

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA.
CIVIL ACTION - LAW

THOMAS JOHN BROWN,
Plaintiff

vs

MONTGOMERY WARD AND COMPANY,
INC., a corporation, AND
REMINGTON ARMS CO., INC., a
corporation,
Defendants

vs

CHARLES KUNCHER,
Additional Defendant

No. 865 April Term, 1971

INTERROGATORIES

TO: REMINGTON ARMS CO., INC., Defendant
COSTELLO, SWYDER, BERK & HORNER, Attorneys for Defendant

In accordance with the provisions of Pa. R. C. P. Nos.
4005 and 4006, you are required to answer the following interroga-
tories, separately and fully in writing, under oath, within 20
days from the date of service hereof.

William E. Miller
Attorney for Plaintiff

1. State in specific terminology, the relationship which
existed on December 3, 1970, between the defendant, Remington Arms
Co., Inc., and the defendant, Montgomery Ward and Co., Inc., re-
garding the sale or handling of Remington Arms and equipment.

2. As to the design of the Remington 30.06 rifle, Model
700, which is the subject of this action, please state:

- a. The name and present home address of the person
or persons responsible for the design of the
rifle;
- b. The name and present home address of the person
or persons now having possession of the design
materials and records relating to those designs.

3. State the names and present home addresses of the
persons who fabricated or assembled the rifle in question.

4. As to the records which were prepared upon the assam-
bly of the specific rifle in question, state:

- a. The nature of such records, describing them in
detail;
- b. In whose possession are those records now; and
- c. By whom and for what purposes are the records
kept?

5. As to the inspection of the specific rifle in question, state:

- a. A description in detail of the inspection records furnished;
- b. In whose possession are those records;
- c. The specific nature, described in detail, of the inspections made;
- d. The name and present home address of the person making said inspection.

6. State the name and present home address of the person who has possession of the inspection records.

7. Were tests made or performed as to this rifle in its development aspects? If yes, state:

- a. Were records made regarding these tests, and if so, where are these records maintained and kept;
- b. What are the names and present home addresses of the persons who participated in the tests?

8. As to any sales and advertising material prepared relative to the model involved in this case, state:

- a. Who prepared the sales and advertising material;
- b. Describe that material in detail.

9. As to the service material, brochures or any other related material describing how the rifle should be maintained, assembled or disassembled, state:

- a. Who prepared the service materials;
- b. Would the defendant supply us with a copy of the service materials?

10. As to the specific model of rifle involved in this case, did defendant ever, within the past five years, receive complaints concerning defects in the rifle? If yes, state:

- a. Did any of these complaints specifically refer to the discharge of the rifle when the safety was put in the "Off" position?
 - (1) If so, state the date or dates that such complaints were received and from whom.
- b. Did any of the complaints refer to any defect in the trigger mechanism or safety mechanism?
 - (1) If so, on what dates were the complaints received, and from whom?

c. What is the name and present home address of the person with the defendant company who has possession of records of complaints of defects in rifles of the same nature as that involved in this case?

d. Were suits filed against defendant company relative to the type of complaints inquired about in these interrogatories?

(1) If so, by whom were they filed; where were they filed; and what are the names and office addresses of the attorneys involved?

11. Does defendant claim that plaintiff was guilty of any negligence in the occurrence complained of? If so, state in detail, the items of negligence of which the plaintiff was allegedly guilty.

12. Does defendant claim that Charles Kuncher was negligent or used the product improperly? If so, state in detail the items of negligence and also state in what respects the rifle was improperly used.

13. Does defendant allege that other persons or firms were negligent or responsible for the occurrence complained of other than those who are parties to this law suit? If yes, state the names and present home addresses of the person or persons whom defendant believes to be responsible, and what it is claimed that they did?

14. What are the names and present home addresses of all persons claiming to have knowledge of any of the facts surrounding the occurrence complained of?

15. What is the name and present home address of the defendant's expert who dismantled the rifle in plaintiff's attorney's office? What is his specific title with the company?

16. Is defendant a member of any trade associations which set standards for the manufacture of the type of rifle concerned in this case?

a. If yes, what is the name and address of the association;

b. If there is no such association, what are acceptable standards in the industry that relate to the manufacture of the type of rifle involved?

17. What is the name and present home address of the patent holder or holders for the following parts involved in the rifle which is the subject of this suit, whether or not the parts are properly named:

30.06 Model 700

- a. Bolt;
- b. Trigger mechanism;
- c. Safety mechanism; and
- d. Trigger engagement screw.

18. Who manufactured the trigger mechanism which would include the trigger engagement screw on the rifle in question?

19. As to the trigger engagement screw, state:

- a. Was the rifle deliberately designed in such a way that the trigger engagement screw could be adjusted in such a way that a release of the safety could discharge the rifle?
- b. Properly manufactured, and assuming that no intervening forces were present, is it possible that the trigger engagement screw could be so adjusted that the release of the safety could cause the rifle to discharge?
- c. Is it proper design or manufacture that the trigger engagement screw could be adjusted in such a way that a release of the safety will discharge the rifle?

W. J. Naylor

Attorney for Plaintiff

William E. Anthony

Attorney for Plaintiff