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January 2, 1991

Of Counsel
James P. Gleason, Sr. †*

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Office of the Clerk
Circuit Court for
Montgomery County
50 Courthouse Square
Rockville, Maryland 20850

Re: Forbes Coup v. Connecticut Valley Arms, Inc., et al.
Case No. 49704

Dear Sir/Madam:

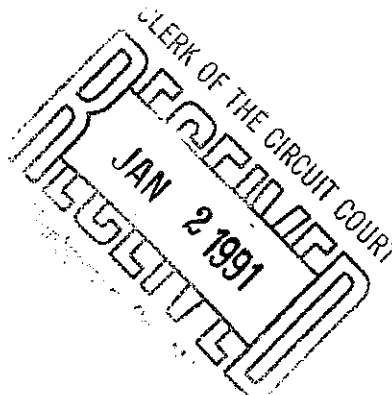
Enclosed please find for filing in the above-captioned matter Connecticut Valley Arms, Inc.'s Supplemental Answers to the Plaintiff's Interrogatories. Thank you for your assistance.

Very truly yours,

Douglas A. Datt
Douglas A. Datt

DAD:bv

Enclosure



IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

FORBES COUP :
Plaintiff :
v. : C.A. No: 49704
CONNECTICUT VALLEY ARMS, INC. :
and :
SPORTING ANGLER, INC.d/b/a :
THE ROCKVILLE TRADING POST :
Defendants :

CONNECTICUT VALLEY ARMS, INC.'S SUPPLEMENTAL ANSWERS
TO THE PLAINTIFF'S INTERROGATORIES

TO: FORBES COUP
c/o Robert Sokolove, Esq.
FROM: CONNECTICUT VALLEY ARMS, INC.
c/o Douglas A. Datt, Esq.

(a) The information supplied in these Answers is not based solely on the knowledge of the executing parties, but includes the knowledge of the party's agents, representatives and attorneys, unless privileged.

(b) The word usage and sentence structure may be that of the attorney assisting in the preparation of these Answers and thus does not necessarily purport to be the precise language of the executing party.

(c) These Answers to Interrogatories furnish knowledge, facts and information presently available and, as requested, if subsequent or different information is obtained before trial, these Interrogatories will be appropriately supplemented, either formally or informally by communicating

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the information to all parties.

2. Identify all individuals that have knowledge of the facts in this case, and of those, please state which individuals you intend to call as witnesses in this case stating their address and phone number.

ANSWER: Connecticut Valley objects to this Interrogatory to the extent that it seeks information protected by the attorney/client privilege, work product doctrine or other applicable privileges. Notwithstanding that objection, Connecticut Valley responds as follows: Plaintiff, Robert Hickey. Discovery has not been completed and this response will be supplemented if additional information is obtained.

SUPPLEMENTAL ANSWER: Defendant adopts the previous response and indicates it reserves the right to call as witnesses any of the individuals listed below or identified by any other party or during discovery. The depositions of the following individuals have been completed and any one of these individuals may possess knowledge of the facts of this case: Ray Daniels, Jackie Daniels, J.W. Trammell, Donna Trammell, Pat Daniels, Larry Daniels, Thomas Sotoris, John Obenland, Steven Shapiro, M.D., Clifford Hinkes, M.D. Other individuals who may possess knowledge of the facts of this case include Dr. Lester, Les Enterline, and other staff members from Davis Memorial Hospital, State Troopers Wise and Bradshaw who responded to the accident scene, representative of PEPCO concerning employment records, representative of

Davis Memorial Hospital concerning medical records, Plaintiff, Robert Hickey.

3. For each person whom you expect to call to give expert testimony at trial, provide all information identified under Rule 2-402(e)(1)(A).

ANSWER: Defendant will supplement this Interrogatory at the appropriate time.

SUPPLEMENTAL ANSWER: Harold E. Johnson, 505 Adelman Circle, S.W., Vienna, Virginia 22180. The C.V. of Harold Johnson has been attached. Mr. Johnson will testify that the design of the CVA flask is not defective based on his examination of the flask. He has tested the flask and determined that it takes approximately two (2) to four (4) pounds of pressure to operate the lever of the flask and his investigation reveals that the lever on the flask opens and closes the gate to the flask as it was intended to do.

He will testify that the flask is made of brass and that the design of the flask is similar, if not identical, to flasks being produced since the 1800's. He is of the opinion that the design of the flask has improved because the spring is now mounted externally where it will not corrode.

He will testify that black powder is a very hazardous material and that it should never be subjected to any kind of flammable material.

He will also testify that the Plaintiff did not use this flask according to the instructions as he did not pour

the black powder into an intermediate container such as a powder measure. He will also testify that Mr. Coup attempted to test his powder in an unsafe manner. He will testify that a full train or stream of black powder ignites quite easily which suggests to him that the Plaintiff, in some fashion, did not remove his thumb from the lever.

James Evans, 4007 Lawrence Avenue, Kensington, Maryland 20895. Mr. Evans has been actively involved with black powder and the shooting of black powder weapons since the 1950's. He has been a member of the 13th Confederate Infantry and the Washington Blue Rifles which are competitive black powder shooting teams. He was an instructor in Maryland for approximately seven years of the individuals who taught the Firearms and Hunter Safety Program in the State of Maryland. He is also a certified instructor and has completed the certified rifle and pistol courses with the National Rifle Association. He contributed to the development of the Safety Hunter Manual in the State of Maryland. He has been a member of the Isaac Walton League for over 25 years and is also a member of the Cast Bullet Association and the Potomac Arms Collection Association. He is presently retired from the federal government where he was employed as a medical photographer.

He will testify that he has reviewed a replica of the flask in question and based on his experience with flasks and his comparison of flasks which have been in existence since

the 1800's, he is of the opinion that there is no defect in the design of the CVA flask. He will testify that his examination revealed there to be ample clearance between the lever and the screw in the two samples which he reviewed.

He will testify that black powder remains good for a long period of time and that the manner in which Plaintiff attempted to test his powder was unsafe. He will testify that black powder is never exposed intentionally to any form of flammable material.

He will testify that the Plaintiff did not use the flask as indicated in that he did not pour the black powder into an intermediate container such as a powder measure as described on the back of the instructions to the flask. He will testify that when the flask is used appropriately, that it is a safe item for consumers.

Clifford Hinkes, M.D., 4701 Randolph Road, #G5, Rockville, Maryland 20852. See attached report of Dr. Hinkes

All three experts may have additional opinions to which they will testify and all three are available for deposition.

5. Identify all persons who have knowledge of the facts supporting your contentions and defenses in this case.

ANSWER: Defendant objects to this Interrogatory to the extent that it seeks information subject to the attorney/client privilege, work product doctrine or other applicable privileges. Notwithstanding this objection,

defendant states as follows: Robert Hickey, counsel for Connecticut Valley Arms, Inc. Discovery is ongoing and this Interrogatory will be supplemented at the appropriate time.

SUPPLEMENTAL ANSWER: Defendant has identified all persons who may have knowledge of the facts of this matter in previous responses to Interrogatories No. 2 and 3.

6. Describe in detail the factual basis for each and every defense asserted by you in this case.

ANSWER: Defendant is unable to provide the complete factual basis for each and every defense presently asserted because discovery has not been completed. Based on its present knowledge of the facts, defendant responds as follows: Plaintiff either contributed to the accident or assumed the risk of the accident based on the manner in which he was utilizing the CVA Flask. Plaintiff was trying to start a fire in the fireplace in the cabin in which he was staying and did not utilize the CVA Flask in the appropriate manner. Plaintiff thus did not use the product for its intended purpose. This defendant is presently unaware of what information was provided to the plaintiff concerning the use of this flask at the store where the flask was purchased. This defendant did not warrant the use of this flask for the manner in which it was utilized by the plaintiff. The factual basis for any other defense will be supplemented as discovery is completed.

SUPPLEMENTAL ANSWER: In addition to the previous

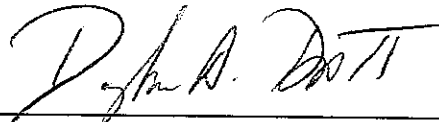
response, Defendant maintains that the Plaintiff did not utilize the flask as indicated on the instructions on the back of the flask. In addition, Plaintiff attempted to test black powder in a fashion which was unsafe. The factual and expert witnesses who have been identified provide additional support for the defenses in this matter.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING PAPER ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Robert Hickey, President
Connecticut Valley Arms, Inc.

Respectfully submitted,

GLEASON AND FLYNN, CHARTERED



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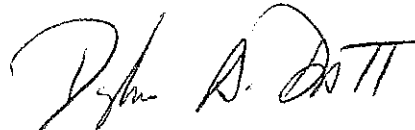
**Counsel for Defendant
Connecticut Valley Arms, Inc.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Supplemental Answers to Interrogatories was ~~mailed, first class, postage prepaid~~ sent via ~~mail~~ mailed, first class, postage prepaid, this 18th day of December, 1990, to: facsimile

Robert Sokolove, Esquire
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Law Offices of Harold A. MacLaughlin
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Baltimore, Maryland 21202



Douglas A. Datt