

**FRAUDULENT
CONCEALMENT**

Remington has engaged in a decades-long effort to actively conceal the inherent defects of the Model 700 rifle that cause it to fire in the absence of a trigger pull

In October 2010, national television network CNBC ran an hour-long documentary on the history of the defect

Remington's response was immediate and fraudulent. Allegations made during the program were addressed individually on Remington's website,

<http://www.remington.com/>

Recently CNBC produced an “expose” claiming that the trigger mechanism of the Model 700 rifle has a deadly design flaw. This claim is demonstrably false. Remington stands fully behind the safety and reliability of the Model 700 rifle. Whether by our hunters, target shooters, law enforcement officers, or military forces, the Model 700 has been put to the test billions of times under the most grueling and challenging conditions. The rifle’s performance over the last five decades has led to its well-deserved reputation as the finest and most-trusted bolt action rifle in the world.

Supported by trial lawyers and a hired expert, CNBC sensationalizes tragic shooting accidents and takes decades-old documents out of context to smear Remington, its employees, and the iconic Model 700. Clearly, CNBC had no interest in providing a fair and accurate history of the Model 700. Rather, CNBC turned a blind eye to the multitude of facts – both provided by Remington and otherwise readily available – in order to demonize another member of the firearms industry.

Set forth below are Remington’s itemized responses to many of the allegations made by CNBC. Remington provides these responses, with facts, as a service to its valued customers, its loyal employees, and the shooting public.

CNBC ALLEGATION

The Model 700 rifle is prone to firing without the trigger being pulled because of a design defect in the Walker trigger mechanism.

REMINGTON FACT

Both Remington and experts hired by plaintiff attorneys have conducted testing on guns returned from the field, which were alleged to have fired without a trigger pull, and neither has ever been able to duplicate such an event on guns which had been properly maintained and which had not been altered after sale.

Mr. Belk, a paid plaintiffs’ expert, was given extensive air time by CNBC to espouse his theory that the Remington 700 is defective because the trigger “connector” supposedly allows debris to interfere with the trigger mechanism (the “debris theory”). In statements made under oath, however, Mr. Belk has demonstrated the implausibility of the theory upon which he and CNBC rely.

- He admitted he has never found debris or contaminants to be interfering with the trigger and connector in a Model 700 rifle he had examined.
- He admitted that he has never attempted to duplicate his “debris theory” because the possibility of producing such an inadvertent firing is simply too remote.
- He admitted that accidental discharges can and do occur as a result of unknowing inadvertent trigger pulls, and that many use these excuses to avoid embarrassment or blame.

Remington's internal testing history reveals the truth. FSR's and instances of "follow down" or "FD" occur.

Remington Produced Document Bates #010000150

DON'T SAY IT—WRITE IT

03582

TO GEORGE MARTIN

FROM GENE BULLIN

SAFETY MALFUNCTIONS
GALLERY

DATE 4-2-75

MODEL	MALFUNCTIONS												TOTAL MALF. BY M.		
	FSR			JO			FD			FOS				SWW	
	1975	74	73	1975	74	73	1975	74	73	1975	74	73	1975	74	73
40							4								
XP 100							3								
540															
541								2	1						
580													1		
581							3	2	1						
582															
600	1						10	74	55						146
700	9						7	19	10	1			1		47
788	4						3	9	3	2	9	4	14	95	53
ONLY HALF TOTALS	14						30	106	70	3	9	4	14	97	53

MALFUNCTION MEANINGS

FSR - FIRES WHEN SAFE IS RELEASED - SELF EXPL.

JO - JARS OFF (HAMMER FAILS TO STAY ENGAGED WITH SEAR AND FALLS DOWN WHEN GUN IS JARRED.)

FD - FOLLOWS DOWN (COCKING PIECE FAILS TO PROPERLY ENGAGE WITH SEAR AND LOOSES THE COCKING CAM SURFACE OF THE BOLT TO THE FIRED POSITION)

FOS - FIRES ON SAFE (GUN FIRES WITH SAFE IN "ON" POSITION WHEN TRIGGER IS PULLED).

SWW - SAFETY WON'T WORK - SELF EXPL.

010000150

* - 1975 DATA FROM DEC. 16, 1974 TO APRIL 29, 1975 ONLY.

Remington's representatives
have testified to the
continuing incidence of
failures during quality
control testing

Deposition of Derek Lee Watkins, 11/10/10

Derek Watkins, Remington's Director of Research and Development, testified as follows in 2010

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

THOMAS HULL,)

)
Plaintiff,)

VS.) CAUSE NO. 3:10-CV-5010-RBL

)
REMINGTON ARMS COMPANY,)
INC.,)

)
Defendant.)

VIDEOTAPED ORAL DEPOSITION OF

DEREK LEE WATKINS

NOVEMBER 10, 2010

On the 10th day of November, 2010, at 9:45 a.m., the videotaped oral deposition of the above-named witness was taken at the instance of the Plaintiff, Thomas Hull, before Michelle L. Munroe, Certified Shorthand Reporter in and for the State of Texas, at Hightower Angelley, LLP, 4144 N. Central Expressway, Suite 1230, Dallas, Texas, pursuant to Notice and the agreement hereinafter set forth.

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11:47 1

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11:49 25

Remington's connector-containing bolt action rifles fired absent a trigger pull during gallery testing?

A. I can't give you -- I don't know that number, so -- and I can't make an estimate either.

Q. Okay. Since 1990, 20 or so years ago, how many times have Remington's connector-containing bolt action rifles fired absent a trigger pull during gallery testing?

A. Again, I can't give you that number. I don't know that number.

Q. Since the year 2000, 20 years ago -- I'm sorry.

Since the year 2000, approximately 10 years ago, how many times have Remington's connector-containing bolt action rifles fired absent a trigger pull during gallery testing?

A. How about from 2002 to present?

Q. Okay.

A. I can make an estimate on that.

Q. Let me re-ask my question.

How many times since 2002 have Remington's connector-containing bolt action rifles fired absent a trigger pull during gallery testing?

A. Possibly between 100 and 200 is a guess.

Q. Okay. Is even one of the fire controls for

Customer complaints from the field also demonstrate a history of FSR's

Remington Produced Document Bates # REM0034093

REMINGTON ARMS COMPANY, INC.

INTER-DEPARTMENTAL CORRESPONDENCE

Remington
HUNTING

PETERS
HUNTING

REMINGTON ARMS CO.
RECEIVED

MAR 7 1980

cc: C. E. *By* *Arkyman*
J. P. Linde
T. W. Rawson, Ept.
E. G. Larson "

ILION RESEARCH DIVISION

"CONFINE YOUR LETTER TO ONE SUBJECT ONLY"

Ilion, New York
March 5, 1980

E. HOOTON, JR.

Jim Martin
for your use in developing a letter
Bolt Peters' Dir
Control Clark

SAFETY-RELATED COMPLAINTS-BOLT ACTION CENTER FIRE RIFLES
JULY, 1979 - JANUARY, 1980

In response to Earl Larson's letter to D. J. Sanita dated January 23, 1980, the following data is supplied. Listed are items where Bolt Action firearms were returned for a safety complaint. We have been previously reporting on all customer returned Model 700's that failed the trick test and fires off safe (see attached letter).

Model	Production for the Period	Complaints	Total No. Unable to Duplicate	Total No. Verified
700	83,862	133	89	44
788	14,735	10	4	6
600	-	5	3	2
660	-	1	-	1
721	-	1	1	-
722	-	1	-	1
725	-	1	-	1

Complaints - Unable to Duplicate

Total No.

I. Model 700

- 1) Rifle discharged when Safety is released
- 2) Trigger stiff - misfires
- 3) Follows Down
- 4) Bolt closes hard and discharges
- 5) Delayed firing
- 6) Fires on closing Bolt when unloading
- 7) Rifle discharged when Bolt handle raised
- 8) Push Safety to "Off" position - slight touch of Trigger and rifle discharges
- 9) Accidental discharge
- 10) Fires on closing
- 11) Safety does not work
- 12) Defective Safety - works hard
- 13) Faulty Trigger - gun goes off
- 14) Goes off prematurely

54

1
4
2
5
3
2
1
5
8
1
1
1
1
1
89

REM 0034093

Of 133 customer complaints of FSR over a 6-month period in 1979-1980, 44 were "verified"

In responses to individual customer complaints, the “party line” is consistently echoed

Remington Produced Document Bates # AL007450-53

PS
1565

RECEIVED

November 29, 1954

REC-44
J. A. STEKL

Patrick McCaffrey
#5 Bramble Woods Lane
Nixa, Missouri 65714

The Remington Arms Co., Inc.
Bridgeport, Connecticut 06602

Dear Remington:

I am from St. Louis and about four years ago, I purchased a Remington Model 700ADL bolt action .30-06 from the Target Store in University City.

That Fall while deer hunting I walked away from camp in order to unload my new Remington. In the process of unloading, the rifle suddenly fired! I was shocked, surprised, and scared, as I had no idea where the bullet had gone. The bullet had hit my Uncles' station wagon. Although it only made a small hole upon entering his car, the interior suffered extensive damage from the flattened out piece of lead.

I blamed myself for this accident. As careful as I have always been, somehow I had been careless and therefore caused this accident. Fortunately insurance covered the damage to the car and more important, no one was hurt or injured.

The following year I received a walnut plaque complete with brass name plate. The plaque had an LTD hood ornament with the inscription "Bagged by Pat McCaffrey".

A year later, while unloading the gun at my Grandfathers' farm house the rifle again discharged unexpectedly! I was sure that I had been very careful but again I blamed myself. Somehow, somehow, I had made a mistake...there was a four inch hole in the wall as a tribute to my hunting prowess.

By now my hunting skills were legend: one year a car was "killed", another year a house. My friends, in addition to not wanting to be in range during deer season, began taking bets on what I would shoot this year.

Well, this year it happened again. Due to the fact that I wanted to climb my deer stand, in order to be safer I wanted

PLAINTIFF'S
EXHIBIT
204

AL 007450

-2-

to take the shell out of the chamber before bringing the gun up into the stand. I raised up on the bolt in order to eject the shell. Because I had the safety on, the bolt would obviously not raise. Upon pushing the safety forward to allow me to raise the bolt, the rifle suddenly fired! This time I was being extremely careful and I was very aware of where my hands and fingers were at all times. Fortunately the bullet went harmlessly into the ground 5 feet in front of me. However, I am now 100% completely positive that the rifle malfunctioned and it was not my error. The other two previous occasions now became understandable.

This malfunction is obviously a defect in workmanship or material. This malfunction is extremely dangerous and could be lethal. I expect Remington to rectify the situation before someone is injured! I feel that you should take the gun back and refund me my money, replace the defective rifle with a new model, or repair the gun satisfactorily and certify its safety at no cost to me.

Please respond as soon as possible. My address is:

Patrick McCaffrey
#5 Bramble Woods Lane
Nixa, Missouri 65714
(417) 725-2082

Sincerely,

Patrick McCaffrey
Patrick McCaffrey

AL 007451

Remington



REMINGTON ARMS COMPANY, INC.

SPORTING ARMS - AMMUNITION - TARGETS - TRAPS

ILLION, NEW YORK 13357

TELEPHONE 019 874-3741

January 4, 1985

Mr. Patrick McCaffrey
#5 Bramble Woods Lane
Nixa, Missouri 65714

Dear Mr. McCaffrey:

Your letter of November 29, 1984 that was addressed to our Bridgeport, Connecticut facility, regarding the accidental firings you have experienced with your Model 700 30-06 caliber rifle, has been forwarded to this office for handling.

We were indeed sorry to learn of your having a problem of the nature you described, as it is not representative of Remington quality, nor characteristic of the Model 700 rifle.

Generally, the type of malfunction you described results from either improper adjustment of the trigger assembly outside our factory, from improper maintenance of the rifle, or, from pressure being inadvertently applied to the trigger as the safety is being moved.

Please, at your convenience, return the rifle via insured and collect transportation, to:

Remington Arms Company, Inc.
Attn: J.A. Stekl, Supervisor
Product Service
Ilion, New York 13357

Upon receipt, we will thoroughly examine the rifle and, if it is found to be factory faulty, any necessary repairs will be made on a no-charge basis.

Thank you for bringing this matter to our attention and for affording us this opportunity to be of service to you.

Sincerely,

J.A. Stekl, Supervisor
Product Service

JAS:tpp

January 23, 1985

Remington Arms Company, Inc.
J.A. Stekl, Supervisor
Product Service
Ilion, New York 13357

Dear Mr. Stekl:

Thank you for your response to my letter of November 29th. Enclosed is the rifle shipped per your instructions.

You indicated that accidental firings result from either improper adjustment of the trigger assembly, improper maintenance, or from pressure inadvertently applied to the trigger as the safety is being moved. I can assure you that with the exception of mounting a scope and a sling, nothing has been modified or tampered with. It has been fired very infrequently and used only during deer season. As far as maintenance, only the barrel and bolt areas have been cleaned after usage. The trigger assembly has never been touched.

You may send repaired rifle to:

Patrick McCaffrey
#5 Bramble Woods Lane
Rt. 3, Box 40-5
Nixa, MO 65714

I appreciate your philosophy of standing behind the products which Remington markets.

Sincerely,

Patrick McCaffrey

Although Customers are told
this can only happen as a result
of “improper adjustment” or
“improper maintenance,”
Remington knows of dangerous
examples of customer
complaints

Remington Produced Document Bates # AL0029765 and PPS03693

P.I. NO GUN EXAMINATION REPORT NUMBER: _____

MODEL: 700 ADL

GENERAL CONDITION: GOOD

R # : 22791

OUTSIDE WORK: NO

DATE: 11-12-91

FROM: CRISTY GUN WORKS

FIRE AMMO TYPE: _____
& CONDITION: _____

SACRAMENTO, CAL.

GUN # : 6372120

PROOF: R.L.P.A INSP.: NONE TEST: 13

CODE: No Cod

HEADING: BOLT CLOSURE ON ASSEMBLY MAX.

GA./CAL.: 3006

BRECH OPENING: -

CHECKED BY: C. PROSSER

RECOIL SHOULDERS: O.K.

APPROVED: _____

CHAMBER: O.K.

APPROVED: _____

TEST: NO

APPROVED: _____

COMPONENT CONDITION: (Damaged, Broken, Old Style)

APPROVED: _____

NO DAMAGED COMPONENTS

COMPLAINT: GUN FIRES WHEN SAFETY IS RELEASED.

INCIDENT: FOLLOW DOWN.

COMMENTS: MALFUNCTION NOT VERIFIED BY WRITER.

HOWEVER EXAMINATION OF THE TRIGGER REVEALS SEVERAL SMALL METAL SHAVINGS WHICH MAY HAVE, IF CONCENTRATED IN ONE POSITION, REDUCED THE ENGAGEMENT TO A DANGEROUS LEVEL.

TRIGGER PULL WAS FOUR POUNDS, SEAR CONNECTOR ENGAGEMENT WAS 0.20.

PLAINTIFF'S EXHIBIT

AL 0029765

Trigger pull forces and sear engagement were within Remington specifications, but customer still experienced a FSR due to "metal shavings" that "reduced the engagement to a dangerous level"

Customer Complaint
CHIP

P.I. NO GUN EXAMINATION REPORT NUMBER: _____ MODEL: 700 BDL
GENERAL CONDITION: NEW R #: 010030
OUTSIDE WORK: NO DATE: 5-1-72
FRO: ODELL HOWE, CO.
FIRED AMMO TYPE: — GREENWOOD, N.C.
& CONDITION: _____ GUN #: 6429469
PROOF: R.F.P.-H ASSEMBLY: _____ INSP.: 51 TEST: 13 CODE: EU# 10/71
HEADING: O.K. GR./OAL.: 3006
BREACH OPENING: — CHECKED BY: C. PROSSER
RECOIL SHOULDERS: O.K. APPROVED: _____
CHAMBER: O.K. APPROVED: _____
TEST: NO. APPROVED: _____
COMPONENT CONDITION: (Damaged, Broken, Old Style) APPROVED: _____

NO BROKEN COMPONENTS. CONNECTOR, SEAR ENGAGE-
MENT = .008 MIN. 13.020 ALSO FOUND METAL CHIP
BETWEEN TRIGGER & CONNECTOR.

COMPLAINT: WILL NOT FIRE.

INCIDENT: FOLLOWS DOWN.

COMMENTS: THE METAL CHIP BETWEEN THE TRIGGER AND
CONNECTOR REDUCED THE CONNECTOR-SEAR ENGA-
MENT TO ZERO CAUSING THE FOLLOWS DOWN.

This even happens with "new" rifles

CNBC ALLEGATION

Roger James – Presented as the ‘Remington Insider’

“The complaints stack up in the 1970s after Remington recalls a similar rifle, the 600, over inadvertent discharges. But the company decides not to recall the more popular 700.”

The 2007 X-Mark Pro is “exactly the same mechanism” that Mike Walker proposed in 1948.

REMINGTON FACT

As the alleged “Remington Insider” Roger James has testified in open court, he last worked for Remington in 1993.

Mr. James never worked in the manufacturing or production of firearms; rather, he was employed in Remington’s ammunition plant. In 1997, Mr. James was hired by plaintiffs’ attorneys to testify in two cases involving Remington shotguns and one involving a semi-automatic rifle.

Testifying in those cases under oath, he was specifically asked whether he had “any recollection of ever hearing anyone at Remington discuss alleged accidental discharges involving bolt-action rifles.” His answer was, “No, sir.”

The trigger mechanism of the Model 600 rifle at the time of the recall was different than the Model 700 rifle’s trigger mechanism. In fact, when Remington recalled the Model 600 rifle, it replaced Model 600 trigger mechanisms with Model 700 trigger mechanisms.

Remington has an extensive and ongoing research and development program across all of its product lines, and continuously introduces new and updated products. Remington introduced the X-Mark Pro trigger mechanism in 2007. The X-Mark Pro trigger mechanism has a one-piece trigger without a connector. Like the Walker trigger mechanism, the X-Mark Pro is a safe and reliable high performance system. Remington continues to utilize the Walker trigger mechanism in rifles sold to the U.S. military and for use in certain custom rifles as requested by our customers.

The 1948 design shown by CNBC is very dissimilar to the X-Mark Pro and, in fact, was not even Mr. Walker’s, but that of another Remington engineer.

CNBC also did not note that Mr. Walker’s 1948 proposal would have left the connector in place, or that when Mr. Walker designed the Model 700 in the early 1960s, he maintained the connector and incorporated a sear blocking safety mechanism, consistent with prior designs.

There is no functional difference between the Model 600 and the Model 700. Both contain the “Walker Fire Control”

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

ALBANY DIVISION

CHARLES P. BLEDSOE, *

Plaintiff, *

VS. *

CAUSE NO. 1:09-CV-69-WLS

JURY TRIAL

REMINGTON ARMS COMPANY,
INC., *

Defendant. *

COPY

VIDEOTAPED ORAL DEPOSITION

DEREK LEE WATKINS

DECEMBER 9, 2010

VOLUME 1

ANSWERS AND ORAL DEPOSITION OF DEREK LEE WATKINS,
produced as a witness at the instance of the
Plaintiff, taken in the above-styled and numbered
cause on the 9th day of December 2010, from 9:45 a.m.
to 5:48 p.m., before Terri L. Arp, CSR in and for the
State of Texas, reported by machine shorthand, at
The Drinnon Law Firm, PLLC, 1700 Pacific Avenue,
Suite 2230, in the City of Dallas, County of Dallas
and State of Texas.

TERRI ARP COURT REPORTING
214.532.4127 (Office) terri_arp@yahoo.com

1 A If it's -- if it's through normal use of the
2 product that injury or accident can occur and not due
3 to misuse or manipulation, we will due to -- we will
4 do a recall notice and put the notice out and bring
5 the product back.

6 Q It is my understanding that thousands of
7 consumers have complained that the Walker Fire Control
8 in various Remington rifles has fired without a
9 trigger pull. Is that your understanding?

10 A We have received reports of the Walker-style
11 Fire Control firing absent a trigger pull over the
12 years, yes.

13 Q It's also my understanding that Remington has
14 never recalled the Walker Fire Control or any rifle
15 containing the Walker Fire Control; is that correct?

16 A No, that's not correct.

17 Q Okay. Why is that statement not correct?

18 A We did a recall on the models 600 and 660.

19 Q Did it include the Walker Fire Control?

20 A Yes, it did.

21 Q Other than the recall on the 600/660, is it
22 true that Remington has not recalled any other
23 rifle -- Remington rifle containing the Walker Fire
24 Control?

25 A No. We have recall on the 710. We've had

CNBC ALLEGATION

Instead of changing its guns, Remington changed its message to the public and developed the Ten Commandments of Firearms Safety with giant public relations firm Hill & Knowlton.

“Every case is settled with a confidentiality agreement that prevents you from talking about it.”

REMINGTON FACT

Remington firmly stands behind the importance of gun safety and has actively supported and promoted safe gun handling practices and other safety initiatives for decades. Remington did not, however, develop the Ten Commandments of Firearms Safety. According to the Sporting Arms and Ammunition Manufacturers' Institute (SAAMI), the Ten Commandments of Firearms Safety have been in existence since the 1920s.

Confidentiality agreements are a very common practice in civil litigation, and it is often the plaintiffs who want such a provision. In fact, when the Barber case was “satisfactorily resolved” in 2002, a confidentiality provision was included in the agreement at Mr. Barber’s request.

In 1979, while considering the recall of the Model 600 for a high incidence of FSR's, Remington also considered recalling the Model 700

At the time, there were
nearly 2,000,000 Model
700's in the market

Remington's internal analysis suggested that only 1% of Model 700's were "susceptible" to "tricking". This was precisely the problem for which the Model 600 was recalled.

“Those guns which are capable of being “tricked” are dangerous and should be modified.”

Remington Produced Document Bates # R2543194

Bridgeport, Connecticut
September 13, 1982

R. B. SPERLING

RECALL INFORMATION IN FIELD SERVICE MANUAL

The Field Service Manual, which gives assembly, disassembly, and diagnostic information about our firearms, is being updated at this time. This manual is made available to our Recommended Gunsmiths and other gunsmiths who request it.

Previous editions of the manual have not had any reference to product recalls. For the following reasons, we propose to include Model 600 and XP-100 (attached) recall notes in the Field Service Manual:

- o Those guns which are capable of being "tricked" are dangerous and should be modified.
- o Four years after this recall was instituted, only 13% of the guns have been modified. Thus, there are still over 175,000 guns outstanding.
- o Because the recall was started several years ago, some dealers and gunsmiths have discarded the descriptions of the guns subject to recall. These inserts will provide them with a ready reference.
- o Recall was nationwide in scope as opposed to localized via a distribution pattern.

In short, Remington decided not to spend the money to recall the Model 700, since by its estimation “only” 20,000 consumers were at risk

Instead, Remington “[D]ecided to recommend that an informational warning concerning accidental firing and safe gun handling be prepared and…communicated to the gun handling public”

Remington Produced Document Bates # REM0002566-70

JANUARY 2, 1979

product. Consequently, a notice warning or a series of warnings against abnormal use or misuse, and highlighting safe gun handling procedures, is the most direct solution to the problem of accidental discharge.

The Subcommittee considered the possibility of recalling all pre-1975 Remington center fire bolt action rifles, many of which have been in the hands of the public well over several decades.

The Subcommittee decided against a recall for the following reasons:

1. Based on Remington's sample, only 1% of the pre-1975 Model 700 family of guns out in the field which number about 2,000,000 can be tricked. That would mean the recall would have to gather 2,000,000 guns just to find 20,000 that are susceptible to this condition.
2. An attempt to recall all bolt action rifles would undercut the message we plan to communicate to the public concerning proper gun handling. It would indicate that the answer to accidental discharge can be found entirely within the gun, when in reality ~~only proper gun handling can eliminate~~ injuries resulting from such occurrences.

The Subcommittee decided to recommend that an informational warning concerning accidental firing and safe gun handling be prepared and effectively communicated to the gun handling public.

The Marketing, Legal and Public Relations Departments were to

JANUARY 2, 1979

coordinate their efforts, with possible help from outside consultants, in preparing such a notice.

Further meetings would be held to ensure that this informational program was launched effectively and expeditiously.

(Secretary's Note: The President approved these recommendations on January 2, 1979.)

R. B. Sperling
Acting Secretary

Hill & Knowlton, an outside consulting firm, was retained and the firm's suggestions were presented in 1979 to the Sporting Arms and Ammunition Manufacturer's Institute (SAAMI)

Remington Produced Document

LIMITED DISTRIBUTION

PRODUCT SAFETY SUBCOMMITTEE MEETING
FEBRUARY 23, 1979

PRESENT:

SUBCOMMITTEE

J. G. WILLIAMS, ACTING CHAIRMAN
E. HOOTON, JR.
R. A. PARTNOY

OTHER

P. H. BURDETT
J. P. McANDREWS
E. S. McCAWLEY
R. B. SPERLING, ACTING SECRETARY

SAFE GUN HANDLING

The submitted suggestions of Hill and Knowlton for the promotion of safe gun handling were reviewed and discussed by the Subcommittee.

The proposed warning concerning the "trick" condition in bolt action rifles was approved with some language modification to make it technically more accurate (copy of approved version attached). It was decided that the Marketing and Public Relations Departments would consult with Hill and Knowlton with respect to means for disseminating the warning.

Other suggestions submitted by Hill and Knowlton concerning the promotion of safe gun handling were reviewed and discussed. It was decided that Remington should draft a general outline utilizing these suggestions and submit this proposed safe gun handling program to the Sporting Arms and Ammunition Manufac-

PRODUCT SAFETY
SUBCOMMITTEE MEETING

-2-

FEBRUARY 23, 1979

urers' Institute (SAAMI) for consideration and possible industry action.

R. B. Sperling
Acting Secretary

The “public relations campaign” that ensued would also benefit Remington by reducing “the responsibility of manufacturers, wholesalers and dealers to product liability suits in which contributory negligence of the plaintiff or third party may be a factor”

FIREARMS AND AMMUNITION INDUSTRY
SHOOTING SAFETY PROGRAM

Accidents stemming from violations of safe gun handling practices have been increasing in recent years. Such accidents are of obvious concern to everyone involved in the shooting sports and in the production, marketing and sales of sporting firearms and ammunition. In an effort to reduce them, it is proposed that the industry conduct a public relations campaign designed to reemphasize the basic rules of safe gun handling to hunters and shooters.

"An added benefit of such a campaign would be to reduce the responsibility of manufacturers..."

Ancillary to this goal is the objective of making all those associated with the sale and maintenance of firearms and ammunition aware of the part they should play in promoting hunting and shooting safety. An added benefit of such a campaign would be to reduce the liability of manufacturers, wholesalers and dealers to product liability suits in which contributory negligence of the plaintiff or a third party may be a factor.

Such a campaign would reinforce an image which reflects the current reality--of an industry that is deeply concerned with safety and is doing all it can to promote safe hunting and shooting practices.

The following program ideas are suggested in order to meet these general objectives:

- 1.) Generation of specific-audience news releases and magazine articles relating to safe gun handling and the proper use of firearms safeties.



ILUN 0007972 1

Remington pushed forward with the “safety advertising” to put it in a “stronger position legally.” It was not a philanthropic effort to protect the public.

Remington Confidential Document

A

Bridgeport, Connecticut
April 21, 1981

TO: R. B. Sperling
FROM: E. G. Larson
SUBJECT: SAAMI - NSSF SAFETY ADVERTISING

E. F. Barrett called today (April 20, 1981), advising that W. Horn (President of Federal) has contacted J. P. McAndrews about an extension of the RP above program beyond the ten items already covered in the media and contained in the SAAMI booklet.

He feels additional items will dilute the ten originally selected.

E. F. Barrett has asked me to comment on each of four new items from a complaint and practical view, and R. B. Sperling from a legal standpoint.

He then suggested that we have J. Glas hold a product safety meeting, and in discussing with Joe, he asked that we have our information available for the April 24 safety meeting. After that discussion, we are to advise J. P. McAndrews and E. F. Barrett of our combined opinions.

It was my opinion from the start of this program, that we would select ten items we felt were most important, and get them out to the public. Once that was done, based on complaint and legal experience, we would suggest others to SAAMI and that this would be a continuing program. By so doing, we would be in a stronger position legally because we could show the industry did publicize these many safety items.

A couple of weeks ago, E. F. Barrett/J. P. McAndrews sent me a

In spite of Remington's efforts to enhance its position relative to product liability, internally, Remington still referred to FSR's as a "malfunction" when discussing designs that would fix the problem.

Remington Produced Document Bates # ET56280-82

Design Criteria:

1. Remove Adjustments
2. Preset Engagement
3. Preset Overtravel
4. Preset Trigger Pull
5. Retrofitability
6. Eliminate "Fire on Safety Release" malfunction
7. Balanced Trigger
8. Tamper Proof / Evidence of tampering
9. Force Engagement in "safe" position
10. 3lb. Trigger Pull
11. Manufacturable

Problems:

1. Trigger block plunger binds in trigger
2. Trigger shoe out of position
3. Hard safe "on" forces
4. Safe does not force trigger engagement
5. Safety can be removed in the field with no evidence.

Solutions:

1. Alter assembly procedure to locate off trigger block plunger hole with a max diameter + .0005" pin.
2. Insertion of trigger model into the fire control layout found trigger engagement surface out of position by .020" in the horizontal direction and .005" out of position in the vertical position.
3. New assembly procedure eliminates sear being forced too far down during assembly thereby eliminating interlocking radii on sear and safety, thus eliminating hard safe "on" forces.
4. Added a safety strap to prevent the safety arm from flexing out thus riding over the trigger block plunger instead of forcing the plunger in the trigger hole.
5. Designing a new safety retaining clip which is unable to remove without being destroyed.

Current Status:

1. Parametric Model of the following components:
 - a. Front Spacer
 - b. Rear Spacer

ETS

Confidential
to Protect

After decades of customer complaints and internal quality control testing that demonstrated a persistent incidence of FSR's and other unintended discharges, Remington is still telling consumers it is "unaware of the issue."

Remington Produced Document Bates # PS7644

Customer (Bud Caretti) - 12/04/2005 09:35 AM

My 15 year old daughter has a 3 year old Model 700 243cal. This hunting season when she clicked the safety off the gun fired. This happened several times, once injuring her nose. I took the rifle to a local gunsmith who removed the trigger to find that the grease you installed during manufacturing had gummed up the trigger. He cleaned it out and now it seems to be working properly. This rifle has less than 1 box of shells fired, and has been carried about 10 days in the field. I was wondering if this trigger should be replaced and if you have had this sort of problem with this model rifle?

Thanks, Bud Caretti

Auto-Response - 12/04/2005 09:35 AM

No matches were found.

Discussion Thread

Response (Dell) - 12/09/2005 03:21 PM

Dear Bud,

Thank you for taking the time to write into us. We are not aware of the issue that you experienced in the Model 700.

According to the serial number that you provided, your Model 700 was produced in 2002.

As with any new firearm, it should be thoroughly cleaned before using. Be sure to clean the entire gun before and after long-term storage, and no less than once a year. It's also important to clean your gun whenever it's been exposed to adverse conditions such as rain, dirt, mud, snow, sleet or saltwater.

For safe and dependable operation of your firearm, all parts of your gun must be properly cleaned and lubricated. Periodically inspect the internal workings of your firearm to be sure they're clean and free of rust, unwanted dirt and debris.

Use recommended lubricants on your gun and do not over-lubricate. Excessive use of a non-recommended lubricant could adversely affect the function and safe operation of your firearm. Remember, you are responsible for the proper care and maintenance of your firearm. Failure to properly maintain your firearm can ruin your firearm.

If you would like for our factory to inspect your firearm, please print out the Factory Repair Form at the following link.

http://www.remington.com/support/repair_services/factory_repair_form.asp

Customer (Bud Caretti) - 12/09/2005 11:43 PM

Let me tell you again that this rifle was used very little. It was cleaned before and after each of the 2 hunting seasons in Pa. which lasts 2 weeks. I was not aware that the trigger needed to be removed from the rifle to be cleaned. The rifle was not out in adverse conditions as my daughter does like to hunt in them. I, along with the gunsmith I took it to feel that it was a manufacturing problem with this rifle. The fact that it injured her I feel that there should be more of an answer than "clean your gun"

{ PS 7644

Discussion Thread

Long after realizing that there were customer complaints of dangerous misfires, Remington adopted a records destruction policy for test results over the objection of the rifle's inventor.

See Remington Produced Document Bates # R2505324 and M.H. Walker Deposition Testimony, pp. 102-104.

M. H. WALKER DON'T SAY IT—WRITE IT

cc: G. M. Calhoun

W. E. LEEK

To C. B. WORKMAN

DATE Jan. 17, 1973

FROM S. M. ALVIS

Sharon - Please get a copy of this for each of my staff members. Clark

John E. Frank
3) DMK

RECORDS MANAGEMENT PROGRAM

I have revised our "Guidelines for Housecleaning" to be done prior to records inventory. This includes additional items encountered since the original issue and also items added by our Section Heads. In several cases; i.e. M. H. Walker, I have indicated a shorter period of retention for certain items in the Custom Shop. However, at this time there is no reason for destroying beyond the period of time you believe these will be needed or at least until we have further advice.

I am also using these guidelines for screening and housecleaning the Research records storage vault. Other revisions may be added as new items are categorized or encountered.

SMA:T
Attach.

8 Q. Was this memo talking about a situation where
9 records were going to be destroyed or thrown
10 away?

11 A. I assume so.

12 Q. Do you have any understanding, Mr. Walker, as to
13 why they were singling out any of your documents
14 for a shorter retention period?

15 MR. WILLS: Object to the form,
16 foundation.

17 A. No. You lose me there.

18 Q. (By Mr. Monsees) Were they getting rid of
19 records where you had made objections to things?

20 MR. WILLS: Object to the form of the
21 question, foundation.

22 A. I had an objection to eliminating test results.

23 Q. (By Mr. Monsees) And are those among the
24 records that this memo says they are destroying
25 early?

1 A. Yes, they were.

This new policy to destroy such records was contrary to Remington's "Records Management Program" which required permanent retention of test records.

ILION RESEARCH DIVISION

REMINGTON RECORDS MANAGEMENT PROGRAM

Guidelines for Housecleaning (Destroy Excess Records before Inventory)

<u>Record Category, Title or Description</u>	<u>Retention</u>
Research Notebooks	Permanent
Project Reports (Project Control File)	Permanent
Information to Support Patents and Patent Applications	Life of Patent
Weekly Reports Staff Engineers	10 years
Project Detail (Reports not prepared)	Life of Model
General Correspondence (pink copy)	10 years
Outside Suggestions	5 years
Employment Records	Division Mgr.'s files who employed in Research, then sent to Personnel Office on termination or transfer.
Model Design Files	Life of Model
Model Drawings - Originals or Microfilm Oxalids as obsoleted	Permanent Life of Model
Drawing Transmittals - Copy or Microfilm	Life of Model
Gun Standards	Life of Model
Parts Lists - Originals or Revisions - Microfilm	Life of Model Permanent
Test Reports - Original Copies	Permanent
Remington History Data	Permanent
Remington Catalogs	Permanent Museum File
Advertising Brochures	Museum File

Between 1974 and 1991,
Remington experienced 125
instances in quality control
testing of “Fire on Safety
Release” and 375 instances of
“follow down”.

See Attorney Work Product Summary of Remington Gallery Testing Results

GALLERY TEST DATA SUMMARY

1974-1991

MALFUNCTION CODE

YEAR	FC-FAILS TO CONNECT	CTP-CREEPY TRIGGER PUL	FSR-FIRE ON SAFTEY RELEASE	FD-HAMMER FOLLOWS DOWN	MO-ARS OFF	LB-LIGHT BLOW	MF-MISFIRES	TOTAL
1974	0	0	0	53	0	19	1	73
1975	28	2	19	24	0	9	1	83
1976	0	4	29	37	1	16	3	90
1977	1	2	46	29	0	12	0	90
1978	129	0	7	40	0	50	1	227
1979	113	2	1	32	0	99	0	247
1980	15	3	9	7	1	56	2	93
1981	90	67	7	4	0	0	0	168
1982	70	3	1	9	0	64	0	147
1983	1	1	3	33	0	17	0	55
1984	0	3	0	14	0	18	0	35
1985	0	1	2	26	0	8	0	37
1986	0	96	0	10	1	0	0	107
1987	0	0	0	9	0	7	0	16
1988	0	0	1	9	0	41	0	51
1989	0	1	0	4	0	24	0	29
1990	0	0	0	7	0	27	0	34
1991	0	0	0	28	0	19	0	47
TOTAL:	447	185	125	375	3	486	8	1629

Moreover, Remington's designated representative, Derek Watkins, has testified that, since 2002, 100–200 instances of rifles that fired without a trigger pull have occurred in gallery testing. None of the involved fire controls were preserved for inspection.

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11:45 1 any, do those people have to document what they do?
11:45 2 A. They don't document what they do.
11:45 3 Q. Okay. Are the people that would receive a
11:45 4 rifle from PAK if there was a reject the same people who
11:45 5 would receive a rifle from gallery?
11:45 6 A. I believe so.
11:45 7 Q. Okay. And so is it also true that if there's
11:45 8 a gallery test reject, the individuals that would
11:46 9 receive the gun to either rework it, whatever, those
11:46 10 people also don't document what they do?
11:46 11 A. The people -- when they receive the gun from
11:46 12 gallery? Okay. No, they don't document what they do
11:46 13 when they repair the gun. The failure at gallery is
11:46 14 documented.
11:46 15 Q. Okay. All right. And we're going to talk --
11:46 16 we're going to talk about gallery.
11:46 17 Let me run through these same -- these same
11:46 18 set of questions about how many for gallery --
11:46 19 A. Okay.
11:46 20 Q. -- and we'll just get through it.
11:46 21 You have described for us gallery testing,
11:46 22 correct?
11:46 23 A. I believe so.
11:46 24 Q. Okay. Gallery testing is internal to
11:46 25 Remington. It is a test conducted on a fully assembled

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11:46 1 rifle, correct?
11:46 2 A. Correct.
11:46 3 Q. It is not developmental testing in that
11:46 4 presumably the developmental testing for that rifle has
11:46 5 already taken place?
11:46 6 A. Right. No, it is -- it is -- it is completely
11:46 7 associated with production. It is an end-of-line
11:46 8 production testing. It is not part of development.
11:46 9 Q. Okay.
11:46 10 A. And it's done all day every day on everything
11:47 11 that's made.
11:47 12 Q. Okay. Since 1960, how many times have
11:47 13 connector-containing bolt action rifles fired absent a
11:47 14 trigger pull during gallery testing?
11:47 15 A. I can't give you that answer. I do not know
11:47 16 that number.
11:47 17 Q. Okay. Since 1970, how many times have
11:47 18 Remington's connector-containing bolt action rifles
11:47 19 fired absent a trigger pull during gallery testing?
11:47 20 A. Again, I don't know that number. I can't give
11:47 21 you that.
11:47 22 Q. Is it fair to say you cannot approximate as
11:47 23 well?
11:47 24 A. No, I cannot.
11:47 25 Q. Okay. Since 1980, how many times have

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11:47 1 Remington's connector-containing bolt action rifles
11:47 2 fired absent a trigger pull during gallery testing?
11:47 3 A. I can't give you -- I don't know that number,
11:47 4 so -- and I can't make an estimate either.
11:47 5 Q. Okay. Since 1990, 20 or so years ago, how
11:47 6 many times have Remington's connector-containing bolt
11:47 7 action rifles fired absent a trigger pull during gallery
11:48 8 testing?
11:48 9 A. Again, I can't give you that number. I don't
11:48 10 know that number.
11:48 11 Q. Since the year 2000, 20 years ago -- I'm
11:48 12 sorry.
11:48 13 Since the year 2000, approximately 10 years
11:48 14 ago, how many times have Remington's
11:48 15 connector-containing bolt action rifles fired absent a
11:48 16 trigger pull during gallery testing?
11:48 17 A. How about from 2002 to present?
11:48 18 Q. Okay.
11:48 19 A. I can make an estimate on that.
11:48 20 Q. Let me re-ask my question.
11:48 21 How many times since 2002 have Remington's
11:48 22 connector-containing bolt action rifles fired absent a
11:48 23 trigger pull during gallery testing?
11:48 24 A. Possibly between 100 and 200 is a guess.
11:49 25 Q. Okay. Is even one of the fire controls for

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11:49 1 the rifle that fired absent a trigger pull available for
11:49 2 inspection today?
11:49 3 A. The only way that would be is if it had
11:49 4 happened today. That would be the only way because
11:49 5 they're repaired.
11:49 6 Q. Okay. I want you to assume for the purpose of
11:49 7 my question that I am talking about firings absent a
11:49 8 trigger pull at least a week ago and back to 2002.
11:49 9 A. Okay.
11:49 10 Q. Are any of the fire controls available for
11:50 11 inspection from the rifles that discharged absent a
11:50 12 trigger pull in gallery testing?
11:50 13 A. I don't believe so.
11:50 14 Q. And for the 100 to 200 times that the rifles
11:50 15 containing the connector discharged absent a trigger
11:50 16 pull, is there any documentation other than the event
11:50 17 itself with regard to the occurrence? And by that, I
11:50 18 mean is there -- are there any measurements taken, are
11:50 19 there any photographs taken, is there any video taken,
11:50 20 anything to document the --
11:50 21 A. No.
11:50 22 Q. -- actual state of the fire control?
11:50 23 A. I am unaware of any documents.
11:50 24 Q. Okay. Do you know of anyone who is in a
11:50 25 better position to know whether there are documents or

21 (Pages 81 to 84)

In short, long after Remington was aware of the prevalence of customer complaints of rifles firing without a trigger pull, including instances of significant personal injury or death and accompanying claims and litigation, Remington is destroying evidence.