

Remington Arms Co., Inc.  
Product Service  
Legal Case #:5041

## Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
214382	12/13/2010	11/9/2010	1/5/2011	10/8/2010			

## Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Nathan	Montoya	4011 Rangeview Dr.	Cheyenne	WY	82001		H 307-637-7253 E ibcrazynate@aol.com

## Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI				
PD	Shot a hole in friend's truck	Cause:4038 Could Not Duplicate Concern		Unknown
S		Concern:1008 Fired on Bolt Closing		
C				

Jeremy Padgett emailed in on behalf of Nathan Montoya. Jeremy & Nathan were hunting this past antelope season. Nathan got out of Jeremy's truck loaded his rifle & when he closed the bolt - the rifle fired. Shot a hole in Jeremy's truck. Damaged glove box, wire harnesses, firewall, & downpipe of exhaust. Jeremy wants us to pay for truck damage. df

## Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	CF/BA	770/270 WIN	85632	71385092	OB	7/24/2007 4:18:15 PM
Date Purchased	Where Purchased	Accessories	Original Owner			
	WAL-MART SUPERCENTER 1315		Y			

CONCERN:FBC

Ammunition Information - None Defined

Other Products Information - None Defined

## Settlement

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV
Remington/770/CF/BA						
Replace with ramac 27361 in exchange						
	Repair/Replacement Cost	Repair/Replacement Date				
	\$193.57	1/5/2011				

11/9/10: Sending ARS, ltr, form. df 12/30/10: Per Ilion - Could not duplicate concern. df 12/30/10 @ 10:33am ET - I called cust. No answer, No voice mail. I emailed him & asked him to call. I am willing to exchange for ramac 27361 - M/700 SPS, 270 Win. Must ship to a dealer also. df 1/5/11: Customer called. We agreed to ramac 27361 as replacement in exchange. Shipping to Marv's Other Place Pawn. Ashley @ store apprvd shipment. We have FFL on file. His friend Jeremy is supposed to fax over estimate for repairing truck. When he does, I will review & go from there. Release will need to be signed by Jeremy. df

Examination[Remington/CF/BA]

Part	Sub-Part	Code	Comment

Examination	Examiner	B.TRAVIS	
	Exam Date	12/15/2010	
	Product Type	RF	
	Action Type	A	
	Assigned To	T.NAGLE	
Cause	4038	Could Not Duplicate Concern	
Barrel	Description	22" 270 WIN	
	Date Code	OB	
	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---	
Magazine	Condition	---Select---	
	Box Condition	Slightly Worn; Functioning	
Overall	Exterior Condition	Slightly Worn; Functioning	
	Stock Condition	Slightly Worn; Functioning	
	Fore End Condition	---Select---	
Receiver	Condition	Slightly Worn; Functioning	
	Bulged	False	
Safety	Description	STANDARD M/770 SAFETY	
	Function	Like new; Functioning	
	Sub-Assembly	Non-ISS	
Scar	Lift	---Select---	
	Notch	Like new; Functioning	
	Tests	Test Fired	False
Feeding Test		False	
Trigger	Condition	Like new; Functioning	
	Pull	---Select---	4#
	Altered	False	
	Sub-Assembly	Other Remington	

## Bureau of Alcohol, Tobacco, Firearms and Explosives

Federal Firearms License  
(18 U.S.C. Chapter 44)

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. See "WARNINGS" and "NOTICES" on reverse.

Direct ATF      ATF - Chief, FFLC  
Correspondence To      244 Needy Road  
                                 Martinsburg, WV 25405-9431

License Number      **5-83-021-02-2H-00871**

Chief, Federal Firearms Licensing Center (FFLC)  
*[Signature]*

Expiration Date      **August 1, 2012**

Name

MARVS OTHER PLACE

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)

**3543 E LINCOLN WAY  
CHEYENNE, WY 82001-**

Type of License

02-PAWNBROKER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES

## Purchasing Certification Statement

The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

## Mailing Address (Changes? Notify the FFLC of any changes.)

**MARVS PLACE INC  
MARVS OTHER PLACE  
3543 E LINCOLN WAY  
CHEYENNE, WY 82001-**

Licensee/Responsible Person Signature

Position/Title

Printed Name

Date

Previous Edition is Obsolete

MARVS PLACE INC 1 3543 E LINCOLN WAY CHEYENNE, WY 82001-0001 02-PAWNBROKER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES

ATF Form 8 (5310.11)  
Revised September 2008

## Federal Firearms License (FFL) Customer Service Information

Federal Firearms Licensing Center (FFLC)  
244 Needy Road  
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (866) 662-2750  
Toll-free Fax Number: (866) 257-2749  
E-mail: NLC@atf.gov

ATF Homepage: [www.atf.gov](http://www.atf.gov)  
FFL eZ Check: [www.atfonline.gov/EZcheck](http://www.atfonline.gov/EZcheck)

**Change of Address (27 CFR 478.52).** Licensees may during the term of their current license remove their business or activity to a new location at which they intend regularly to carry on such business or activity by filing an Application for an Amended Federal Firearms License, ATF Form 5300.38, in duplicate, not less than 30 days prior to such removal with the Chief, Federal Firearms Licensing Center. The application must be executed under the penalties of perjury and penalties imposed by 18 U.S.C. 924. The application shall be accompanied by the licensee's original license. The license will be valid for the remainder of the term of the original license. (The Chief, FFLC, shall, if the applicant is not qualified, refer the application for amended license to the Director of Industry Operations for denial in accordance with § 478.71.)

**Right of Succession (27 CFR 478.56).** (a) Certain persons other than the licensee may secure the right to carry on the same firearms or ammunition business at the same address shown on, and for the remainder of the term of, a current license. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business shall furnish the license for that business for endorsement of such succession to the Chief, FFLC, within 30 days from the date on which the successor begins to carry on the business.

(Continued on reverse side)

MARV'S OTHER PLACE

502159

Please set  
up +  
EMX: C

RM

Called Customer because  
WE HAVE A MARV'S PLACE  
in system, same city.  
He explained MARV'S OTHER  
PLACE is a 2nd location.  
90% of firearms will go  
to this location. If the  
NEED arises, he will send  
in a current FFL for 1st  
location. 496445.

## ronic Version Available

giving the electronic version of the FFL Newsletter additional information, should submit name, address to: [FFLNewsletter@atf.gov](mailto:FFLNewsletter@atf.gov).

Newsletter will enable ATF to communicate  
as on a periodic basis.

# Switchboard® Your Digital Directory

Find a Business

Find a Person

Find a Car

Search the Web

Business Name or Category

Location

Marvs Other Place

cheyenne WY

Advertisers marked with \*

- 1 **Marv's Other Place P ...**  
3543 E Lincolnway  
Cheyenne, WY

- 2 **Marv's Place Pawn Sh ...**  
223 W Lincolnway  
Cheyenne, WY

1-2 of 2 Results

☐ Map data not available

[Print](#) | [Update Business Info](#) | [Driving Directions](#) | [What's Nearby](#)

## 1 Marv's Other Place Pawn Shop

☆☆☆☆☆ [Be the First to Review](#)

3543 E Lincolnway  
Cheyenne, WY 82001  
(307) 632-2636

Share



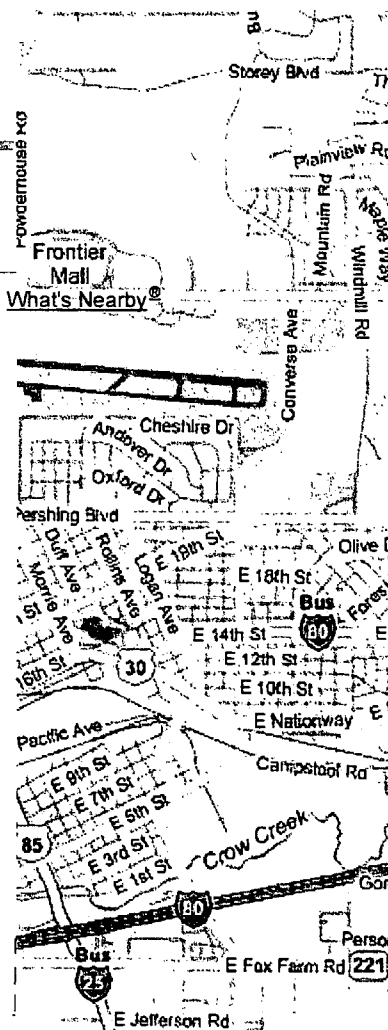
### About Marv's Other Place Pawn Shop

#### Business Categories:

Pawn Brokers &amp; Shops

1/5/11

Ashley apprd  
shipment



### User Feedback



0

Composite Rating: ☆☆☆☆☆

Total Reviews: (0)

[Add Feedback](#) ☆

### Business Details



25

Business Description  
Specialties  
Menu/List of Services  
Picture/Video  
Hours of Operation  
Email

**Fulcher, Dell Marie**

---

**From:** Mail Delivery System [MAILER-DAEMON@AOL.com]  
**To:** ibcrazynate@aol.com  
**Sent:** Thursday, December 30, 2010 10:39 AM  
**Subject:** Relayed: Nathan Montoya - Remington Ref# 5041

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

ibcrazynate@aol.com

**Subject:** Nathan Montoya - Remington Ref# 5041

5041

X  
[COPY]

22"  
037/01  
4#

November 9, 2010

Nathan Montoya  
4011 Rangeview Dr.  
Cheyenne, WY 82001  
Ph: 307-637-7253

Ref: # 5041

Dear Mr. Montoya,

Enclosed is a prepaid UPS shipping label to cover shipment of your firearm to our factory for examination.

**Please include a copy of this letter to put inside the shipping container. 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. Mark the ends of the box with "Product Service".** Product Service will be inspecting the firearm and will contact me with the results.

I hope that this action will keep you a loyal Remington customer.

Sincerely,  
D. Fulcher  
Consumer Affairs Administrator  
Remington, H&R, Marlin  
Phone: 1-800-243-9700  
Fax: 336-548-7872

enclosure

Serial Number: 71385092  
Model: 770  
  
RE00214382

RECEIVED  
DEC 22 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)

Print

Reset

Model Number: <u>770</u>		Serial Number: <u>71385092</u>	
Are you the original owner?: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Name: <u>Nathan Montoya</u>		Date of Purchase: <u>Sept or Oct 2007?</u>	
Address (no PO Boxes): <u>4011 Rangeview Dr</u>			
City: <u>Cheyenne</u>		State: <u>WY</u>	Zip: <u>82001</u>
Phone (Daytime): <u>307 637 7253</u>		Fax: <u></u>	
E-mail Address: (if e-mail address is provided, notification of receipt and shipment will be sent) <u>Ibcrazyrate@AOL.COM</u>			
E-mail Address: <input type="checkbox"/> I would like to receive future e-mail updates from Remington.			
Please describe your problem and date of occurrence: <u>This year during antelope hunting season, I got out of the truck to walk over a short hill. I got my rifle out of the back seat, loaded the clip in the gun, and tried to load a round. When I closed the bolt, with my left hand on the fore-end of the rifle and my right hand operating the bolt, the gun fired. There was nothing near the trigger at all. It shot a hole through my friend's glove compartment, broke some wiring harnesses under the dash, put a hole through the firewall, and a hole through the downpipe on the exhaust. This happened on Oct 8, 2010</u>			
500 characters left			
Ammunition Information:			
Manufacturer: <u>Remington/Winchester</u>		Type: <u>130gr PSP / 130gr Super-X</u>	
Other (i.e. bullet weight/type, shot size, powder): <u></u>			
Handload Information:			
Powder Used: <u></u>		Powder Weight: <u></u>	
Case/Hull Used: <u></u>		Primer Used: <u></u>	
Bullet Type/Shot Size: <u></u>		Reloader Used: <u></u>	
Firearms Care (Cleaning and Lubrication):			

Brand of cleaning solution used: <u>Remington</u>
How often do you clean the bore? (Months or Number of rounds) <u>50 rounds</u>
How often do you clean the action? (Months or Number of rounds) <u>50 rounds</u>
How often do you clean the trigger assembly? (Months or Number of rounds) <u>50 rounds</u>
Brand of lubricant used: <u>Remington</u>
How often do you lubricate the bore? (Months or Number of rounds) <u>25 rounds</u>
How often do you lubricate the action? (Months or Number of rounds) <u>25 rounds</u>
How often do you lubricate the trigger assembly? (Months or Number of rounds) <u>25 rounds</u>
Have you reviewed the cleaning and maintenance recommendations on our web site or in our owners manual? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
When was the last time that your firearm was serviced by a Remington authorized repairman/gunsmith?) <u>never</u>
What were the services performed?) <u>1/A</u>
Ship your INSURED firearm by either UPS or Parcel Post to:  <b>Remington Arms Co., Inc.</b> <b>Attn: Arms Service Division</b> <b>14 Hoefler Avenue</b> <b>Ilion, NY 13357</b>
<input type="checkbox"/> <b>WARNING: DO NOT SEND LIVE OR SPENT SHELLS IN YOUR FIREARM OR IN THE SAME BOX WITH THE FIREARM. THIS IS A VIOLATION OF FEDERAL LAW. IF YOU FEEL YOU MUST SEND SPENT SHELLS PLEASE SEND THEM IN A SEPARATE PACKAGE AND INCLUDE NAME, ADDRESS (WITH ZIP CODE), TELEPHONE AND MODEL AND SERIAL NUMBER OF YOUR FIREARM.</b>  :: Record the serial number of your firearm before sending it. :: Pack your firearm for safety and to prevent further damage in shipping and handling. Preferably, ship in a firearm box. (Note: Original boxes may not be returned.) :: Remove all accessories from your firearm to prevent loss or damage. :: Provide a return address on both the outside and inside the box. Shipments without a proper



return address will be refused.

:: Ship your INSURED firearm by either UPS or Parcel Post. Remington is not responsible for damage or loss during shipment, so you may elect to purchase insurance from your carrier.

Charge repairs will be processed using the following guidelines:

:: Repairs \$75.00 and under will be completed and returned to you C.O.D. (To avoid C.O.D. Charges, please include your credit card number and expiration date with your gun)

:: For Repairs over \$75.00, you will receive a written estimate detailing the nature of the repair, applicable taxes and shipping. You will have 30 days to approve the repair estimate. Repairs can be paid by check, money order, or credit card (American Express, Discover, MasterCard, or VISA). If you wish, you can expedite repairs over \$75.00 by setting a pre-authorized amount that can be billed to your credit card. We process checks electronically through Check21.

5041

**Reference #**  
101102-000105

**Status**  
Updated

**Assigned To**  
Administrators  
Dell -

**Product**  
Firearms

**SLA**  
Not specified

**Queue**  
CSR

**Remington 770****Discussion Thread****Customer (Jeremy Padgett)****11/08/2010 08:41 AM**

Serial Number: 71385092

Caliber: .270

Friend's Name and Info:

Nathan Montoya

4011 Rangeview DR

Cheyenne, WY 82001

307 637 7253

From: [info@remington.com](mailto:info@remington.com)To: [jmpadg@hotmail.com](mailto:jmpadg@hotmail.com)

Date: Fri, 5 Nov 2010 16:59:12 -0400

Subject: Remington 770 [Incident: 101102-000105]

**Date Created**  
11/02/2010 06:27 PM

**Initial Response**  
11/05/2010 04:59 PM

**Last Updated**  
11/08/2010 08:41 AM

**Customer SmartSense**  
+2 (on -3 to +3 scale)

**Staff SmartSense**  
+1 (on -3 to +3 scale)

**Response (Dell -)****11/05/2010 04:59 PM**

Dear Mr. Padgett,

We would like the rifle to come into our Product Services Department at our factory for examination. Please reply back to me with the serial number of the rifle, caliber, your friend's mailing address and phone number. We would like to send a pre-paid shipping label for UPS to have the firearm come in. I will also include a form that needs to be filled out to let the examiner know exactly what happened, when this occurred and what you all are expecting.

Sincerely,  
Dell

**Customer (Jeremy Padgett)****11/02/2010 06:27 PM**

Hi,

This will be kind of a long email to explain my problem.

I have been hunting and shooting for a long time. For 20 years I tried to get a close friend to hunt and shoot with my family and me and finally 3 years ago he borrowed a rifle from us and went hunting and liked it. Right away he wanted to buy his own rifle and ended up with a Remington 770 in .270. I am not personally a fan of the 770 but he didn't want to spend much money until he was sure he was going to continue hunting. I helped him sight in this rifle and it shot sub MOA consistently, which impressed me for the price of the rifle/scope combo.

This last spring I bought a 700 VTR in .308 and had nothing but problems with it. After contacting Remington and sending it back, a new rifle was returned to me. I have nothing but good things to say about Remington and the customer service I recieved dealing with the VTR issue. I had almost talked my friend into a Sendero to replace his 770. Almost.

This year during antelope hunting season, my friend and me were getting out of the truck to walk over a short hill where we'd seen a herd of antelope. I got out with my rifle and shut my door. He got out then and grabbed his rifle out of the back seat, loaded the clip in his gun, and loaded a round. When he closed the bolt, with his left hand on the fore end and right hand operating the bolt, the gun fired. There was nothing near the trigger at all. I now have a hole through the glove box in my truck, a few broken wire harnesses, a hole through the firewall, and a big hole in the downpipe of my exhaust.

I've had a very good experience with my first Remington even though I'm a big fan of Savage. I'm not real sure about my friend now though, or myself for that matter as far as Remingtons go. Is this a known issue with the 770? Is there a fix? This gun has not been modified in any way. The deductible on my truck insurance is higher than the price to fix the holes in my truck. Can Remington help me pay to fix my truck?

Thanks,  
Jeremy Padgett  
4111 Van Buren Ave  
Cheyenne, WY 82001  
307-630-6410

**Primary Contact**

**First Name:** Jeremy  
**Last Name:** Padgett  
**Organization:**

**Login:** jmpadg@hotmail.com**Title:****Contact Type:****Email:** jmpadg@hotmail.com**Email - Alternate #1:****Email - Alternate #2:****Office Phone:****Mobile Phone:****Fax:**

- Not gun owner

**Assistant Phone:**

**Home Phone:**

**Street**

**City**

**State/Province**

**Postal Code**

**Country**

**Additional Information**



www.remington.com

Remington Arms Company, Inc.  
870 Remington Drive  
P. O. Box 700  
Madison, NC 27025-0700

## ARS LABEL REQUEST FORM

DATE:	11/9/2010	REQUESTED BY:	Dell
QUANTITY:	1	WEIGHT PER PACKAGE:	10 lbs
<b>PLEASE CHECK ONE</b> MEDIA COORDINATOR TO MAIL	I WILL MAIL <b>XXXXXX</b>		
DESCRIPTION: Ref# 5041 Rifle			

## LABEL INFORMATION

MAIL LABEL TO: Nathan Montoya 4011 Rangeview Dr. Cheyenne, WY 82001 Ph: 307-637-7253
RETURN ITEM TO Remington Arms Attn: Product Service Ilion, NY

**PLEASE COMPLETE ALL PARTS OF THIS FORM AND SEND TO THE MEDIA COORDINATOR**

4XX596 NOV 10, 2010 ALL CURR USD 1 OF 1  
SVC GND COM ACT WT 10.0 LBS  
TRACKING# 124XX5969065674814  
REF 1: NATHAN MONTGOMERY/CD/DNF  
REF 2: 5041/RIFLE  
HANDLING CHARGE 0.00  
SINGLE-PIECE PUB RATE CHRG: SVC T/P USD  
DV 0.00 COD 0.00 RS 0.50  
DC 0.00 JCD 0.00 SD 0.00  
AH 0.00 PR 0.00 SP 0.00  
TOT PUB CHG 10.54 PUB+HANDLING 10.54

