and causes of action whatsoever nature or kind, whether known or unknown, on account of, resulting, or which may result from an incident or incidents occurring in or about 2014 which I have alleged was caused while using products manufactured and/or sold by Releasees.

I further state that receipt by me of the Consideration described above constitutes a full and complete release and settlement of the claims described above, that this release is a compromise and is not to be construed in any way as an admission by the Releasees of any responsibility for the incident, or for an alleged defect in said products or that any such defect exists. The products alleged to be involved in my claim are listed below.

It is understood and agreed that this Release of All Claims is not and shall not be considered an admission of liability for any violation of any law, statute or regulation, any breach of contract, actual or implied, or any commission of any tort on the part of Releasees, by whom such liability is expressly denied.

I will not disclose the terms of this Release of All Claims to any third party, for any reason whatsoever, without the express prior written authorization of the Releasees or as may otherwise be required by law.

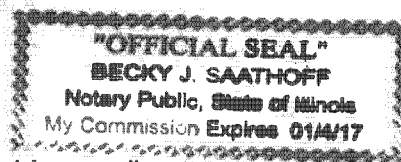
I acknowledge that I have carefully read and understand the contents of this Release of All Claims and sign the same as my own free act.

IN WITNESS WHEREOF, intending to be bound hereby, I have hereto set my hand this 7th day of November 2014.

Christopher Johnson
Print Name

Signature

REDACTED



Social Security Number or Driver's License #

Notary signature:

Becky J. Saathoff

Products alleged to be included in claim(s):
Remington Model 700, Serial # RR41226B

Fulcher, Dell

From: postmaster@remington.com
To: Tortoise8878@gmail.com
Sent: Thursday, October 30, 2014 2:53 PM
Subject: Relayed: Message relayed (Tortoise8878@gmail.com)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Tortoise8878@gmail.com

Subject:

Service Request

Remington

PO Box 700

Madison, NC 27025-0700



261
LN 2/13
62
011

Parts and Repairs: P:800-243-9700/F:336-548-7801 www.remington.com

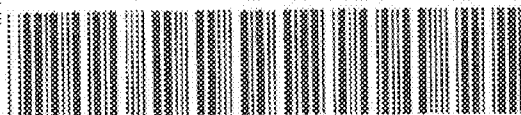
This document is a summary of your request for service. Please review the document for accuracy and to insure the services you are requesting are noted. This information will serve as a guideline for our Service Department to address your specific concerns and provide you with accurate and complete service. ENCLOSE THIS DOCUMENT WITH YOUR RETURN.

Service Request Number	Serial Number / Description	Date of Request:	07/07/2014
134046	RR41226B 700 SPS VAR BLK 308 WIN 26" W/SCOPE	Date Printed:	07/07/2014
Customer: CHRISTOPHER JOHNSON 300 Madison Street Danforth IL 60930 US Email: Tetoniac878@GMAIL.COM		Destination: RAC XMP 187 Riverside Industrial Park Drive Little Falls NY 13365 US Email:	
Your request for service on the item(s) will be evaluated by our technicians to determine if it is covered under our warranty policy. If this is your firearm will be repaired and returned. If not, you will be contacted with an estimate before work is performed.			
Reason for Return A_U030 - Trigger Update - XMP			

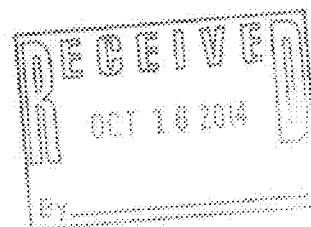
TAG: 16945

RR41226B

Model: 700



RE00448967



Your request for service on the item(s) will be evaluated by our technicians to determine if it is covered under our warranty policy. If the item(s) are under warranty we will repair and return them. If the item(s) are not under warranty, you will be contacted with an estimate before work is performed. Exceptions: Estimates of \$75 or less will be serviced and returned via C.O.D. (cash on delivery) without notification, unless quote for all work is used in the correspondence received.



ATTENTION:
Product service

Dept. REF # 10475

Mech USMC <tortoise8878@gmail.com>

Re: [Ticket: 134046] Recall submission

CJ <tortoise8878@gmail.com>

Mon, Jul 7, 2014 at 3:22 PM

To: xmprecall@remington.com

I apologize, I did not send the ticket info and the pictures of some the damage. Here is the same letter with the proper amount of pictures and ticket info and my message body. Thanks for understanding.

Hey there I want you guys to know that I DID HAVE A DISCHARGE FROM

THIS FIREARM.....

When I first bought it , I brought it home from Gander Mountain and

the rifle appeared to be in mint condition.

I practiced snapping in, in my hallway, and then on the following

Sunday I believe, I loaded it with .308 Winchester rounds, I had it

safely aimed at my ceiling in my computer room, and I began driving

the bolt home and back to empty the rounds, and it went off!

I was doing everything perfectly, I am a former United States Marine

Corps Infantryman MOS 0311, I know how to handle firearms and I have

4 years and guys I served with to prove it and back that up.

For the longest time I have been troubled by that negligent

discharge, thinking "did my finger slip, what happened"

Then I got my American Rifleman magazine from the NRA which I am a

part of, and I read about the recall. So yes indeed, your rifle

discharged on its own and blew my ceiling fan apart, and went into

the Air Duct above it, and into my Attic and who knows where else.

I went up into the Attic with a flashlight looking for a hole

through my roof but I did not find one, however that doesnt mean it

isnt there.

I would like to speak with you about additional compensation, not a

lawsuit, but I feel that the firearm going off and knocking me on my

7/14/2014 2:15 PM

PS 35913

ass, partially blacking out, getting showered with glass from the light fixture on the ceiling fan blowing apart, the rifle round in my Air Duct, a hole in my ceiling, temporary hearing loss, might be worth a few more of your coupons.

Maybe you can throw in a free concealed carry pistol chambered in 45.ACP , that would certainly be cool.

Anyways, I think you should replace that rifle with a different one, the magazine doesnt seat and allow rounds to be ejected right as well on it.

It has a scope that came bore sighted and that was one of the selling points... I hope you can replace it with a new one with a scope that is bore sighted as well.

Anyways please be thorough, that could have killed someone, me, my wife, my dog, a friend, a neighbor....

Below are pictures I am attaching of the rifle rounds trajectory, you can see how it blew apart the glass cover of the ceiling fan, went through one of the fan blades and into the ceiling air duct.

Please call me at 1-815-272-4806
or Email me at this address Tortoise8878@gmail.com

I have always appreciated your firearms, I also own a Remington 870

Turkey Magnum chambered in 3 inch and 2 3/4

Tell me what we can do.

Your Ticket Info:
Ticket ID: 134046
Status: In process
Subject: Recall submission
Created On: 2014-07-07 17:12:26

On Mon, Jul 7, 2014 at 3:19 PM, CJ <tortoise8878@gmail.com> wrote:

On Mon, Jul 7, 2014 at 3:17 PM, CJ <tortoise8878@gmail.com> wrote:

your box. Please remove all accessories, including your scope. Turnaround time is estimated to be at least twelve weeks from the time the firearm is received.

Thank you,
Customer Support

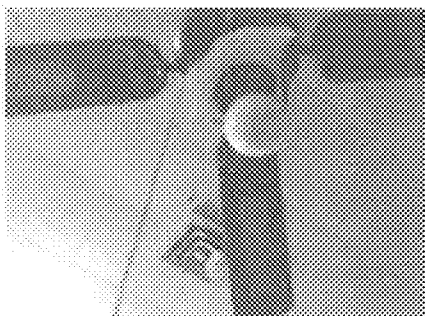
Your Ticket Info:
Ticket ID: 134046
Status: In process
Subject: Recall submission
Created On: 2014-07-07 17:12:26

Thank you and best regards,
Remington Customer Services

3 attachments



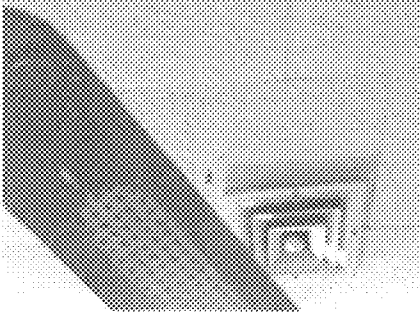
IMG_1232[1].JPG
687K



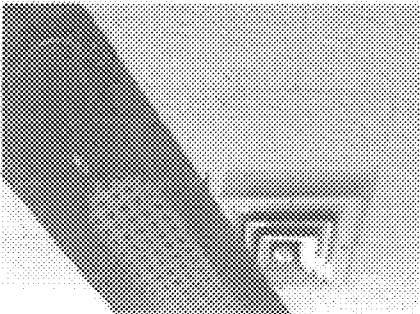
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2534K



IMG_1236[1].JPG
1237K



IMG_1234[2].JPG
2620K



IMG_1233[1].JPG
2539K

