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7
8 Of Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF OREGON

11 TERT SEE and DARREL SEE,)
12 wife and husband,)
13 Plaintiffs,) Civil No. 81-886
14 v.)
15 REMINGTON ARMS COMPANY, INC.,) REQUESTS FOR ADMISSION
16 a Delaware corporation,)
17 Defendant.)

18 Pursuant to FRCP Rule 36, plaintiffs request that defen-
19 dant respond to the following requests for admission:

20 PREFATORY COMMENT

21 As used throughout these requests, the term "this rifle"
22 refers to the Model 700 Remington rifle which was involved in the
23 shooting of the plaintiff, Mrs. Teri See. The term "Model 700"
24 refers to the Remington Model 700 rifle designed and manufactured
25 in the period 1976 through 1981. The term "your examination"
26 refers to the examination of this rifle by J. S. Chiswell and L.
27 Chiswell on April 2, 1981, and reported to S. E. Speedie by J. S.
28 Chiswell in memorandum dated April 10, 1981.

Page REQUESTS FOR ADMISSION

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1 REQUEST FOR ADMISSION

2 REQUEST NO. 1: Admit that the 49 gun examination
3 reports (previously produced by defendant) are business records
4 and are admissible into evidence as such in the trial of this
5 case, pursuant to FR. Ev. 803.61.

6 REQUEST NO. 2: Admit that the rifles inspected and
7 reported upon in the 49 gun examination reports (previously
8 produced by defendant) are substantially the same in design and
9 manufacture as this rifle.

10 REQUEST NO. 3: Admit that on at least 49 occasions, if
11 not been reported to you that a Remington Model 700 rifle fired
12 when the safety was released.

13 REQUEST NO. 4: Admit that, on the date you examined
14 this rifle, the trigger mechanism probably had not been dis-
15 assembled since date of manufacture.

16 REQUEST NO. 5: Admit that, on the date of your exam-
17 ination of this rifle, it met all of your manufacturing, design
18 and performance specifications.

19 REQUEST NO. 6: Admit that, on the date of your exam-
20 ination of this rifle, the rifle was in substantially the same
21 condition as it was when it left your hands, normal wear and tear
22 excepted.

23 REQUEST NO. 7: Admit that, on the date this rifle was
24 manufactured, it was reasonably foreseeable that an owner of one
25 of these Model 700 rifles would allow the weapon to be in the home
26 and this rifle was in on the date of your examination.

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REQUEST FOR ADMISSION

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1 REQUEST NO. 8: Admit that a rifle which discharges when
2 the safety is disengaged is unreasonably dangerous.

3 REQUEST NO. 9: Admit that a rifle which discharges when
4 the safety is disengaged does not meet the reasonable expecta-
5 tions of the average consumer.

6 DATED this 10th day of May, 1982.

7 BODYFELT, MOUNT, STROUP
8 & CHAMBERLAIN

9 By /s/ PETER R. CHAMBERLAIN
10 Peter R. Chamberlain, Of
11 Attorneys for Plaintiffs
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Page 1 AFFIDAVIT FOR ADMISSION

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