

# LEVIN, FISHBEIN, SEDRAN & BERMAN

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October 2, 2015

*Via First Class Mail and Email: [abryant@publicjustice.net](mailto:abryant@publicjustice.net)*

Arthur Bryant, Chairman  
Public Justice  
555 12th Street, Suite 1230  
Oakland, CA 94607

## *Re: Document Disclosure*

Dear Arthur:

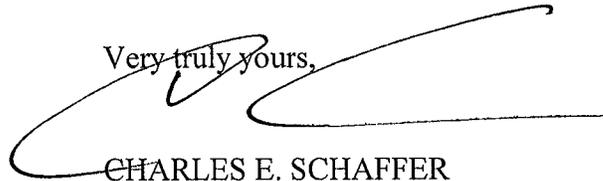
I am enclosing a copy of a letter from Remington's counsel wherein Remington clearly states that any and all documents previously produced by defendants in any prior bolt-action rifle suits are no longer protected by any protective orders which were entered in any of those cases. Plaintiffs' counsel are free to make those documents available to potential class members and the public. With respect to any non-Remington documents and tangible things listed in the *Pollard* initial disclosures which were not previously produced by the defendants in any prior bolt-action rifle suits, Remington has indicated that it is entirely up to plaintiffs and their attorneys as to whether those are made available to the potential class members and the public. I have confirmed with Remington's counsel, John Sherk and Dale Wills, that Remington does not have any reason to contest or object to plaintiffs' counsel disclosing these documents to potential class members and the public. Therefore, I am confirming that plaintiffs' counsel will produce to Public Justice, potential class members and the public, any documents in their possession, custody or control from prior bolt-action rifle lawsuits. In addition, plaintiffs' counsel will produce to Public Justice, potential class members and the public, any and all documents and tangible things listed in plaintiffs' initial disclosures in the *Pollard* action.

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Based on the agreement with Remington, it is plaintiffs' counsel's position that the scope of the Court's Order denying the Motion for the Joint Protective Order has been clarified - all documents previously produced by defendants in any prior bolt-action rifle lawsuits are no longer protected by any confidentiality orders and can be disclosed to the public and potential class members. As stated above, plaintiffs' counsel will produce any of those documents in their possession, custody or control, as well as those documents and tangible items listed in the *Pollard* Rule 26 disclosures. As such, I believe this should resolve the issue for your client Center for Investigative Reporting, alleviating the need for Public Justice to object to the proposed Settlement or move to intervene and seek public access to the documents, tangible things and exhibits in *Pollard v. Remington*.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Charles E. Schaffer', written over the typed name below.

CHARLES E. SCHAFFER

CES/ddg/enc.

cc: Richard Arsenault  
Eric D. Holland  
W. Mark Lanier

October 2, 2015

John K. Sherk III

Via Electronic Mail

Charles E. Schaffer, Esq.  
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Re: Remington document disclosures

Dear Charlie:

As we have indicated to you several times over the last few weeks, the Defendants will not claim and are not claiming that any documents previously produced by the Defendants in any prior bolt-action rifle lawsuits are still subject to any of the protective orders which were entered in any of those cases. As a result, Plaintiffs are free to make those documents available to potential class members and the public. As for any documents and tangible things listed in the Plaintiffs' initial disclosures in *Pollard* which were not previously produced by the Defendants in any prior bolt-action rifle lawsuits, it is entirely up to the Plaintiffs and their attorneys as to whether those are made available by you to the potential class members and the public. We also have no objection to you sharing this letter with Arthur Bryant or any other person or entities.

To be clear, the Defendants are not producing or agreeing to produce any documents in furtherance of this agreement, nor are they establishing a repository for documents. Instead, the Defendants are confirming that they will not object to potential class members' or the public's review and/or disclosure of the Defendants' previously produced documents, although Defendants may choose to respond or comment about the documents' content or meaning following any disclosure.

Sincerely,



John K. Sherk, III