

GREGG R. PARKER AND CAROL ANN PARKER	\$	IN THE DISTRICT COURT
	\$	
V.	\$	112th JUDICIAL DISTRICT
	\$	
REMINGTON ARMS COMPANY, INC., LARRY L. ROBERTS, Applicant for the Estate of MELTON L. ROBERTS, DECEASED, D/B/A ROBERTS HARDWARE AND FALCON MARINE, INC., D/B/A FALCON MARINE, INC. of ODESSA	\$ \$ \$ \$ \$ \$	SUTTON COUNTY, TEXAS

INTERROGATORIES TO PARTIES

TO: LARRY L. ROBERTS
Applicant for the Estate of MELTON L. ROBERTS, DECEASED
D/B/A ROBERTS HARDWARE and/or his attorneys, Greg Pierson
725 Lamar Boulevard East, Suite C
Arlington, Texas 76011

NOW COMES Plaintiff, in the above styled and numbered cause and moves the Defendant, LARRY L. ROBERTS, Applicant for the Estate of MELTON L. ROBERTS, DECEASED, D/B/A ROBERTS HARDWARE, pursuant to the Texas Rules of Civil Procedure, Rule 168, to answer the following interrogatories propounded to said party Defendant. The said Defendant is hereby placed on notice that such interrogatories shall be answered separately and fully, in writing, under oath and be signed by the party giving such answers, or the attorney of said Defendant. Under said rules, the answers to the hereinafter propounded interrogatories shall be returned Plaintiff's attorney in not more than thirty-one (31) days from the date of service of such interrogatories.

Interrogatories propounded are as follows:

1. Please state the name, address and occupation of each person supplying answers to these interrogatories.
2. Do you maintain records that indicate the date that you received a certain Remington 700 BDL, Bolt Action 243, Serial No. 6399226?
3. If the answer to the above question is "yes", please state the following:
 - a. The date on which you received said weapon;
 - b. The person or company from which you received said product;
 - c. The date on which you sold said product;
 - d. The person to whom you sold said product to, to include the person's mailing address?

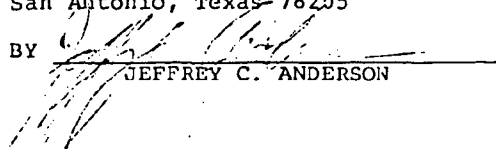
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4. Have you received any claim alleging injuries to any person because of the faulty design and manufacture of the Remington 700 BDL, Bolt Action 243, at any time before or after November 21, 1976? If yes, please state:
 - a. The date on which each claim was received;
 - b. The date on which each claim allegedly arose;
 - c. The name and address of each person making said claim;
 - d. A description of the way in which the injury allegedly occurred;
 - e. The name and address of each person in charge of investigating the claims for Defendant.
5. If the answer to question #3 is "yes", did Defendant make any warranty concerning the quality, fitness, merchantability, and dependability of Remington 700 BDL, Bolt Action 243, Serial No. 6399226 to purchasers of said models? If so, please state the type and description of said warranty.
6. Do you still own the business known as Roberts Hardware?
7. If the answer to the above question is "no", please state the name, address and date of the person who purchased said business?
8. Please state the names of all liability insurance carriers which insured Defendant on or about November 21, 1976 for claims against Defendant for negligence and/or products liability, and as to each insurance carrier, please state:
 - a. The date of insurance of each policy of insurance and the term that it covered;
 - b. The policy number;
 - c. The applicable liability limits of each such policy of insurance;
 - d. Please attach a copy of each insurance policy with the answers to the interrogatories.

Respectfully submitted,

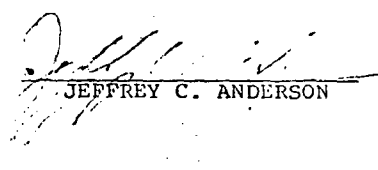
SOUTHERS, GOLDBERG, & LYONS, INC.
126 Villita Street
San Antonio, Texas 78205

BY


JEFFREY C. ANDERSON

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to Mr. Greg Pierson, Attorney for Defendant, 725 Lamar Boulevard East, Suite C, Arlington, Texas 76011, on this the 4 day of January 1979.



JEFFREY C. ANDERSON

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to Mr. Randall Lundy, 201 Wall Towers East, Midland, Texas, 79701, and to Mr. J. Robert McKissick, P. O. Box 2446, Corpus Christi, Texas 78403, on this ____ day of January 1979.

JEFFREY C. ANDERSON

(Name) <i>Parker, Bright</i> SSN: <i>604 463</i>		Middle Name <i>James</i>		Home Phone <i>11-2176-10</i>		Date of Birth <i>11-21-76</i>		Sex <i>M</i>		Race <i>W</i>	
Address <i>1701 85th St</i>				City <i>Waco</i>				State <i>TX</i>			
Zip <i>76786</i>				Country <i>USA</i>				Ethnicity <i>Other</i>			
Date of Birth <i>11-21-76</i>				Group No. 				Country <i>USA</i>			
Name <i>Brown</i>				Address 				Date 			
Yes <input type="checkbox"/> No <input type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/>			
Yes <input type="checkbox"/> No <input type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/>			

Authorizations on Reverse Side of Part One Must be Signed by Patient or Authorized Person

EMERGENCY ROOM CHARGES				OTHER SERVICES RENDERED	
Does Not Include Fee of Attending Physician					
ITEM	CHARGE	ITEM	CHARGE		
Emergency Room	12.50	Sutures		X-ray	<input type="checkbox"/>
Anesthetic		Tetanus Antitoxin		Laboratory	<input type="checkbox"/>
Disinfectants		Cast Room		Physical Therapy	<input type="checkbox"/>
Settings		Examining Room			<input type="checkbox"/>
Wigs					<input type="checkbox"/>
Oxygen					<input type="checkbox"/>

accident state where, when and how injured; if illness describe: Shot Accidentally as brother was
run heading green

2018-12-12 <i>[Signature]</i> R.N.	Officer's Signature	Badge	District	Time	A.M. P.M.
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CONDITION
ON
ADMISSION: Sudd ☐ Face ☐ Shock ☐ Hemorrhage ☐ Coma ☐ Temp _____ Oral _____
Rectal P. _____ R. 62 BP. 150 / 72
Treatment: Tetanus Toxoid _____ cc. Tetanus Antitoxin Test _____ Tetanus Antitoxin 1 units

Statement: Tetanus Toxin Test: Tetanus Antitoxin Test: Tetanus Antitoxin units

Requirements of bullet left in leg

agnosis: Hx of leg & abdomen

Referred to Dr. Eckhardt Date _____ A.M. _____ P.M. _____

was the operator for separating
evidence of bullet fragment in back area
of room on 11/26/76

NO. 2298

GREGG R. PARKER and	\$	IN THE DISTRICT COURT
CAROL ANN PARKER	\$	
	\$	
VS.	\$	
	\$	
REMINGTON ARMS COMPANY, INC.,	\$	
LARRY L. ROBERTS, Applicant	\$	112TH JUDICIAL DISTRICT
for the Estate of MELTON L.	\$	
ROBERTS, DECEASED, d/b/a	\$	
ROBERTS HARDWARE AND FALCON	\$	
MARINE, INC., d/b/a FALCON	\$	
MARINE, INC. of ODESSA	\$	SUTTON COUNTY, TEXAS

ORDER SUSTAINING PLEA OF PRIVILEGE
OF DEFENDANT LARRY L. ROBERTS

On the _____ day of _____, 1979, the plea of privilege of Defendant LARRY L. ROBERTS came on for hearing before this court. It appeared to this court that Plaintiffs have failed to file their controverting affidavit within the time prescribed by the Texas Rules of Civil Procedure, Rule 86.

IT IS THEREFORE ORDERED that Defendant LARRY L. ROBERTS' plea be sustained, and that the cause of action alleged against Defendant in the suit styled and numbered above be transferred to the District Court of the County of Tarrant, Texas, the county of Defendant's residence. It is further ordered that the clerk of this court transmit to the clerk of the District Court of the County of Tarrant, Texas, certified copies of the original papers in this cause and a transcript of all proceedings had herein, duly certified, and that costs incurred in this court be taxed against Plaintiff.

SIGNED on _____, 1979.

JUDGE PRESIDING

NO. 2798

GREGG R. PARKER AND	§	IN THE DISTRICT COURT
CAROL ANN PARKER	§	
	§	
VS.	§	
	§	
REMINGTON ARMS COMPANY, INC.,	§	
LARRY L. ROBERTS, Applicant	§	112TH JUDICIAL DISTRICT
for the Estate of MELTON L.	§	
ROBERTS, DECEASED, D/E/A	§	
ROBERTS HARDWARE AND FALCON	§	
MARINE, INC., D/E/A FALCON	§	
MARINE, INC. OF ODESSA	§	SUTTON COUNTY, TEXAS

PLEA OF PRIVILEGE OF
DEFENDANT LARRY L. ROBERTS

Now comes Defendant LARRY L. ROBERTS and files this, his plea of privilege, and as grounds therefor would respectfully show the Court as follows:

I.

Defendant LARRY L. ROBERTS, the party claiming such privilege, was not at the institution of this suit, nor at the time of service of process, nor at the time of filing of such plea, a resident of Sutton County, Texas, the county in which said suit was instituted.

II.

At the time of the institution of such suit and at the time of service of process therein, and at the time of filing of such plea, the residence and domicile of Defendant LARRY L. ROBERTS has been 3009 Duff, Arlington, Tarrant County, Texas 76013.

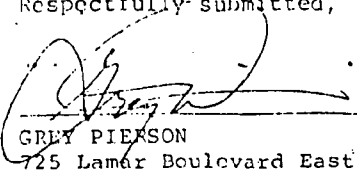
III.

No exception to exclusive venue in the county of one's residence exists in said cause.

WHEREFORE, PREMISES CONSIDERED, Defendant LARRY L. ROBERTS prays that this plea of privilege be in all things sustained and this cause, insofar as this Defendant is concerned, be transferred to Tarrant County, Texas, and that this Defendant recover his costs and such other relief to which he may be entitled.

Date	December 13, 1978
Time	11:00
By	A. S.
112th	
By	Sutton County, Texas
By	Sec. by Kimbrel

Respectfully Submitted,



GREY PIERSON

725 Lamar Boulevard East
Suite C
Arlington, Texas 76011
817/265-7771

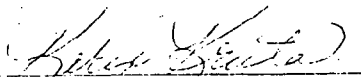
ATTORNEY FOR DEFENDANT

THE STATE OF TEXAS X
 X
COUNTY OF TARRANT X

BEFORE ME, the undersigned authority, on this day personally appeared LARRY L. ROBERTS who, after being duly sworn, stated on his oath that the allegations contained in the foregoing plea in abatement and plea of privilege are true and correct.


LARRY L. ROBERTS

SUBSCRIBED AND SWORN TO before me by the said LARRY L. ROBERTS on this the 7th day of December, 1978.


Notary Public in and for
Tarrant County, Texas

GREGG R. PARKER AND CAROL ANN PARKER	\$	IN THE DISTRICT COURT
	\$	
VS.	\$	112th JUDICIAL DISTRICT
	\$	
REMINGTON ARMS COMPANY, INC., LARRY L. ROBERTS, Applicant for the Estate of MELTON L. ROBERTS, DECEASED, D/B/A ROBERTS HARDWARE AND FALCON MARINE, INC., D/B/A FALCON MARINE, INC. of ODESSA	\$	SUTTON COUNTY, TEXAS
	\$	
	\$	

INTERROGATORIES TO PARTIES

TO: FALCON MARINE, INC., D/B/A FALCON MARINE, INC. of ODESSA
and/or its attorneys Randall Lundy and Tom C McCall
201 Wall Towers East
Midland, Texas 79701

NOW COMES Plaintiff, in the above styled and numbered cause and moves the Defendant, FALCON MARINE, INC., D/B/A FALCON MARINE INC. of ODESSA, pursuant to the Texas Rules of Civil Procedure, Rule 168, to answer the following interrogatories propounded to said party Defendant. The said Defendant is hereby placed on notice that such interrogatories shall be answered separately and fully in writing, under oath, and be signed by the party giving such answers, or the attorney of said Defendant. Under said rules, the answers to the herein-after propounded interrogatories shall be returned Plaintiff's attorney in not more than thirty-one (31) days from the date of service of such interrogatories.

Interrogatories propounded are as follows:

1. Please state the name, address and occupation of each person supplying answers to these interrogatories.
2. Did you purchase the business known as ROBERTS HARDWARE?
3. If the answer to the above question is "yes", please state:
 - a. The date you purchased said business;
 - b. Whether you purchased only a interest in said business or did you purchase the entire business.
 - c. Do you now own said business?
4. Were you ever aware of any claim alleging injuries to any person because of the faulty design and manufacture of the Remington 700 BDL, Bolt Action 243, at any time prior to the initiation of this lawsuit?
5. If the answer to the above question is "yes", please provide all material facts pertinent to each said claim?

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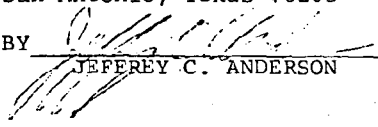
6. Please state the names of all liability insurance carriers which presently insure Defendant for negligence and/or products liability, and as to each insurance carrier, please state:

- a. The date of insurance of each policy of insurance and the term that it covers;
- b. The policy number;
- c. The applicable liability limits of each such policy of insurance.

Respectfully submitted,

SOUTHERS, GOLDBERG, & LYONS, INC.
126 Villita Street
San Antonio, Texas 78205

BY


JEFFREY C. ANDERSON

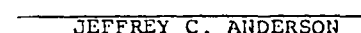
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to Mr. Randall Lundy, 201 Wall Towers East, Midland, Texas 79701, on this the 2 day of January 1979.


JEFFREY C. ANDERSON

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to Mr. J. Robert McKissick, P.O. Box 2446, Corpus Christi, Texas 78403, and to Mr. Greg Pierson, 725 Lamar Boulevard East, Suite C, Arlington, Texas 76011, on this the day of January 1979.


JEFFREY C. ANDERSON

GREGG R. PARKER AND	\$	IN THE DISTRICT COURT
CAROL ANN PARKER	\$	
VS.	\$	
REMINGTON ARMS COMPANY, INC.,	\$	
LARRY L. ROBERTS, Applicant	\$	112TH JUDICIAL DISTRICT
for the Estate of MELTON L.	\$	
ROBERTS, DECEASED, D/B/A	\$	
ROBERTS HARDWARE AND FALCON	\$	
MARINE, INC., D/B/A FALCON	\$	
MARINE, INC. OF ODESSA	\$	SUTTON COUNTY, TEXAS

ORIGINAL ANSWER OF
DEFENDANT LARRY L. ROBERTS

Subject to the foregoing plea in abatement and plea of privilege, Defendant LARRY L. ROBERTS answers herein as follows:

I.

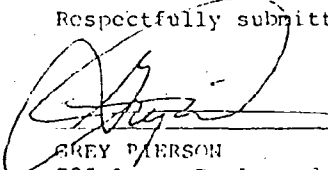
Defendant LARRY L. ROBERTS specifically denies that MELTON L. ROBERTS, deceased, at any time was an owner or part owner of ROBERTS HARDWARE.

II.

Defendant LARRY L. ROBERTS denies generally the allegations made by Plaintiff, and demands strict proof thereof.

WHEREFORE, PREMISES CONSIDERED, Defendant LARRY L. ROBERTS prays that Plaintiff take nothing against this Defendant, and that this Defendant be discharged with his costs and such other and further relief to which he may be entitled.

Respectfully submitted,


GREY PEARSON
725 Lamar Boulevard East
Suite C
Arlington, Texas 76011
817/265-7771

ATTORNEY FOR DEFENDANT

December 13, 1978
11:00 A.
112th
P. J. Kimbrell

NO. 2298

GREGG R. PARKER AND	\$	IN THE DISTRICT COURT
CAROL ANN PARKER	.. \$	
	\$	
VS.	\$	
	\$	
REMINGTON ARMS COMPANY, INC.,	\$	
LARRY L. ROBERTS, Applicant	\$	112TH JUDICIAL DISTRICT
for the Estate of MELTON L.	\$	
ROBERTS, DECEASED, D/B/A	\$	
ROBERTS HARDWARE AND FALCON	\$	
MARINE, INC., D/B/A FALCON	\$	
MARINE, INC. OF ODESSA	\$	SUTTON COUNTY, TEXAS

PLEA IN ABATEMENT OF
DEFENDANT LARRY L. ROBERTS

Now comes Defendant LARRY L. ROBERTS and files this his plea in abatement, and as grounds therefor would show the Court as follows:

I.

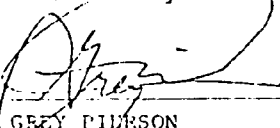
Plaintiff has attempted to sue Defendant LARRY L. ROBERTS in his purported capacity as a representative of the Estate of Melton L. Roberts.

II.

Defendant LARRY L. ROBERTS would show that he is not, and has never been, a representative of the Estate of Melton L. Roberts and is therefore not subject to suit or citation in such capacity.

WHEREFORE, PREMISES CONSIDERED, Defendant LARRY L. ROBERTS prays that this action be abated until such time as either Defendant LARRY L. ROBERTS or the Estate of Melton L. Roberts has been properly served with citation, and at such time it is prayed that said action be dismissed with prejudice.

Respectfully submitted,


GREY PIERSON
725 Lamar Boulevard East
Suite C
Arlington, Texas 76011
817/265-7771

ATTORNEY FOR DEFENDANT

Filed December 13, 1978
In 11:00 A.M.
by CLIFF TURNER
112th
District Clerk, Sutton County, Texas
By Becky Kimbrell