

Remington Arms Co., Inc.

Product Service

Legal Case #4949

Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
221011	1/28/2011	11/3/2010	2/7/2011	10/23/2010			X

Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Melvin	Lee	15 Crafton St	Mayflower	AR	72106		H 501-470-1245 C 501-339-6251 E mel.lee@shbcglobal.net

Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI out thumb				
PD	Cause:4013 Broken or Missing Parts		U	
S Fired on safety release	Concern:1007 Fired on Safe Release			
C				

11/3/10 Per letter received, last Sat. he was deer hunting and was attempting to shoot a deer when it fired when taking off safety. Later that day he was attempting to target shoot and make sure it was ok when it happened again.cm

Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	ML/BA	700ML/50 CAL	27572	ML073779	FR	6/2/1997
Date Purchased	Where Purchased	Accessories	Original Owner			
	SPORTS SOUTH INC		U			

CONCERN:FSK

Ammunition Information - None Defined

Other Products Information - None Defined

Settlement

Remington/700ML/ML/BA

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV
Reimburse \$199.99 for replacement rifle he purchased			199.99		2/11/2011	

Repair/Replacement Cost Repair/Replacement Date

11/3/10 Mailing ARS.cm 11/22/10 Rec'd email from Lee requesting enough of a refund to allow him to buy a Thompson Ctr ML, \$399-\$629. I responded that I could not resolve until we had a chance to inspect the firearm and that I may be able to reimburse his original purchase price after inspection, send a copy of his sales receipt.cm 11/30/10 Lee emailed a request for us to send him \$199.99 and he will sign a liability release form after returning his 700ML to the factory. I will email that I will do that if the firearm has the problem he has claimed when we inspect.cm 1/17/11 Lee emailed that he would like to be reimbursed \$199.99 for the replacement he has purchased and I agreed. He would also like to have the bolt and .209 conversion back after we receive his 700ML. I told him to take the bolt and breech plug out before he ships it to save shipping the parts back to him in the end.cm 2/7/11 Emailed release that Lee needs to return before check is processed.cm 2/11 Rec'd release, submitted G408.cm

Examination[Remington/ML/BA]

Part	Sub-Part	Code	Comment
Examination	Examiner		B.TRAVIS
	Exam Date		1/31/2011
	Product Type		RF
	Action Type		A
	Assigned To		T.NAGLE
Cause	4013	Broken or Missing Parts	
	Description		24" 50 CAL

Barrel	Date Code		PR
	Bore Plugged	False	
	Bulged	False	
	Fired	False	
	Fired while Obstructed		
	Muzzle/Crown Condition	Slightly Worn; Functioning	
Overall	Exterior Condition	Slightly Worn; Not Functioning	REC'D LESS BOLT
	Stock Condition	Slightly Worn; Functioning	
	Fore End Condition	--Select--	
Receiver	Condition	Slightly Worn; Functioning	
	Bulged	False	
Safety	Description		M700 SAFETY
	Function	Like new; Functioning	
	Sub-Assembly	Non-ISS	
Sear	Lift	--Select--	N/A
	Notch	Slightly Worn; Not Functioning	
		Test Fired	False
Feeding Test	Tests	False	
Trigger	Condition	Slightly Worn; Not Functioning	SEAR CHIPPED AT CONNECTOR CONTACT POINT,SEE PHOTOS
	Pull	--Select--	N/A
	Altered	False	
	Sub-Assembly	M700 Non-Bolt Lock	

GENERAL RELEASE

KNOW ALL PERSONS BY THESE PRESENTS:

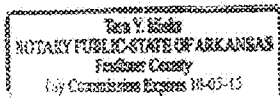
That I Melvin Lee, having an address at 15 Crafton St. Mayflower, AR 72106, being of full age, in consideration of and upon receipt of a check in the amount of \$199.99 for reimbursement for the replacement of the Model 700ML, serial # ML073779, sent as a gesture of goodwill ("Consideration"), do hereby release and forever discharge REMINGTON ARMS COMPANY, INC., its parent and affiliated companies and its/their predecessors, successors, assigns, employees, officers, agents and directors ("Releasees") from all debts, claims, demands, damages, costs, expenses, actions and causes of action what-so-ever nature or kind, known and unknown, on account of, resulting, or which may result from an incident occurring on or about October 23, 2010 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 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.

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

IN WITNESS WHEREOF, intending to be bound hereby, I have hereto set my hand this 8 day of Feb, 2011.

Notary signature: Jana Y. Hicks



MELVIN LEE
Print Name (Melvin Lee)

Melvin Lee
Signature (Melvin Lee)

Products (serial numbers):

ML073779

ARDL 92069B497
Social Security Number or Driver's License #

24"
PR 4/97

X
4949

November 3, 2010

Melvin Lee
15 Crafton St
Mayflower, AR 72106

Subject: #4949, Model 700ML

Dear Mr. Lee,

Per my voice message, enclosed is a prepaid UPS ground shipping label for shipment of the firearm to our factory for inspection. Please include a copy of the attached letter with the firearm. 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. Please mark the ends of the box with "Supry". I will contact you after inspection with the results.

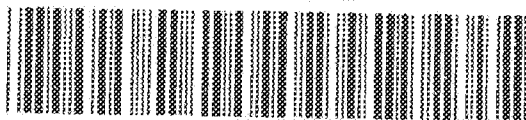
I apologize for the inconvenience that this incident has caused and I hope that these actions will keep you as a loyal Remington customer.

Sincerely,

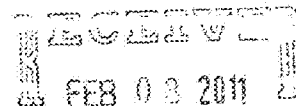
Christy Mitchell
Consumer Affairs Administrator
Phone: 800-243-9700, ext 8684
christy.mitchell@remington.com

Serial Number
ML073779

Model: 700ML



RE00221011



BY:

Remington Arms Company, Inc. • 870 Remington Drive • P.O. Box 700 • Madison, NC 27025
Phone 800-243-9700 • www.remington.com

NOTE: Please complete and print this form, and then include it with your firearm.

Model Number: 700 ML		Serial Number: ML 073779	
Are you the original owner? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Name: MELVIN LEE		Date of Purchase: 1997	
Address (no PO Boxes): 15 CRAFTON STREET			
City: MAYFLOWER		State: AR	Zip: 72106
Phone (Daytime): CELL 501-339-6251		Fax: HOME 501-470-1245	
E-mail Address: (if e-mail address is provided, notification of receipt and shipment will be sent) MEL, LEE @ SBCGLOBAL.NET			
E-mail Address: <input checked="" type="checkbox"/> I would like to receive future e-mail updates from Remington.			
Please describe your problem and date of occurrence: FIRES WHEN TAKEN OFF SAFETY			
500 characters left			
Ammunition Information:			
Manufacturer: PYRODEX		Type: BLACK POWDER	
Other (i.e. bullet weight/type, shot size, powder):		240 GN	
Handload Information:			
Powder Used:		Powder Weight:	
Case/Hull Used:		Primer Used:	
Bullet Type/Shot Size:		Reloader Used:	

Firearms Care (Cleaning and Lubrication):

Brand of cleaning solution used: REMINGTON

How often do you clean the bore? (Months or Number of rounds) EVERYTIME FIRED

How often do you clean the action? (Months or Number of rounds) EVERYTIME FIRED

How often do you clean the trigger assembly? (Months or Number of rounds) EVERYTIME FIRED

Brand of lubricant used: REMINGTON REM OIL

How often do you lubricate the bore? (Months or Number of rounds) EVERYTIME FIRED

How often do you lubricate the action? (Months or Number of rounds) EVERYTIME FIRED

How often do you lubricate the trigger assembly? (Months or Number of rounds) EVERYTIME FIRED

Have you reviewed the cleaning and maintenance recommendations on our web site or in our owners manual?

☒ YES ☐ NO

When was the last time that your firearm was serviced by a Remington authorized repairman/gunsmith? N/A

What were the services performed? N/A

Remington Arms Co., Inc.
Attn: Arms Service Division
14 Hoefler Avenue
Ilion, NY 13357

⚠️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.

- 1. Record the serial number of your firearm before sending it.
- 2. 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.)
- 3. Remove all accessories from your firearm to prevent loss or damage.
- 4. Provide a return address on both the outside and inside the box. Shipments without a proper return address will be refused.

YAHOO! MAIL

Classic

RE: #4949, Modwl 700ML

Tuesday, January 18, 2011 7:08 AM

From: "Mitchell, Christy" <Christy.Mitchell@remington.com>

To: "Melvin Lee" <mel.lee@sbcglobal.net>



Actually, go ahead and remove the bolt and breach plug before you ship it. I'll make a note on my end.

That will save me some shipping cost back to you. Thanks!

Christy Mitchell

From: Melvin Lee [mailto:mel.lee@sbcglobal.net]

Sent: Monday, January 17, 2011 7:11 PM

To: Mitchell, Christy

Cc: Mel Lee

Subject: RE: #4949, Modwl 700ML

Ms. Mitchell,

I have decided to send my Remington Model 700ML back to Remington for repair, replacement or buy-back. I can not locate the receipt where I purchased the rifle back in 1997, but I have purchased a replacement muzzle loader from Cabela's for \$199.99 including shipping. I feel this would be a fair buy-back price for my Model 700ML.

I have had a gunsmith look at the rifle and he will testify that the trigger has not been modified in any way and that the gun looks to have been very well maintained.

The rifle was upgraded several years ago to the 209 shotgun primer. As you probably know, the conversion requires changing parts in the bolt and installing a new breach plug. To make sure this was not causing the issue of firing when taken off safety, I replaced the bolt with one that I borrowed, which had not been upgraded, and the rifle still had the firing issue when taken off safety.

If the decision is made to buy-back the rifle, I would very much like to have the bolt and breach plug that has been upgraded to the 209 primers. The friend that I borrowed the bolt from would like to use it on his Model 700ML.

If this meets with your approval, I will ship the rifle this week. I still have the UPS shipping labels you sent back in November.

Thanks,

Melvin Lee

15 Crafton Street

Mayflower, AR 72106

mel.lee@sbcglobal.net

(H) 501-470-1245

(C) 501-339-6251

-- On Thu, 12/2/10, Mitchell, Christy <Christy.Mitchell@remington.com> wrote:

From: Mitchell, Christy <Christy.Mitchell@remington.com>

Subject: RE: #4949, Modwl 700ML

To: "Melvin Lee" <mel.lee@sbcglobal.net>
Date: Thursday, December 2, 2010, 11:48 AM

Mr. Lee, I'm sorry for the delay in responding. After Thanksgiving, is always our busiest week with most seasons in full swing!

If we receive your 700ML and it has the problem you have stated, I will request a check for \$199.99 to be sent to you. You can print this email and put it inside the box with the firearm. Be sure to include my other letter also so that they know to contact me after inspection.

I will be out of the office tomorrow but back in on Monday if you need me.

Sincerely,
Christy Mitchell
Consumer Affairs Administrator/Field Armorer's School Administrator
PO Box 700
870 Remington Dr.
Madison, NC 27025-0700
Phone: 336.548.8684
Fax: 336.548.7872 or 336-548-7784

Freedom Group Family of Companies

Remington, Bushmaster Firearms, DPMS / Panther Arms, Marlin, H&R, NEF,
Dakota Arms, Parker Gun, L.C. Smith, EOTAC, Advanced Armament Corp.,
Barnes Bullets, INTC

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From: Melvin Lee [mailto:mel.lee@sbcglobal.net]
Sent: Tuesday, November 30, 2010 2:17 PM
To: Mitchell, Christy
Cc: Mel Lee
Subject: RE: #4949, Modwl 700ML

I have not been able to locate my receipt so I guess a buy-back would not be possible. As I stated, I don't want my rifle repaired because I don't think I would ever be able to trust it again. With buy-back not possible, I have ordered new rifle from CABELA'S which should be here in time for our after Christmas muzzle loader season here in Arkansas.

The new rifle was on sale and cost \$199.99 with free shipping. If you would send me \$199.99 and a liability release form, I will send my 700ML and the signed release form back to you and we will be able to consider our business concluded. I feel this would be the quickest most economical solution to our problem.

If this resolution is not acceptable, as soon as hunting season is over and I have time, I will seek legal counsel to advise me.

My rifle has the "Walker Firing Mechanism".
I was injured by this rifle.
I have pictures of the injury.
I have a witness to the injury.
I have the rifle that will fire every time it is taken off safety.

As I stated before, I do not feel comfortable sending the rifle back without first being advised by legal counsel.

Thank you,
Melvin Lee
15 Crafton Street
Mayflower, AR 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

-- On Tue, 11/23/10, Mitchell, Christy <Christy.Mitchell@remington.com> wrote:

From: Mitchell, Christy <Christy.Mitchell@remington.com>
Subject: RE: #4949, Modwl 700ML
To: "Melvin Lee" <mel.lee@sbcglobal.net>
Date: Tuesday, November 23, 2010, 8:15 AM

Mr. Lee, we would not be able to offer a resolution without inspecting the rifle. This rifle was produced in 1997 and as corrosive as black powder is, we need to have the chance to see it before a decision is made.

It may be that we could reimburse the price you paid for you 700ML originally depending on the outcome of inspection. Send a copy of your receipt with it also if available so that I will have that information when it comes in.

Sincerely,
Christy Mitchell
Consumer Affairs Administrator/Field Armorer's School Administrator
PO Box 700
870 Remington Dr.
Madison, NC 27025-0700
Phone: 336.548.8684
Fax: 336.548.7872 or 336-548-7784

Freedom Group Family of Companies

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Dakota Arms, Parker Gun, L.C. Smith, EOTAC, Advanced Armament Corp.,
Barnes Bullets, INTC

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error, please reply back to sender advising that you have received the e-mail in error and delete this e-mail from your system. Thank you.

From: Melvin Lee [mailto:mel.lee@sbcglobal.net]
Sent: Monday, November 22, 2010 2:42 PM
To: Mitchell, Christy
Cc: Brandon Birmingham; Tim Daven; Bud Daven; Jim Daven; Mel Lee; Todd McBrayer; Bill Schneider
Subject: #4949, Modwl 700ML

Christy Mitchell,

I received your letter with the shipping label for shipment of my firearm to your factory for inspection. Thank you so much for your quick response.

Because the injury I sustained to my right thumb happened at my deer camp, this particular rifle is now banned from our deer lease. Even if it were to be repaired, I don't think I would ever be able to trust the gun again.

If possible, I would like for the gun to be replaced, but I understand that Remington no longer manufactures muzzle loading rifles. Would you/Remington consider a buy-back so I could purchase another muzzle loading rifle from a different company? I have checked and found that Cabela's has Thompson Center rifles from \$399.99 to \$629.99.

I really don't feel comfortable returning my rifle to you before we have reached a reasonable settlement. I believe that a buy-back, which would include a signed liability release from me would be the best and the quickest for all concerned.

Please let me know what you think of this proposal... I am and always will be a loyal Remington customer.

I currently own the following:

- 16 gauge model 11-48
- 16 gauge model 870 Wingmaster
- 12 gauge model 870 Wingmaster
- 12 gauge model 870 Express
- 12 gauge model 1100

Thank you so much for listening to my offer,

Melvin Lee
15 Crafton Street
Mayflower, Arkansas 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

Mitchell, Christy

From: Melvin Lee [mel.lee@sbcglobal.net]
Sent: Monday, November 22, 2010 2:42 PM
To: Mitchell, Christy
Cc: Brandon Birmingham; Tim Daven; Bud Daven; Jim Daven; Mel Lee; Todd McBrayer; Bill Schneider
Subject: #4949, Model 700ML
Attachments: Busted Thumb from Remington Model 700 ML 002.jpg; Busted Thumb Remington 700 002.jpg

Christy Mitchell,

I received your letter with the shipping label for shipment of my firearm to your factory for inspection. Thank you so much for your quick response.

Because the injury I sustained to my right thumb happened at my deer camp, this particular rifle is now banned from our deer lease. Even if it were to be repaired, I don't think I would ever be able to trust the gun again.

If possible, I would like for the gun to be replaced, but I understand that Remington no longer manufactures muzzle loading rifles. Would you/Remington consider a buy-back so I could purchase another muzzle loading rifle from a different company? I have checked and found that Cabela's has Thompson Center rifles from \$399.99 to \$629.99.

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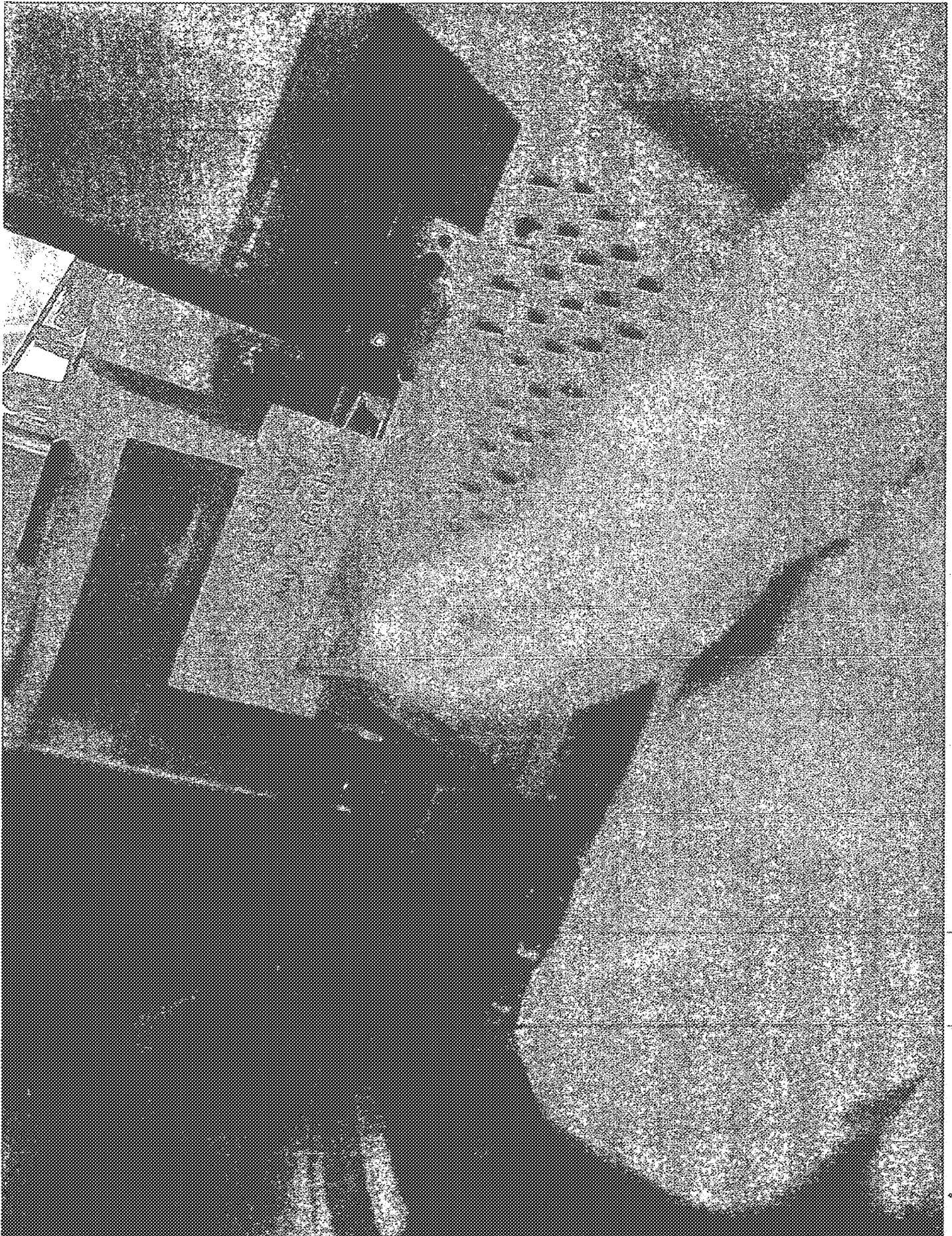
I currently own the following:

16 gauge model 11-48
16 gauge model 870 Wingmaster
12 gauge model 870 Wingmaster
12 gauge model 870 Express
12 gauge model 1100

Thank you so much for listening to my offer,

Melvin Lee
15 Crafton Street
Mayflower, Arkansas 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sbcglobal.net

Full retail in 1997 \$372.00



IF 4949

197

I have a Remington Model 700 ML, Serial # ML073779. My trigger has grooves which I believe means I have the "Walker Firing Mechanism".

Last Saturday while deer hunting, I found that my rifle will fire when taken off safety without pulling the trigger. I was attempting to shoot a deer when it first happened and did not really realize what happened. Later in the day, I was attempting target shoot with the gun to make sure it was OK. (This is when things got really scary) I loaded my rifle and was preparing to fire....When I moved the Safety Lever forward to the "Fire" position the rifle fired with out touching the trigger. Because my thumb was still on the Safety Lever when the rifle fired, the kick busted the end of my thumb and blood went everywhere.

From information on the Internet, there appears to be a safety issue with Model 700 rifles with the "Walker Firing Mechanism".

Is this true? If it is true, is Remington recalling or replacing the rifles?

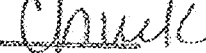
I thank my lucky stars that I was the only one hurt and someone didn't get killed. This gun is dangerous.

Your response, please,


Melvin Lee
15 Crafton Street
Mayflower, AR 72106
(H) 501-470-1245
(C) 501-339-6251
mel.lee@sboglobal.net

NOV 01 2010

Received Date: _____

CR: _____ 

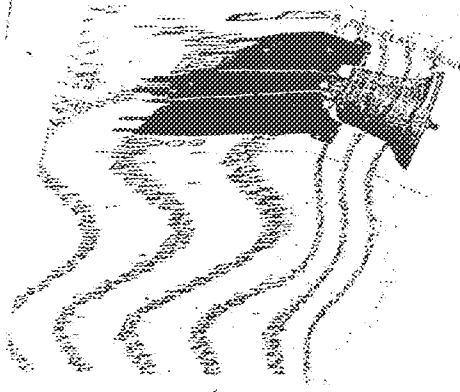
Response Date: _____

Response File: _____

Mel Lee
15 Craigh Street
Mayflower, AR 72106

LITTLE ROCK, AR 721

23 OCT 2003 PM 1 17



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

27025-0700

bbbbb



www.remington.com

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

ARS LABEL REQUEST FORM

DATE:	11/3/2010	REQUESTED BY:	christy
QUANTITY:	1	WEIGHT PER PACKAGE:	10
PLEASE CHECK ONE			
MEDIA			
COORDINATOR		XXXXXXXXXX	
TO MAIL		I WILL MAIL	
DESCRIPTION: 700ML			

LABEL INFORMATION

MAIL LABEL TO:	Melvin Lee 15 Crafton St Mayflower, AR 72105
RETURN ITEM TO:	Rem Prod Serv Illion, NY

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

4XX596 NOV 3, 2010 ALL CURR USD 1 OF 1
SVC 00000 ACT WT 10.0 LBS
TRACKING 124XX555907716H59
REF 1-MELVIN LEE 10/00
REF 2-700ML
HANDLING CHARGE 0.00
SINGLE-PIECE PSD RATE CHRG. SVC 1/P USD
OV 0.00 CGO 0.00 RS 0.50
GC 0.00 DGD 0.00 SD 0.00
AN 0.00 PR 0.00 SP 0.00
TOT FUD CND 0.00 PSD HANDLING 5.40

