

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

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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 GERALD HILL, 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

A I am just trying to get an understanding of what the people in your company mean when they use the term "trick condition." Would you say that any gun that is going to fail the trick test is in the trick condition?

MR. HUEGLI: Are you asking him what everybody else means or just his understanding?

MR. CHAMBERLAIN: Well, I am starting with his understanding. Obviously, he can't know what everyone else thinks.

MR. HUEGLI: Well, I think you did ask him what everybody else in the company means when they say "trick condition."

He is asking you what you understand the trick condition to be.

Is that fair?

MR. CHAMBERLAIN: Pretty much.

THE WITNESS: That, to me, would be a gun that failed the trick test.

BY MR. CHAMBERLAIN:

Q During the time that you were in Product Testing, was the trick test one of the tests that was

performed on Model 700's along with other tests that you have described?

A I don't know.

Q Okay. At some point, did it become Remington's practice, to your knowledge, to perform the trick test as part of the product testing on the Model 700?

A Yes.

Q On the Model 700?

A Yes.

Q You don't know when that --

A No, I don't.

Q -- began?

A No.

Q Are you aware of any Model 700 that failed the trick test in the course of such product testing?

A No.

Q Were you in a position at any time in the last several years to be given that information if one did fail?

A You would have to repeat that for me, too.

Q You said that in the recent past they have performed the trick test on Model 700's as part of the

product testing procedure.

A Yes.

Q Did your employment with Remington or your position with Remington, would that have made you in line to receive the information that a particular gun had failed the trick test?

A Yes.

Q Is that while you were in Product Testing or since then?

A Since then.

Q As supervisor of current products?

A Yes.

Q Okay. Why don't you tell me a little bit about your present position as supervisor of product testing? What does that entail?

A Responsibility for a group of engineers and technicians, to continue manufacturing of components to specifications.

Q And does the term "current products" in your title suggest that you are involved with the continuing design process for products that are currently being manufactured as opposed to discontinued products or new

products?

A Yes.

Q So it would be outside of your area if we were talking about the design of a totally new rifle, right? That wouldn't be something you would be involved with?

A No.

Q If we were talking about a discontinued line, you wouldn't be involved in that, obviously, right?

A No.

Q Like the 600, right?

A Well, possibly on those. I might just possibly on discontinued ones.

Q Okay. And do you, as part of your present job -- Strike that.

Are you involved with product modifications, current product modifications?

A Yes.

Q Were you personally involved in the redesign of the Model 700 that went into effect in February of this year?

A Yes.

Q Would it be fair to say that you were the person in charge of that or not?

A No.

Q Who was?

A I can't answer that.

Q Because you don't know?

MR. HUEGLI: Is there one person that you could point out and say that they were in charge of all the redesigning of the Model 700's safety?

THE WITNESS: For redesigning, yes.

MR. HUEGLI: Is that what you want, redesigning?

MR. CHAMBERLAIN: Yes.

BY MR. CHAMBERLAIN:

Q Who is that?

A I really can't answer that for sure.

Q Does more than one name come to mind?

MR. HUEGLI: Is there somebody else that could tell us that? Would Mr. Linde be in a better position to answer that?

THE WITNESS: I can give you a name, but

I am not sure he was responsible for it. He was the contact I worked with on the implementation of it.

BY MR. CHAMBERLAIN:

Q What name is that?

A John Brooks.

Q Now, I would assume that when a product is ultimately redesigned that it goes through a number of phases, such as the decision to make the redesign and the implementation of the design?

A Yes.

Q You used the word "implementation." Is that the phase you were involved in?

A Yes.

Q Were you involved in the decision to make the change?

A No.

Q Do you think Brooks was the person that ultimately made that decision or was most in charge of it?

A I can't answer that.

Q Do you know any other names that may have been

involved in that decision?

MR. HUEGLI: Is there anybody else that would be in a better position to answer these questions than you?

THE WITNESS: I believe so.

BY MR. CHAMBERLAIN:

Q Who would that be?

A It would have to be somebody from the research group. As I mentioned, mine was implementation.

Q Who is in charge of R & D?

A Clark Workman.

Q When you are called to implement a design change on a current product, are you typically told the reason for that change or reasons?

A No.

Q Were you in the case of the redesign of the 700?

A Rephrase that, please.

Q In the case of the redesign of the 700 that, I guess, was implemented in February of this year, were you told the reason or reasons for the redesign? And when I say "told," I mean either orally or in writing.

MR. HUEGLI: By secretaries or anybody, were you told by anybody why the 700's safety was redesigned?

THE WITNESS: Well, I would have to say yes.

BY MR. CHAMBERLAIN:

Q Who told you?

MR. HUEGLI: Go ahead. Other than your lawyer, nothing that we have discussed.

THE WITNESS: No. Who told me? I really can't say who told me.

BY MR. CHAMBERLAIN:

Q Was it more than one person?

A I would think so. I would say yes.

Q So you have general knowledge about the reasons, but you can't, in your mind, come up with a specific person that gave you the information, right?

A That is correct.

Q Did you read anything that gave you one or more reasons for the redesign?

A Yes.

Q What did you read?

A Correspondence from Research.

Q Do you remember who the author of that correspondence was?

A No, I don't.

Q Was it more than one piece of correspondence?

A No.

Q One memo?

A I would like to ask him a question.

Q Sure. Do you want to go outside?

A Yes.

(A short recess was taken.)

BY MR. CHAMBERLAIN:

Q I was asking you about a particular piece of correspondence that you received from Research and Development that dealt with the redesign of the 700. Did you tell me who wrote that, or do you know who wrote it?

A I can't answer who wrote it.

Q Because you don't know?

A I don't know offhand.

Q Do you know the person's title?

A No.

Q Do you have a copy of the memorandum or correspondence?

A No.

MR. HUEGLI: Peter, let me shorten this up a little. There is a design change request. It is in the Research and Development files. Mr. Hill has indicated he doesn't remember what it said or why it was written or who signed it, but it is available. We will get it. That should shorten these questions up.

BY MR. CHAMBERLAIN:

Q A moment ago you told me that you knew the reasons for the design change based on conversations with one or more people whose names you don't remember. Regardless of that, who they were or how many of them there were, what were the reasons they gave for the design change?

A I can't answer that.

Q You don't even remember if there was more than one reason given?

A No, I don't.

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E.C. # 34

Mr: R.E. Hall
 R.E. Boyle
 G.B. Fletcher
 J.C. Hutton
 J.H. Hweeney
 T.A. Capaletti
 J.P. Linde } In
 G.D. Campbell } Team
 J.S. Martin } In
 P.E. Martin } Team
 L.B. Bosworth } In
 G.J. Hill } Team

Est. #4305

June 18, 1961

S.D. Bennett

M/700 Trigger AssemblyPresent Trigger Assembly vs. Proposed New Trigger Assembly

A high spot economic evaluation has been completed using the 1961 M/700 forecast comparing the present M/700 Trigger Assembly to a proposed new designed Trigger Assembly. The safety is revised in the proposed new Trigger Assembly, cutting off the locking arm and adding a countersink to actuate the new safety plunger when the "safe" is on. New designed side plates, trigger and a new stop screw and spring completes the proposed new Trigger Assembly.

The attached economic sheet indicates an annual cost increase of \$35,270 in operating cost. A cost increase of \$16,800 after amortization of operation charges of \$16,300 will be realized with total capital required of \$20,060.

Industrial Engineering Section
 R.W. Farrington, Jr., Supervisor

By: A.E. Desmond

SED/ez
 Attached

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