



D52871529

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IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

DAVID SCHAA
2031 FORRESLAKE DRIVE
CINCINNATI, OHIO 45244

PLAINTIFF,

v.

D.C. 1980, INC.,
F/K/A CONNECTICUT VALLEY ARMS, INC.
5988 PEACHTREE CORNERS EAST
NORCROSS, GEORGIA 30071

AND

BLACKPOWDER PRODUCTS, INC.
5988 PEACHTREE CORNERS EAST
NORCROSS, GEORGIA 30071

DEFENDANTS.

: CASE NO. **A0209717**
:
: JUDGE
:
:
: COMPLAINT AND JURY DEMAND

ORIG. COMP. PARTIES, SUMMONS		
<input checked="" type="checkbox"/> CERT MAIL	<input type="checkbox"/> SHERIFF	<input type="checkbox"/> WAVE
<input type="checkbox"/> PROCESS SERVER	<input type="checkbox"/> NONE	
CLERKS FEES	445	TIC
SECURITY FOR COST		
DEPOSITED BY	20665	
FILING CODE	6315	

FILED
DEC 19 4 06 PM '02
JAMES G. STEFFENS
CLERK OF COURT
HAMILTON COUNTY, OHIO

Now comes Plaintiff David Schaa, by and through counsel, and for his Complaint against Defendants D.C. 1980 Inc., f/k/a Connecticut Valley Arms, Inc. ("CVA"), and Blackpowder Products, Inc. ("BPI"), hereby states as follows:

- Schaa is a resident of Hamilton County, Ohio.
- CVA is a foreign corporation primarily engaged in the business of designing, manufacturing marketing and/or selling firearms, specifically, in-line, black powder rifles. CVA has introduced and may continue to introduce its firearms into the stream of commerce in Hamilton County, Ohio.
- In 1999, BPI acquired the assets or stock of CVA and, as such, may be a successor corporation of CVA for liability purposes.

4. In 1996, Schaa purchased an in-line, black powder rifle, designed, manufactured, marketed and/or sold by CVA.
5. On December 27, 2000, Schaa attempted to fire the CVA rifle at a practice target. The rifle mis-fired and exploded in Schaa's face causing significant, substantial and permanent physical injuries, including but not limited to facial disfigurement.
6. Previously, CVA issued a recall of the make and model of the in-line, black powder rifle that caused Schaa's injuries. Schaa was not provided with, nor did he receive notice of the recall.
7. There was a substantial defect in the in-line, black powder rifle designed, manufactured, marketed and/or sold by CVA.
8. The defect existed at the time the in-line, black powder rifle left the custody and control of CVA.
9. The defect rendered the product unreasonably unsafe and exposed users to a danger greater than the reasonably prudent person would expect.
10. As a result of the defect, Schaa suffered serious permanent injuries and incurred medical and dental expenses, loss of wages, loss of earning capacity, permanent disfigurement, emotional distress and other damages to be determined and proved at trial.
11. The defect in the in-line, black powder rifle was the direct and proximate cause of Schaa's injuries.

COUNT I

12. CVA is strictly liable in tort under the Ohio Product Liability Act.

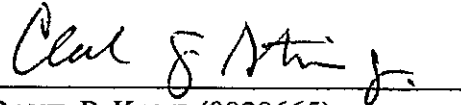
COUNT II

13. CVA was negligent in distributing the defective product and in failing to warn of the dangers to users from its operation.

COUNT III

14. CVA was negligent in administering a recall of the defective product.

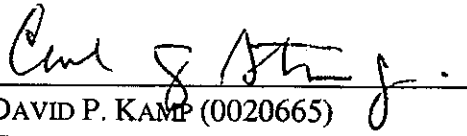
WHEREFORE, Plaintiff David Schaa prays that this Court enter judgment against CVA and BPI and award compensatory damages in excess of \$25,000, prejudgment interest, his costs expended herein and any other relief that this Court finds just and proper.



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JURY DEMAND

Plaintiff requests a trial by jury.



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