

Remington Arms Co., Inc.  
Product Service  
Legal Case #:3126

## Case Information

RE#	Date Opened	Date Opened(PS)	Date Closed	Incident Date	Pre Lit	Lit	Obsolete
162251	2/17/2009	1/23/2009			X		

## Customer Information

Type	Business	First Name	Last Name	Street	City	State	Zip	Age	Contact
Incident		Michael	Hartman	739 Lonesome Trail	Fredricksburg	TX	78624		H 830-990-0716

## Incident Information

Claims	Codes	Repair Est.	Medical Treatment	Medical Status
PI shot foot				
PD	Cause:4079 Other - Unexamined			
S	Concern:1028 Fired With Safe ON		Y	went to hospital
C				

1/23/09 He went out the other day, sighted it in, then went out hunting. He raised it up to shoot @ a deer, pulled it down, put it on safety and it fired and shot his foot. He said he went to the hospital but gave no other details.cm

## Firearm Information

Mfg.	Type	Model/Ga.	SKU	Serial	Bbl.	DOM
Remington	CF/BA	722/222 REM	20000	112033	AWW	3/1/1950
Date Purchased	Where Purchased	Accessories	Original Owner			
	STREVEL PATERSON SALT LAKE UT	TWO PIECE SCOPE BASE	N			

He traded for it at a gunshow, bought used. CONCERN:FSR, INJURY

Ammunition Information - None Defined

Other Products Information - None Defined

## Settlement

Remington/722/CF/BA

Settlement	Release of Claims	Release Date	Reimbursement	Cash Settlement	Reim. Date APV	Cash Date APV

## Repair/Replacement Cost Repair/Replacement Date

1/23/09 Sent ARS.cm 1/28/09 He says he needs a box. Ordered on #973388.cm 1/30/09 Rec'd email from Hartman detailing his pain and suffering and talk of a lawsuit. I called him on 2/2 and explained the BLSM program that his friends were interpreting as a recall and he still wants to send the firearm in for inspect. He is waiting for the box to arrive. I told him to keep any dr/hosp bills and take pictures if he wanted to. We just want to make it safe and make it right.cm 2/25/09 Hartman will look at the Marlin 917 models and let me know what model he wants as replacement.cm

## Examination[Remington/CF/BA]

Part	Sub-Part	Code	Comment
Examination	Examiner		B.TRAVIS
	Exam Date		2/19/2009
	Product Type		RF
	Action Type		A
	Assigned To		F.SUPRY
Cause	4006	Altered Adjustments or Components	COULD NOT CHECK SEAR LIFT DUE TO THE ALTERED SET SCREWS
Barrel	Description		26" 222 REM
	Date Code		AWW
	Bore Plugged	False	
	Bulged	False	
	Fired	False	
	Fired while Obstructed		
	Muzzle/Crown Condition	Slightly Worn; Functioning	
	Firing Pin	Slightly Worn; Functioning	

Bolt	Shroud	Slightly Worn; Functioning	
	Face	Slightly Worn; Functioning	
	Handle	Slightly Worn; Functioning	
	Stop	Slightly Worn; Functioning	
Extractor	Condition	Slightly Worn; Functioning	
	Cut Condition	Slightly Worn; Functioning	
	Ext/Eject Test	False	
Locking	Block Condition	---Select---	
	Lug Condition	Slightly Worn; Functioning	
	Notch Condition	---Select---	
Overall	Exterior Condition	Slightly Worn; Not Functioning	
	Stock Condition	Slightly Worn; Functioning	
	Fore End Condition	---Select---	
Receiver	Condition	Slightly Worn; Functioning	
	Bulged	False	
Safety	Description		STANDARD M/722 SAFETY
	Function	Slightly Worn; Functioning	
Sear	Lift	---Select---	COULD NOT GET A READING
	Notch	Slightly Worn; Functioning	
	Tests	Test Fired	False
Feeding Test		False	
Trigger	Condition	Slightly Worn; Not Functioning	WILL FOLLOW DOWN
	Pull	---Select---	.05#
	Altered	True	SET SCREWS ALTERED
	Sub-Assembly	Other Remington	
Non-Remington Components	Description		TWO PIECE SCOPE BASE

Mitchell, Christy

From: Mitchell, Christy  
Sent: Friday, February 27, 2009 8:33 AM  
To: 'Michael Hartman'  
Subject: RE: Rem 722, 222, bad trigger

*Approved by F. Kell  
2/27/09 8:30*

Dear Mr. Hartman, I apologize for the delay. We just received your rifle last Tuesday and I've just received inspection data from the repairman yesterday. Your Model 722 was manufactured around 1950 and it appears to have been altered. We are unable to check the sear due to the alterations to the trigger set screws. We were able to make the following observations. The internal rifle parts show wear as expected for a rifle of this age. The trigger pull is VERY light and measures only .05" pull. The average trigger pull for a bolt action centerfire rifle from the factory is closer to 4 lbs which is just slightly above factory specifications for our bolt action centerfire rifles. We are willing to repair the rifle at no charge as a goodwill gesture. I will wait to hear from you before any work is performed.

I would recommend that you have all other firearms that you own inspected to ensure that they have not been altered to an unsafe condition as well. Any Remington models can be sent to our plant in Ilion, NY for inspection. If you need an owner's manual for this or any other Remington models I will send them to you at no charge or you can download current model manuals from our site.

<http://www.remington.com/pdfs/safety/sftybklt.pdf>

If you have any questions or would like to reach me by phone, following is my complete contact information.

Thank you,

Christy Mitchell

Consumer Affairs/Armorer's School Administrator Remington Arms, Inc PO Box 700 870  
Remington Dr Madison, NC 27025 800-243-9700, ext 8684  
fax: 336-548-7784  
[christy.mitchell@remington.com](mailto:christy.mitchell@remington.com)

-----Original Message-----

From: Michael Hartman [<mailto:mnvh@ctesc.net>]  
Sent: Wednesday, February 25, 2009 6:50 PM  
To: Mitchell, Christy  
Subject: Rem 722, 222, bad trigger

Hello Ms Mitchell,

I am Michael Hartman, who was shot in the foot by a Remington 722, 222 with a faulty trigger and safety.

I boxed and shipped the rifle on February 11, 2009. It has been 2 weeks and I have heard nothing.

I am still on crutches and having to go to the Dr to have the bandages changed and the wound treated with ultra sound and a saline solution, then packed and bandaged. I also have to wear an air cast. Needless to say, I have not been able to work since the incident on January 15, 2009. The Dr., hospital, Surgeon, anesthesia, etc. bills are coming in fast now and the treatment goes on and on. It will still me 2 months, they say, until I can once again wear a boot and possibly go back to work with light duties. Since I have heard nothing from Remington, I assume the Company is going to do nothing. I guess I will have to find a lawyer and have him take care of it. I have been told the Lawyer, who has successfully sued Remington in the past, would be more than happy to take my case.

The ball is in your court.

A quick response would be nice!

To Fred Suppy,

If the trigger, safety, etc. is replaced, I want the old parts returned to with the rifle.

Michael Hartman

I did not clean, oil, etc. the rifle before I sent it.

I love this rifle, it is extremely accurate. I always worked fine until the day it went off on its own & shot me in the foot.

# Factory Repair Form

Model Number:	722	Serial Number:	112033
Are you the original owner?			
Name:	MICHAEL HARTMAN	Date of Purchase:	7
Address:	739 LONESOME TRAIL		
City:	FREDERICKSBURG	State:	TX Zip: 78624
Home phone:	832-400-0716	Daytime phone:	430-440-0716
Cell phone:	325-439-1045	Fax:	N/A
Email Address	MNVH@CTESC.NET		
Please describe your problem and the date of occurrence:			
01/10/96 GUN FIRED WHILE ON SAFE, BULLET STRUCK MY RIGHT FOOT.			
WILL FIRE WHILE ON SAFE, WILL FIRE WHEN MOVED FROM SAFE TO FIRE, WILL FIRE ON SAFE IF BOMPED.			
Ammunition Information:			
Manufacturer:	REMINGTON	Type:	DSP
Other (i.e. bullet weight/type, shot size, powder):	50 GRAIN		
Handload Information:			
Powder Used:	Powder wt:		
Case/Hull Used:	Primer Used:		
Bullet Type/Shot Size:	Reloader Used:		
Firearms Care (Cleaning and Lubrication):			
Brand of cleaning solution used:			
How often do you clean the bore? (Months or # of rounds): 50			
How often do you clean the action? (Months or # of rounds): 50			
How often do you clean the trigger? (Months or # of rounds): 50 with air			
Brand of lubricant used: REM OIL			
How often do you lubricate the bore? (Months or Number of rounds)			
50 very light, then dry patch			
How often do you lubricate the action? (Months or Number of rounds)			
50 very light			
How often do you lubricate the trigger assembly?			
100 very lightly + below rail			
Have you ever reviewed the cleaning and maintenance recommendations on our web site or in our owners manual? YES			
When was the last time your firearm was serviced by an authorized repair center?			
N/A			
If so, what were the services that were performed?			
N/A			
<p>* Record the serial number of your firearm before sending it. *Pack your firearm for safety and to prevent further damage in shipping and handling, preferably in a firearm box. (Note: original firearm boxes will not be returned.) *Remove all accessories. *Provide a return address on both the outside and inside of the box. *Ship it insured. Our company is not responsible for damage or loss during shipment, so you may elect to purchase insurance from your carrier.</p>			

Mitchell, Christy

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From: Michael Hartman [mnvh@ctesc.net]  
Sent: Friday, January 30, 2009 1:47 PM  
To: Mitchell, Christy  
Subject: Rem 722 Foot Shooting, safety/trigger problem

Hello Ms. Mitchell,

I recently talked to you on the phone about my 722 which fires when on safety, fires when switched from safe to fire, etc. It fired and shot my in the foot. Since that time I have read many articles on the net about similar problems and lawsuits from those cases.

You agreed to send me a box and free UPS to send the rifle back to the factory to be fixed and returned free of charge. That seems like Remington knows there is a problem with their triggers and safeties. Many of my friends are trying to get me to instigate a lawsuit and have provided names, emails, etc. of lawyers who have handled lawsuits against Remington and won.

My son recently told me a Remington 788, 223, which I bought for him had a similar problem in that it would fire when the bolt was closed, fire when on safe, fire when switched from safe to fire. He took it into a gunsmith and had it fixed with a trigger and safety. So, I know for a fact that this is an acute problem with the 722 & 788. It is a wonder that more damage was not done with either rifle. His fortunately did not shoot anyone or anything but down range where he was sighting it in that day. Prior to that day it had worked fine with no problems, just as my rifle had done great in the past. But now I have a big hole in my foot, a big hospital and medicine bill, crutches, aircast, antibiotics, trips to hospital, can't drive, can't work, house bound, can't sleep, pain, misery, and on and on. It will be months before I can wear a boot on that foot and walk and then with out the aid of one toe which no longer has a bone to attach it to my foot.

Now, please advise me as to what I should do ! Or if Remington has any suggestions please let me know.

As I told you, I am a Federally licensed firearm dealer (FFL), NRA member, Tx Rifle Assn member, take and read many gun magazines and never was advised or heard of the problem with Remington 700 series triggers and safeties until I was injured and looked it up on the internet. That is a big problem with me because this injury could have been avoided if Remington would have published something to the effect of letting people know there was a potential problem. Remington has admitted that they knew there was a problem but only with a small percent of the rifles they had sold. Well, I just happened to have bought 2 of those rifles !

Please advise ASAP.

Thank You,  
Michael Hartman