

1 JAMES D. HUEGLI
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1200 Standard Plaza
3 Portland, Oregon 97204
Telephone: (503) 222-9981

4 Of Attorneys for Defendant
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8 UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF OREGON

10 TERI SEE and DARREL SEE,)
husband and wife,)
11 Plaintiffs,) Civil No. 81-886
12 vs.)
13 REMINGTON ARMS COMPANY, INC.,) ANSWER TO REQUEST FOR
14 a Delaware corporation,) ADMISSIONS
15 Defendant.)

16 Defendant, in the above-captioned matter, in answer
17 to the Request for Admissions filed by plaintiff, admits and
18 denies as follows:

19 I

20 REQUEST FOR ADMISSIONS

21 REQUEST NO. 1: Denied.

22 REQUEST NO. 2: Some rifles inspected were substantially
23 the same in design and manufacture and some were not.

24 REQUEST NO. 3: Denied.

25 REQUEST NO. 4: Unknown.

26 REQUEST NO. 5: Defendant is unable to admit or deny

Page 1 - ANSWER TO REQUEST FOR
ADMISSIONS

SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS
Attorneys at Law
1200 Standard Plaza
Portland, Oregon 97204
Telephone 222-9981

1 request for admission number 5 as tests were not conducted on the
2 date of examination to determine whether the rifle met manufacturing
3 design and performance specifications.

4 REQUEST NO. 6: Denied.

5 REQUEST NO. 7: Denied.

6 REQUEST NO. 8: Denied. A rifle should discharge when
7 the safety is disengaged and should not discharge when the safety
8 is in the engaged position. This is the purpose of the safety.

9 REQUEST NO. 9: Denied. Please note in request for
10 admission 8 and 9, the question is phrased in such a fashion as
11 to be unable to be answered in any other way. The defendant does
12 admit that a rifle that discharges only when the safety is moved
13 forward into the fire position, and when nothing else happens to
14 the rifle, that this condition would be unreasonably dangerous.
15 However, merely putting the safety to the off position and then
16 pulling the trigger which causes the rifle to discharge is not
17 unreasonably dangerous.

18 SCHWABE, WILLIAMSON, WYATT,
19 MOORE & ROBERTS

20 By _____
21 James D. Huegli
22 Of Attorneys for Defendant

CERTIFICATE — TRUE COPY

I hereby certify that the foregoing copy of Answer to Request for Admissions is a complete and exact copy of the original.

Dated May 19 1982.

Attorney(s) for defendant

ACCEPTANCE OF SERVICE

Due service of the within is hereby accepted on 19, by receiving a true copy thereof.

Attorney(s) for

CERTIFICATES OF SERVICE

Personal

I certify that on 19, I served the within on attorney of record for by personally handing to said attorney a true copy thereof.

Attorney(s) for

At Office

I certify that on 19, I served the within on attorney of record for by leaving a true copy thereof at said attorney's office with his/her clerk therein, or with a person apparently in charge thereof, at Oregon.

Attorney(s) for

Mailing

I hereby certify that I served the foregoing Answer to Request for Admissions on Peter Chamberlain attorney(s) of record for plaintiffs on May 1982, by mailing to said attorney(s) a true copy thereof, certified by me as such, contained in a sealed envelope, with postage paid, addressed to said attorney(s) at said attorney(s) last known address, to-wit: 229 Mohawk Bldg., 222 SW Morrison St. Portland OR 97204

and deposited in the post office at Portland, Oregon, on said day.

Dated May 19 1982.

/s/ James D. Huegli

Attorney(s) for defendant

SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS ATTORNEYS AT LAW 1200 Standard Plaza Portland, Oregon 97204 Telephone 222-9981

1 E. Richard Bodyfelt
Peter R. Chamberlain
2 BODYFELT, MOUNT, STROUP & CHAMBERLAIN
214 Mohawk Building
3 708 S.W. Third Avenue
Portland, OR 97204
4 Telephone: (503) 243-1022

5 Of Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF OREGON

10 TERI SEE and DARREL SEE,)
wife and husband,)
11)
Plaintiffs,) Civil No. 81-886
12)
v.)
13)
14 REMINGTON ARMS COMPANY, INC.,) INTERROGATORIES TO DEFENDANT
a Delaware corporation,)
15)
Defendant.)

16 Plaintiffs propound the following interrogatories to
17 defendant, pursuant to FRCP Rule 33, to be answered within 30
18 days of service upon defendant, separately and fully:

19 PREFATORY COMMENT

20 As used throughout these interrogatories, the term "this
21 rifle" refers to the Model 700 Remington rifle which was involved
22 in the shooting of the plaintiff, Mrs. Teri See; the term "Model
23 700" refers to the Remington Model 700 rifle designed and manu-
24 factured in the period 1976 through 1981; the term "identify"
25 means to state the full name, occupation and present home and
26 business addresses.

1 INTERROGATORIES

2 INTERROGATORY NO. 1: State in detail how, if at all,
3 the trigger mechanism of this rifle differs from the trigger
4 mechanism of the Remington 600 rifle as it existed before being
5 recalled.

6 INTERROGATORY NO. 2: State in detail how the safety
7 mechanism of this rifle differs from the safety mechanism of the
8 Remington 600 rifle as it existed before being recalled.

9 INTERROGATORY NO. 3: Identify what rifle models defen-
10 dant has manufactured in the last eight years which could be
11 unloaded (including removal of a live shell from the chamber)
12 without disengaging the weapon's safety?

13 INTERROGATORY NO. 4: Identify what rifle models defen-
14 dant has manufactured in the last eight years which could not be
15 unloaded (including removal of a live shell from the chamber)
16 without disengaging the weapon's safety?

17 INTERROGATORY NO. 5: Identify all experts you intend to
18 call as witnesses in the trial of this matter and state the sub-
19 stance of their testimony.

20 INTERROGATORY NO. 6: If plaintiffs' request for admis-
21 sion No. 3 is denied, state the number of occasions on which it
22 has been reported to you that a Remington Model 700 rifle fired
23 when the safety was released.

24 INTERROGATORY NO. 7: Are the Remington Model 700 rifles
25 inspected by you (and mentioned in the 49 gun examination reports
26 produced by you) the same or similar to the gun involved in this

1 case?

2 INTERROGATORY NO. 8: If the answer to Interrogatory No.
3 7 is other than an unqualified "yes," state the ways in which
4 this rifle is different from each of those rifles.

5 INTERROGATORY NO. 9: State, with as much accuracy as
6 possible, the date (or year, if date cannot be determined) of
7 manufacture of each of the rifles examined in the 49 gun exam-
8 ination reports produced by you.

9 INTERROGATORY NO. 10: State, with as much accuracy as
10 possible, the date (or year, if date cannot be determined) of
11 manufacture of this rifle.

12 INTERROGATORY NO. 11: If plaintiffs' request for
13 admission No. 5 is denied, state, with particularity, in what
14 respects you contend the rifle did not meet your manufacturing,
15 design and/or performance specifications on the date of your
16 examination.

17 INTERROGATORY NO. 12: If plaintiffs' request for
18 admission No. 6 is denied, state, with particularity, in what
19 respects you contend the rifle was in a different condition than
20 it was when it left your hands.

21 INTERROGATORY NO. 13: If plaintiffs' request for admis-
22 sion No. 7 is denied, state, with particularity, in what respects
23 you contend that it was not reasonably foreseeable.

24 INTERROGATORY NO. 14: What do you contend caused this
25 rifle to fire at the time of, and on the date of, Mrs. See's
26 injury?

1 INTERROGATORY NO. 15: State whether or not it is true
2 that the side portion of the trigger mechanism on this rifle (and
3 other Remington 700 rifles) is open such that dirt, debris and
4 other foreign material could enter the trigger mechanism.

5 INTERROGATORY NO. 16: If the answer to Interrogatory
6 No. 15 is "yes," or is qualified in any way, explain why the
7 trigger mechanism is designed in that manner and state whether or
8 not it could have been designed in such a manner that such con-
9 tamination could be reduced or eliminated.

10 INTERROGATORY NO. 17: On the date of manufacture of
11 this rifle, how many reports had defendant received of other
12 Remington 700 rifles discharging when the safety was disengaged?

13 INTERROGATORY NO. 18: Since the date of manufacture of
14 this rifle, has the defendant changed the design of the trigger
15 mechanism or the safety mechanism (or both) in any way on its
16 Remington Model 700 rifle? If so, state with particularity what
17 changes have been made and the reason or reasons for each such
18 change.

19 INTERROGATORY NO. 19: Is there any reason that this
20 rifle cannot be redesigned in such a manner that it could be
21 unloaded (including removal of a shell from the chamber) without
22 disengaging the safety?

23 INTERROGATORY NO. 20: If the answer to Interrogatory
24 No. 19 is "yes," state, with particularity, what the reasons are.

25 INTERROGATORY NO. 21: If the answer to Interrogatory
26 No. 19 is "no," estimate what the difference in cost per rifle

1 would be to implement such an alternative design.

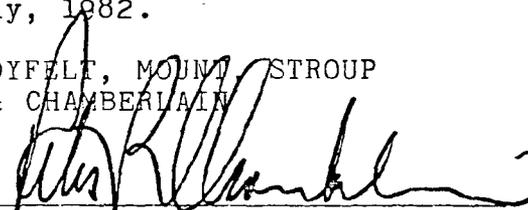
2 INTERROGATORY NO. 22: Is it true that you changed the
3 design of your Remington Model 788 from a safety which had to be
4 disengaged to unload the gun to a safety which did not have to be
5 disengaged to unload the gun?

6 INTERROGATORY NO. 23: If the answer to Interrogatory
7 No. 22 is "yes," state your reasons for making such a change.

8 INTERROGATORY NO. 24: If the answer to Interrogatory
9 No. 22 is "no," state whether or not you ever made such a change
10 on any rifle which you manufacture, identify that rifle, and
11 state the date such change was made.

12 DATED this 10th day of May, 1982.

13 BODYFELT, MOUNT, STROUP
14 & CHAMBERLAIN

15 By 
16 Peter R. Chamberlain, Of
17 Attorneys for Plaintiffs

1 E. Richard Bodyfelt
Peter R. Chamberlain
2 BODYFELT, MOUNT, STROUP
& CHAMBERLAIN
3 214 Mohawk Building
708 S.W. Third Avenue
4 Portland, OR 97204
Telephone: (503) 243-1022

5 Of Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF OREGON

10 TERI SEE and DARREL SEE,)
wife and husband,)
11)
Plaintiffs,) Civil No. 81-886
12)
v.)
13)
REMINGTON ARMS COMPANY, INC.,) PLAINTIFFS' SECOND
14 a Delaware corporation,) REQUEST FOR PRODUCTION
15 Defendants.)

16 Pursuant to FRCP 34, plaintiffs request that defendant
17 produce for inspection and copying, within 30 days of the date of
18 service of this request, the documents set forth below. As used
19 in this request, the word "document" shall be given its broadest
20 possible meaning and shall include, but not be limited to, all
21 forms of documents set forth in FRCP 34(a). Production shall be
22 at the offices of Bodyfelt, Mount, Stroup & Chamberlain, Room
23 214, 708 S.W. Third Avenue, Portland, Oregon.

24 DOCUMENTS

25 14. All manufacturing, trade and governmental standards,
26 codes or regulations with which defendant complied or attempted

Page 1. - PLAINTIFFS' SECOND REQUEST FOR PRODUCTION

1 to comply, whether suggested, voluntary or mandatory, in and
2 related to the design, manufacture and sale of the Remington
3 Model 700 rifle during the period 1975 through 1981.

4 15. All test procedures and test results for all tests
5 performed on the Remington Model 700 rifles which were the sub-
6 ject of the 49 gun examination reports produced by defendant.

7 16. The gun examination report for defendant's examination
8 of this rifle.

9 17. All test procedures and test results for all tests
10 performed on the trigger mechanism of the Remington Model 700
11 rifle in the design and manufacture of that weapon.

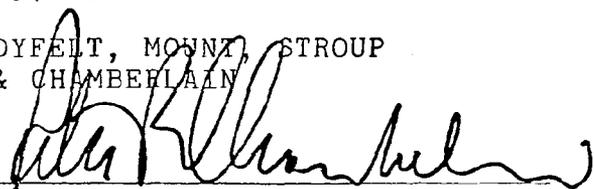
12 18. All test procedures and test results for all tests
13 performed on the safety mechanism of the Remington Model 700
14 rifle in the design and manufacture of that weapon.

15 19. All letters, memoranda, notes or other correspondence
16 which gave rise to the preparation of the 49 gun examination
17 reports previously produced by defendant.

18 20. All documents in your possession relating to the law-
19 suits previously produced by defendant.

20 DATED this 10th day of May, 1982.

21 BODYFELT, MOUNT, STROUP
22 & CHAMBERLAIN

23 By 
24 Peter R. Chamberlain, Of
25 Attorneys for Plaintiffs
26

CERTIFICATE — TRUE COPY

I hereby certify that the foregoing copy of Requests for Admission is a complete and exact copy of the original.

Dated May 10, 1982

[Signature]
Attorney(s) for Plaintiffs

ACCEPTANCE OF SERVICE

Due service of the within _____ is hereby accepted on _____, 19____, by receiving a true copy thereof.

Attorney(s) for _____

CERTIFICATES OF SERVICE

Personal

I certify that on _____, 19____, I served the within _____ on _____ attorney of record for _____ by personally handing to said attorney a true copy thereof.

Attorney(s) for _____

At Office

I certify that on _____, 19____, I served the within _____ on _____ attorney of record for _____ by leaving a true copy thereof at said attorney's office with his/her clerk therein, or with a person apparently in charge thereof, at _____, Oregon.

Attorney(s) for _____

Mailing

I hereby certify that I served the foregoing Requests for Admission on the following attorneys on the 10th day of May, 1982, by mailing to each a true copy thereof, certified by me as such, contained in a sealed envelope, with postage paid, addressed to said attorneys at the last known address of each shown below and deposited in the post office on said day at Portland, Oregon:

James D. Huegli
1200 Standard Plaza
Portland, OR 97204

/s/ PETER R. CHAMBERLAIN
Attorney(s) for Plaintiffs

BODYFELT, MOUNT & STROUP
ATTORNEYS AT LAW
229 Mohawk Building
Portland, Oregon 97204
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8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF OREGON

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

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

18 PREFATORY COMMENT

19 As used throughout these requests, the term "this rifle"
20 refers to the Model 700 Remington rifle which was involved in the
21 shooting of the plaintiff, Mrs. Teri See. The term "Model 700"
22 refers to the Remington Model 700 rifle designed and manufactured
23 in the period 1976 through 1981. The term "your examination"
24 refers to the examination of this rifle by J. H. Chisnall and J.
25 Stekl on April 9, 1981, and reported to R. B. Sperling by J. H.
26 Chisnall by memorandum dated April 10, 1981.

BODYFELT, MOUNT, STROUP & CHAMBERLAIN
Attorneys at Law
229 Mohawk Building
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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
 Attorneys for Plaintiffs

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