



June 13, 1997

VIA FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East Wet Highway
Room 613
Bethesda, MD 20814

RE: CPSC PR960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. to supplement the May 30, 1997 report on the above-referenced corrective action plan for the PR-6050.

Stamina received notice in March, 1997 of the following claim allegedly involving the PR-6050:



Sincerely,

STAMINA PRODUCTS, INC.

Jeffrey C. Hutchens
President

JCH:nw
(Jeffitrolain)

cc: John Schumlansky
FAX (301) 504-0359

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

FAX

Date 06/02/97

Number of pages including cover sheet

TO: TINA ADEYEYE

FROM: Jeff Hutchens
STAMINA PRODUCTS
INC
Springfield, Missouri
65801

Phone

Fax Phone 301-504-0359

Phone 417-889-7011

Fax Phone 417-862-8147

CC: JOHN SCHUMLANSKY

REMARKS: Urgent For your review Reply ASAP Please Comment

67



May 30, 1997

VIA FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

RE: CPSC PR960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the periods of March 1, 1997 to April 1, 1997, and April 1, 1997 to May 1, 1997. This report is based on information currently available to Stamina, and in some instances might not be exact.

March 1, 1997 to April 1, 1997

- 16 responses to direct mailing
- 12 inquiries in the normal course of business
- 1 inquiry from a consumer learning of the corrective action program in a magazine
- 11 PR-6050's returned
- No claims

April 1, 1997 to May 1, 1997

- 8 responses to direct mailing
- 11 inquiries in the normal course of business
- 14 PR-6050's returned
- No Claims

68

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064



Tina Adeyeye

Page 2

Each time Stamina receives in the normal course of business an inquiry concerning anything about the PR-6050, it informed the person inquiring of the corrective action program.

Sincerely,

STAMINA PRODUCTS, INC.

A handwritten signature in black ink, appearing to read "Jeff Hutchens", written over a horizontal line.

Jeffrey C. Hutchens
President

JCH:nw

cc: John Schumlansky
FAX (301)504-0359

(JefftrPR6050)

A large, handwritten number "9" in black ink, located in the bottom right corner of the page.

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8044



April 22, 1997

VIA FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the periods of December 1, 1996, to January 1, 1997; January 1, 1997 to February 1, 1997; February 1, 1997 to March 1, 1997. This report is based on information currently available to Stamina, and in some instances might not be exact.

December 1, 1996 to January 1, 1997

165 responses to direct mailing

35 inquiries in the normal course of business

159 PR-6050's returned

No claims

January 1, 1997 to February 1, 1997

52 responses to direct mailing

18 inquiries in the normal course of business

102 PR-6050's returned

No claims

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064



Tina Adeyeye
April 22, 1997
Page 2

February 1, 1997 to March 1, 1997

13 responses to direct mailing

1 inquiry from a consumer learning of the corrective action program in a magazine

13 inquiries in the normal course of business

56 PR-6050's returned

No claims

Each time Stamina received in the normal course of business an inquiry concerning anything about the PR-6050, it informed the person inquiring of the corrective action program.

Sincerely,

Stamina Products, Inc.

Jeffrey C. Hutchens
President

JCH:nw
Enclosure

cc: John Schumlansky
via fax (301) 504-0359

(JefftrTinaA)

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

FAX

Date 04/22/97

Number of pages including cover sheet

TO: JOHN SCHUMLANSKY

FROM: Jeff Hutchens
Stamina Products
Springfield, Missouri
65803

Phone

Fax Phone 301-504-0359

Phone 417-862-5012

Fax Phone 417-862-8147

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

72



January 22, 1997

FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

CPSC
97 FEB -6 12:53
JH

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the period December 1, 1996 to January 1, 1997. This report is based on information currently available to Stamina, and in some instances might not be exact. During the indicated period, the following occurred.

- 165 responses to direct mailing
- 35 inquiries in the normal course of business
- 137 PR-6050's returned

Each time Stamina received in the normal course of business an inquiry concerning anything about the PR-6050, it informed the person inquiring of the corrective action program.

Sincerely,

STAMINA PRODUCTS, INC.

Jeffrey C. Hutchens
President

JCH:nw
cc: John Schumlansky
Via FAX (301) 504-0359
(JefftrT Adeyeye)

Corporate Office
2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

FAX

Date 01/29/97

Number of pages including cover sheet 2

TO: Tina Adeyeye

FROM: Jeff Hutchens
Stamina Products, Inc.
P.O. Box 1071
Springfield, Missouri
65801-1071

Phone

Fax Phone 301-504-0359

Phone 417-862-5012

Fax Phone 417-862-8147

CC: John Schumlansky

REMARKS: Urgent For your review Reply ASAP Please Comment

74



January 22, 1997

FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the period December 1, 1996 to January 1, 1997. This report is based on information currently available to Stamina, and in some instances might not be exact. During the indicated period, the following occurred.

- 165 responses to direct mailing
- 35 inquiries in the normal course of business
- 137 PR-6050's returned

Each time Stamina received in the normal course of business an inquiry concerning anything about the PR-6050, it informed the person inquiring of the corrective action program.

Sincerely,

STAMINA PRODUCTS, INC.

A handwritten signature in black ink, appearing to read "Jeffrey C. Hutchens", written over a horizontal line.

Jeffrey C. Hutchens
President

JCH:nw

cc: John Schumlansky
Via FAX (301) 504-0359
(Jeffrey T Adeyeye)

A large, handwritten number "75" in black ink, positioned in the lower right quadrant of the page.

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064



December 12, 1996

VIA FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

96 DEC 16 12:56
CPSC CON RECEIVED
MIN

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the periods of September 1, 1996 to October 1, 1996, October 1, 1996 to November 1, 1996, and November 1, 1996 to December 1, 1996. This report is based on information currently available to Stamina, and in some instances might not be exact.

September 1, 1996 to October 1, 1996

155 responses to direct mailing

2 inquiries from consumers learning of corrective action program in a magazine

89 inquiries in the normal course of business

141 PR-6050's returned

No claims

October 1, 1996 to November 1, 1996

179 responses to direct mailing

49 inquires in the normal course of business

87 PR-6050's returned



Corporate Office

310 E. South Union
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 854-6116
FAX: (417) 854-8003



Page 2

November 1, 1996 to December 1, 1996

255 responses to direct mailing

16 inquiries in the normal course of business

91 PR-6050's returned

No claims

Each time Stamina received in the normal course of business an inquiry concerning anything about the PR-6050, it informed the person inquiring of the corrective action program.

In reviewing its records recently, Stamina realized that [REDACTED] was erroneously identified in Stamina's June 1, 1996 submission as a PR-6050 claimant. Mr. [REDACTED] is not a PR-6050 claimant. Additionally, [REDACTED]

PR-6050 claimants.

A lawsuit concerning the PR-6050 was filed in the District Court for Tarrant County, Texas, 67th Judicial District, [REDACTED] vs. Wal-Mart Stores, Inc. and Stamina Products, Inc., NO. 67-165-594-96. Enclosed is a copy of the petition.

Sincerely,

Stamina Products, Inc.

Jeffrey C. Hutchens
President

JCH:nw
Enclosure

cc: John Schumlansky
via fax (301) 504-0359

(JefftrTinaA)

Corporate Office

310 E. South Union
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 864-6116
FAX: (417) 864-8003

CAUSE NO. _____



VS.

WAL-MART STORES, INC. and
STAMINA PRODUCTS, INC.

|| IN THE DISTRICT COURT
||
|| TARRANT COUNTY, TEXAS
||
||
|| _____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES [REDACTED] hereinafter referred to as Plaintiff, complaining of WAL-MART STORES, INC. hereinafter referred to as "WAL-MART" and STAMINA PRODUCTS, hereinafter referred to as "STAMINA" Defendants, and for cause of action, Plaintiff would respectfully show the Court and Jury as follows:

I.

Plaintiff is a resident of Tarrant County, Texas.

Defendant, WAL-MART STORES, INC. is a corporation licensed to do business in the State of Texas and may be served with citation by and through its registered agent for service, C.T. Corp. Systems, at 350 North St. Paul Street, Dallas, Texas 75201.

Defendant, STAMINA, PRODUCTS, INC. is a corporation licensed to do business in the State of Texas and may be served with citation by and through its registered agent for service, Arthur E. Curtis, 1340 East Woodhurst, Springfield, Missouri 65804.

II.

On or about the 10th day of March, 1996, Plaintiff was an invitee onto the premises of Wal-Mart, located at 6401 N.E. Loop 820, in North Richland Hills, Tarrant County, Texas, when he purchased an exercise machine from Wal-Mart.

Plaintiff purchased exercise equipment from Defendant, Stamina, specifically the PR-6050.

III.

Plaintiff brings this suit to recover for personal injuries sustained as a result of a dangerous condition of Defendants' property and equipment specifically, the PR-6050.

This is a products liability cause of action which arises from design, manufacturing and marketing defects of a PR-6050 designed, manufactured and marketed by Defendants and purchased by Plaintiff.

At all time mentioned herein, Defendant Stamina was engaged in the business of designing, manufacturing and marketing pieces of equipment such as the PR-6050 to the general public, throughout the United States, as well as within the State of Texas, through duly appointed dealers.

Defendant manufacturer designed, manufactured and placed into the stream of commerce the PR-6050, which reached Plaintiff in the same or substantially the same condition in which it was sold. Upon purchase by the Plaintiff the product was represented to be safe and free from latent defects.

When the product in question was delivered to Plaintiff, it was assembled, designed and manufactured defectively and was inherently dangerous as assembled, designed, manufactured and sold.

IV.

On the occasion in question, Plaintiff was an invitee or in the alternative a licensee on Defendant's property. Defendant knew or should have known of the unreasonably dangerous condition and was negligent in failing to protect the Plaintiff from such condition.

Further, such negligence was a proximate cause of the occurrence in question and the Plaintiff's damages. Plaintiff did not have any knowledge of the dangerous condition and could not have reasonably been expected to discover it.

V.

Defendants, are strictly liable to Plaintiff for designing, manufacturing, and placing into the stream of commerce the product in question which was unreasonably dangerous for its reasonably foreseeable uses at the time it left the control of the Defendant because of the following design and manufacturing defects, each of which was a producing cause of the occurrence in question:

- (1) In failing to properly inspect the product;
- (2) In failing to properly and reasonably maintain product;
- (3) In failing to properly assemble the product;
- (4) In failing to warn Plaintiff of the unsafe condition; and
- (5) In misrepresenting the quality of the product.

The product in question was defectively marketed by Defendant with respect to its failure to warn or adequately warn or instruct or assemble the safe use of the product and such defect was a producing cause of the occurrence in question.

Plaintiff, therefore, invokes the Doctrine of Strict Liability, § 402A, RESTATEMENT (SECOND) OF TORTS, and is adopted by the Supreme Court of Texas.

VI.

Defendant was negligent in the design, manufacture and marketing of the product in question. Defendant knew, or in the exercise of ordinary care should have known, that the

product assembled therein was defective and unreasonably dangerous to those persons likely to use the product for the purpose and in the manner for which was intended to be used. Defendant was negligent in the particulars set forth in this and the preceding paragraph and such negligence was a proximate cause of the occurrence in question.

Defendants knew or should have known in the exercise of ordinary care of the dangers connected with misassembling the product.

Further Defendants owed Plaintiff the duty of reasonable care when it designed, manufactured, and marketed the product in question. Defendants violated its duty and were negligent in the particulars set forth above.

Each of the above-mentioned acts or omissions was a proximate cause of the injuries suffered by Plaintiff.

VI.

Defendants by and through the sale of the product in question, expressly and impliedly warranted to the public generally, and the Plaintiff specifically, that the product in question was fit for the purposes for which they were intended.

Plaintiff made use of the product as alleged herein, and relied on the express and implied warranties. Contrary thereto, the product was not fit for its intended use, rendering the product in question unreasonably dangerous.

Defendants breached the express and implied warranties by the failure of the product as alleged above, an the improper marketing as to Defendants' failure to warn and failure to instruct in the safe operation of the product.

Defendants' breach of warranties and the above-mentioned defects rendered the

product unreasonably dangerous and a proximate cause and a producing cause of the occurrence in question and the resulting injuries suffered by Plaintiff. further, Defendants' conduct was done knowingly.

VI.

[REDACTED]

Plaintiff is a consumer as defined by [REDACTED] at times material hereto. Defendant further failed to advise Plaintiff of the defective product in the Wal-Mart store and by their silence induced her into a false sense of security. All employees' acts were done in the course and scope of their employment with Defendant or their acts were ratified by Defendant. This suit is brought pursuant to [REDACTED]

[REDACTED] Act. seq. commonly known as the [REDACTED]



Plaintiff used the Defendants' product with the belief that he was provided a safe machine on which to exercise. Had the Plaintiff known the truth about the product thereby creating potential hazards, he would not have used the product. Further, Defendants misrepresented the quality of the machine. Defendants violated the following sections, among others, of the [REDACTED] and the same were a producing and proximate cause of actual damages to Plaintiff.

Defendants were given notice in writing of the claims made in this petition including a statement of Plaintiff's actual damages including attorney fees.

All conditions precedent necessary to maintain this action have been performed or have occurred as required by law and [REDACTED]

VII.

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As a proximate result of the negligence as above described, Plaintiff, 
 sustained personal injuries, all of which have caused him in the past, and will
 cause him in the future, physical pain, mental anguish, lost wages and loss of earning
 capacity, physical impairment, disfigurement, and medical and hospital expenses, for which
 he should be compensated in accordance with the laws of the State of Texas.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited
 to appear and answer herein, and that upon final hearing hereof, Plaintiff have judgment
 against Defendant for all damages to which he is entitled under the laws of the State of
 Texas, which amount exceeds the minimum jurisdictional limits of this Court; for pre-
 judgment interest in accordance with the law; for interest on the judgment; cost of suit; and
 for such other and further relief, either at law or in equity, to which Plaintiff may be entitled.

Respectfully submitted,

THE HASLAM FIRM
 1320 South University
 Suite 804
 Fort Worth, Texas 76107
 817/332-3115
 817/332-3148 Fax


 ROBERT HASLAM
 State Bar No. 09201900

ATTORNEY FOR PLAINTIFF



FAX

Date 12/13/96

Number of pages including cover sheet 9

TO: Tina Adeyeye
John Schumlansky

FROM: Jeff Hutchens
Stamina Products, Inc.
Springfield, Missouri
65803

Phone
Fax Phone

Phone 417-862-5012
Fax Phone 417-862-8147

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

The original (for your file) has been placed in the mail today.

84



October 2, 1996

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway, Room 613
Bethesda, MD 20814

CPSC C
96 OCT -8 AM 1:13
RECEIVED

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the period August 1, 1996 to September 1, 1996.

Stamina received calls from four consumers in response to the joint press release and 397 calls in response to the direct mailing. Also, two calls were received from consumers who learned of the corrective action plan from sources other than the press release or the direct mailing. Twenty consumers called Stamina about the PR-6050 during the normal course of business, and those callers were informed of the corrective action plan at that time.

Each time Stamina received an inquiry concerning the PR-6050, it asked that the PR-6050 be returned. When a PR-6050 has been returned, it has been replaced with another piece of equipment or a refund has been given the consumer. Based on the best information available to Stamina, it appears that at least fifty-seven PR-6050's were returned to Stamina during the reported time period. The PR-6050's received by Stamina have been destroyed. Additionally, two PR-6050's have been returned to a Stamina customer, and Stamina understands that those have also been destroyed.

Stamina has received notice of two new claims since its August 13, 1996 submission. The claimants are [REDACTED]

Please let me know if you need additional information.

Sincerely,

STAMINA PRODUCTS, INC.

Jeffrey C. Hutchens,
President

JCH:jb

cc: John Shumlansky
Kirk May

(misc\staminaprod)

Corporate Office

2757 S. Austin
P.O. Box 107
Springfield, MO 65801-107
Phone: (417) 889-701
Fax: (417) 889-806



October 2, 1996

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway, Room 613
Bethesda, MD 20814

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan for the PR-6050. The following information is for the period August 1, 1996 to September 1, 1996.

Stamina received calls from four consumers in response to the joint press release and 397 calls in response to the direct mailing. Also, two calls were received from consumers who learned of the corrective action plan from sources other than the press release or the direct mailing. Twenty consumers called Stamina about the PR-6050 during the normal course of business, and those callers were informed of the corrective action plan at that time.

Each time Stamina received an inquiry concerning the PR-6050, it asked that the PR-6050 be returned. When a PR-6050 has been returned, it has been replaced with another piece of equipment or a refund has been given the consumer. Based on the best information available to Stamina, it appears that at least fifty-seven PR-6050's were returned to Stamina during the reported time period. The PR-6050's received by Stamina have been destroyed. Additionally, two PR-6050's have been returned to a Stamina customer, and Stamina understands that those have also been destroyed.

Stamina has received notice of two new claims since its August 13, 1996 submission. The claimants are [REDACTED]

Please let me know if you need additional information.

Sincerely,

STAMINA PRODUCTS, INC.

Jeffrey C. Hutchens,
President

JCH:jb

cc: John Shumlansky
Kirk May

(misc/staminaprod)

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064



August 13, 1996

VIA FAX (301) 504-0359

Tina Adeyeye
U.S. Consumer Product Safety Commission
Office of Compliance
4330 East West Highway
Room 613
Bethesda, MD 20814

RE: CPSC RP960157

Dear Ms. Adeyeye:

I am writing on behalf of Stamina Products, Inc. (Stamina) to give the following progress report on the above-referenced corrective action plan. The following information is as of August 1, 1996.

Stamina has received calls from two consumers in response to the joint press release. In each instance, Stamina received the PR-6050 and replaced it with another piece of equipment.

During the normal course of business, Stamina has received calls from consumers concerning the PR-6050. Some calls have concerned cracked welds, but others have concerned a variety of things such as missing parts, leaking piston, misshaped bolt holes, problems with the handle bars, and others. Since May 1996, each time Stamina has received an inquiry concerning the PR-6050, it has asked that the PR-6050 be returned and has replaced it with another piece of equipment. Because of the nature of those inquiries, Stamina's records might not be precise, but it appears that at least 117 PR-6050's have been returned to Stamina and replaced in the normal course of Stamina's business. The PR-6050's received by Stamina have been destroyed.

CPSC CO
L
REF: RP960157
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M

87

Corporate Office
310 E. South Union
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 864-6116
FAX: (417) 864-8003



Tina Adeyeye
August 13, 1996
Page 3

Stamina has received notice of one new claim since its June 10, 1996 submission to the CPSC. The claimant is [REDACTED]

A lawsuit concerning the PRO-6050 has been filed in the United States District Court for the [REDACTED] vs. Stamina Products, Inc., Civil no. [REDACTED].
Enclosed is a copy of the complaint.

Please let me know if you need additional information.

Sincerely,

STAMINA PRODUCTS, INC.

A handwritten signature in black ink, appearing to read "Jeffrey C. Hutchens", written over a horizontal line.

Jeffrey C. Hutchens
President

JCH:nw
Enclosures

cc: John Shumlansky
via FAX (301) 504-0359

Large, bold, handwritten initials in black ink, possibly "JCH" or similar, written in a stylized, slanted font.

Corporate Office
310 E. South Union
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 864-6116
FAX: (417) 864-8003

in December, 1995, which was the machine being used at the time of Plaintiff [REDACTED] injury.

7. Defendant was then in the business of manufacturing products including this exercise machine.

8. This exercise machine was defective at the time it left the Defendant's control.

9. The exercise machine manufactured by the Defendant was unreasonably dangerous to the ultimate users and consumers including Plaintiffs.

10. The exercise machine was used by the Plaintiffs in the intended manner or in a manner reasonably foreseeable by Defendant.

11. The exercise machine was expected to and did reach the ultimate user or consumer without substantial change in its condition.

12. The defect or defects in the exercise machine were a proximate cause of Plaintiffs' damages.

Count II
Implied Warranty

13. The exercise machine manufactured and sold by Defendant was not merchantable.

14. Defendant was a merchant for exercise machines such as the one involved here.

15. The Defendant's breach of the implied warranty of merchantability was a proximate cause of the Plaintiffs' damages.

Count III
Negligence

16. The Defendant was negligent in the testing, manufacturing, inspection and/or warning of the exercise machine and its uses.

17. The negligence of the Defendant was a proximate cause of the Plaintiffs' damages.

Count IV
Res Ipsa Loquitur

18. The testing, manufacture, inspection and/or warning of the exercise machine were under the exclusive control of the Defendant.

19. The injuries and damages suffered by Plaintiffs would not have occurred if ordinary care had been used by the Defendant.

20. There was no material change in the condition of the exercise machine after it left the Defendant's exclusive control.

21. The general negligence of the Defendant was a proximate cause of the Plaintiffs' damages.

Count V

Express Warranty

22. Defendant gave an expressed, limited warranty with the product involved here, warranting the product to be free from defects in materials and workmanship under normal use and service and proper operation for a period of 90 days on the parts and 5 years on the frame.

23. Defendant breached this expressed, limited warranty in that the product was defective in the respects alleged above.

24. The breach of the expressed warranty was a proximate cause of the Plaintiffs' damages as set out below.

Damages

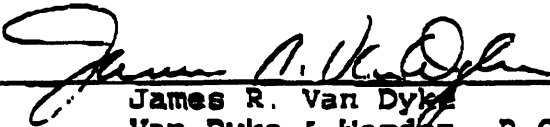
25. Plaintiff [REDACTED] was severely injured by the sudden collapse of this machine on January 1, 1996. Her injuries are permanent to some extent.

26. Plaintiffs [REDACTED] are the parents of [REDACTED] and they have suffered the actual expenses and a loss of parental companionship and society, as those damages are defined by Iowa Rule of Civil Procedure 8.

27. Through [REDACTED] 18th birthday, her parents have incurred and will incur substantial medical expenses as a result of JoAnn's injuries. After her 18th birthday, [REDACTED] will incur such future medical expenses. [REDACTED] has suffered a loss of wages, and will suffer decreased earning capacity in the future. [REDACTED] has suffered physical and emotional pain in the past and will do so in the future, and she has had a loss of full use of body and mind and will have such a loss in the future. Plaintiffs' damages exceed the \$50,000 minimum jurisdictional amount for this Court.

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WHEREFORE Plaintiffs demand judgment against the Defendant in such sum of damages as will fully and fairly compensate them for their losses and damages, together with interest and costs as provided by law.

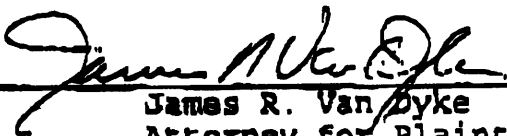

James R. Van Dyke
Van Dyke & Werden, P.C.
225 E. 7th Str., Box 486
Carroll, Iowa 51401-0486
712-792-9734

Attorneys for Plaintiffs

original and 2 filed

JURY DEMAND

Plaintiffs demand trial by jury on each and every issue of fact in this cause.


James R. Van Dyke
Attorney for Plaintiffs

92

John

**QVC, Inc.
Legal Department
1365 Enterprise Drive
West Chester, PA 19380
Telephone: (610) 701-1000**

*1st memo
8/12/96
Memo to
Kenny

UPSC
=*

ATTENTION: Cathy Downs
COMPANY: U.S. Consumer Products Safety Commission
FAX Number: 301 504 0359
**FROM: Ann Leinhauser for David M. Apostolico
Associate Counsel**
Total Pages: 2
DATE: 8/12/96

If you do not receive all pages or transmission is illegible, call immediately on:

Telephone: (610) 701-8439/1945 Fax: (610) 701-1021

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Thank you.

MESSAGE:

Attached is the final draft for the recall of the Stamina Exercise Machine. Please review the attached letter and let me know if you have any comments or questions. My direct line is 610-701-8439.

Thank you.
Ann Leinhauser for
David Apostolico

93

Month XX, 1996

DRAFT

Sample A. Sample
123 Any Street
Any Corporate Park
Any Town, US 12345

Dear Sample A. Sample:

Recently, we were notified by Stamina Products, Inc., that they have voluntarily implemented a refund/replacement program for an item you purchased from the QVC Insider Bargain Bulletin, Item F7487, the Stamina Foldable Gravity Exerciser (Model PR-6050). A copy of the press release from the CPSC (U.S. Consumer Products Safety Commission) and Stamina Products, Inc., is enclosed. Please review it carefully as it contains details concerning the refund/replacement program as well as information on how to obtain your refund or replacement.

Because of the nature of the problem with the machine's welds that may develop cracks or breaks, we ask that you immediately return your exercise machine for a refund or replacement. As stated in the attached release, consumers could be injured if the welds break and the seat drops unexpectedly.

To arrange for your refund or replacement, please contact Stamina's Customer Service Department immediately by calling 1-800-375-7520 between 8:00 a.m. and 5:00 p.m. Central Time, Monday through Friday, or write to Stamina at P.O. Box 1071, Springfield, MO 65801-1071. Upon Stamina's receipt of the returned item, they will follow your request and either send a replacement to you or forward the return information to QVC so that we can issue a refund to you for the entire amount you paid.

Again, please contact Stamina immediately to arrange for the return of your exercise equipment. Your cooperation and understanding are greatly appreciated.

We value your patronage as a QVC Insider Club Member and hope to see you again in the near future.

Sincerely,

John Hunter, Senior Vice President
Customer Services

Member No:
Order No:

94
Cathy I left message that letter was ok with heading of CPSC - sincere - NMC 8/12

FAX

Stamina Products, Inc.
Springfield, Missouri 65803

Date 08/13/96

Number of pages including cover sheet 7

To: Tina Adeyeye

Phone _____

Fax Phone 301-504-0359

CC: _____

From:

Jeff Hutchens

Phone 417-862-5012

Fax Phone 417-862-8147

REMARKS:

- Urgent
 For your review
 Reply ASAP
 Please comment

FAX

Stamina Products, Inc.
Springfield, Missouri 65803

Date 08/13/96

Number of pages including cover sheet 7

To:John Shumlansky

Phone _____

Fax Phone 301-504-0359

CC: _____

From:

Jeff Hutchens

Phone 417-862-5012

Fax Phone 417-862-8147

REMARKS:

- Urgent
- For your review
- Reply ASAP
- Please comment

QVC, Inc.

**Legal Department
1365 Enterprise Drive
West Chester, PA 19380
Telephone: (610) 701-1000**

ATTENTION: Kathy Downs

COMPANY: U.S. Consumer Products Safety Commission

FAX Number: 301- 504-0359

**FROM: David M. Apostolico
Associate Counsel**

Total Pages: 3

DATE: 8/7/96

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Telephone: (610) 701-1945

Fax: (610) 701-~~1024~~ 1380

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Thank you.

97

QVC

August 7, 1996

Via Fax 816-471-2221
Kirk May, Esquire
Rouce, Hendricks, German, May & Shank, P.C.

Via Fax 301-504-0359
Ms. Kathy Downs
U.S. Consumer Products Safety Commission

Re: Recall of Stamina Exercise Machine

Dear Mr. May and Ms. Downs:

In connection with the above referenced recall, we have prepared the attached letter which we are planning to mail to all of our customers who have purchased such product. Please review the attached and let me know if you have any comments or questions. I can be reached at 610-701-1945.

Very truly yours,



David M. Apostolico ^{X1945}
Associate Counsel

DMA.5652
Att.



Month XX, 1996

DRAFT

Sample A. Sample
123 Any Street
Any Corporate Park
Any Town, US 12345

Dear Sample A. Sample:

Recently, we were notified by Stamina Products, Inc., that they have issued a voluntary recall for an item you purchased from the QVC Insider Bargain Bulletin, Item F7487, the Stamina Foldable Gravity Exerciser. A copy of the recall announcement from the CPSC (U.S. Consumer Products Safety Commission) and Stamina Products, Inc., is enclosed. Please review it carefully as it contains details concerning the recall as well as information on how to obtain your refund or replacement.

Because of the nature of the problem with the machine's welds that may develop cracks or breaks, we ask that you immediately discontinue using your exercise machine. As stated in the attached release, consumers could be injured if the welds break and the seat drops unexpectedly.

To arrange for your refund or replacement, please contact Stamina's Customer Service Department immediately by calling 1-800-375-7520 between 8:00 a.m. and 5:00 p.m. Central Time, Monday through Friday, or write to Stamina at P.O. Box 1071, Springfield, MO 65801-1071. Upon Stamina's receipt of the returned item, they will follow your request and either send a replacement to you or forward the return information to QVC so that we can issue a refund to you for the entire amount you paid.

Again, please discontinue using this product and contact Stamina immediately. Your cooperation and understanding are greatly appreciated.

We value your patronage as ^uQVC Insider Club Member and look forward to serving you again in the near future.

Sincerely,

John Hunter, Senior Vice President
Customer Services

Member No:
Order No:

99

ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

ONE PETTICOAT LANE BUILDING
1010 WALNUT • SUITE 400
KANSAS CITY, MISSOURI
64106

TELEPHONE
(816) 471-7700

FACSIMILE
(816) 471-2221

FACSIMILE COVER PAGE

7-31-96
Date

3
Number of Pages Including Cover

TO: John Shumlersky
COMPANY/FIRM: Consumer Product Safety
FACSIMILE NO.: 301-504-0359
FROM: Kirk May

**IF COPY IS ILLEGIBLE OR INCOMPLETE, PLEASE CALL 816-471-7700
IMMEDIATELY FOR RETRANSMISSION**

COMMENTS

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100

ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

**ONE PETTICOAT LANE BUILDING
1010 WALNUT • SUITE 400
KANSAS CITY, MISSOURI
64106**

**TELEPHONE
(816) 471-7700**

**FACSIMILE
(816) 471-2221**

July 31, 1996

VIA FAX ((301) 504-0359

**John Shumlansky
U.S. Consumer Product Safety Commission
Office of Compliance
Division of Corrective Action
Washington, D.C. 20207**

Re: CPSC RP960157

Dear John:

Enclosed is the letter Stamina intends to use to contact those consumers identified by Value Vision and Damark as having purchased a PR-6050. For reasons I have previously mentioned, Stamina would prefer that the same letter be sent to all consumers, even if QVC insists on sending the letter itself. Among other concerns I have mentioned, I am concerned that consumers will be confused if they read in a letter that they should contact QVC and they then read in the press release that they should contact Stamina.

Very truly yours,

**ROUSE, HENDRICKS, GERMAN,
MAY & SHANK, P.C.**

By

Kirk T. May

KTM/ktm

14



Dear Consumer:

You recently purchased Stamina's PR 6050 Folding Rider
(Model # 25-6050).

Stamina, in conjunction with the Consumer Product Safety Commission
(CPSC) has issued the attached press release concerning the PR 6050
Folding Rider.

Please read the attached Press Release and contact Stamina's
Customer Service Department at 1-800-375-7520 between the hours of
8:00 am and 5:00 pm, Central Time, Monday through Friday to arrange
for a replacement machine or a refund. You may also fax our office
at (417) 889-8064.

Sincerely,

Stamina Customer Service Department

162
Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

ONE PETTICOAT LANE BUILDING
1010 WALNUT • SUITE 400
KANSAS CITY, MISSOURI
64106

TELEPHONE
(816) 471-7700

FACSIMILE
(816) 471-2221

FACSIMILE COVER PAGE

7-9-96
Date

4
Number of Pages Including Cover

TO: John Shumlanek
COMPANY/FIRM: Consumer Product Safety Commission
FACSIMILE NO.: 301-504-0359
FROM: Kirk May

**IF COPY IS ILLEGIBLE OR INCOMPLETE, PLEASE CALL 816-471-7700
IMMEDIATELY FOR RETRANSMISSION**

COMMENTS

163

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ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

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KANSAS CITY, MISSOURI
64106

TELEPHONE
(816) 471-7700

FACSIMILE
(816) 471-2221

June 28, 1996

VIA FAX ((301) 504-0359

John Shumlansky
U.S. Consumer Product Safety Commission
Office of Compliance
Division of Corrective Action
Washington, D.C. 20207

Re: CPSC RP960157

Dear Mr. Shumlansky:

I am writing in response to Mr. Schoem's June 20 letter. Mr. Schoem's letter references Stamina's May 8, 1996 letter, and I simply want to clarify that Stamina has submitted a June 10, 1996 letter which, where appropriate, updated and clarified the referenced May 8 letter.

With respect to the action to be taken, I want to make the following clarifications based on our discussions and agreements we have reached during those discussions.

- The "notice" which will be sent to consumers is a copy of the agreed upon press release.

- As Stamina has previously stated, it is unable, either independently or through its customers, to identify all consumers who purchased the PR-6050. As I previously indicated, Wal-Mart accounted for more than [REDACTED] of the PR-6050 sales, and it has no means of identifying the consumers who purchased the product. To the extent, if any, each of Stamina's other three customers is able to identify consumers (by name and address) who purchased the product, Stamina will send to each such consumer a copy of the agreed upon press release. Stamina will provide the Commission a list of those to whom the "notice" is sent. As I have mentioned, Stamina's customers consider such consumer information to be highly proprietary, and Stamina intends to represent to each of its customers that

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John Shumlansky
June 28, 1996
Page 2

the consumer information will be treated as such by the Commission. Also, I understand that the Commission will notify Stamina before any consumer is contacted, and the Commission will identify the consumer to Stamina.

- In order to receive a refund or replacement, the consumer must return the PR-6050 to Stamina at Stamina's expense. Upon receiving an inquiry from a consumer, Stamina will undertake a reasonable inquiry to ensure that the consumer has a Stamina PR-6050.

Stamina has only four customers to whom it sold the PR-6050. The name and address of each of those customers have been previously provided. I assume that satisfies the request for a list of Stamina's customers. If the Commission has something else in mind, please let me know. Stamina has informed each of its customers of the press release and the refund/replacement program.

There is information requested on the corrective action plan progress report which is inapplicable to the present situation. To the extent the progress report is applicable, Stamina will provide the requested information. Given the timing, Stamina intends to provide the first progress report on August 1, 1996. Let me know if that is not acceptable.

With respect to the summary of the corrective action plan enclosed with Mr. Schoem's letter, Stamina suggests that, consistent with the press release, the alleged hazard be described as follows: "Welds may crack or break on exercise machine and seat may drop unexpectedly." It seems to make sense that the published list should as much as practical be the same as the press release.

As you know, Stamina's agreement to voluntarily implement a corrective action plan was done as part of its participation in the Commission's "No PD Program." As we have discussed and as the materials the Commission has sent to me make clear, with respect to the No PD Program there is no finding (preliminary or otherwise) of a defect or substantial product hazard. Stamina has repeatedly made clear its strong view that this situation does not involve a product defect or hazard. Despite the fact that Stamina is participating in the No PD Program, Mr. Schoem states in his letter, "If [Stamina] receives or learns of any information concerning other incidents or injuries, or information affecting the scope, prevalence or seriousness of the defect or hazard, [Stamina] must report that information" He then continues by stating, "if [Stamina] receives information which might indicate that its corrective actions are not satisfactory in eliminating the defect or hazard," then that must be reported to the Commission. Those statements are directly contrary to a basic premise of Stamina participating in the No PD Program; namely, that there is no finding of a defect or hazard. I am sure the Commission has not made any such finding and that the mistake was inadvertent, but I would appreciate if the

05

John Shumlansky

June 28, 1996

Page 3

misstatement was corrected in some fashion. Please give me a call to discuss this issue. Thank you for your attention to this matter.

Very truly yours,

**ROUSE, HENDRICKS, GERMAN,
MAY & SHANK, P.C.**

By

A large, stylized handwritten signature in black ink, appearing to read "Kirk T. May". The signature is written over the printed name and extends significantly to the right and downwards.

Kirk T. May

KTM/ktm

106

ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

ONE PETTICOAT LANE BUILDING
1010 WALNUT • SUITE 400
KANSAS CITY, MISSOURI
64106

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(816) 471-7700

FACSIMILE
(816) 471-2221

FACSIMILE COVER PAGE

6/20/96
Date

2
Number of Pages Including Cover

TO: John Shumlaneky

COMPANY/FIRM: _____

FACSIMILE NO.: 301 504 0359

FROM: Kick May

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IMMEDIATELY FOR RETRANSMISSION

COMMENTS

John -
will this work. Please call and let me know so Stamine
can send to its customers before this is released to the press.

Kick May

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108

News from CPSC

U.S. Consumer Products Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
June
Release # 96

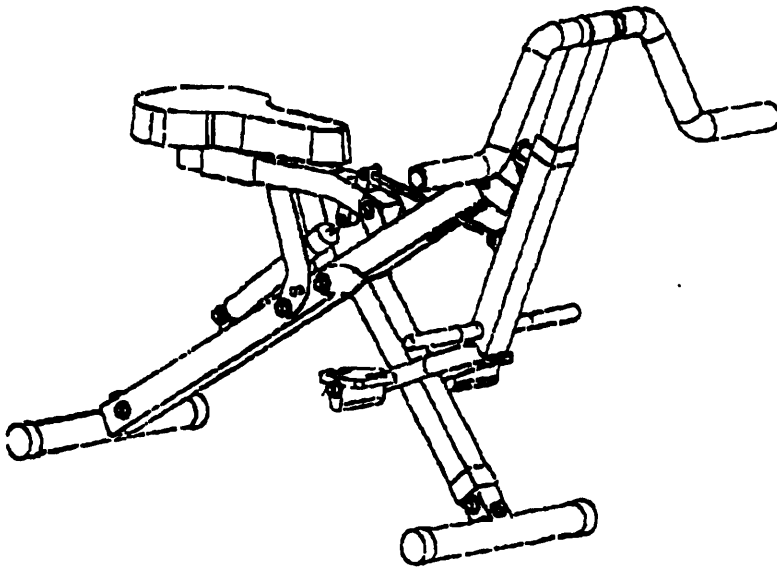
Contact:
(301) 504-0580 Ext.

CPSC and Stamina Products Inc. Announce Recall of Exercise Machines

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Stamina Products Inc. of Springfield, Mo., is announcing a voluntary recall to refund or replace approximately 21,500 exercising machines (model PR-6050). The machine's welds may develop cracks or breaks. Consumers could be injured if the welds break and the seat drops unexpectedly.

Stamina has received notice of 43 reports of the welds allegedly cracking or separating, resulting in injuries such as sprains and bruises.

The black metal exercise machine resembles a bicycle without wheels. "Stamina" is printed in red on the back, lower frame of the machine. To operate the machine, consumers pull the handlebars, which rocks the seat forward. The machine adjusts to increase resistance and provide a more intense work out.



QVC Network, Damark International Inc., Wal-Mart Stores Inc., and Value Vision sold the PR-6050 from November 1995 through February 1996 for about \$99.

Consumers who own PR-6050s should immediately contact Stamina to arrange for a refund or free replacement. In order to receive a refund or free replacement, consumers must return the PR-6050s to Stamina at Stamina's cost. For more information, consumers should call Stamina at (800) 375-7520 or write to Stamina at P.O. Box 1071, Springfield, MO 65801-1071.

The U.S. Consumer Product Safety Commission protects the public from the unreasonable risk of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0061 from the handset of your fax machine and enter release number. Consumers can obtain this release and recall information via Internet gopher services at cpsc.gov or report product hazards to

ROUSE, HENDRICKS, GERMAN, MAY & SHANK, P.C.

ONE PETTICOAT LANE BUILDING
1010 WALNUT • SUITE 400
KANSAS CITY, MISSOURI
64106

TELEPHONE
(816) 471-7700

FACSIMILE
(816) 471-2221

FACSIMILE COVER PAGE

6-17-96

Date

3

Number of Pages Including Cover

TO:

John Shumlansky

COMPANY/FIRM:

Consumer Product Safety

FACSIMILE NO.:

301-504-0359

FROM:

Kirk May

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IMMEDIATELY FOR RETRANSMISSION

COMMENTS

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110

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64106

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FACSIMILE
(816) 471-2221

June 17, 1996

VIA FAX ((301) 504-0359
John Shumlansky
U.S. Consumer Product Safety Commission
Office of Compliance
Division of Corrective Action
Washington, D.C. 20207

Re: CPSC RP960157

Dear Mr. Shumlansky:


Enclosed is the draft press release with my suggested changes. I called to discuss the changes, but since you were unavailable I wanted to go ahead and send the suggested changes so we could speed up the process.

The statutory and regulatory schemes applicable to the CPSC use the terms "replace" and "refund." See 15 U.S.C. §2064 and 16 C.F.R. §1115.20(a)(1)(vi). I do not believe they use the term "recall." I did not raise that with you when we spoke last week, and I would appreciate your consideration of that fact in determining an appropriate way to describe the program. With respect to the Commission's concern that the type of injuries described can occur during normal use of the PR-6050, I suggest that no description of the injuries be given, but Stamina is open to suggestion on that issue. Thanks for your cooperation, and I look forward to hearing from you.

Very truly yours,

ROUSE, HENDRICKS, GERMAN,
MAY & SHANK, P.C.

By


Kirk T. May

KTM/ktm



June 10, 1996

VIA FAX (301) 504-0359

Marc J. Schoem
Director
Division of Corrective Actions
U.S. Consumer Product Safety Commission
Washington, D.C. 20207-0001

CPSC
JUN 17 10 54 AM '96

RE: CPSC RP960157

Dear Mr. Schoem:

I am writing on behalf of Stamina Products, Inc. concerning several June 10, 1996 submissions to the CPSC on the above-referenced matter. I am Stamina's Chief Executive Officer and I am authorized to make the claims set forth herein on behalf of Stamina.

Stamina requests that the referenced submissions be exempt from disclosure or dissemination and be given confidential treatment to the full extent legally permitted. Stamina requests that its identity and the fact that submissions have been made to the Commission be exempt from disclosure and kept confidential. Stamina also requests that the identity of its customers contained in the submission be kept confidential and exempt from disclosure and that Attachments 1, 2, and 3 be kept confidential and exempt from disclosure. That information is confidential and proprietary commercial information. Save for the entities performing the testing, that information has been released outside of Stamina and is not readily ascertainable by persons outside of Stamina. Disclosure of such information would, among other things, reveal Stamina's customer base and product testing and evaluation, all to Stamina's competitive detriment.

Stamina requests that it be given notice of all requests for disclosure or proposed dissemination of the submissions or any information contained therein reasonably (or as required by law) in advance of any dissemination or disclosure occurring.

Corporate Office

112

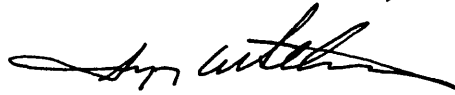
2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

Office of Compliance and Enforcement
June 10, 1996
Page 2

Stamina requests that this request for exemption and confidentiality be exempted from dissemination or disclosure and kept confidential. Stamina also requests that any communications or request for information concerning the above-referenced submissions be relayed through its counsel, Kirt T. May, Rouse, Hendricks, German, May & Shank, 1010 Walnut, Suite 400, Kansas City, MO 64106, telephone (816) 471-7700, fax (816) 471-2221.

Sincerely.

STAMINA PRODUCTS, INC.



Jeffrey C. Hutchens
President

JCH:nm

(JefftrsSchoem)

113



FAX

TO: Mark J. Schoem

FAX NO: (301) 504-0359

FROM: Jeff Hutchens

NO. OF PAGES, INCLUDING COVER PAGE: 3

DATE: June 11, 1996

**IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL
(417)889-7011, OR FAX AT (417)889-8064.**

=====

114

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064



June 10, 1996

VIA VAX (301) 504-0359

Marc J. Schoem
Director
Division of Corrective Actions
U.S. Consumer Product Safety Commission
Washington, D.C. 20207-0001

RE: CPSC RP960157

Dear Mr. Schoem:

I am writing on behalf of Stamina Products, Inc. (Stamina), to request participation in the Commission's No PD Program. From prior correspondence to and contact with the Commission, the Commission should already be aware of the following:

- Stamina cannot identify each consumer who purchased a PR-6050.
- There are no longer any PR-6050's in the possession of either Stamina or its customers. All PR-6050's have been returned to the manufacturer in China.
- Stamina has discontinued the PR-6050 and will not reintroduce it.
- To date, any customer who has given notice of a claim to Stamina has been given the option of either a full refund or replacement of the PR-6050 with a comparable piece of equipment at no charge.

Stamina proposes to implement a corrective action plan that will give each consumer who provides proof of purchasing a PR-6050 the option of either a refund of the purchase price or replacement with a comparable piece of equipment at no charge. As a condition to the refund or replacement, the consumer would have to return the PR-6050 at no cost to the consumer. Stamina proposes that this offer be communicated via a joint press release between Stamina and the CPSC. Enclosed as Attachment A is the joint press release Stamina proposes as part of its corrective action program. The press release would include the Commission's boilerplate language in the heading and the last paragraph as indicated in the materials sent to Kirk T. May via fax on May 16, 1996 by John Schumlansky.

96 JUN 17 10 57
CPSC
H...

MS

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

Marc J. Schoem
June 10, 1996
Page 2

Although I think it is clear from Stamina's May 8, 1996 submission to the Commission, I should reiterate that the information available to Stamina does not support the conclusion that this situation presents a product defect, a substantial product hazard, or an unreasonable risk of serious injury or death. Stamina understands that neither participating in the No PD Program, proposing a corrective action plan, nor implementing a corrective action plan should in any way be construed as indicating a product defect, a substantial product hazard, or an unreasonable risk of serious injury or death. If the Commission has a different understanding, please let us know.

Thank you for your consideration and attention to this matter.

Sincerely,

STAMINA PRODUCTS, INC.



Jeffrey C. Hutchens
President

JCH:nm
(JefftrsMJSchoem)

116

PROPOSED PRESS RELEASE

**CPSC AND STAMINA PRODUCTS, INC. ANNOUNCE
REFUND/REPLACEMENT PROGRAM FOR PR-6050 RIDER**

In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Stamina Products, Inc. of Springfield, Missouri (Stamina) is offering a refund/replacement option to any consumer who as of this date has purchased a model PR-6050 rider. At the purchaser's option, Stamina will refund the purchase price or replace the PR-6050 with a PR-5000 rider.

Stamina has received notice of 43 incidents in which a person has allegedly been injured while using the PR-6050. These incidents allegedly result from cracks in welds and/or separation of the welded mating surfaces at specific points on the PR-6050.

The PR-6050 was distributed by Stamina and sold by QVC Network, Damark International, Inc., Wal-Mart Stores, Inc., and Value Vision from November 1995 through February 1996.

Consumers who as of this date have purchased a PR-6050 should participate in this refund/replacement program. In order to participate in the refund/replacement option, consumers must return their PR-6050 to Stamina at Stamina's cost. For information on the refund/replacement program, call Stamina at 1-800-375-7520 or write to Stamina at P.O. Box 1071, Springfield, MO 65801-1071.

Stamina is voluntarily undertaking this refund/replacement program. Neither Stamina nor the CPSC have determined that any defect exists or that the PR-6050 presents a substantial product hazard or unreasonable risk of serious injury.

ATTACHMENT A

117



June 10, 1996

VIA FAX (301) 504-0359
CERTIFIED MAIL

Marc J. Schoem
Director
Division of Corrective Actions
U.S. Consumer Product Safety Commission
Washington, D.C. 20207-0001

CPSC
Curt
L
96 JUN 17 A10:54

RE: CPSC RP960157

Dear Mr. Schoem:

I am writing on behalf of Stamina Products, Inc. (Stamina), in response to your May 28, 1996 letter to Kirk T. May concerning the above-referenced matter. Stamina is at least preliminarily interested in the CPSC's "No PD Program." Based on conversations Mr. May has had with John Shumlansky of your office concerning this matter, I understand the Commission has targeted June 14, 1996 as the date for determining appropriate action under the No PD Program. Stamina understands that the Commission has made no finding, preliminary or otherwise, that the PR-6050 is in any way defective or in any way presents a substantial product hazard or unreasonable risk of serious injury. If that understanding is incorrect, please let me know.

You stated in your May 28 letter that Stamina "reported alleged injuries as a result of the weld failure and collapse of the machine." Just to clarify, Stamina has not received claims of the PR-6050 "collapsing" and Stamina does not believe that to have occurred. Also, in the interest of clarity the Commission should know that it does not appear that each claim involved a "weld failure" in that it appears as though some involved an inappropriate load. Stamina apologizes for any confusion.

The following are responses to the numbered items in your May 28 letter. Where appropriate, Stamina is updating and clarifying information in its May 8, 1996 original submission. This submission should be read in conjunction with that May 8 submission, and that May 8 submission is incorporated herein by reference.

1. Stamina believes the PR-6050 was manufactured for it exclusively. Stamina is unaware of any U.S. contract for [redacted]. The PR-6050 was manufactured in [redacted].

[redacted] Stamina purchased the PR-6050 from Asia

[redacted] The actual manufacturer was [redacted] which is in [redacted]

Corporate Office

2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011
Fax: (417) 889-8064

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Marc J. Schoem
June 10, 1996
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2. As Stamina indicated in its original submission, it has not received notice of any lawsuits and it has no court complaints or related documents. As of June 3, 1996, Stamina has received notice of 46 claims, 42 of which allegedly involved some injury, however minor, such as a cut. Many of the claims have been received orally, and in some instances from Stamina's customers rather than the consumer. Rather than produce an incomplete set of written documentation which is hit and miss, Stamina has enclosed and identified as Attachment A a summary containing the name and, to the extent available, the address and telephone number of each person who has made a claim. If the Commission intends to contact some or all of these people, Stamina requests that it first be notified of the person or persons whom the Commission intends to contact. Stamina is concerned that these people might view any contact by the Commission to be bothersome and an invasion of their privacy and hold Stamina or Stamina's customer's responsible. Stamina has done everything within reason to handle this matter to the consumer's satisfaction, and it would like to not unnecessarily damage its goodwill or the goodwill of its customers. The Commission's consideration in that regard is greatly appreciated.

3. Enclosed are copies of the two test reports referred to in Stamina's original submission. Those two test reports are identified as Attachment 1 and 2. The other information requested can be found in the reports. Also enclosed is a memorandum from Elvin W. Keith, an engineer. Based solely on his observation of the PR-6050, he provided some preliminary comments to Stamina. That memorandum is identified as Attachment 3. Mr. Keith never performed any testing or scientific analysis to determine if he believed any changes needed to be made to the PR-6050.

4. The PR-6050 is a sourced product and Stamina does not have these documents, if any exist. Stamina has no welding specifications or instructions.

5. As Stamina stated in its original submission, all PR-6050's in the possession of Stamina's customers were returned to [REDACTED]. As a point of clarification, all PR-6050's in the possession of Stamina's customers were returned first to Stamina for Stamina to return by shipment to [REDACTED]. Enclosed are copies of the shipping invoice and bill of lading reflecting Stamina's shipment of the PR-6050 to [REDACTED]. Those documents are identified as Attachment 4 and 5. Also enclosed is correspondence between Stamina and Wal-Mart, Stamina's major customer authorizing Wal-Mart to return all PR-6050's in its inventory and giving Wal-Mart shipping instructions. Those documents are identified as Attachment 6 and 7. Wal-Mart had [REDACTED] of the PR-6050's in the hands of Stamina's customers. [REDACTED] had just a few PR-6050's in inventory, and the request to return the PR-6050 was orally made to [REDACTED]. [REDACTED] had no PR-6050's in inventory. Stamina does not know what the manufacturer did or is doing with the returned PR-6050's. Stamina has decided to discontinue the PR-6050 and will not reintroduce it.

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Marc J. Schoem
June 10, 1996
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6. Stamina is delivering to the Commission with this submission an exemplar of the cracked welds/mating surface. These exemplars are identified as Stamina 1,2 and 3. Stamina requests that no destructive testing be done by the Commission, that the condition of the exemplar be unaltered, and that the exemplar be returned to Stamina. If that is not agreeable, please let us know.

7. This was submitted with Stamina's original submission.

8. See proposed action to be taken under the No PD Program.

9. This was provided with Stamina's original submission.

If you have any questions, please do not hesitate to contact us. If there is additional information the Commission believes is needed for a full report, please let us know. Stamina requests that all contacts and requests be made through Kirk T. May. Thank you for your cooperation.

Sincerely,

STAMINA PRODUCTS, INC.



Jeffrey C. Hutchens
President

JCH:nm
Enclosures
(JefftrsMSchoem)

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REPORT

* TEST REPORT FOR 25-5000



TO: Stamina

CLIENT NO:
MTL NO: MS068291
DEPT: -
BUYER: -
MARKET REP: -
DATE: Nov 22, 1995
PAGE 1 OF 2

OVERALL RATING

GOOD	_____	_____	_____
SATISFACTORY	_____	X	_____
UNSATISFACTORY	_____	_____	_____

PURPOSE OF TEST: Evaluation of the sample from the viewpoint of material qualities, construction qualities, performance characteristics and overall consumers serviceability.

SAMPLE DESCRIPTION: One (1) sample of Folding Rider, as identified below:

<input checked="" type="checkbox"/> IMPORT	<input checked="" type="checkbox"/> PRE-PURCHASE/APPROVAL	<input type="checkbox"/> IMPROVED
<input type="checkbox"/> PRIVATE LABEL	<input checked="" type="checkbox"/> PRODUCTION	<input type="checkbox"/> POSSIBLE HAZARD
<input type="checkbox"/> AD: _____	<input type="checkbox"/> PREVIOUS REPORT NO: _____	<input type="checkbox"/> COMPARISON

Report No.: MS068291
 Manufacturer: _____
 Style: _____
 Country of Origin: _____
 Size: _____
 Color: Black
 Fiber Content: _____

EXECUTIVE SUMMARY:

The sample is downgraded to a Satisfactory rating due to some deficient performance characteristics in tests

The sample was submitted fully assembled.

The submitted sample does not include production package.

(Continued)

TAIWAN : 2F, NO. 226 KUANG MING ROAD, PEITOU, TAIPEI, R.O.C. Tel:2-896-6903 Fax:886-2-895-9209					
U. S. A.	Tel: 508-580-8353	Fax: 1-508-580-2668	JAPAN-JSTTF	Tel: 03-3241-7300	Fax: 813-03-3245-0773
HONG KONG	Tel: 852-2-418-1222	Fax: 852-2-480-6888	KOREA-KOTIT	Tel: 2-207-7591-8	Fax: 82-2-537-3739
SINGAPORE	Tel: 65-283-8366	Fax: 65-283-8966	KOREA-KITI	Tel: 2-856-5815	Fax: 82-2-856-5818
PHILIPPINE	Tel: 632-824-2825	Fax: 632-824-1430	CHINA-SIC	Tel: 3255010, 5045	Fax: 86-21-3244587
INDONESIA	Tel: 21-780-1803.0642	Fax: 62-21-780-0913	ITALY-ICO	Tel: 352-340-916	Fax: 39-362-345-815

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Evaluation of Test Result: The following observations are noted:

1. The sample demonstrates slightly deficient performance characteristics with some wear/rubbed off of the brace bushing noted after 4000 cycles in use tests.
2. The warning label size and the letter height for California Flammability does not conform to the California Flammability requirement.

Actual

Requirement

Label Size: 1.5" X 1"	2" x 3"
Letter Height: 0.0585"	Min 1/8" (0.125")

3. The sample demonstrates noticeable permanent deformation of the seat arm noted (2") after 200 lbs test load is allowed to free fall from a height of 6" to the center of the seat in impact durability tests.
4. The sample demonstrates good handle strength, stability and static loading capacity. -
6. The sample provides satisfactory owners manual including a warning, part list, assembly instruction, important safety tips, training preparation and warranty card.

Recommendations for Improvement:

1. The sample requires noticeable improvement in material qualities for the brace bushing to eliminate some wear in use.
2. The warning label size and letter height must conform to the California Flammability Requirement.
3. Some improvement in impact durability is recommended to reduce permanent deformation.



Laboratory Director

CN:68291/P

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AT [REDACTED] CORPORATE OFFICES
[REDACTED]

EVALUATION OF TEST RESULTS

Lab Report No.: [REDACTED] Buyer: [REDACTED] Dept.: 9 Date: 09/18/95

Item Description: STAMINA PR-6050 EXERCISER

In Store: _____ From Vendor: _____ Retest: _____ From Buyer: X

UPC No.: _____ Previous Lab No.: _____

Stock No.: PR-6050 Wal-Mart Item No: _____

Item Cost: \$ _____ Testing Charge: \$250.00

Vendor Name: STAMINA PRODUCTS Vendor No: 151779

Attn: BARRY LAURIE Tel No.: (417) 889-8064

Reason for Testing: OVERALL QUALITY EVALUATION

<input checked="" type="checkbox"/>	THE SAMPLE IS RATED AS GOOD AND PASSED THE BASIC PERFORMANCE AND SERVICEABILITY TESTS.
<input type="checkbox"/>	THE SAMPLE IS RATED AS UNSATISFACTORY BECAUSE OF THE FOLLOWING DEFICIENCIES.

Although the sample is rated as Good, the original tension adjustment device (section cylinder) demonstrates poor consumer serviceability with poor adjustment performance noted. However, an improved adjustment device was submitted with detent positions at each level of adjustment. Consumer Testing Laboratories, Inc. approves the use of section cylinder [REDACTED] only. Additionally, it should be noted that there are no specific instructions for the use of the exerciser included.

ADDITIONAL INFORMATION:

1. The sample demonstrates good static load capacity withstanding 350 lbs. for 24 hours with no material distortion or degradation noted.
2. The sample demonstrates good seat/post construction with no permanent deflection noted after five minutes loading at 440 lbs.

[REDACTED]

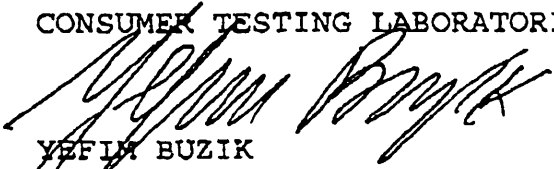
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CONSUMER TESTING LABORATORIES, INC.
Laboratory Report No. HWM0913
September 18, 1995
Page No. 2

3. The sample exhibits good finish qualities with no material or workmanship defects noted.

4. The sample includes well written and illustrated assembly instructions with adequate cautionary information.

CONSUMER TESTING LABORATORIES



YEFIM BUZIK
EXECUTIVE VICE PRESIDENT
LABORATORY DIRECTOR
YB/jhp



CONSUMER TESTING LABORATORIES, INC.
 Laboratory Report No.: HWMO913

SUMMARY OF TEST RESULTS
EXERCISER

SAMPLE / STYLE NO.	<u>Stamina PR-6050 EXERCISER</u>
ASSEMBLY INSTRUCTIONS	<u>Good, illustrated, w/parts list</u>
EASE OF ASSEMBLY	<u>Good</u>
USERS MANUAL	<u>No use instructions provided</u>
CAUTIONS / WARNINGS	<u>No cautions other than medical</u>
FINISH QUALITIES	<u>Good, no sharp edges, burrs or surface</u>
<u>SEAT / POST CONSTRUCTION</u>	
SEAT DIMENSIONS	<u>16" length / 9" @ MAX WIDTH / 2" HT.</u>
HEIGHT (MAX/MIN FROM FLOOR)	<u>40" max 26" min with stopper back</u>
ADJUSTMENT RANGE / EASE	<u>seat adjusts 3 1/2" front to back incorporate 3 steps with easy adjustment of</u>
SEAT DEFLECTION UNDER LOAD Seat ht. after 1 min. loading of 220 lbs.	<u>24"</u>
Seat ht. after 5 min. loading 440 lbs.	<u>24" (Good, no permanent set detected)</u>
RATED MAXIMUM LOAD	<u>No rating given</u>
<u>PEDAL CONSTRUCTION</u>	
DIMENSIONS (LxWxH)	<u>4 1/8" x 3 3/4" x 1/2"</u>
PEDAL CLEARANCE (minimum)	<u>11"</u>
RIGHT/LEFT SYMMETRY	<u>Good, fit properties</u>
TREAD TYPE/QUALITY	<u>Good, slightly rough plastic surface inhibit slipping</u>
STATIC LOADING (210 lbs.)	<u>Good @ 24 hrs. No material degradation</u>

[Handwritten signature]

HANDLEBAR CONSTRUCTION

OVERALL SPAN

30'

GRIP DIAMETER

1 3/4" w/cushion grip

CUSHIONING TYPE/QUALITY

Good, fully covered w/ 1/4" foam

STATIC LOADING (140 lbs.)

Good @ 24 hrs. no damage or distortion of bar

FRAME CONSTRUCTION

MATERIAL/TYPE QUALITY

2" square ^{steel} channel & 2" steel tubes

RESISTANCE TO TIPPING

Good w/ 1 1/4" wide foot bars

OVERALL STABILITY

Good, sturdy base resists tipping

ADJUSTMENT RANGE / EASE

Good, adjustable foot leg ht. thru

STATIC LOADING

Good @ 350 lbs 24 hrs 3 pos!
@ 440 lbs 5 min.

OVERALL PERFORMANCE

Good

OVERALL WORKMANSHIP


Good, uniform appearance

OVERALL RATING

Good

COMMENTS: CTL approves use of section cylinder (tension adjustment device) Patent No. 459103. Due to its positive clicks and ease of use.

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MEMORANDUM
(March 7, 1996)

To: Mr. Rick Byrd
Stamina Products, Inc
P.O. Box 1071
Springfield, MO 65801-1071
(417) 889-1071, FAX (417) 889-8064

From: 

Subject: Preliminary Failure Analysis of PR6050

Mr. Byrd:

The mechanics of the PR-6050 are interesting. Analysis of the unit based on observations and estimates of the resistance cylinder load indicate the following areas are most susceptible to failure.

- 1.) Item 14 - Welded connection between rod and thin wall tube.
- 2.) Item 11 Seat Arm Assembly - "U" shaped sheet metal bracket that attaches item 14 brace to square tube of seat arm assembly.
- 3.) Item 16 Leg Arm Assembly - Welded connection between "U" shaped foot pedal attach tube and square tube of item 16 Leg Arm. Assembly.

Of the three areas list above, item 1 is probably most prone to sudden failure and injury. There are other areas that are subject to wear, but the wear rate should be low enough to satisfy design life criteria.

With accurate resistance cylinder load information, it will be possible to more accurately establish component strength and if changes need to be made.

Attached are copies of preliminary drawings of the AB HYPER BENCH. There are areas that need to be changed and I thought it would be helpful to receive your comments. Please FAX any comments to 887-9308.

Sincerely,



PR-6050-96

INVOICE


SHIPPER: STAMINA PRODUCTS, INC.
P.O. BOX 1071
SPRINGFIELD, MO 65801

CONSIGNEE



5857 PCS ITEM 6050 RIDER RECALLS \$310421.00

VALUE FOR CUSTOMS PURPOSES ONLY
REJECTED / RETURNED MERCHANDISE


STAMINA PRODUCTS, INC.
ATTY IN FACT

131

FRITZ TRANSPORTATION INTERNATIONAL

EXPORTER STAMINA PRODUCTS, INC. 2757 S. AUSTIN SPRINGFIELD MO 65807	DOCUMENT NO. BKG NO. 66803196	BL NUMBER 066-6200034-7
[REDACTED]	EXPORT REFERENCES FORWARDER'S REF 066-6200033-1 000 GD SHIPPER'S REF RETURN GOODS-DRWBK	
	FORWARDING AGENT REFERENCES FRITZ COMPANIES, INC. FMC 0275R 1721 W. ELFINDALE STE. 205 SPRINGFIELD, MO 65807 (617) 851-4100 CHB LIC 2745	
	POINT AND COUNTRY OF ORIGIN SPRINGFIELD MO	
DELIVERY AGENT	[REDACTED]	

CONSIGNEE
SAME AS CONSIGNEE

ORIGIN CARRIER (VESSEL NAME/VOYAGE) EVER GENERAL U 0627	PORT OF LOADING SCOTLAND, OREGON	FINAL DESTINATION
--	-------------------------------------	-------------------

MARKS AND NUMBERS	NO. OF PACKS	DESCRIPTION OF PACKAGE AND GOODS	GROSS WEIGHT	NET WEIGHT	MEASUREMENT
CONTAINER NO(S) FISU140999 (699CTNS: 29530 LBS) UGMU801133 (746CTNS: 32078 LBS) EISU128201 (710CTNS: 30530 LBS) FISU134767 (746CTNS: 32078 LBS) EISU126677 (746CTNS: 32078 LBS) EISU124318 (746CTNS: 32078 LBS) EISU106747 (718CTNS: 30874 LBS) EISU136275 (746CTNS: 32078 LBS)	8 40'	NO SED REQUIRED, SECTION 30.39 FTSR, C.A.S. - FC. CONTAINERS SLAC 251324 LB 5857 CARTONS; MACHINERY NOS-RETURN 114000 KG MERCHANDISE - 6050 RIDER RECALL FREIGHT COLLECT THESE COMMODITIES LICENSED BY THE U.S. FOR ULTIMATE DESTINATION CHINA M. DIVERSION CONTRARY TO U.S. LAW PROHIBITED. GENERAL LICENSE G-DEST			
<h1>COPY</h1>					

DANGEROUS GOODS DECLARATION: Unless expressly stated otherwise on this bill of lading, the Shipper hereby declares that the tendered cargo does not include or contain any dangerous goods, hazardous materials or restricted articles. This declaration in no way limits the Shipper's liability or affects the terms and conditions of this bill of lading.

NOTE: THIS BILL OF LADING LIMITS FRITZ COMPANIES, INC., AND SUBSIDIARIES' LIABILITY TO \$500.00 PER PACKAGE (OR CUSTOMARY FREIGHT UNIT); TO OBTAIN HIGHER LIMITS OF LIABILITY, SHIPPER MUST DECLARE A GREATER VALUE AND PAY ADDITIONAL FREIGHT TO BE AGREED. DECLARED VALUE IN U.S. \$

RECEIVED at the Place of Acceptance or (where this is a Port to Port Shipment) at the Port of Loading in apparent good order and condition except as otherwise noted the total number of Containers or other packages or units enumerated above for transportation therefrom to the Place of Delivery or Port of Discharge as the case may be subject to the terms set out on the reverse side hereof. One of the signed Bills of Lading must be surrendered duly endorsed in exchange for the Goods or delivery therefor. On presentation of this document (duly endorsed) to the Carrier or on behalf of the Holder, the rights and liabilities arising in accordance with the terms hereof shall (without prejudice to any rule of commerce law or statute rendering them binding on the Merchant) become binding in all respects the Carrier and the Holder as though the contract contained herein or evidenced hereby has been made between them.	CHARGES	PREPAID	COLLECT
WITNESS whereof 1 original Bill of Lading have been signed, one of which being accomplished, the other(s) to be void.	8 X 40' CONTAINERS @\$2200.00		\$17600.00
	8 X 40' BAF 120.00		960.00
	8 X 40' LIH 800.00		6400.00
	8 X 40' FCL/DC 190.00		1520.00
	8 X 40' ARBIT 1000.00		8000.00
	INLAND 470.00		3760.00
	TOTAL FREIGHT CHARGES		\$ 38240.00

ISSUED AT
SPRINGFIELD, MO 04/27/96
DATE

FRITZ TRANSPORTATION INTERNATIONAL
CARRIER



February 16, 1996

Wal-Mart Associates;

Please accept this letter as authorization from Stamina Products to allow returns of the Stamina PR6050 Folding Rider, Wal-Mart Item #000919726, beyond Wal-Mart's standard 90 day return policy.

Stamina will allow full credit for all returns even if they exceed Wal-Mart standard 90 day window.

If you have any questions, please call our Customer Service Department at 1-800-375-7520.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry D. Laurie". The signature is fluid and cursive, with a large loop at the end.

Barry D. Laurie
Vice President
Stamina Products, Inc.

Attachment 6

Corporate Of

134
2757 S. Au
P.O. Box 10
Springfield, MO 65801-10



FAXED

FAX

TO: WAL-MART STORES ATTN: LINDA SMEDLEY
FAX NO: (501) 273-6752

FROM: BARRY LAURIE

NO. OF PAGES, INCLUDING COVER PAGE: 1

DATE: FEBRUARY 14, 1996

REGARDING: R.A. FOR 6050

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL
(417)889-7011, OR FAX AT (417)889-8064.

=====

DEAR LINDA,

PLEASE FIND LISTED BELOW, THE R.A. AND SHIPPING LOCATION FOR THE
6050.

RA-DM2443-0296
SHIPPING ADDRESS:
STAMINA PRODUCTS, INC.
2757 SOUTH AUSTIN
SPRINGFIELD, MO 65807
CUSTOMER SERVICE PHONE NO.
1-800-375-7520

LINDA, I WILL HAVE TO YOU, TOMORROW, THE LETTER, AS IT RELATES TO
THE STORES 90 DAY EXTENTION OF RETURNED PRODUCT.

AGAIN, THANKS FOR YOUR HELP WITH THIS MATTER.

BEST REGARDS,

BARRY LAURIE
VICE PRESIDENT

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Attachment 7

Corporate Of

2757 S. Au

P.O. Box 1

Springfield, MO 65801-1

Phone: (417) 889-7



FAX

TO: Mark J. Schoem

FAX NO: (301) 504-0359

FROM: Jeff Hutchens

NO. OF PAGES, INCLUDING COVER PAGE: 18

DATE: June 11, 1996

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL
(417) 889-7011, OR FAX AT (417) 889-8064.

=====

135
Corporate Office
2757 S. Austin
P.O. Box 1071
Springfield, MO 65801-1071
Phone: (417) 889-7011



June 10, 1996

VIA FAX (301) 504-0359
CERTIFIED MAIL

Marc J. Schoem
Director
Division of Corrective Actions
U.S. Consumer Product Safety Commission
Washington, D.C. 20207-0001

RE: CPSC RP960157

Dear Mr. Schoem:

I am writing on behalf of Stamina Products, Inc. (Stamina), in response to your May 28, 1996 letter to Kirk T. May concerning the above-referenced matter. Stamina is at least preliminarily interested in the CPSC's "No PD Program." Based on conversations Mr. May has had with John Shumlansky of your office concerning this matter, I understand the Commission has targeted June 14, 1996 as the date for determining appropriate action under the No PD Program. Stamina understands that the Commission has made no finding, preliminary or otherwise, that the PR-6050 is in any way defective or in any way presents a substantial product hazard or unreasonable risk of serious injury. If that understanding is incorrect, please let me know.

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Marc J. Schoem
June 10, 1996
Page 2

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Marc J. Schoem
June 10, 1996
Page 3

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Sincerely,

STAMINA PRODUCTS, INC.



Jeffrey C. Hutchens
President

JCH:nm
Enclosures
(JeffreyMSchoem)

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