

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 18, 1982

DEPOSITION of JOHN LINDE, taken by  
the Plaintiffs.

APPEARANCES:

BODYFELT, MOUNT, STROUP & CHAMBERLAIN, ESQS.  
Attorneys for Plaintiffs  
229 Mohawk Building  
222 S.W. Morrison Street  
Portland, Oregon  
BY: PETER R. CHAMBERLAIN, ESQ., of Counsel

APPEARANCES: (Cont'd.)

SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS, ESQS.  
Attorneys for Defendant  
1200 Standard Plaza  
Portland, Oregon  
BY: JAMES HUEGLI, ESQ., of Counsel

ALSO PRESENT:

ROBERT SPERLING, ESQ., Associate Counsel for  
Remington

Lorraine Smith,  
Reporter

could be caused by an accumulation of gun oil or dried oil that you were referring to in that paragraph?

A Yes. Actually, it would end up as a follow-down too, if the sear stuck down. If the sear stuck down -- if you pulled the trigger and the sear stuck down and wouldn't let the trigger return under the sear, then you would also generate the follow-down.

Q But the gun would not fire?

A Right.

Q Isn't it true also that an accumulation of gun oil or dried gun oil can cause the rifle to fire when the safety is released?

A How would that happen?

Q Well, are you, in your experience, aware of that ever happening?

MR. HUEGLI: Without anything else happening? Without the trigger being pulled, or anything like that?

MR. CHAMBERLAIN: Well --

THE WITNESS: Not just by itself. I don't see how it could happen.

BY MR. CHAMBERLAIN:

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF OREGON  
3

4 TERI SEE and DARREL SEE, )  
husband and wife, )  
5 )  
Plaintiffs, )  
6 )  
vs. ) Case No. 81-886  
7 )  
REMINGTON ARMS COMPANY, INC., )  
8 )  
Defendant. )  
9  
10

11 TESTIMONY OF JOHN LINDE

12 March 3, 1983  
13

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18 For the Defendant: SCHWABE, WILLIAMSON, WYATT, MOORE &  
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21 503/222-9981

22 VIOLA JOYNER, RPR  
Court Reporter  
23 225 U.S. Courthouse  
Portland, OR 97205  
24 503/221-3113  
25

1 Q Did it have a trigger lock?

2 A Yes, it did.

3 Q Then they eliminated the trigger lock and took off the  
4 bolt lock?

5 A That's right. It was a combination.

6 Q Now, I want to talk a little bit about the trick  
7 condition that you described for the jury. You mentioned that  
8 was a term that Remington coined?

9 A That's right.

10 Q Just one that you folks used?

11 A That's right.

12 Q And you testified that 700's are not, quote, unquote,  
13 trickable?

14 A That's right. In a sense, that's for sure.

15 Q Because the trickable condition is caused by a manu-  
16 facturing defect in the sear safety cam; is that right?

17 A No.

18 Q In the shape of the cam that lifts the sear safety?

19 A It was in the shape of the cam, the die shape, that's  
20 right, in the mechanical dimension of the cam.

21 Q Now, although a model--

22 May I approach the witness, Your Honor.

23 THE COURT: Yes.

24 MR. CHAMBERLAIN: I'm going to need Exhibit 2 again (to  
25 the clerk, who provides the exhibit).

# REMINGTON ARMS COMPANY, INC.

INTERDEPARTMENTAL CORRESPONDENCE

XC: File

Remington

PATKRS

"CONFINE YOUR LETTER TO ONE SUBJECT ONLY"

November 29, 1978

J. P. LINDE

## REVIEW OF M/700 RIFLES RETURNED TO ARMS SERVICE

A total of six hundred and sixty nine M/700's were checked for firing pin falls when safety was released. Of the 175 that were manufactured prior to January 1, 1975, there were three firing pin falls when the safety lever was released, one of which was by tripping (null position). The causes of the three as follows: (1) Trigger adjusting screws tampered with so there was no tension on trigger (2) Trigger connector had excessive clearance with trigger and (3) Safety lever was binding on Stock.

Of the four hundred and ninety three that were manufactured after January 1, 1975, there were four firing pin falls when safety lever was released. The causes of the four are as follows: (1) trigger adjusting screw tampered with and connector broken at clearance hole (2) Trigger not retracting with safety lever on. Screws had been tampered with and trigger assembly dirty (3) Connector warped, excessive clearance between trigger and connector and (4) Trigger adjusting screws tampered with, trigger connector broken at clearance hole possibly caused by pierced primers.

by J. J. Burns  
J. J. Burns, Supervisor  
Quality Control and  
Product Testing

JJB/bdm

PLAINTIFF'S  
EXHIBIT

3022

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