

"FILE COPY" SEE

J. SNEDEKER

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TERI SEE and DARREL SEE,
wife and husband,

Plaintiffs,

-vs-

REMINGTON ARMS COMPANY, INC.,
a Delaware corporation,

Defendant.

Held at Remington Arms
Ilion, New York
August 17, 1982

DEPOSITION of JAMES SNEDEKER, taken
by the Plaintiffs.

APPEARANCES:

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ALSO PRESENT:

ROBERT SPERLING, ESQ., Associate Counsel for
Remington

Lorraine Smith,
Reporter

REPORTERS PAPER & MFG. CO., LOUISVILLE, KENTUCKY

S 1786

REPORTERS PAPER & MFG. CO., LOUISVILLE, KENTUCKY

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S T I P U L A T I O N S

At said time and place, the following stipulation was entered into by counsel present for the respective parties. It is hereby stipulated and agreed by and between the parties hereto, through their respective counsels, that the deposition of James Snedeker, a material witness called for the examination by Plaintiffs may be taken before Lorraine Smith, a Notary Public, at this time and place on oral interrogatories, direct and cross, to be propounded to the Deponent. It is further stipulated that all irregularities as to notice of time and place and manner of taking said deposition are hereby waived, except that each party reserves the right to object at the time of trial to any question or answer but that objections as to the form of the questions or irresponsiveness of the answers are waived unless made at the time of taking said deposition.

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J A M E S S N E D E K E R , having been duly sworn
by a Notary Public in the State of New York,
testified under his oath as follows:

BY MR. CHAMBERLAIN:

Q Would you state your full name for the record?

A James Richard Snedeker.

Q And what is your address?

A Pardon me?

Q What is your address?

A R.D. #2, Bell Hill Road, Ilion, New York, 13357.

Q Are you an employee of the Remington Arms?

A Yes, I am.

Q What is your present position?

A I am a chief supervisor of Quality Control.

Q How long have you had that position?

A Since November of last year, 1981.

Q Okay. Mr. Snedeker, my name is Peter Chamberlain.

We have been introduced. I represent Mr. and Mrs. See
in a lawsuit that is pending in Oregon against
Remington Arms Company that arises out of a gunshot
wound to Mrs. See that we allege occurred when this
rifle that is to my left discharged when the safety

was put to the fire position.

This is our opportunity to talk to you about this lawsuit and about Remington Arms and your job, and whatever you might know that may be of some help to us.

Have you had it explained to you what a deposition is?

A Yes. I think so.

Q You understand that you are under oath. It is as though you were in a court of law.

A Yes.

Q For the court reporter's benefit, it is important for you to answer in yeses and noes and not uh-huhs or huh-uhs or nods of the head. It is important for me and also probably for your company that you understand my question before you try to answer it. I would appreciate it if you would listen to my question. If there is a problem with my question, tell me what the problem is and ask me to clarify or to explain what I mean so that you are sure you understand my question, that you understand what I am asking you for. Okay?

A Okay.

Q And your lawyers are here in the room. If you need to confer with them, you are free to do so either in the room or outside of the room. We are in no particular hurry, and we can take just as long as you need. So be sure you understand what I am asking you before you answer.

A I understand.

Q Okay. Could you give me a brief historical sketch of your education, please?

A Graduated from high school in 1962, attended Utica College of Syracuse University and graduated in 1967 with a Bachelor of Arts Degree in psychology. I went in the Air Force for four-and-a-half years. Upon getting out of the Air Force, I started employment at Remington Arms and started attending night school. I have a Bachelor of Technology Degree in mechanical technology from the State University of New York College of Technology. That is a summary of my educational experience.

Q What did you do in the Air Force?

A I was an airborne weapon controller. I left the service with the rank of captain. Most of my job

entailed flying combat missions in Southeast Asia.

Q As in Viet Nam?

A And in the environment.

Q When you say "airborn weapon controller," does that mean you were at the business end of a machine gun, or were you somehow involved in the weapons, maintenance?

A No. My job basically entailed sitting behind a radar screen and pointing weapons toward their targets.

Q Is it fair to say that none of your experience in the Air Force prepared you for your present job?

A Nothing specifically prepared me.

Q I guess, out of the Air Force you came right to Remington?

A After about a four-month period of time.

Q That would have been 1971 or '72?

A I believe I started at Remington in January of '72.

Q What is your age?

A I am presently thirty-eight.

Q When you started with Remington, what position

did you start in?

A I ran machines in Department 70.

Q Is that making gun parts?

A Yes.

Q When did you get involved in management?

A I couldn't give you the exact date, but probably around '74, '75, in that time period.

Q What year did you get your Bachelor of Technology Degree?

A 1981, June of 1981.

Q Okay. Is that something you were encouraged to do by your employer?

A It is something I did on my own because I was interested in it.

Q Did it give you more opportunities here at the company?

A Yes, it did.

Q Okay. You started out as a machine operator. Can you trace for me in brief fashion what jobs you held with Remington since 1972?

A I started out as a machine operator. From there I went to the quality control department. I

basically started out doing machine capability studies. From there, I did some component audits. After I left the quality control department, I went into the engineering section, process engineering section, and became a purchase parts engineer. From purchase parts engineer, I became the foreman of the quality control department. After I left the quality control department, I became the supervisor of testing and mechanical analysis in the research division, and from that job to my current job in November of last year.

Q As chief supervisor?

A As chief supervisor of the quality control department.

Q Does that mean you are number one in quality control in this company?

A No. I wouldn't say that. My direct supervisor is in charge of the quality control department. I work for him.

Q What is his name?

A John Linde.

Q He is in charge of --

A He is in charge of Process Engineering and

and Control, which includes both the process engineering groups and the quality control groups.

Q So you would have a peer in Process Engineering that is basically at your same level who would also respond to Mr. Linde, is that right?

A There are other people in Process Engineering. Although they aren't chief supervisors, there are supervisors that report to Mr. Linde that are comparable to the type of work I am doing.

Q Is there more than one?

A There are, I believe, three, four supervisors.

Q What are their names?

A Gerald Hill, Lawrence Bosquet.

Q Do you know how to spell that?

A B-o-s-q-u-e-t. Philip Johnson, Jerry Burns. And Jerry Burns reports to me, through me to John Linde.

Q Are there other chief supervisors in the quality control department?

A No.

Q You are the only one?

A That is correct.

Q What was your position at Remington in 1976?

A I believe I was the foreman of the quality control department at that time.

Q Who is the foreman now?

A Bill Warren, Jr.

Q Are there two Bill Warrens working here?

A No.

Q That is William A. Warren?

A William A. Warren, Jr.

Q As foreman of Quality Control in 1976, one of your products that you would oversee would be the Model 700?

A At that point in time, my job consisted of looking at some of the components for the Model 700.

Q When you say "some components," does that reflect the fact that some components are manufactured outside of Remington?

A That is right.

Q Were you in 1976 in charge of the quality control on all parts that were manufactured in plant?

A I would say yes.

Q Was there someone else in Remington that was in charge of the quality control of parts manufactured

outside of the plant?

A Yes.

Q Who was that?

A If I remember correctly, I believe it was Lawrence Bosquet.

Q Why don't you just give me a brief overview of what Quality Control would do back in '76. Assume we are talking about the quality control of a Model 700.

A What I was responsible for at that time?

Q Right.

A There were basically three major things that the department did at that time; one was to do the machine capability studies.

Q What does that mean?

A Machine capability studies are measurements of parts as they come off the machine to determine statistical controllability of the machine.

Q In other words, we say we want to build whatever it may be, safety lever, and have it 3.015 inches long within a tolerance of two thousandths. You would then check to see if it is falling within those tolerances?

A That is basically correct, yes.

Q What is number two.

A What we call finished gun audit, which is an audit procedure. We take stamps of the finished components out of the warehouse and do an extensive test and inspection of those finished firearms to determine if they meet all specifications.

Q Is that done on a random basis?

A Yes.

Q Again, concentrating our attention on the 700, how many would you do out of every one thousand guns manufactured?

A I don't believe I can give you those figures exactly. Probably the closest figure I can give to you is a one percent sampling of everything going into the warehouse. It would be proportional for the amount of volume on the 700's at that time. I don't know what it would be.

Q If you had produced one thousand guns at that time, you would be looking at ten guns?

A I would say that is probably a fair estimate. Don't hold me to the figures, though.

Q But it is a ballpark figure, anyway?

A Well, it is proportional to whatever the volume was at that time, yes.

Q What does that mean? If you have a higher volume, you would look at a higher percentage --

A Correct.

Q -- or a lower percentage?

A Yes.

Q Which?

A Either. If there is a higher volume, we would take a greater sampling. It is on a percentage basis. So if you have more 700's going into the warehouse, for example, we would take a larger proportion of those as a sample. If the volume had dropped off for some reason on the 700's, we would take a lower percentage.

Q But the percentage of sampling always stays around one percent?

A The percent would stay around one percent, but the total number would vary.

Q Why don't you tell me what number three is.

A The other major function of the department at that time was what we call components audit. This is

where we have auditors go around and sample work coming off the machines or in pans. They would then put those parts through the gauges that are available on the job to determine whether they are meeting quality specifications or not.

Q This is a random sampling during production, then?

A Yes, it is.

Q That only involves work and process. It doesn't involve end product, right?

A What do you mean by "end product?"

Q Completed firearms.

A Yes. Let me qualify that a bit. There is sampling done of the end product, but it was not done by my department at that time, per se.

Q Someone else in Quality Assurance was involved in the final product audit?

A That is right.

Q Okay. Let's go back to the finished gun audit. Tell me, if you can, what that audit consisted of. What would they do?

A It is basically a three-phase examination of

the gun. The first phase is an overall outside look at the gun. First we look at the carton it is in. We make sure that all of the instruction folders, that all of the hang tags, any accessories that are supposed to be with the model, are there, that the serial number matches the serial number at the end of the box. We then make sure the gun is packed correctly, that it has all the styrofoam inserts it is supposed to have. We open -- after opening up the carton, take the gun out and start examining the gun, giving it an overall outside look. We look for all the code stamps, to make sure it has been proofed and tested, to make sure the assembly stamp is there, that all the test stamps are there.

There are various safety tests done. We check the functions of the firearm to make sure that it functions as it should, that the bolt operates the way it should, that the safety lever operates as it should, and so forth. The bore is checked for any obstructions. We check the heading, make sure it is working properly. Then we go into what is called -- at this time, we also do an overall visual inspection to

make sure there is no mars or scratches on the metal or wood components. We give it a good visual examination.

The second phase, we take the gun back into the gallery and put it through extended function tests where we actually put rounds through the gun to make sure it fires properly. In some cases we check the accuracy of the firearm to make sure it meets specifications. It is a test over and above what the gallery test would be.

We bring the gun back in, completely tear it down in the third phase looking for worn or missing parts internally.

Q After the teardown, is the gun -- Strike that.

Assume it has passed all tests, is it reassembled and put back into the box?

A If it is all right, yes, it goes back into the packing area. It is repackaged and put back into the warehouse as a good product. If there is some problem found in the gun, it is kept out and shown to the production supervisor and any other interested people at that time so that corrective action can be taken.

Q If you find a problem, do you then look at all guns then produced right before and right after the problem gun to see if you can eliminate the problem?

A It depends on what the problem is. If it is a minor problem, scratch, whatever, we would not.

Q But if it is a problem where you think you might have gotten bad parts, you would check back to where you would have good parts?

A That is right.

Q As part of the finished gun audit, you perform the gallery test. Do you perform that on it?

A It is an extended gallery test. The normal gallery test is so many rounds. We do about four times that.

Q How about the proof test?

A We do not reproof the guns.

Q Again, we are talking about December of 1976, that year, at that time. Did you, as part of your finished gun audit, perform a trick test or null test on the guns at that time?

A No.

Q Do you know what the trick test is?

A Yes, I do.

Q Is that the same as the null test?

A Yes, it is.

Q How about Model 700's, say, produced a year ago, were you performing the trick test as part of your finished gun audit?

A I believe they were. I was not in Quality Control during that time period, but I believe they probably were.

Q So in 1976, they were not and in 1981, they were?

A To the best of my knowledge, yes.

Q Was this a policy change in Quality Assurance, do you know?

A What do you mean, "a policy change?"

Q Do you know why at one time they were not performing that test as part of the finished gun audit and they changed?

A I believe it probably had to do with what happened with the Model 600 in Texas.

Q The Coats Case?

A Yes.

MR. CHAMBERLAIN: C-o-a-t-s.

ME. HUEGLI: Could you read the last couple of questions back, please.

(The following was read back by the reporter as follows: "QUESTION: Was this a policy change in Quality Assurance, do you know? ANSWER: What do you mean, 'a policy change?' QUESTION: Do you know why at one time they were not performing that test as part of the finished gun audit and they changed? ANSWER: I believe it probably had to do with what happened with the Model 600 in Texas. QUESTION: The Coats Case? ANSWER: Yes.")

MR. HUEGLI: Off the record.

(A discussion was held off the record.)

BY MR. CHAMBERLAIN:

Q At the present time in Quality Control, as part of the finished gun audit, do you do the trick test on the Model 700?

A I believe we do.

Q Do you know when the change was made between not performing the trick test to performing it as part

of the quality audit?

A No, I don't.

Q But you do know it was sometime between '76 and '81, right?

A Yes.

Q Who would know that?

A I am trying to think of a specific name. It would be a matter of checking the records, I am sure.

Q In Quality Assurance?

A Probably Bill Warren would be the name to check.

Q What are hang tags?

A Those are tags that identify the gun as to the model, caliber, barrel length, other specifications. They are attached to a string which is generally attached to the trigger guard. It helps identify the gun in the box.

Q Is all that information on one tag?

A I believe it is.

Q And that comes with a new gun?

A Yes.

Q And you also get an instruction folder?

A. That is right.

Q. Okay. Is there anything else that comes with that gun? I mean, I know you have some styrofoam and probably some plastic in a box.

A. When you say "that gun," do you mean the Model 700?

Q. Yes, right. I am sorry. In December of 1976, I am talking about.

A. There may be some accessories, such as a sling strap with it. I don't believe there is anything other than that.

Q. How about on the box itself, is there any printed instructions, directions, warnings, anything like that? Again, this is all as of December of 1976.

A. No, not that I am aware of, no.

Q. The reason I keep asking you to refer to that particular date is that Remington has told me that this rifle, Exhibit 2, was manufactured in December of '76.

Why don't you just take a look at Exhibit 2 here. I don't want you to do a complete finished gun audit, but I would like you to just do the visual. Tell me if it passes, and tell me on the record what you

are doing as you are doing it.

A It has been quite awhile since I was involved in finished gun audits directly. As I recall it, what we would normally do is, generally, open the box, make sure that it has been packed correctly, that everything that is supposed to be in there is there; that is, the instruction booklet, hang tags, whatever else is an accessory. If it has a sling strap, that should be there. We make sure the styrofoam inserts are all in the proper place, that the gun is packed correctly so it is not damaged in shipment. If everything is correct there, we would take the gun out of the box and start a visual examination of the gun. It varies from auditor to auditor on how they would go about it, but they would start at one end of the gun and work toward the other end looking for visual problems. In this case, we would look for any dings or mars, anything on the outside of the gun that would be visually objectionable from the customer's point of view in the visual nature.

We also check them to make sure all the test stamps and code stamps are here and whether they are correct. I believe we record who they are on the forms.

Q Why don't you take a look at these stamps and see if they are all there.

A To the best of my knowledge, they are.

Q What stamps do you see?

A There is the assembler's stamp.

Q Which is designated as what?

A A 26, in this case.

Q That is his code number?

A I believe so.

Q Okay.

A All right. Next to it, there is a date code, which is the year and the month that the firearm was --

Q What is the date code on that one?

A XI.

Q Do you know what that means?

A No, not right off. I would have to look at the coding.

Q Okay. Go ahead.

A Next to that, there is the tester stamp.

Q Is that the one that is a little symbol?

A Inspector's stamp, excuse me, yes.

Q And that looks like a bell?

A That is right. On the other side, we have the proof stamp.

Q How is that designated?

A It is an REP inside an oval.

Q That means the gun has passed the proof test?

A Yes.

Q What does REP stand for?

A I don't know.

Q Would that be somebody's initials?

A I don't have the vaguest idea. It has always been REP for as long as I can remember. There is a tester stamp, the man who tested and targeted the firearm.

Q How is that designated?

A As a symbol here. I don't know what the symbol is without looking at the coding chart.

Q Could you describe it for me?

A No. I would have to look at the coding.

Q Can you point it out to me so I can remember it?

A Okay.

Q Sort of a little squiggle?

A Yes, squiggle. And then there is a magniflux stamp, which is a letter inside a triangle.

Q What is that?

A A V.

Q They have magnifluxed the metal and found no defects, that means?

A Yes.

Q What do you do next?

A We would check the heading by putting the heading plugs in here to make sure the bolt would close.

Q That is the distance between what I am pointing to here and the front of the bolt when the bolt is closed?

A It is the distance between a theoretical surface down here, down here by the neck of the chamber, and the bolt face.

Q The neck of the chamber is what would keep the shell from falling out?

A Falling out the bore, yes. It gives support at the front end of the case. There is a dimension, and it is specified in S.A.A.M.I. specifications what that heading will be for a given caliber.

Q And then you check the bore?

A We check the bore to make sure there is no obstruction in the bore, so that when it fires, there is no possibility of the gun blowing up in a face. We check probably the magazine to make sure it functions properly, check the safety, make sure it functions properly.

Q How do you perform that test or check?

A Normally, we close the bolt, put it in the fire position, see if the gun fires in the fire position, open the bolt, put it in the safe position to check if the fire pin will fall. And they would also go ahead and do the trick test, as you have called it.

Q In 1976, they would not have done that?

A Right.

Q What is your understanding of how they would perform the trick test when they were doing it?

A The way they would do it now?

Q Or in '81, yes, whenever they were doing it.

A Close the bolt, put the safety lever in the mid position, all right, try to pull the trigger, see if it falls, and then push the safety lever off to see

if it falls.

Q Push it to fire?

A To the fire position, yes.

Q In your experience with a new rifle pulled out of stock for a finished gun audit, what has been the cause or causes of a rifle to fail the trick test?

MR. HUEGLI: Objection. I don't think he has testified that there ever has been one that has failed. And I don't think we have a distinction as to what model yet.

MR. CHAMBERLAIN: Well, we are talking about the Model 700. That is all I am talking about.

MR. HUEGLI: Okay. But I don't think he has said he has had one fail.

BY MR. CHAMBERLAIN:

Q Are you aware of any new Model 700's being pulled out for a finished gun audit, having the trick test performed on them and having the rifle fail the trick test?

A I am not aware of any.

Q That takes care of that.

w/p

Now, you told me that you thought the reason they began performing the trick test on new Model 700's was because of what happened with the Model 600 in Texas.

A That is my opinion, yes.

Q Okay. What is your understanding of what happened with the Model 600 in Texas?

A My understanding of what happened?

Q Right.

MR. HUEGLI: I would object to the form of the question as being overly broad. In other words, in the lawsuit, in the settlement, or how Mr. Coats was shot, or just everything?

BY MR. CHAMBERLAIN:

Q Well, did you understand the question?

A I am not too clear on what specifically you are asking.

Q All right. You told me that the reason, in your opinion, they began doing the trick test on the 700's as part of the finished gun audit was because of what happened to the Model 600 in Texas. My question is,

what is your information or your understanding as to what happened to the Model 600 in Texas as it relates to the 700?

A. All right.

MR. HUEGLI: Same objection. What happened to it?

MR. CHAMBERLAIN: Yes.

BY MR. CHAMBERLAIN:

Q Mr. Snedeker, he has to make these objections. That doesn't mean that you shouldn't answer the question. You can answer. We will have to argue about this later, whether I am right or he is right.

MR. HUEGLI: Do you understand the question?

THE WITNESS: I think I do, but I guess I am still not totally clear.

MR. CHAMBERLAIN: All right.

BY MR. CHAMBERLAIN:

Q I am being somewhat vague. I will admit that, but the reason I am being vague is because I am not sure what you meant by your prior answer. You told me because of what happened with the 600 in Texas they began doing

the trick test on new 700's.

A And you are asking me why I think they started doing the trick test on the 700's because of the Coats Case?

Q Yes.

A It is my opinion that it was a reaction on the part of the people here in the plant because of the Coats Case to start looking at all our models much more severely than perhaps they are even required. But it was a reaction to that incident in Texas that we tried to put more stringent tests on the firearms than we had previously, not just the 600's but all models.

Q Okay. As I understand it, they don't manufacture the 600's anymore, true?

A That is right.

Q Do you know when they stopped manufacturing it?

A Not specifically, no, I don't.

Q Has it been a couple years?

A Yes.

Q Are you familiar with the configurations of the trigger mechanism and the safety mechanism, the fire

control, on both rifles?

A Fundamentally aware of what the fire control looks like, what the components are in it.

Q As I understand it, the 700 has undergone a recent change where they removed the bolt lock?

A That is my understanding, too. I am not aware specifically of anything that has come through the line yet that has changed, but only because I am not directly involved in that on a day-to-day basis.

Q Is it your understanding that they still produce the 700 in the old manner, where the bolt does lock when the safety is put in the fire position?

A I don't feel qualified to answer that. I have been away from production, per se, on a day-to-day basis for too long.

Q Okay. In any event, that is the only change that has been made to the 700's fire control in the last seven or eight years, isn't it?

A Again, I don't feel qualified to answer that, only because I haven't been in direct contact with the day-to-day changes going on.

Q You are familiar with a change made on the

Model 600 at the time it was recalled.

MR. HUEGLI: Are you familiar? I object to the form of the question. He is telling you you are. Are you?

BY MR. CHAMBERLAIN:

Q Are you?

A Could you be a little more specific in the question?

Q Sure. I have information from your employer that in 1979, the Model 600 -- correction. In 1978, the Model 600 was recalled at least in part because of the Coats Case and that as part of that recall, they installed a different trigger mechanism. Are you aware of that?

A Yes.

Q What I am trying to do here is find out from you the similarities and the differences between the Model 600's and the Model 700's firing control both before and after the Model 600 recall.

A Yes. I understand.

Q Can you help me with that?

A I am on unsure territory here. Again, I have

not been in direct contact with either of those models for a good many years only because I have been in other positions that haven't directly related me to those two fire controls.

Q Does a name come to mind that would best help me in that area?

A Well, any of the people in Research, I am sure, would be able to tell you better relative to the design than I could.

Q Somebody like Linde?

A John would probably be qualified to do that, yes.

Q How about Mr. Stekl?

A I think Jim would be aware of what is going on there.

Q Do you have any information either from your own observations or from something someone has told you or from something you have read that would indicate that the condition of the Model 600 that caused it to fail the trick test was the same as the condition of the Model 700?

MR. HUEGLI: I object to the form of that

question. I don't think that question is capable of being answered.

BY MR. CHAMBERLAIN:

Q Well, did you understand it?

A I thought I did. Would you say that question again?

MR. CHAMBERLAIN: Read it back.

(The last question was read back by the reporter as follows: "QUESTION: Do you have any information either from your own observations or from something someone has told you or from something you have read that would indicate that the condition of the Model 600 that caused it to fail the trick test was the same as the condition of the Model 700?")

THE WITNESS: The designs are similar. They have similar components in them. But in my opinion, I don't think the same condition existed in the two fire controls. Again, I am not a designer. I don't know.

BY MR. CHAMBERLAIN:

Q Do you know what the condition was in the

Model 600 that caused it to, at least some of the guns, fail the trick test?

A I believe I do.

Q What is it?

A There is a position on that fire control called the null position; wherein, there is the potential if one places the lever in that mid position and then pulls the trigger and then pushes the safe to the forward position, the gun may fire.

Q And what you have described for me is what Remington calls the trick position?

A That is correct.

Q Is that correct?

A It requires two active steps; one, that you purposely place the control in the null position, this mid position.

Q Purposely or accidentally?

A Right.

Q Either, okay. If this safety were to stay in that position that I am holding it in, which is somewhere between safe and fire, can you hear that click?

A Yes.

Q If that safety had stayed in that position, would you tell me, holding it, that would be the null position?

A That is basically correct.

Q And then I pulled the trigger, and the sear dropped or the trigger connector came forward, correct?

A Yes.

Q When I push this forward to fire, it will go off, right?

A It may, yes.

Q Now, if it did that, would you tell me, holding it -- and this would be based upon your knowledge -- this would be a condition identical to the condition you have described, the 600?

A In my opinion, yes.

Q Are there any records kept of the various tests done on rifles when they are submitted to your -- whatever you call it -- finished gun audit?

A There are temporary records that are kept for a short period of time. These are blue tags that are attached to the gun at the finished gun audit which list any defect or discrepancies found on the firearm

so those can be reviewed with the production people. There is a weekly list published of the guns that remain so they are reviewed with all the production people.

Q What happened to the records of that?

A Which records?

Q The weekly reports.

A They are kept on file.

Q Permanently?

A I don't know what the time length is, but they are kept on file for several years probably.

Q Incidentally, you said you are unaware of any Model 700 that went through a finished gun audit where the trick test was done. You are unaware of any 700 that ever failed that test?

A At the finished gun audit?

Q Right.

A I am unaware of any.

Q Is your position such that if one did fail it, it would be brought to your attention?

A At the current time, yes.

Q How about over the last six years?

A There are time spaces in there where I would not have been aware. I was not working in process engineering and control during certain periods of time.

Q For a big part of that six years, right?

A For at least two years of that time period.

MR. CHAMBERLAIN: Why don't we mark this.

(An owner's manual was marked Plaintiffs'

Exhibit 10 for identification.)

BY MR. CHAMBERLAIN:

Q Are you familiar with how the serial numbers are assigned to new rifles?

A Basically, yes.

Q Okay. Including the Model 700 as it was manufactured in '76?

A I believe I do, yes.

Q Okay. Is it just a sequential number? If this one is going to be 6,200,000, the next one will be 6,200,001?

A That is correct.

Q What about the ones that have the designation A before the number, what does that indicate?

A I don't know.

Q In the process of assigning serial numbers, let's say, you have a production run of some 700's followed by some shotguns. Would they all be sequential?

A I don't believe so. Normally, the models are independent in terms of serial numbers.

Q I will show you a document that was provided by your employer. This is part of the recall documents from the 600. At the top there it lists a bunch of numbers that are referred to as being assigned to 600's, 660's and XB100's. Part of that highlighting is in green. Do you see that?

A Yes, I do.

Q Why don't you read that to me?

A August 1975 to present serial numbers A6,200,000 to current number.

Q And that is, they are describing serial numbers that relate to a Model 600?

A That is correct.

Q What is confusing to me is this. This one has a serial number of A6,391,951.

MR. HUEGLI: 639 -- did you get that?

THE WITNESS: No.

MR. CHAMBERLAIN: A6,391,951.

MR. HUEGLI: Off the record.

(A discussion was held off the record.)

BY MR. CHAMBERLAIN:

Q In answer to my question, from this list of serial numbers that relates to the 600, this indicates that the 600 was using the numbers commencing at A6,200,000 up to some current number, which they don't describe. Our Model 700 here is A6 million 300 some odd thousand.

A You are saying that this looks like a Model 600 serial number, doesn't it?

Q Right.

A Well, I think they are model specific. Within each model, the serial numbers run consecutively. A model could have a serial number that is the same as another model, an 1100, with the same serial number, but it would be a Model 1100.

Q So the distinguishing factor in this case is this one says 700 on it and the other will say 600 on it?

A That is correct.

MR. CHAMBERLAIN: Off the record.

(A discussion was held off the record.)

BY MR. CHAMBERLAIN:

Q I will hand you what has been marked as Exhibit 10 and ask you if you can identify that.

A The cover looks like a photostatic copy of the Model 700 Bolt Action Rifle Owner's Manual.

Q And those are typically included in the box with the gun?

A That is right.

Q And they were in 1976?

A That is correct.

Q Turn, if you would, to the last page of that. Do you see in the bottom right-hand corner where it says, "Rev. 11/75?"

A Yes, I do.

Q Am I correct that that means the last date of revision of that copy of the owner's manual was in November of '75?

A I can't be sure.

Q Who is in charge of that thing?

A The people in Research.

Q Who is in charge of Research?

A Clark Workman.

Q When you say, "Research," is that the same as R & D?

A That is correct.

Q So they have the function of updating the owner's manual from time to time?

A That is correct.

Q And how about the field service manuals?

A I believe they also do the field service manuals.

MR. CHAMBERLAIN: Off the record for a second.

(A discussion was held off the record.)

BY MR. CHAMBERLAIN:

Q Other than the Coats Case, are you aware of any other lawsuits that have been brought against Remington Arms involving, not the 600 which the Coats Case involved but involving the Remington 700?

A I am not aware of any specific ones, although I believe there are some.

Q You are not aware of them by plaintiff's name?

A No. I am not normally involved in that.

Q Have you ever testified in court?

A No, I haven't.

Q Have you ever given your deposition before?

A No, I haven't.

Q I probably asked you that, didn't I?

A No, you didn't.

Q Well, I should have.

Now, you are aware that the Model 700 has been recently redesigned. We discussed that.

A I believe it has. I am directly aware of it. I have seen nothing officially on it.

Q Do you have any information from any source as to why such a redesign was undertaken?

A No, I don't. I am vaguely aware that they have made a change, but I have not involved myself in it at all.

Q When did you first learn of the trick test or the null test or the trick condition?

A I don't know the specific date, but it was sometime after the Coats Case.

Q After Coats?

A After Coats.

Q In Quality Control, do you do any testing of firearms in low temperatures?

A In Quality Control, no.

Q In other departments, do you?

A In Research, they do.

Q Do you know what kind of tests they do?

A Well, there are various types of cold temperature tests that are run.

Q Have you ever heard of the trick test being run at cold temperatures?

A I don't specifically recall it.

Q Have you ever had any work at Remington that involved working with the Model 788?

A Could you be a little more specific?

Q Sure. I can try to.

You have testified that you worked in Quality Control and in some other positions here at Remington. Have you ever, as part of your work here, been involved, say, with quality control in the 788, with finished gun audits in the 788's?

A Yes.

Q Are trick tests done on those rifles as well?

A. I don't recall right now on the 788. I don't believe it is.

Q. Okay. That is a gun that is still being manufactured, isn't it?

A. That is correct.

Q. Is the fire control on the 788 the same as on the 700?

A. In my opinion, they are two different designs.

Q. Have you ever heard about any problems with failure of the trick test on the 788, either new or used firearms?

A. No.

Q. Does Quality Control now or have they at any time in the past that you are aware of had any contact or working relationship with the people who are involved in receiving and examining used weapons that are returned by customers with particular complaints?

A. I would have to say yes to that now.

Q. How long has that been the case?

A. Direct connection, probably the last two to three months.

Q What is that connection?

A The customer repair group which would receive complaints from customers and guns from customers now works for the quality control department.

Q But that has only been the case for two or three months?

A That is right.

Q Prior to that time, was there a less formal working relationship between the two groups?

A I would say yes.

Q How long has that less formal relationship existed, to your knowledge?

A Probably as long as the two groups have existed. I really don't know.

Q So if, say, back in 1976 and '77, a gun was returned to Remington with the complaint of, say, "This gun fires when the safety is flipped to the fire position without touching the trigger," it is very possible that somebody in Customer Repair would consult with someone in Quality Assurance?

A That is a possibility.

Q In your experience, then, in Quality Assurance,

are you aware of any such contact being made specifically involving the Model 700 and specifically involving a complaint of failing the trick test or the gun fires when the safe is pushed to the fire position?

A I don't recall any specific instances of it.

Q Are you familiar with the abbreviation F.S.R.?

A Yes.

Q Which stands for what?

A Fires when safe is released. *irrelevant*

Q In your experience at Remington, how long has that code, or whatever you want to call it, been used? *used out*

A For as long as I recall, which would be the past eight years. That doesn't mean it doesn't go back further than that. That is all I recall.

Q Is that a term that would apply to all firearms that Remington manufactures, assuming it has a problem?

A It is a generic term in that sense of the word. It would be more likely on some models than on other models.

Q Which models in your experience is it most likely *out*

on?

A The Model 600 and the Model 700.

Q Any others?

A I don't recall having ever seen it associated with any other models except possibly the XP-100.

Q And probably the Model 660?

A I am not familiar with the 660, but, yes, it is similar enough to the 600 that I would expect it there.

Q Okay. When you have those communications with the customer repair group, would it be -- and I am talking about the time period when it was an informal relationship. Would that be a matter of one fellow walking to another guy's office and saying, "We have got this problem," or calling him up, or is there usually an intraoffice correspondence?

A For a specific problem like that, it would generally be one individual walking to another individual's desk, that sort of arrangement. I am not aware of anything that flags out specific problems, per se, at that time.

Q By that, you mean that you are not aware of

any written correspondence that would document the problem?

A No. What I am saying is, I am not aware of anything that specifically would flag out a specific problem like fires when safe is released to an individual in another department like the quality department.

Q When a rifle is manufactured, is a certain amount of grease and oil and graphite used for lubrication?

MR. HUEGLI: I object to the form of the question as being overly broad. When a rifle is produced, is a certain amount of grease and lubrication used, does that mean the finished product or while it is being milled, while the rifle is being milled?

MR. CHAMBERLAIN: Good point.

BY MR. CHAMBERLAIN:

Q Assume a gun has just been produced, just come off the line --

A Finished product?

Q Finished product, yes. Where would there be lubricants used, if anywhere?

A On the Model 700?

Q Yes.

A Normally, in the fire control area.

Q What is used there?

A I don't know the specific designation of what they are using right now.

Q How about back in '76?

A I can't recall.

Q Is it a lubricant?

A Yes. It would be a generic lubricant of some kind. I don't know the specific trade name or what they were using at that time, but it would be a commercially available lubricant.

Q I have three different kinds of lubricants in mind. One is, say, a light oil. One is something more along the lines of grease. The third is a kind of thing you might use on a lock, graphite dust. Could you characterize it in one of those three categories?

A Would you give me those again?

Q Light oil, grease and graphite.

A Of the three, I would say the graphite, most likely.

Q In the fire control?

A In the fire control. It is a dry lubricant of some kind. I don't know the technical name or even the trade name for it.

Q When you say the term "fire control," that includes what, the trigger, safety and bolt?

A No. It would include the trigger housing, the safety lever, the trigger, any springs or screws that go into that assembly, anything that goes to what we normally consider the fire control housing assembly. It does not include the bolt.

Q And the bolt would be treated probably with what, light oil to prevent rust?

A There is -- again, I don't want to say, because I don't know specifically what it is. It is treated with some kind of lubricant. There is also some dry type of lubricant applied to the bolt head itself -- bolt plug, excuse me, bolt plug.

MR. CHAMBERLAIN: Thank you. That is all the questions I have.

(Whereupon, a short recess was taken.)

* * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

I, JAMES SNEDEKER, being duly
sworn, hereby state that I have read the above
deposition of my testimony in the above-entitled
action taken on August 17, 1982, before LORRAINE
SMITH, a Shorthand Reporter and Notary Public,
at Remington Arms, Ilion, New York, and that the
same is true and correct. *As per attached
corrections.*

James F. Snedeker

Sworn to before me this 25th
day of October, 1982.

Margaret D Hall

MARGARET D. HALL #4637696
NOTARY PUBLIC, STATE OF NEW YORK
REGISTERED IN HERKIMER COUNTY
MY COMMISSION EXPIRES MARCH 30, 1984.

C E R T I F I C A T E

I, LORRAINE SMITH, a Shorthand Reporter
and Notary Public in and for the State of
New York, DO HEREBY CERTIFY that the foregoing
is a true and accurate transcript of my
stenographic notes in the above-entitled
matter.

Dated: September 9, 1982

Lorraine Smith

Page 6

Reads: A. No. My job basically entailed sitting behind a radar screen and pointing weapons toward their targets.

Should Read: A. No. My job basically entailed sitting behind a radar screen and directing aircraft toward their targets.

Page 7

Reads: A. 1981, June of 1981.

Should Read: A. 1980, May of 1980

Page 12

Reads: A. ...We take stamps of the finished components out of the warehouse and do an extensive test and inspection of those finished firearms to determine if they meet all specifications.

Should Read: A. ...We take samples of the finished components out of the warehouse and do an intensive test and inspection of those finished firearms to determine if they meet all specifications.

Page 43

Reads: A. ...I am directly aware of it.

Should Read: A. ...I am not directly aware of it.