

DAVID T. CRAIG

VS.

REMINGTON ARMS CO., INC. and
DEBBIE JAMES

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IN THE DISTRICT COURT OF

BRAZORIA COUNTY, TEXAS

23RD JUDICIAL DISTRICT

ORDER

On this 30th day of January, 1989, came on for consideration Plaintiff's motion to compel discovery and the objections of Defendant Remington Arms Co., Inc., regarding Plaintiff's first set of written interrogatories and first request for production of documents and tangible things.

The Court initially heard the agreements of counsel for Plaintiff and Defendant Remington with respect to a number of discovery requests. Remington is hereby ordered to comply with those agreements as stated in open court and on the record.

With the agreement and consent of counsel for Plaintiff and for Defendant Remington, the Court then appointed Bert Huebner as special master to hear the disputed discovery matters and to submit his findings and proposed rulings to the court. After reviewing Plaintiff's discovery requests, Defendant Remington's objections, and Plaintiff's motion to compel and supporting brief, and the arguments and authorities provided to this Court by counsel, the Court hereby adopts the recommendations of the special master and orders the following:

1. Defendant's objections to request for production 3 are overruled. To the extent any documents exist they shall be

produced to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989.

2. Defendant's objections to request for production 4 are overruled. To the extent any documents exist they shall be produced to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989.

3. Defendant's work-product objection to request for production 5 is sustained.

4. Defendant shall tender to the special master by January 31, 1989, any statement responsive to request for production 7 that is withheld as privileged or exempt from discovery.

5. Defendant's objections to requests for production 11, 12, 13, 14, 15, 16, 17, and 19 are overruled. All documents responsive to those requests shall be produced by Remington to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989.

6. Defendant's objections to requests for production 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68 are overruled. Defendant shall produce the complete, original minutes, along with all attachments, to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989. Plaintiff's counsel may not disclose the contents of these documents without prior approval of the Court or the special master. This confidentiality provision does not extend to documents already in the possession of Plaintiff's counsel.

7. Defendant's objections to requests for production 70, 71, and 74 are overruled. All documents responsive to those

requests shall be produced by Remington to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989.

8. Defendant's objections to request for production 88 is sustained.

9. Defendant's objection to request for production 96 is overruled. Remington shall produce all such responsive documents to Plaintiff's counsel by 5:00 o'clock p.m., Friday, February 3, 1989.

10. Defendant's work-product objection to requests for production 98 and 101 is sustained.

11. Defendant's objection as to lack of time to answer interrogatories 7 and 8 is sustained, and Defendant is not required to further answer those interrogatories if this case goes to trial on February 6, 1989. However, Remington's counsel has agreed, and the Court so orders, that if the trial in this case does not commence on February 6, 1989, then Remington shall provide full and complete answers to interrogatories 7 and 8 within sixty (60) days from the date of this order.

IT IS SO ORDERED.

SIGNED this 31 day of ~~January~~ February, 1989.


HONORABLE NEIL CALDWELL,
DISTRICT JUDGE

Filed with me this 31st day of Jan. 1989

