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June 26, 1989

Dr. Vincent DiMaio
 600 North Leona
 San Antonio, Texas 78207

Re: Cause No. 13,461;
 Lauro Homer Chapa and Raquel Lopez Chapa,
 Individually and As Next Friend of Luis Ricardo
 Chapa, a Minor vs. Remington Arms Company, et al.,
 in the 229th District Court of Deval County, Texas

Dear Dr. DiMaio:

This letter is to confirm my conversation with you last week in which I, in behalf of Remington Arms Co., Inc, requested your services in connection with the above-referenced case. As we discussed by telephone, the fee that Remington will pay for your services is \$350.00 for the first hour, and \$175.00 per hour thereafter.

This case arises out of an incident in which Edelmiro Chapa, uncle of the plaintiff, Luis Chapa, accidentally shot Luis Chapa in the left thigh. Edelmiro Chapa claims that his Remington Model 700.270 caliber rifle accidentally discharged because of an alleged defect in the rifle.

One of the issues in this case may be the distance between Edelmiro Chapa and his nephew, Luis, at the time of the shooting. The Chapas claim that Edelmiro was approximately 10 to 20 feet away from Luis when the rifle fired. However, from a cursory review of the photographs taken of the wound shortly after the shooting, there appears to be evidence that Luis's thigh was shot at point blank range. We would like for you to review the

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enclosed photographs and medical records from the hospital emergency room where Luis was treated after the shooting, and render an opinion about the probable distance between the shooter and Luis at the time that Luis was shot. As I discussed with you on the telephone, we have requested the X-rays that were taken after the shooting, but have not received them from the hospital yet. I will forward them to you immediately after I receive them. If you need any additional information before giving an opinion on the firing distance, please contact me at your earliest convenience.

Currently, this case is set for trial on August 7, 1989, in Duval County. There is a possibility that the case will be continued until a later date. However, because August 7 is still a possibility, I would appreciate hearing your preliminary opinion as soon as possible. Please find enclosed our firm's check for \$350.00, to cover your first hour of services.

Thank you for your assistance in this case. Please contact me if you have any questions or comments.

Sincerely,

Russell Manning
Russell Manning

RM:sl

Enclosures - Photographs and records from Mercy Regional
Medical Center, check for \$350.00

cc: Mr. Robert B. Sperling
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