

EXPERT REFERENCE · PLAINTIFF & DEFENSE COUNSEL

FIREARM DEFECT LITIGATION

Accidental Discharge · Drop Fire · Uncommanded Discharge



STEVE WOLF

Human Factors · Firearms · Handling & Safety-Rule Analysis

SteveWolfExpertWitness.com

MATTERS HANDLED, PLAINTIFF OR DEFENSE

Discharge incidents

- Accidental and unintentional
- Drop-fire and drop-safety
- Uncommanded discharge
- Negligent discharge

Handling and human factors

- Safety-rule violations
- Holstered-discharge incidents
- Unloading and administrative handling
- Trigger and aftermarket modification

On-set and entertainment

- Film and television firearm safety
- Blank-fire and prop-firearm incidents
- On-set protocols and roles
- Production safety standards

Product liability

- Design defect
- Failure to warn
- Negligent design and manufacture
- Foreseeable misuse / design-induced error

Range safety and design

- Range design and layout
- Range safety protocols and supervision
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- Range rules and violations

Settings and outcomes

- Hunting and field incidents
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NAVIGATE

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Purpose and How to Use This Guide

This guide is for attorneys evaluating or preparing a firearm discharge or defect case.

First, it is a working reference on the firearms most often named in accidental-discharge, drop-fire, and defective-product cases: what the alleged defect is, what legal theories drive each matter, and how the litigation has resolved.

Second, it shows how these cases are analyzed and prepared, and lays out exactly what the opposing side will argue and how that argument is met, so counsel can see both the case and the rebuttal in one place.

The figures come from public reporting, court records, and manufacturer notices. Estimated numbers are stated as such. Incident rates in this field are softer than they look, and the gap between a documented rate and an alleged rate is where many cases are won or lost.

The numbers

Incident counts and install-base figures are approximate. The charts give an order-of-magnitude picture, not a precise tally.

The analytical posture

Every case comes down to a single question, namely whether the discharge was caused by the firearm or by the person holding it. That is a human-factors question before it is an engineering one. The manufacturer's first and strongest defense is always that the user broke a handling or safety rule. The plaintiff's case often depends on proving the opposite, that the user handled the gun correctly and the gun fired anyway. This guide is written so that the same disciplined human-factors analysis can be turned to whichever side the facts support. Part 2 sets out that framework; the model notes and the methodology sections carry it through.

The Defect Taxonomy

Almost every case traces back to one of eight mechanical stories. Knowing which one you are looking at tells you what to test, what documents to demand, and what the manufacturer will argue.

1

Inertial firing pin and drop fire

A free-floating firing pin is held off the primer only by a spring, and by being shorter than its channel. A hard enough impact, usually muzzle-down or on the rear of the slide, can drive the pin forward by its own inertia, and fire a chambered round with no trigger pull. This is the classic drop-fire mechanism. The cure is a positive firing pin block that physically obstructs the pin until the trigger is pulled.

2

No hammer block on single-action revolvers

Traditional single-action revolvers carry the hammer resting directly on the firing pin, which rests on a live primer. A blow to the hammer fires the gun. The historical workaround was to load five chambers and leave the hammer down on an empty cylinder. The engineering cure is a transfer bar that sits between hammer and firing pin only during a deliberate trigger pull.

3

Trigger connector misalignment

Some trigger groups use a small floating connector between the trigger and the sear. If debris, wear, or a jolt moves that connector out of position, the sear can release when the safety is moved or the bolt is worked, again with no trigger pull. This is the heart of the Remington Walker matter.

4

Striker sensitivity and uncommanded discharge

In a pre-cocked striker pistol, the striker is already under spring tension before the trigger is touched. If the trigger or its safety lever can move under impact, inertia, or a foreign object, the gun can fire. The dispute is usually whether an external manual safety should be standard and whether the trigger mass makes the design sensitive to handling forces. This is the core of the SIG P320 litigation, and it is worth taking apart in detail because the mechanism is now much better understood on the public record. The P320 uses a fully pre-tensioned striker, meaning the striker sits 100 percent cocked as soon as a round is chambered, unlike a Glock or an M&P where the striker is only partially cocked and the trigger completes the compression. Two independent failures have to occur to fire a P320 without a trigger pull: the sear has to release the striker, and the striker safety lever has to fail to block the striker from reaching the primer. Both failures are small. Public teardown work and the February 2025 Washington State Criminal Justice Training Commission report describe a captive safety lever with a roughly one-millimeter L-shaped tab on a weak torsion spring, a sear-striker engagement measured in fractions of a millimeter, and slide-to-frame play that in some pistols exceeds half a millimeter, which is enough to destabilize that engagement. The trigger has roughly two millimeters of pre-travel and then less than a millimeter to striker release, so a very small displacement anywhere in that chain can drop the striker. The engineering cure is the same class of positive block found on other striker pistols, and the litigation cure is a tabbed trigger, a manual thumb safety, or both.

5

Unloading-sequence design

A pistol can be mechanically sound yet defective in how it forces the user to unload it. If the design requires disengaging the manual safety to clear the chamber, or requires a trigger pull to de-cock, then a routine unloading becomes a discharge waiting to happen. The Bryco Model 38 verdict turned on exactly this.

6

Defeated or omitted safeties through modification

A factory safety that has been removed in the aftermarket is its own category. The Colt 1911 illustrates it: the Series 80 added a trigger-actuated firing pin block, and gunsmiths sometimes strip those parts out for a lighter trigger, returning the gun to inertial-only protection. Whether a positive block was present, intact, and functional is often the first inspection point.

7

Out-of-battery discharge and disconnecter failure

A semiautomatic can fire before the slide has fully closed on the chamber, which vents high-pressure gas back through the ejection port and into the shooter's hand and face. The disconnecter, a small part that is supposed to prevent the sear from releasing until the slide is fully in battery, is what separates an ordinary cycle from an explosion. Wear, breakage, a badly reprofiled trigger job, or a design that seats the disconnecter on an unreliable surface can produce a pattern of out-of-battery events on a specific line of pistols. The evidentiary hallmarks are a bulged or ruptured case, a blown magazine, and hand and forearm injuries consistent with vented gas rather than a projectile.

8

Unsupported chamber and case-head failure

A semiautomatic chamber that leaves too much of the case head exposed at the feed ramp can rupture the case on firing, particularly at the six-o'clock position, releasing gas and fragments into the magazine and the shooter's hand. Early Glock chambers on the .40 S&W were the reference case, and later class-action work broadened the theory to other calibers and other manufacturers. The manufacturer's typical answer is reloads or over-pressure ammunition. The plaintiff answer is that a chamber that will not tolerate ordinary factory ammunition and reasonable reuse is not a safe chamber.

The Human-Factors Hinge

Strip any of these cases to its core and the same question is left standing: did the firearm cause the discharge, or did the person? That is a human-factors question, and it is where my primary expertise lives, in handling, gun-handling violations, and safety-rule compliance. The engineering establishes what the gun is capable of. The human-factors analysis establishes what the user actually did, and whether the design invited the error in the first place.

Causation runs through both.

The manufacturer's first move is always user error

Across every matter in this guide, the defense opens the same way: the gun did not malfunction, the user broke a rule. The shooter had a finger on the trigger. The holster was wrong, or worn out. The pistol was modified. The rifle was dropped through carelessness. The unloading was done improperly. This is not a side argument; it is usually the whole defense. A plaintiff who cannot answer it loses, no matter how strong the metallurgy looks.

That is the opening I built to close. When I can show, to a professional standard, that the user did not violate a handling or safety rule, user causation falls away and the cause points back to the firearm. The defect theory does not have to prove the gun fired itself in the abstract; it has to prove the gun fired when a competent user did everything right.

Establishing the second is human-factors work.

The same analysis serves either side

This expertise is symmetric, and that's a strength on the stand. The method does not change with the retaining party; only the facts decide the conclusion.

FOR THE PLAINTIFF

Reconstruct the incident and demonstrate that handling was correct, that the four cardinal rules of gun safety were observed, and that the discharge therefore cannot be explained by user error. That isolates the firearm as the cause.

FOR THE DEFENSE

Identify the specific rule or handling failure that explains the discharge without resort to a defect, and show that a correctly handled firearm would not have fired. That isolates the user as the cause.

A neutral, rule-based method that reaches whichever conclusion the evidence supports is exactly what survives cross-examination and an admissibility challenge. It also lets me work either side of the docket without contradiction.

FIGURE 1 • THE CAUSATION HINGE

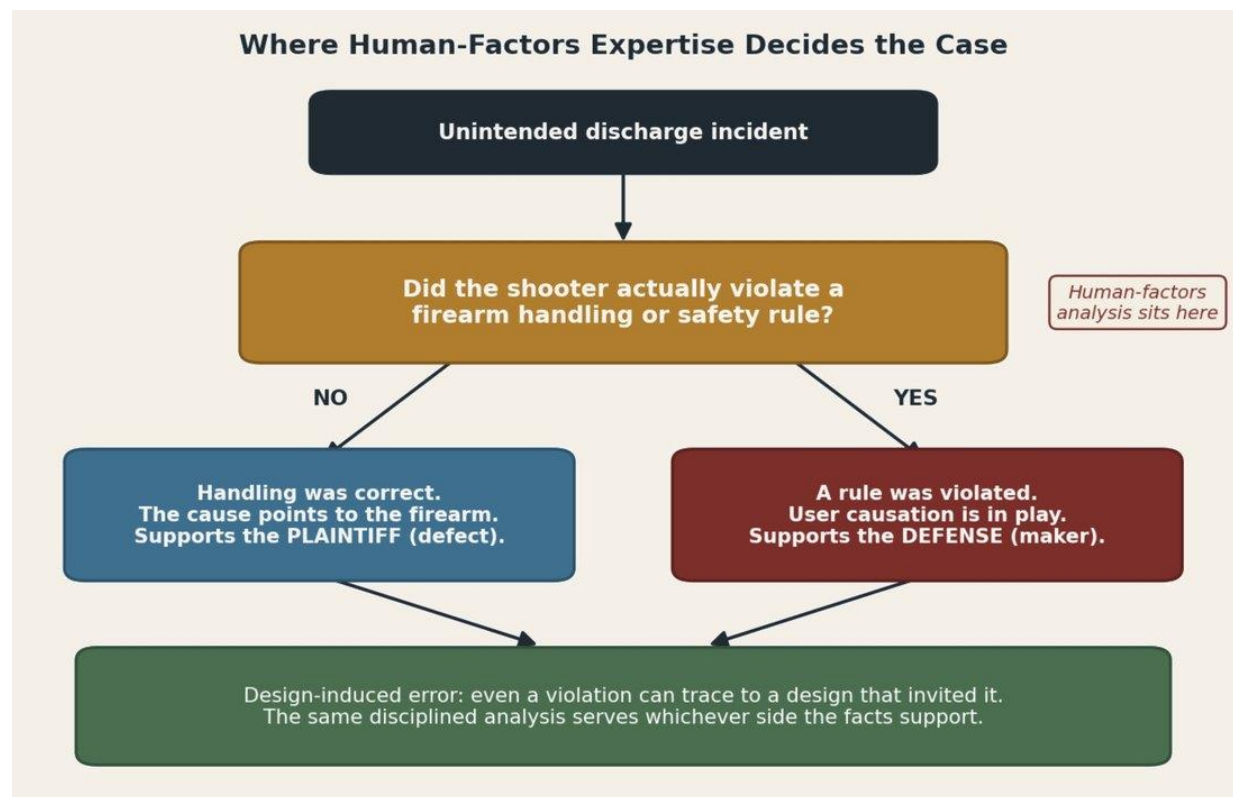


Figure 1. The causation hinge. Whether a handling rule was actually broken is the question on which these cases turn, and it is a human-factors determination.

The four rules, and what compliance looks like

The universal firearm safety rules are the yardstick for any handling analysis. Each one maps to a factual question an expert can answer from the scene, the injuries, the equipment, and the witness record.

- 1 ALL GUNS ARE ALWAYS LOADED.**
Goes to assumptions and administrative handling at the moment of the incident.

2 NEVER ALLOW A GUN TO POINT AT ANYTHING YOU DON'T WANT TO SEE DESTROYED.

Muzzle direction at the instant of discharge, reconstructed from the wound path and physical evidence, often decides whether the event is consistent with correct handling.

3 KEEP YOUR FINGER OFF THE TRIGGER UNTIL THE SIGHTS ARE ON YOUR TARGET.

Trigger-finger discipline is the rule the defense most often alleges was broken. In a holstered-discharge claim, no finger could reach the trigger at all, which is why those facts are so damaging to a user-error defense.

4 ALWAYS BE SURE OF YOUR TARGET AND WHAT'S BEYOND IT.

Goes to situational handling and, in hunting and on-set matters, to the broader conduct around the event.

For a more comprehensive discussion of the rules, see any of my books.

Design-induced error: the bridge between the two sides

A rule violation is not the end of the inquiry. The deeper human-factors question is whether the design invited the violation. A pistol that forces the user to pull the trigger to unload, as the Bryco Model 38 did, manufactures the very rule violation the maker then blames the user for. A trigger that can be reached or moved by something other than a finger blurs the line between a handling failure and a design failure. Design-induced error is where human factors and product defect meet, and it is the argument that can turn an apparent user-error case back toward the firearm.

How the handling question plays in each matter

SIG P320.

The holstered-discharge claim is the cleanest example: if the pistol fired in the holster, no trigger-finger violation is possible, so the maker's user-error defense has to reach for holster fit, foreign objects, or improper re-holstering. The human-factors work is showing the holster and re-holstering were correct, which closes those exits and isolates the gun. The rule violation would be Rule 2, in allowing the muzzle to point in an unsafe direction, such as at one's own leg.

Remington 700 and the Walker fire control.

The defense alleges a finger on the trigger. The plaintiff's case is reconstructed including muzzle discipline and trigger-finger discipline, with the discharge occurring on safety release or bolt manipulation rather than on a trigger pull. Establishing correct handling converts a hunting accident into a defect case.

Bryco Model 38.

The design forced the rule violation by requiring the safety be off in order to unload it. The human-factors analysis is foreseeable use: a reasonable user following the only available unloading procedure was steered into a discharge. This is design-induced error in its purest form.

Taurus drop-fire matters.

The contest is whether the drop itself was negligent handling or whether a minor, foreseeable drop that a properly designed firing mechanism is designed to withstand, fired a defective gun. Quantifying what handling was reasonable, and what a drop-safe firearm should tolerate, sits squarely in this expertise.

The Models and the Charges

The table below is the quick reference. Detailed notes and the supporting charts follow.

MODEL	ALLEGED DEFECT	LEGAL THEORIES	NOTABLE OUTCOMES	STATUS (2026)
SIG P320 (and M17 / M18)	Striker releases under impact or handling with no trigger pull; civilian model has no external manual safety	Design defect; failure to warn; negligence; state consumer protection; public nuisance	Georgia \$2.35M and Philadelphia \$11M (2024); Missouri class certified (July 2025), vacated on Article III standing by the 8th Circuit (July 2026); 2nd Circuit revives Colwell holstered-discharge claim (May 2026)	Active. No recall. New Jersey state recall suit filed October 2025; Washington and Maine class actions filed; New Hampshire shield law enacted May 2025; Air Force grounds M18 (July 2025); several agency bans
SIG P365 (P365X, P365XL, P365-XMACRO)	Alleged holstered and pocket discharges without a trigger pull; standard civilian model has no external manual safety; pre-2018 units alleged to have MIM striker or firing-pin defects	Design defect; failure to warn; negligence	Suits filed in N.D. Ga., M.D. Fla., N.D.N.Y., and other courts (2023 to 2026); Harvard v. Sig Sauer motion to dismiss denied, Second Amendment defense rejected (Aug. 7, 2026)	Active but smaller than P320 docket. No recall. 2018 internal redesign addressed early striker breakage. Volume of filings growing
Taurus GX4 / GX4XL / T.O.R.O.	Drop fire on certain serial numbers	Design defect; failure to warn	2023 safety notice; 2026 class action alleging deaths and inadequate response	Active. Serial-number list expanded since 2023
Taurus Millennium (PT-111 through PT-745)	Drop fire; discharge with safety engaged	Design defect; failure to warn; negligence	About \$239M settlement; about 1 million pistols recalled (2018)	Settled. Inspection and repair program
Remington 700 family (Walker fire control)	Connector misalignment lets the sear release on safety or bolt manipulation	Design defect; failure to warn; negligence; fraudulent concealment	\$17M Collins verdict (1994); nationwide class settlement, free trigger replacement	Settled. Trigger-replacement program; brand restructured after bankruptcy
Bryco / Jennings Model 38 (.380 Auto)	Unloading requires disengaging the safety; trigger pull to de-cock; design concealed a jamming problem	Design defect; failure to warn	About \$24M Maxfield judgment (2003, affirmed 2005)	Company defunct after 2003 bankruptcy; assets passed to successor
Ruger old-model Blackhawk / Single-Six (pre-1973)	No transfer bar; hammer rests on the primer; drop fire	Design defect (historical)	Free transfer-bar conversion program	Resolved by 1973 New Model redesign; free upgrade still offered

Master reference. Caliber and model designations are kept as they appear in the litigation record.

SIG Sauer P320: the current center of gravity

The P320 is where the volume is right now. Plaintiffs allege the pistol can fire without a trigger pull under impact or ordinary handling, often while holstered, and that the civilian model should have shipped with the external manual safety found on the military M17 and M18 variants. As of mid-2026 there are well over 150 alleged unintentional discharges and more than 120 federal lawsuits on the docket. Two juries found the design defective in 2024, in Georgia and in Philadelphia. SIG denies a defect and points to industry-standard compliance, Army testing, and the difficulty plaintiffs have had replicating a discharge in the laboratory. No formal recall has issued; the 2017 Voluntary Upgrade Program is opt-in.

The 2025 and 2026 developments the attorneys need on their desk

The docket moved substantially in the last twelve months, and the pattern is not one-directional. Some rulings help plaintiffs, others help SIG, and the strategic implications of each are specific.

Glasscock v. SIG Sauer, 8th Circuit, No. 25-2707 (July 16, 2026). The Eighth Circuit vacated the first-ever P320 class certification for lack of Article III standing. The named plaintiff had never experienced an uncommanded discharge; he alleged only that the class of pistols was defective. The panel held that owning a possibly defective firearm, without an actual malfunction, is not a concrete injury. The opinion is at FindLaw and the parties' releases at PR Newswire. The lesson for plaintiff counsel is direct: build the case on plaintiffs who have actually experienced a discharge, not on the theoretical defect alone.

Colwell v. SIG Sauer, 2nd Circuit (May 28, 2026). A divided Second Circuit reinstated the design-defect claim of a Troy, New York police detective whose holstered P320 fired into his leg during training. The trial court had granted summary judgment for SIG after excluding the plaintiff's engineering experts. The Second Circuit held that even without expert causation testimony, a reasonable jury could apply common sense to find that a tabbed trigger would have prevented the discharge. Reuters coverage is [here](#). Colwell is the case attorneys will cite when the defense moves to exclude their experts and then argues that exclusion is the case.

New Jersey v. SIG Sauer, Essex County Chancery Division, ESX-C-000217-25 (filed October 16, 2025). The first state to sue SIG directly. New Jersey seeks a mandatory recall, an injunction against sale of the P320 in the state, and disgorgement, under the Consumer Fraud Act and public nuisance. The complaint is at the New Jersey Attorney General's office, and Reuters' write-up is [here](#). In July 2026 a federal magistrate recommended remand to state court, which if adopted keeps the case where the plaintiff wants it. Coverage of that step is at Legal Newsline. Watch for other state attorneys general to follow.

Schreiber v. SIG Sauer, W.D. Washington, No. 2:25-cv-02303 (filed November 17, 2025). A Washington state class action alleging the P320 is "extraordinarily dangerous" and that the design should have shipped with a tabbed trigger. The complaint, hosted at ClassAction.org, ties the discharge theory into the Washington Consumer Protection Act.

Cole v. SIG Sauer, D. Maine (verdict August 7, 2026). A Somerset County sheriff's deputy shot in the leg by his holstered P320 in 2022. The parties agreed the trigger was pulled; the fight was over what pulled it. SIG argued a jacket zipper; the plaintiff argued the design. After a two-week

trial in Bangor, the jury sided with SIG on all three questions submitted, finding no failure to warn, no negligence, and no defect at the time of sale. Coverage from the Bangor Daily News and the Central Maine Morning Sentinel. The verdict is a defense win on the holstered-discharge fact pattern, and it undercuts the assumption that a holstered discharge alone is enough to reach a defect finding. It also confirms what Part 6 warns about: a jury will hold plaintiffs to a case-specific causation showing, and "the P320 can fire on its own" is not the same as "this P320 fired on its own on this day." Cole should be read alongside the plaintiff wins in Georgia and Philadelphia, not in place of them. The docket is not one-directional.

Northrup v. SIG Sauer, Fla. 2d DCA No. 2D2024-0869 (per curiam affirmance February 28, 2025). A Hillsborough County law-enforcement officer shot in the leg by his holstered P320 in 2020. The trial court granted summary judgment on the ground that the plaintiff's engineering experts had not tested the subject firearm. The Second District affirmed per curiam. The Justia docket is the cleanest primary reference; the April 2026 oral argument is available on the appellate court's YouTube channel. Northrup is the case that makes Colwell's later opposite result meaningful: a Florida panel held that without an inspection and test of the specific pistol at issue, general defect testimony cannot bridge to specific causation on this discharge. Plaintiff counsel filing outside the Second Circuit should assume Northrup is the ceiling until the case is distinguished on its facts, and should test the subject pistol.

New Hampshire shield law (May 23, 2025). Governor Ayotte signed HB 172, which bars product-liability claims against a firearm manufacturer premised on the absence of an external mechanical safety, a magazine disconnect, a loaded-chamber indicator, or a smart-gun feature. SIG is headquartered in New Hampshire, and the statute is transparently aimed at the P320 docket. Coverage from New Hampshire Public Radio. Important limits: the statute does not reach a manufacturing-defect claim, and it does not bind courts outside New Hampshire on venue and choice-of-law grounds. Plan filings accordingly.

Air Force grounding (July 2025) and the Michigan State Police / FBI Ballistic Research Facility work (August 2024). The Air Force grounded M18 issue after Airman Brayden Lovan was killed by an uncommanded discharge, and the Michigan State Police and FBI produced test-conditions results in which a P320 struck the primer without a trigger pull. Both are useful for notice, for the manufacturer-knowledge case, and for the human-factors argument that even trained users are not the cause. See Outdoor Life's summary of the FBI-linked findings and the February 2025 Washington State CJTC report (PDF).

The countervailing note. SIG has reported roughly twenty P320 case dismissals to date, including Massachusetts and Colorado dismissals in May 2026, and the Slatowski appeal in the Third Circuit sharpened the defense's argument that plaintiff experts must connect a specific external force to the discharge. As of mid-2026 there is no formal MDL. The docket remains a jurisdiction-by-jurisdiction fight.



SIG Sauer P320. Striker-fired, modular, no external manual safety on the civilian model. The litigation centers on whether the pistol can release the striker under impact or handling with no trigger pull, often while holstered.

Why it matters for an expert

The case turns on replication. Several plaintiff experts have been excluded because they could not reproduce an uncommanded discharge under controlled, documented conditions. An expert who can design a sound, repeatable protocol, or who can explain rigorously why a discharge is not reproducible on demand, is the difference between admissible and excluded testimony.

The mechanism, at the level of parts

The public technical record on the P320 has matured. A retained expert should be able to walk a jury through the whole chain, in these terms.

The pre-tensioned striker. Once a round is chambered, the striker is fully cocked. The trigger does not add compression; it only releases what is already stored. That is the design choice that makes every downstream tolerance load-bearing.

The two-lock architecture. Between the loaded striker and the primer sit two independent barriers. The sear holds the striker back against spring pressure. The striker safety lever, a small captive part with an L-shaped tab and a torsion spring, sits in the striker's path and is meant to be lifted out of the way only by the trigger bar. For an uncommanded discharge, both barriers have to fail.

The tolerances that decide the case. The sear-striker engagement is measured in fractions of a millimeter. The striker safety tab is roughly a millimeter long on a light torsion spring. The trigger has roughly two millimeters of pre-travel and less than a millimeter of further movement to release the striker. Slide-to-frame play greater than about half a millimeter

destabilizes the sear-striker geometry. Any of these tolerances, drifted or stacked in the wrong direction, moves the pistol from safe to sensitive. Public teardown work by workmanfirearms.com is at this page, and a second-source description of the same architecture appears at Modern Engineering Marvels.

The spring-decay theory. The retention spring load in the striker channel decays over cycles, while the striker spring load stays high. Over time, the barrier holding the striker weakens against a load that does not. This is one of the leading theories for why uncommanded discharges are documented on guns that ran clean for years.

Delayed striker follow. In some documented incidents, the striker slips off the primary sear notch some time after the slide has already gone into battery, which is why the discharge appears causeless to a witness who never touched the trigger. The public Wyoming Gun Project material and the Washington State CJTC report treat this as one of the recurrent failure modes.

The Voluntary Upgrade Program is not a complete answer. Post-upgrade pistols continue to show uncommanded discharges on video and in agency reports, which matters both to the defect argument and to the sufficiency of the manufacturer's chosen response.

THE SEAR MOVEMENT TEST

A single, repeatable, on-the-record protocol that an expert can perform in front of a camera and describe in a report: field-strip the pistol, isolate the fire control, and press down on the sear through the slide gap while observing whether the striker protrudes. If the striker moves toward the primer without a trigger pull, the striker safety layer is compromised on that specific gun. The test does not stand in for the drop and abusive-handling protocols, but it directly addresses the Daubert reproducibility gap that has taken plaintiff experts down in the P320 docket. Document the pistol's serial number, the round count if known, the ammunition and holster it was carried with, and the exact procedure used.

SIG Sauer P365: a second front on the same manufacturer

The P365 is the P320's smaller sibling in the concealed-carry market and, since 2023, the subject of a growing but still smaller docket of uncommanded-discharge suits. The volume is not P320-scale, but it is not zero, and the fact pattern is the same: a civilian pistol with no manual safety alleged to fire while holstered or pocketed. As of mid-2026 the reported cases fall into a handful of clusters that plaintiff and defense counsel should track together, because the mechanism argument, the notice argument, and the safety-feature-omission argument will be litigated against the backdrop of the P320 record.

The volume, in what is public

Harvard v. Sig Sauer, N.D. Ga., before Judge Thomas Thrash. A P365X allegedly discharged in the plaintiff's holster at a Georgia hunting club in 2024. SIG moved to dismiss on Georgia product-liability grounds and, more aggressively, on Second Amendment grounds, arguing that a design-defect claim premised on the absence of a manual safety would burden the right to bear arms. On August 7, 2026, the court denied the motion. The order rejected the Second Amendment defense at the pleading stage, holding that a state common-law product-defect claim is not the kind of firearm regulation the Second Amendment reaches. The order (PDF, CourtListener) is the primary document; Eugene Volokh's Reason coverage summarizes the reasoning. Harvard is the ruling defense counsel will now try to distinguish and plaintiff counsel will cite the next time SIG raises the Second Amendment on a design-defect motion.

De Souza v. Sig Sauer, M.D. Fla., Orlando Division. Filed in July 2026 over a November 2024 incident in which the plaintiff's holstered P365, carried on the right hip while seated, allegedly discharged without a trigger pull and fractured his patella. The complaint tracks the same allegations that dominate the P320 dockets, applied to the smaller pistol. Reporting is at Legal Newsline.

Ashe v. Sig Sauer. A Troy, New York police detective's department-issued P365 allegedly fired in the holster on October 14, 2020, while he was pulling up his pants, striking his right foot. The case was filed in 2023 and is contemporaneous with the same officer's ecosystem of holstered-discharge suits that includes Colwell on the P320. Local coverage is at CBS6 Albany. Additional P365 filings were reported by Law360 in December 2025. There is no MDL and no formal recall on the P365.

The alleged defect, mechanically

The P365 shares the same civilian-pistol posture that drives the P320 argument, that a pre-cocked striker pistol carried without a manual safety is one small failure away from a discharge, but the internals are different and the differences matter. Read this in parallel with the P320 mechanism section, because a P365 case will not be won or lost on the P320 argument alone.

Ground-up striker design, not a converted hammer gun. The P365 was designed from the outset as a striker-fired pistol. The P320 is a striker-fired adaptation of the earlier P250, which was hammer-fired. That lineage is why the P320 fire control ended up with the rocker or lever-style striker safety integrated into the striker itself, a small captive part on a light torsion spring. The P365 instead uses a plunger-style striker block of the kind found on the Glock, the Smith and Wesson M&P, and the Springfield striker guns. The plunger is a vertical pin that sits in the striker's path and is lifted out only when the trigger bar is drawn fully rearward. It is the more common and more historically tested class of positive block.

Deeper sear engagement and a secondary sear surface. Public teardown work on the P365 describes a single-channel sear housing with a sear ledge that is deeper than the P320's primary shelf, and a secondary "foot" behind the primary engagement that acts as a traditional backup. The P320 uses a two-sear system with a lower initial engagement. In plain terms, the P365 sits closer to the classical design that the industry has used for decades, and further from the tight-tolerance geometry that has produced the P320 argument.

The early manufacturing issues, and what they did and did not touch. The P365 that shipped in early 2018 had a documented run of striker-tip breakages, described publicly at the time as roughly fifteen of the first forty thousand pistols, traced to a bad batch of metal-injection-molded firing pins from an Indian supplier with a heat-treatment defect. There were reports of primer drag as well. SIG revised the striker design and the supplier during 2018, and the issue has not repeated at scale. The record on the early problem is compiled at The Firearm Blog. No manufacturer recall issued. This history matters because the plaintiff's manufacturer-knowledge case has to plead around it, and the defense's "we fixed the striker in 2018" story is available in any post-2018 case.

Trigger weight. The standard P365 trigger measures roughly five and a half to six and a half pounds. That is comparable to a Glock and to the P320. It is lighter than a double-action first pull on a hammer-fired duty pistol, which is where the legacy SIG comparison enters.

P365 compared to P320

The similarities are the ones that generate the litigation. Both are pre-cocked striker pistols; both are marketed for concealed carry; both civilian models ship with no external manual thumb safety; both use SIG's fire-control-unit architecture in which the serialized part is the fire-control chassis, so the gun is upgradable and the module travels between frames. That last point is why post-verdict argument in the P320 docket has focused on the module rather than the pistol as a whole.

The differences run to the internal safety architecture. The P365 uses a plunger-style striker block; the P320 uses a lever-style striker safety on a small torsion spring. The P365 has a deeper primary sear ledge and a secondary backup surface; the P320's sear-striker engagement is measured in fractions of a millimeter with no backup shelf. The P365 was clean-sheet striker; the P320 was hammer-gun-derived striker, and that lineage shows in the tolerance stack that the P320 teardown record now describes in detail. None of these differences establish that the P365 cannot fire uncommanded, and the pleaded cases assume it can. They do mean that a P365 case built on the P320 mechanism argument, without more, will not travel. A P365 case has to develop its own record on this pistol.

P365 compared to the legacy SIG hammer-fired duty pistols

The P220, P225, P226, and P229 are the reference point plaintiff counsel will invoke when arguing that SIG knows how to build a drop-safe duty pistol and chose a different architecture for the civilian carry line. Those pistols use what SIG calls the four-point safety system. A frame-mounted decocking lever drops the hammer without touching the trigger. A safety intercept notch on the hammer catches the hammer in a safe intermediate position if the sear releases without a full trigger pull, so that on a drop the hammer cannot reach the firing pin. An automatic firing pin lock, a spring-loaded block in the slide, prevents the firing pin from moving forward until the trigger is drawn fully rearward. A trigger bar disconnect prevents firing out of battery. The first-shot pull is a long, heavy double action, typically twelve to fourteen pounds, followed by a lighter single-action pull around six pounds for subsequent rounds. There is an external hammer that shows the user, and any bystander, whether the pistol is cocked. There is no manual safety on the standard variants, and SAO builds add one.

The P365 shares none of those first three features. It has no external hammer to intercept, and therefore no hammer intercept notch. Its striker block is the plunger described above, not a rocker; its first pull is the same five and a half to six and a half pounds as any subsequent shot, not a fourteen-pound double action. That is not, by itself, a defect. Every striker pistol on the civilian market shares the same trade. It is the answer to the question a plaintiff will pose to SIG's Rule 30(b)(6) witness: does the manufacturer know how to build a duty-grade pistol with a mechanical intercept between an inadvertent sear release and the firing pin. The answer, going back to the P220, is yes. See the P220 four-point system reference and the P365 overview. The P365-versus-legacy comparison is the kind of manufacturer-knowledge exhibit that goes to the jury on notice and design choice, not on the presence of a specific defect in the subject pistol.

THE HARVARD OPINION, IN ONE LINE

Denying a motion to dismiss a P365 design-defect claim, the Northern District of Georgia held that a state common-law product-defect claim premised on the absence of a manual safety is not, at the pleading stage, foreclosed by the Second Amendment. The order is the primary document. Expect the Second Amendment defense to reappear elsewhere.

Taurus: two generations of the same problem

The Millennium series is the precedent. A 2018 settlement of roughly \$239 million covered nine handgun models alleged to fire when dropped or to discharge with the safety on, and Taurus agreed to recall about one million pistols. The GX4 is the sequel: a 2023 safety notice for certain serial numbers that can discharge when dropped, an expanding affected-serial list, and a 2026 class action alleging deaths and an inadequate, non-recall response. Together they establish that drop-fire is a documented, repeated pattern for this manufacturer, which matters for notice and punitive-damages arguments.



Taurus GX4. The micro-compact sequel to the Millennium line. A 2023 safety notice covers certain serial numbers that can discharge when dropped; a 2026 class action alleges deaths and an inadequate, non-recall response.

Remington Model 700: the most-litigated long gun in America

The Walker fire control sat in more than five million Remington rifles across the Model 700, Model Seven, 600, 660, 721, 722, 725, 710, 770, and XP-100. The allegation is that a small jolt can knock the trigger connector out of alignment, after which the rifle can fire on release of the safety or operation of the bolt, even when merely touched. A 1994 Texas verdict awarded \$17 million after a foot amputation. A nationwide class settlement followed, with Remington agreeing to replace the triggers at no cost. The internal-document record assembled by a father whose nine-year-old son was killed by a Model 700 in 2000, later amplified by national television reporting, is the backbone of the manufacturer-knowledge case.

The class action itself, *Pollard v. Remington Arms Company*, was filed in the Western District of Missouri in January 2013 and settled for a nationwide retrofit covering approximately seven and a half million rifles containing a trigger connector. The 2017 final approval order and the Eighth Circuit affirmance in 2018 together create the record every product-defect brief on a trigger-connector case now cites. Contemporaneous CNBC reporting placed the death toll linked to unintended discharges at approximately twenty-four and serious-injury reports in the hundreds. Remington's own position, preserved in the settlement papers, was that the guns were safe and the discharges were user error. That position, held for decades against thousands of complaints, is the counterexample plaintiffs use when a modern manufacturer takes the same posture on a different pistol.



Remington Model 700. The Walker fire control shipped in more than five million rifles. The allegation: a jolt can move the trigger connector out of alignment, after which the rifle can fire on release of the safety or operation of the bolt, with no trigger pull.

Bryco / Jennings Model 38: the unloading-defect landmark

A twelve-year-old, Brandon Maxfield, was paralyzed when a family friend tried to unload a Model 38 and the trigger had to be pulled to clear it. A jury found the pistol defective in design and found that the maker knew unloading was accident-prone and that the manual safety was the only guard against firing. The roughly \$24 million judgment was affirmed on appeal in 2005; the company filed for bankruptcy the day after the verdict. Cite this case for the principle that a design must accommodate foreseeable unloading without forcing the user into a discharge, despite concurrent Rule 1 and Rule 2 violations.



Bryco / Jennings Model 38. The .380 whose unloading sequence required a trigger pull to clear the chamber. The Maxfield verdict found the design defective for forcing the user into a discharge during a foreseeable unloading.

Ruger and Colt: the engineering baselines

The Ruger old-model single actions and the Colt 1911 Series 70 versus Series 80 distinction are less about live litigation than about teaching the jury what a drop-safe design looks like. They give you clean, uncontested examples of the cure: the transfer bar and the positive firing pin block. Use them to frame what the defendant could and should have done.

The Series 70 pattern is not a historical footnote. It remains in current production under multiple brands, sold as "GI" or "Government" model 1911s: Rock Island Armory / Armscor, Tisas, Springfield Armory GI, and Taylor's & Company, among others. The distinguishing feature is the same one Colt built in 1911: a free-floating inertial firing pin, no trigger-actuated pin block, and reliance on firing-pin mass, spring strength, and, in some builds, a titanium firing pin, to prevent a drop-induced discharge. The Armscor product literature for the GI line is candid about the design lineage. Whether that design meets modern drop-safety expectations is a per-pistol question. The California Roster drop test is the practical yardstick a plaintiff expert should invoke: a Series 70 clone that will not pass the California test is a pistol whose inertial protection depends entirely on parts that can be measured. Where a modern 1911 discharges when dropped, the case is a Part 1 item 1 case unless the record shows a positive firing pin block was present and intact.



Ruger single-action revolver. The 1973 New Model transfer bar is the clean cure for a hammer resting on a live primer. Ruger still offers the free conversion, which makes it a teaching example of a drop-safe fix.



Colt M1911. The Series 80 added a trigger-actuated firing pin block; gunsmiths sometimes strip it for a lighter trigger, returning the gun to inertial-only protection. Whether a positive block was present and intact is often the first inspection point.

Other consequential defect matters worth knowing

Beyond the headline dockets, several older and smaller matters are useful in briefing, jury education, and cross-examination. Each one maps to a taxonomy item in Part 1 and shows either a manufacturer admission, a recall short of admission, or a plaintiff or defense outcome that turns on a specific evidentiary lesson.

Ruger Mark IV pistol (2017 recall).

In June 2017 Ruger recalled all Mark IV pistols manufactured before June 1, 2017, on the ground that the safety lever, if left in a mid-position between "safe" and "fire," could cause the pistol to discharge when moved to "fire" with no trigger contact at that moment. The recall notice is Ruger's own. This is a clean example of what a manufacturer-issued recall looks like, and how far it is willing to go on the record: Ruger described the mechanism, identified the affected serial-number ranges, offered a free retrofit, and asked owners to stop use in the meantime. Use it as the contrasting baseline against SIG's opt-in 2017 Voluntary Upgrade Program.

Savage Axis II and the tang safety (McAllister trial, March 2024).

A Florida plaintiff shot in the leg by her Axis II rifle sued Savage in federal court, alleging the tang safety could rest in a mid-position where the safety appeared engaged but the rifle would fire on the next bolt manipulation or safety movement. A Pensacola jury returned a defense verdict. What matters for other cases is the internal record produced at trial and reported by The Trace: Savage's own quality group flagged the "mid-safe" and "fires on safe" issues repeatedly between 2013 and 2019, and by 2018 had designed a sixteen-cent screw change to eliminate the mid-position, which it did not implement in production until 2020. The plaintiff's rifle was built during the interim. See The Trace's reporting on the internal documents. This is a Part 5 negligence and failure-to-warn case in its purest form: manufacturer knowledge, engineered cure, delayed rollout. The defense verdict is a reminder that internal knowledge without a case-specific causation showing can still lose.

Kahr CW9 (Lyons v. Saeilo, 11th Cir. 2025).

A Kahr CW9 dropped from a holster onto a garage floor and fired, striking the plaintiff. The theory was Part 1 item 1, inertial firing pin, coupled with a disconnecter-tab defect. The district court excluded the plaintiff's expert testimony on the inertial-energy defect and granted summary judgment; the Eleventh Circuit affirmed in a 2025 panel opinion, holding that a dual-defect "in-tandem" theory was forfeited by not being pled in the district court, and that the disconnecter-tab theory rested on speculation without proof of foreign material or wear at the time of the incident. The district court opinion and Casemine's summary of the Eleventh Circuit affirmance are worth reading together. Lyons is the teaching case on how not to plead a drop-fire matter. Plead every theory with specificity, retain a Daubert-compliant expert, and do not surface a new causation theory at oral argument.

Canik TP9SF Elite (Hill v. Century Arms, E.D. Tenn. 2021).

A holstered Canik TP9SF Elite fell to the ground and discharged, injuring the plaintiff. The Eastern District of Tennessee allowed the punitive-damages claim to proceed against the importer and distributor, on the ground that Century Arms's own 2017 "Product Safety Warning and Severe Duty Upgrade Notice," which acknowledged that "dropping of pistols may result in damage to safety features and unintentional discharge," was enough to plead prior knowledge. The opinion is at Casetext and Bloomberg Law's summary is [here](#). Hill is useful when the defendant's own upgrade notice is available: the notice itself carries the failure-to-warn theory.

FMK 9C1 Fast Action Trigger (2013 recall).

FMK Firearms recalled 9C1 pistols fitted with the original Fast Action Trigger after determining the pistols could discharge if dropped with a round in the chamber. The company's own recall notice uses the word "discharge" and instructs owners not to load or fire the affected pistols until retrofitted. The corrected trigger is marked "316." This is a compact example of an admission-of-defect recall, and it belongs alongside the Ruger Mark IV notice as a manufacturer-issued benchmark.

Walther PPS M2 (November 2018 recall).

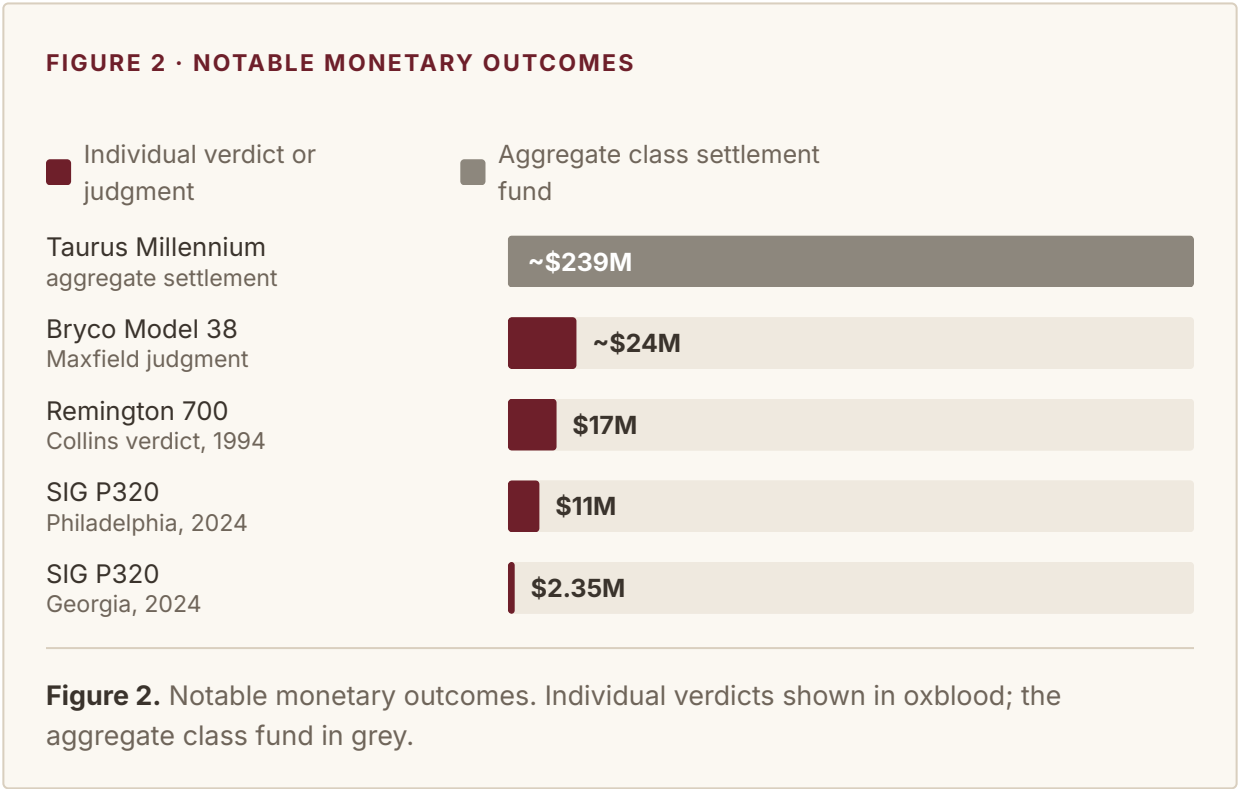
Walther Arms recalled certain PPS M2 pistols on the ground that "under certain conditions it is possible that some of these pistols may fire when dropped." A Part 1 item 4 striker-sensitivity matter, disclosed by the manufacturer rather than driven by verdict. Cite it when the defense argues that no reputable striker-pistol manufacturer has ever conceded a drop-fire risk.

The Numbers

Four pictures: the money, the install base, the reported volume, and the prevalence read with appropriate caution.

Monetary outcomes

Note the distinction the chart draws. The Taurus figure is an aggregate class settlement fund, not a single plaintiff's recovery; the others are individual verdicts or judgments. Comparing a settlement fund to a single verdict overstates the per-case exposure, and opposing counsel will say so.



Install base

How many of each model are in circulation sets the denominator for any prevalence argument. These are approximate: the P320 family is roughly 3.6 to 4 million civilian guns plus military variants; the Walker-trigger Remington population exceeds five million; the recalled Taurus Millennium run was about one million.

Similarly, there are more Chevrolets on the road than any other car, so we see more Chevy accidents.

FIGURE 3 · APPROXIMATE UNITS IN CIRCULATION

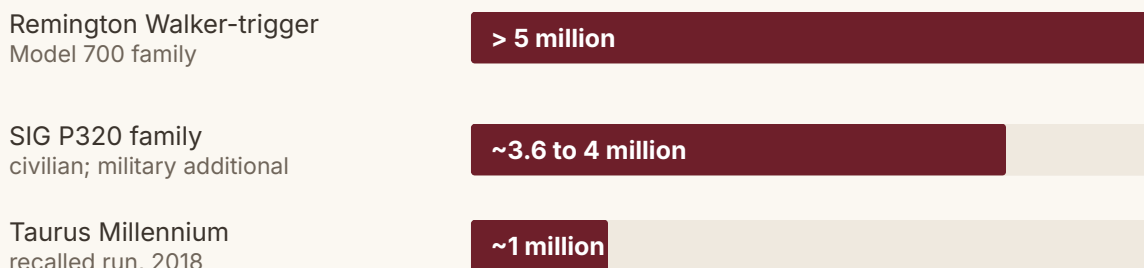


Figure 3. Approximate units in circulation. The Bryco Model 38 is omitted: production figures are not publicly reliable, and it represents one landmark verdict rather than a population-level pattern.

Reported incidents and litigation volume

Plotted on a log scale because the magnitudes differ by orders of magnitude. The P320 numbers are recent and growing; the Remington figures reflect decades of complaints and at least two dozen documented deaths; the Taurus Millennium recall was framed around drop-safety risk rather than a published incident count.

FIGURE 4 · REPORTED INCIDENTS AND LAWSUITS

150+

SIG P320 alleged unintentional discharges (early 2026)

120+

SIG P320 federal lawsuits

24+

Remington 700 documented deaths, over decades of complaints

Drop-safety

Taurus Millennium recall framed on risk, not a published incident count

Figure 4. Reported incidents and lawsuits. Counts are approximate and rise with each new filing.

Relative prevalence: read with caution

This is the chart the retaining attorney will want and the chart most likely to get an expert in trouble. The bars are floors, not true rates. Reporting is voluntary and incomplete, definitions of an incident differ across sources, and the real denominator, guns actually in service rather than total sold, is unknown.

FIGURE 5 · LOWER-BOUND DOCUMENTED PREVALENCE

READ AS ORDERS OF MAGNITUDE ONLY

Documented prevalence is a floor, not a measured rate. The denominator that matters, guns actually in service rather than total sold, is unknown, and incident definitions differ across sources.

Figure 5. Lower-bound documented prevalence. Use as orders of magnitude only.

THE TRAP

In the Remington matter, plaintiffs alleged that at least one percent of rifles could fire unexpectedly, which is about ten thousand per million, while documented public complaints imply a far lower figure and the manufacturer disputed both. The honest expert presents the range, names the assumptions behind each end of it, and never offers a single precise rate as if it were established fact.

The arc of the litigation

FIGURE 6 · THREE DECADES OF FIREARM DEFECT LITIGATION

- **1973** Ruger New Model redesign introduces the transfer bar; free conversion offered on old-model single actions.
- **1994** Collins verdict: \$17 million against Remington after a foot amputation tied to the Walker fire control.
- **2000** A nine-year-old is killed by a Model 700; the family's internal-document record becomes the manufacturer-knowledge case.
- **2003** Maxfield judgment, roughly \$24 million against Bryco; the company files for bankruptcy the day after the verdict.
- **2005** The Maxfield judgment is affirmed on appeal.
- **2013** FMK Firearms recalls 9C1 pistols fitted with the original Fast Action Trigger for drop-fire risk.
- **2017** Pollard v. Remington nationwide class settlement covering approximately 7.5 million rifles receives final approval. Ruger recalls all Mark IV pistols manufactured before June 1, 2017 for a mid-position safety defect. SIG launches the opt-in P320 Voluntary Upgrade Program; no formal recall.
- **2018** Eighth Circuit affirms the Pollard settlement. Walther Arms recalls certain PPS M2 pistols for drop-fire risk. Taurus Millennium settlement of about \$239 million; about one million pistols recalled.
- **2023** Taurus GX4 safety notice for certain serial numbers that can discharge when dropped.
- **2024** Two SIG P320 defect verdicts, in Georgia and Philadelphia. Michigan State Police and FBI Ballistic Research Facility record a P320 striking the primer under test conditions with no trigger pull.
- **May 2025** New Hampshire enacts HB 172, a firearm shield law barring product-liability claims premised on the absence of an external safety, magazine disconnect, loaded-chamber indicator, or smart-gun feature.

- **July 2025** The Western District of Missouri certifies the first SIG P320 class action (Glasscock). The Air Force grounds the M18 following the fatal uncommanded discharge of Airman Brayden Lovan.
- **Oct 2025** New Jersey sues SIG Sauer in Essex County Chancery Division, seeking a mandatory recall and injunction against sale of the P320 in the state.
- **Nov 2025** Schreiber class action filed in the Western District of Washington under state consumer-protection law.
- **May 2026** The Second Circuit reinstates Colwell v. SIG Sauer, holding a jury may apply common sense on whether a tabbed trigger would have prevented a holstered discharge.
- **July 2026** The Eighth Circuit vacates Missouri class certification in Glasscock for lack of Article III standing. Cole v. SIG Sauer goes to trial in the District of Maine. Taurus GX4 class action continues, alleging deaths and an inadequate, non-recall response.
- **Aug 2026** Jury returns a defense verdict for SIG Sauer in Cole v. SIG Sauer, finding no defect, no negligence, and no failure to warn.

Figure 6. Three decades of firearm defect litigation.

Legal Theories at a Glance

The same handful of theories recur. Plaintiffs usually plead several together; the matrix shows which have featured prominently in each matter.

LEGAL THEORY	P320	GX4	MILLENNIUM	REM 700	BRYCO 38
Strict liability: design defect	●	●	●	●	●
Strict liability: failure to warn	●	●	●	●	●
Negligence	●	●	●	●	●
Fraudulent concealment / prior knowledge	●	—	●	●	●
Breach of warranty	●	—	●	●	—
Consumer-protection / unfair trade practices	●	●	●	●	—

● Featured prominently in that matter — Not prominent

A filled circle means the theory has featured prominently in that matter. Pleadings vary by jurisdiction and case.

What each theory needs from an expert

Design defect.

Most jurisdictions use a risk-utility test, a consumer-expectation test, or both. The expert supplies the feasible alternative design: the transfer bar, the positive firing pin block, the external safety, the redesigned unloading sequence. Show the safer design existed, worked, and was affordable at the time of manufacture.

Failure to warn.

The expert establishes what the maker knew, when, and whether the warning matched the hazard. Recall notices, internal testing, and prior incident logs are the raw material.

Negligence and fraudulent concealment.

These ride on the manufacturer-knowledge timeline. The Remington internal documents and the SIG military-versus-civilian design split are the templates.

What the Expert Work Actually Involves

The deliverables

A retained expert in these cases typically conducts an investigation or digests the investigative report, creates physical or video demonstrative evidence, expresses the human factors, engineering factors in simple but accurate terms for a lay audience, ensures that the testing and lab work is done according to Daubert standards that can be clearly communicated to a lay audience, produces a written report under the federal disclosure rule or its state equivalent, sits for deposition, and testifies at trial. The report states qualifications, materials reviewed, opinions, the basis for each opinion, and the exhibits.

The engineering analysis

Establish the mechanism.

Identify which one, or ones, of the six defect stories applies and trace the exact part path from rest to discharge.

Inspect the subject firearm.

Document its as-found condition before anything is touched, including any aftermarket modification that adds or defeats a safety.

Test against a standard.

Compare the gun's behavior to the published drop and abusive-handling protocols and to the maker's own specifications.

Identify the feasible alternative.

Name the safer design, show it existed at the time, and quantify its cost and effect.

Reproduction is everything

The single most important lesson from the current docket: courts exclude experts who cannot support their opinion with reliable, repeatable methodology. In the P320 cases, the defense has won exclusions precisely because plaintiff experts could not reproduce an uncommanded discharge under controlled conditions. Build the protocol first. Use instrumented drop fixtures, high-speed video, and documented repetitions. If the event is intermittent, say so honestly and explain the mechanism that makes it intermittent rather than overclaiming a result you cannot repeat on demand.

Human-factors reconstruction

Running parallel to the engineering is the reconstruction of what the user actually did. This is where the causation question is won. The method is disciplined and repeatable, which is what keeps it admissible.

Reconstruct handling at the moment of discharge.

Use the wound path, the physical evidence, the equipment, and the witness record to establish muzzle direction, trigger-finger position, and the administrative state of the gun.

Test each of the four rules against the facts.

Determine, rule by rule, whether it was observed or violated, and state the basis for each finding rather than a conclusion.

Assess foreseeable use and design-induced error.

Ask whether a reasonable, trained user following the available procedure was steered toward the outcome, and whether the design tolerated foreseeable handling.

Separate user causation from firearm causation.

Only after the handling analysis is complete can the expert say whether the discharge is explained by the person, the gun, or the interaction of the two.

The pairing is the product. Engineering shows what the firearm can do; human-factors reconstruction shows what the user did. Causation is the intersection. I work both, credibly and from either chair.

Testing standards to know and name

Industry voluntary standards.

The Sporting Arms and Ammunition Manufacturers' Institute publishes the abusive-mishandling and drop protocols the industry treats as the baseline. Know what they require and where they stop.

State drop-safety requirements.

California's handgun-roster drop test is the most-cited: a primed but inert cartridge, a drop from a fixed height onto a hard surface, in several orientations, with no discharge permitted. It is a useful, concrete yardstick for a jury.

Military testing.

The Army's Modular Handgun System evaluation produced drop and safety data on the P320 platform. The contrast between what the military required and what the civilian gun shipped with is a recurring theme.

Law-enforcement standards.

The National Institute of Justice maintains performance standards for duty firearms that can frame what a reasonable safety baseline looks like.

Evidence preservation: the protocol

Get this in front of the retaining attorney early, because evidence is usually spoiled before the expert ever sees it.

-
- 1 **Do not clean the firearm.** Residue, part position, and wear are evidence.
 - 2 **Do not return it to the manufacturer** for inspection or repair before independent examination.
 - 3 **Do not let anyone modify, dry-fire, or disassemble it** outside a documented protocol.
 - 4 **Preserve everything around it:** the holster, the ammunition, the magazine, and any carry rig, since holster interaction is central in the striker-pistol cases.
 - 5 **Photograph and video the as-found condition,** then maintain a clean chain of custody.
-

Range safety, range design, and range incidents

Discharge incidents on a shooting range raise a distinct set of questions that combine facility design with handling and supervision. The analysis asks whether the range was designed and run to a recognized safety standard, and whether a given discharge was a handling failure, a supervision failure, or an uncommanded discharge that points back to the firearm.

Range design and layout.

Firing-line geometry, baffles and backstops, downrange and ricochet containment, bay separation, ventilation and lead-exposure controls, unburned powder accumulation mitigation.

Operation and supervision.

Range safety officer presence and duties, posted rules, range commands, shooter-to-supervisor ratios, and whether each was followed at the time of the incident.

Range uncommanded discharges.

The same firearm-defect analysis used elsewhere in this guide, with one advantage: a controlled range setting often preserves witnesses, video, and the firearm itself far better than a street incident, which strengthens both the reconstruction and the testing.

Authored references

Two titles in my Wolf Safety Series bear directly on these matters. These links take you to complete and unabridged online versions of these books.

[Firearms Safety On Set](#) sets out the protocols, roles, and handling standards for film and television productions, which is the framework for any on-set, blank-fire, or prop-firearm incident analysis.

[The Smart Citizen's Guide to Concealed Carry](#) covers civilian carry, holster selection, and administrative handling, which is the reference frame for holstered-discharge and concealed-carry matters.

Winning These Cases

This section is written for the retaining attorney. It is the strategy layer that sits on top of Parts 1 through 6, and it reflects what the docket, and my work in it, has actually taught over the last two years. The theory of a defect is not enough. Cases are won by matching the right plaintiff to the right fact pattern, choosing the right forum, and locking in the engineering and human-factors record in a form that survives Daubert.

Pick the plaintiff and the fact pattern with care

The Eighth Circuit's Glasscock decision drew a line every plaintiff lawyer now has to respect. A theoretical defect is not an Article III injury. The plaintiffs who move a P320 case forward are the plaintiffs whose pistols actually discharged. Within that set, the strongest fact pattern is a holstered discharge. When the pistol fired while properly holstered, no trigger-finger violation is available to the defense, and the four-rules analysis in Part 2 lines up cleanly on the plaintiff's side. The next strongest pattern is a documented uncommanded discharge on a range or duty environment with witnesses and video. The weakest is a solitary claim without corroboration, on a modified pistol, in an ambiguous handling posture. Recognizing which category the case falls into is the first strategic call.

Beat the Daubert exclusion before it is filed

The single most common way plaintiffs lose a P320 case is expert exclusion. Slatowski, Colwell at the district court level, and several unreported orders all turned on the same finding: the expert opined that a defect caused the discharge without identifying how the pistol went from holstered to fired on this specific gun with this specific holster and this specific ammunition. *Guay v. SIG Sauer* limited a plaintiff expert whose credentials were in law enforcement without engineering. The playbook that survives is:

-
- 1 **Retain both.** An engineering expert who can speak to metallurgy, tolerance stack-up, and the two-lock architecture, and a human-factors expert who can rule out user error against the four rules. Neither alone has been enough.
 - 2 **Perform a reproducible on-the-record test.** The Sear Movement Test, an instrumented drop protocol matched to SAAMI and California standards, and a documented holster interaction test. Video every attempt, successful or not, and disclose the whole record.
-

3 Tie the test to the incident. The gap the courts keep flagging is the leap from "the P320 can fire on its own" to "this P320 fired on its own on this day." Fill it with the subject-firearm inspection, the holster reconstruction, and, where available, spring-load measurements and slide-to-frame play measurements taken from the very pistol at issue.

4 Own the negative result. If the discharge is intermittent, say so on the record, and explain the mechanism, spring decay, tolerance drift, delayed striker follow, that makes intermittency the expected behavior rather than a reason to doubt causation. Colwell suggests a jury can bridge the remaining gap with common sense; do not hand the trial court a pretext to keep it from them.

Choose the forum with the shield law in mind

New Hampshire's May 2025 statute bars product-liability claims premised on the absence of an external safety, a magazine disconnect, a loaded-chamber indicator, or smart-gun technology. It does not bar a manufacturing-defect claim on a specific pistol, and it does not, on its face, bind courts outside New Hampshire on venue and choice-of-law grounds. The practical response is:

FILE OUTSIDE NEW HAMPSHIRE WHEN THE FACTS ALLOW

Diversity jurisdiction usually gives the plaintiff a choice. File in the plaintiff's home state, keep the case in state court where possible, and brief the choice-of-law question early so that another state's product-liability law governs the design claim.

WHEN THE CASE MUST LIVE IN NEW HAMPSHIRE, PLEAD THE SURVIVING CLAIMS

Manufacturing defect on the specific pistol, breach of express or implied warranty tied to marketing statements about drop safety and "safety without compromise," fraudulent concealment on the timeline of internal knowledge, and negligent post-sale warning. The statute is aimed at design; the other theories remain.

Use state consumer-protection statutes as parallel tracks

The New Jersey Consumer Fraud Act, the Missouri Merchandising Practices Act, the Washington Consumer Protection Act, and their counterparts survive where product-liability preemption or shield laws would not. *New Jersey v. SIG Sauer and Schreiber* both ride this rail. The theory is not that the pistol is defective in the tort sense; it is that the marketing overstated the pistol's safety while the manufacturer knew about uncommanded discharges. Consumer-protection statutes bring attorney's fees, statutory damages, and, in a state attorney general's hands, mandatory-recall relief. Keep them in every complaint where the elements fit.

Preserve the evidence, then preserve the story

The Part 6 evidence-preservation rules are the floor. On top of them, the winning file needs three things a jury can hold:

A physical timeline of the incident.

The subject firearm as-found, the holster as-worn, the magazine and ammunition, and, where possible, body-cam or duty-belt-cam video. In the Cole trial in Maine, the whole case turned on whether the jury believed the holster interaction the defense described. Reconstruct that interaction before the defense frames it.

A written record of the design choice.

The military-versus-civilian split, the 2017 Voluntary Upgrade materials, the internal drop-test data produced in discovery, and the growing body of independent reports (Michigan State Police, FBI, Washington CJTC). This is the manufacturer-knowledge case. It is the same shape as the Remington internal-document record that won Collins and framed the Model 700 settlement.

A demonstrative that a juror will remember.

The tolerance drawings, the two-lock cutaway, the video of the Sear Movement Test on the subject pistol, and side-by-sides with a tabbed-trigger design or a Glock-style striker safety block. Jurors decide on what they can see.

For defense counsel: what plaintiffs are still doing wrong

Symmetry matters, and the same case audit is available to the defense.

-
- 1 **Stress the causation gap.** Slatowski and the trial-court ruling in Colwell both hold that an expert must connect the alleged defect to this discharge.

Move to exclude on the specific-causation prong, not the general defect theory.

- 2** **Reconstruct the holster interaction.** The Cole trial shows the fact question a jury actually decides. Get an independent examination of the holster, cover garment, and duty rig, and produce the video that shows what the plaintiff cannot rule out.
 - 3** **Anchor the industry-standard defense.** SAAMI drop protocols and the Army MHS evaluation exist on the record. Where the pistol was tested and passed, put the test data in front of the jury early.
 - 4** **Do not overlay the shield law.** The New Hampshire statute is a legal argument, not a jury argument. Plaintiffs will frame it as immunity purchased from the legislature. Prepare for that.
-

The bottom line

Two years ago, the P320 docket was a scattered set of individual cases against a manufacturer that would not concede a defect. Today, the mechanism is described in the public record, two verdicts have been affirmed against SIG's core positions, a state attorney general is seeking a mandatory recall, and one federal appellate court has said a jury can find causation on common sense. Two other rulings, Glasscock on standing and the New Hampshire shield law on design-defect claims, mark the outer bounds of what plaintiffs can attempt. Cases are won inside those bounds, with a real plaintiff, a testable pistol, a two-expert team, and a forum chosen with the shield law in mind.

Child Safety: Securing Firearms at Home

Most child firearm injuries trace back to one failure: a gun a child could reach. Guns and unsupervised children don't mix, and the fix is the same standard that holds up in any safe-handling analysis.

A curious child can find a gun in seconds, and a child can't tell a real firearm from a toy. Secure storage removes the access that almost every one of these cases turns on.

Number 1

Firearms are the leading cause of death for children and teens ages 1 to 19 in the United States.

4.6 million

Children live in a home with a loaded, unlocked gun.

More than half

Of gun owners store at least one firearm unlocked.

Hiding isn't securing

A high shelf, a sock drawer, or the top of a closet isn't storage. Children climb, they explore, and they know the hiding spots better than you think. The only thing that stops access is a lock the child can't open.

The secure storage standard

STEP 1

Unload

Every firearm, every time. An unloaded gun can't fire by accident.

STEP 2

Lock

Store the gun in a safe, lock box, or with a cable or trigger lock. The child can't reach what they can't open.

STEP 3

Separate

Keep ammunition locked in a different place from the firearm. Two barriers are better than one.

Choosing a method

Gun safe

The strongest option. Holds several firearms and resists both children and theft.

Lock box

Fast access for one firearm, with a key or a quick code. Good for a defensive gun you want close.

Cable lock

Threads through the action so the gun can't be loaded or fired. Often free from police departments.

Trigger lock

Blocks the trigger. Use it as a second layer, not as your only lock.

What the failure costs

When a child reaches an unsecured gun, the result is measured in seconds and it can't be undone. Secure storage is tied to lower rates of firearm injury and death among young people. It's the single most effective thing a gun owner can do.

FROM THE WITNESS STAND

I've reviewed the cases where a gun was left where a child could reach it. Every one of them was preventable. The lock costs less than the gun, and it's the part that saves a life.

Teach children what to do

Storage is the first defense. A child who knows what to do if a gun ever turns up is the second.

Even if you don't own a gun, your kids may encounter one at a friend's house. Every child needs age-appropriate gun safety lessons.

STOP

DON'T TOUCH

**LEAVE THE
AREA**

TELL AN ADULT

Freeze the moment you see a gun.

A gun isn't a toy and isn't yours to handle.

Walk away from the gun right away.

Find a grown-up you trust and tell them.

Common questions

Doesn't a locked gun defeat the purpose of home defense? +

No. A quick-access lock box opens in a second or two with a code or a fingerprint, so the gun stays ready for you and out of reach of a child.

My kids know not to touch guns. Isn't that enough? +

Teaching matters, but it isn't a substitute for a lock. Curiosity wins in the moment, and the lesson can't load a gun back into a drawer. Do both.

What if I keep the gun unloaded but not locked? +

An unloaded gun is safer than a loaded one, but a child can find ammunition and load it. Lock the firearm and store the ammunition separately.

Where can I get a lock? +

Many police departments and sheriff's offices give away cable locks at no cost. Gun safes and lock boxes are sold at any firearms retailer.

A Note for Attorneys Who Carry

Lawyers who read this guide sometimes ask the natural next question: is there a striker-fired pistol with a clean record, and if not, what should I carry?

The honest answer starts with what the record actually shows. Every popular striker-fired platform in the United States has, at some point, been the subject of a reported unintentional discharge, a lawsuit, a warning bulletin, or a recall. That is not the same as saying every pistol is equally likely to fire when it should not. It is a statement about what public records contain. On a large enough install base, and with enough time in the field, incidents surface. A pistol with no incidents on the record is usually a pistol with a small install base, not a pistol with a superior design.

What the litigation and recall record shows, model by model

The picture below is limited to what is in the public record: reported unintentional discharges, filed cases, manufacturer notices, and recalls. Absence of a public-record entry is not proof of a superior design. A newer model with a smaller install base will always show fewer entries than a mature model that has been in service for decades. The record is a floor, not a ceiling.

1

Glock 17, 19, 21, 22, 23, 26, 43, and their variants. The most-litigated striker-fired platform in the country. *Chavez v. Glock*, involving a Glock 21, settled on the eve of trial in Los Angeles after an appellate panel held the trigger and safety design were jury questions. *Oglesbee v. Glock*, a Tenth Circuit case decided in 2024 on a modified pistol, affirmed summary judgment on failure-to-warn grounds rather than on a finding that the platform is drop-safe in every configuration. *Bunce v. Glock*, filed in Vermont in 2023 over a Glock 26, proceeds on the theory that a light-triggered pistol without a grip safety or manual safety is defective when marketed for home defense. The Spence class action against Glock in the early 2000s alleged a firing-pin-safety defect on models manufactured between 1986 and 1997. Every Glock model shares the same basic Safe Action trigger and lacks a manual safety in its standard configuration.

2

SIG P320, in every variant, including the M17, M18, and X-series. The subject of Part 3 of this guide. The core theory across the pleadings, adopted in the Georgia and Philadelphia verdicts and reinstated by the Second Circuit in *Colwell*, is that the pistol can discharge without a trigger pull under conditions the carrier did not create. *Cole v. SIG Sauer*, tried in the District of Maine in July and August of 2026, produced a defense verdict on all three questions. New Jersey's Chancery Division suit seeks a state-level recall.

3

Smith and Wesson M&P Shield, all generations manufactured before August 19, 2013. A Smith and Wesson safety alert identified a trigger-bar-pin condition that could defeat the drop safety on Shields built before that date. The company's alert instructed owners to stop using the pistol until inspected. The condition was corrected in later production.

4

Smith and Wesson M&P Shield EZ, certain serial-numbered pistols. A 2026 Smith and Wesson recall covers a hammer-and-sear condition that can, with the grip safety depressed, ignite a round when the slide is released or cause a follow-on discharge as the slide cycles. The company describes the condition as limited to two hammers, but the recall is on the record.

5

FN FNS and FN 509, original striker assembly. FN America revised the striker after a slide-press condition was reported that could defeat the striker safety. Pistols in the field with the original striker are the ones with the corner case; owners who accepted the free upgrade to the redesigned striker have generally reported no further issues.

6

CZ P-10 pistols with the firing-pin-safety assembly installed in reverse orientation. A factory-assembly error on some early P-10s left the firing-pin-safety spring installed backward, defeating the block. Owners had to inspect and correct the orientation. The base design passes standard drop tests when assembled correctly.

7

Ruger Mark IV manufactured before June 1, 2017. A safety-lever mid-position defect prompted a full recall. Serial numbers begin with "401" for 2017 production and "WBR" for 2016. The condition is a hybrid of striker-era and hammer-era mechanics; it is on the record as one of the cleaner recall responses in the industry.

8

Walther PPS M2, subject to the November 2018 recall. The company's own language stated that "under certain conditions it is possible that some of these pistols may fire when dropped." That is the exact concession plaintiffs in P320 matters have sought and not obtained.

9

FMK 9C1 with the original Fast Action Trigger, subject to the 2013 recall. A drop-fire condition was cured by a retrofit to the "316" Elite Trigger.

10

HK VP9 and P30 SK. No manufacturer recall has been issued for either model. Isolated unintentional-discharge reports appear in owner forums and range incidents, but no reported case has produced a verdict against HK on a striker-fired platform in the United States. The install base is smaller than Glock or M&P, and the record is correspondingly thinner. HK's operator's manual states, in the same language every manufacturer uses, that the pistol has no manual safety and will fire if the trigger is pulled with a round in the chamber.

11

Walther PDP, all sizes. No manufacturer recall has been issued for the PDP itself. The line is relatively new to the U.S. market, and the record is thinner than on older platforms.

12

Springfield XD, XD-M, and XD-S with grip safety. No manufacturer recall on the striker mechanism. The presence of a grip safety on this line puts the XD family in a different category from most striker-fired pistols, because the pistol will not fire when the grip safety is not depressed.

13

Taurus GX4. Discussed in Part 3. A 2023 safety notice covers certain serial numbers that can discharge when dropped. A class action continues, alleging deaths and an inadequate, non-recall response.

14

Taurus Millennium, PT-111, PT-132, PT-138, PT-140, PT-145. Discussed in Part 3. The 2018 settlement covered approximately one million pistols and about \$239 million in relief.

The pattern across the model list is not that a single design is universally unsafe. It is that every striker-fired pistol, at some point in its production life, has been shown to have a corner case in which the pistol can fire when the carrier did not intend it. Some corner cases involve dropped pistols. Some involve trigger-guard intrusions from holster material or foreign objects. Some involve assembly errors. Some involve upgrades that improved the platform. What none of them show is that a striker-fired pistol without a manual safety, carried in a nylon or damaged holster, is as tolerant of a mistake as a hammer-fired DA/SA pistol or a modern revolver.

Design features that add mechanical margin, by model

For a carrier who wants more mechanical margin than a bare striker-fired pistol provides, the features that matter are known, and each is available in specific production models today. Each feature adds a layer that has to fail before the pistol can fire.

1

Manual thumb safety, striker-fired. The Smith and Wesson M&P 2.0 thumb-safety variants, the Springfield XD-M Elite OSP with thumb safety, the Walther PDP with manual safety, the Ruger Security-9 thumb-safety variant, and the Smith and Wesson M&P Shield Plus with thumb safety. A manual safety is the only feature that reliably prevents a trigger-guard intrusion from firing a striker-fired pistol.

2

Grip safety, striker-fired. The Springfield XD, XD-M, and XD-S line. The grip safety requires a firing grip before the pistol can fire, which addresses child-access and pocket-carry scenarios directly. The Springfield XD line is the only mainstream striker-fired platform that ships with a grip safety as a standard feature.

3

Grip safety, hammer-fired. The Smith and Wesson M&P Shield EZ (subject to the 2026 recall discussed above, but the design category still applies to corrected pistols) and every 1911 pattern pistol. The 1911 grip safety, combined with a manual thumb safety and a series-80 firing-pin block on many production models, is the most-redundant defensive-handgun safety package in production.

4

Heavier and longer first-shot trigger, DA/SA. The SIG P226, P229, and P239 in DA/SA configuration; the Beretta 92FS, 92X, and PX4 Storm; the CZ 75B, 75 SP-01, and 75 Compact; the HK P30, P30SK, USP, and USP Compact; and the Ruger P-series legacy models. A double-action first pull typically runs about ten to twelve pounds and travels farther than a striker-fired trigger. That travel and weight is the resistance a carrier is buying.

5

Decocker. Standard on the SIG P226, P229, P239, and P226 X-Series in DA/SA; on the Beretta 92FS (safety and decocker) and 92G (decock-only); on the HK P30 and USP in variants two, three, and seven; and on the Walther PPQ Classic and P99. The decocker returns the pistol to a long double-action first pull after firing, without asking the carrier to lower a hammer over a live round.

6

Single-action pistol with a manual thumb safety. The 1911 in every current production form, including the Springfield TRP and Prodigy, the Staccato P and Staccato 2011 pistols, the Kimber Custom II, the Colt Government and Commander, the Wilson Combat CQB, the SIG 1911, and the Smith and Wesson Performance Center 1911. Carried cocked and locked in a rigid holster, a 1911 requires the thumb safety to be swept, the grip safety to be depressed, and the trigger to be pulled before the pistol can fire.

7

Modern double-action-only revolver. The Smith and Wesson J-frame family, including the Model 442, 642, 638, and 340PD; the Ruger LCR and LCRx; the Colt King Cobra Carry; and the Kimber K6s. Long, heavy trigger pull. No external safety and no striker. Shrouded or bobbed hammers on the pocket-carry variants will not snag on clothing. The mechanical simplicity of a modern revolver has produced the smallest litigation footprint of any defensive handgun category.

What that means in practice

An attorney who carries a striker-fired pistol is not making an unsafe choice, so long as the holster fully covers the trigger guard, is rigid enough that nothing can press the trigger through the holster wall, and is inspected regularly for wear, foreign material, and holster-body deformation. The Safariland and SIG holster bulletins in the P320 matters, and the Goodrich holster verdict against a Pennsylvania State Police holster, are the record on what happens when a holster fails a striker-fired pistol.

An attorney who wants more mechanical margin, either because of the professional exposure that comes with carrying while handling client matters or because of a household with children, has fact-based options. A Beretta 92FS or SIG P229 in DA/SA with a decocker, a 1911 such as a Springfield TRP or Wilson Combat CQB carried cocked and locked in a rigid holster, or a Smith and Wesson 642 or Ruger LCR revolver each carry meaningfully more mechanical protection against a trigger-guard intrusion than a striker-fired pistol without a manual safety.

The safest carry pistol, in the record, is not a specific model. It is a pistol whose trigger cannot be reached by anything other than the carrier's finger, holstered in a rigid holster that has been inspected, on a carrier who has trained to keep the finger off the trigger until the sights are on the target and the decision to fire has been made. Every feature discussed above is a supplement to those habits, not a substitute for them.

A note on scope. This section is written for lawyers who already carry or are considering it. It is not legal advice, and it is not a product recommendation. Local law, employer policy, and courthouse rules govern where and whether a firearm may be carried. The point here is narrower: given the record collected in this guide, what design features have historically added margin, and what have not.

Cases by Model

A working list of the cases discussed or referenced in this guide, organized by firearm. Case names are given in the short form. Where an opinion or filing is publicly available, the link is included in the source discussion earlier in the guide. Confirm current status against primary sources before use.

SIG Sauer P320 (and M17 / M18)

1

Cole v. Sig Sauer

D. Maine. Defense verdict, August 7, 2026. Somerset County sheriff's deputy shot in the leg by a holstered P320; jury found no defect, no negligence, and no failure to warn.

2

Colwell v. Sig Sauer

2d Cir., May 28, 2026. Design-defect claim of a Troy, N.Y. police detective reinstated after summary judgment; holstered discharge during training.

3

Glasscock v. Sig Sauer

8th Cir. No. 25-2707, July 16, 2026. First-ever P320 class certification vacated for lack of Article III standing.

4

Frankenberry v. Sig Sauer

Philadelphia, 2024. \$11 million plaintiff verdict; holstered discharge.

5

Herman v. Sig Sauer

Georgia, 2024. \$2.35 million plaintiff verdict.

6

Mayes v. Sig Sauer

Filed to test the notice case built on documented uncommanded discharges; part of the wider P320 docket.

7

Schreiber v. Sig Sauer

W.D. Wash. No. 2:25-cv-02303, filed November 17, 2025. Washington state class action under the Consumer Protection Act.

8

Northrup v. Sig Sauer

Fla. 2d DCA No. 2D2024-0869, per curiam affirmance February 28, 2025. Summary judgment for defense; plaintiff experts did not test the subject pistol.

9

Slatowski v. Sig Sauer

3d Cir. appeal. Sharpened defense argument that plaintiff experts must connect a specific external force to the discharge.

10

New Jersey v. Sig Sauer

Essex Cty. Ch. Div., ESX-C-000217-25, filed October 16, 2025. First state-attorney-general suit; recall, injunction, disgorgement under Consumer Fraud Act and public nuisance.

SIG Sauer P365 (P365X, P365XL, P365-XMACRO)

1

Harvard v. Sig Sauer

N.D. Ga., before Judge Thomas Thrash. Motion to dismiss denied August 7, 2026; Second Amendment defense rejected at the pleading stage on a holstered P365X discharge claim.

2

De Souza v. Sig Sauer

M.D. Fla., Orlando Division. Filed July 2026 over a November 2024 holstered discharge; fractured patella.

3

Ashe v. Sig Sauer

Filed 2023. Troy, N.Y. police detective's department-issued P365 allegedly fired in the holster on October 14, 2020.

Taurus (Millennium series and GX4 line)

1

Carter v. Forjas Taurus, S.A. (Millennium series)

Nationwide class settlement of approximately \$239 million, 2015 preliminary and 2018 finality; recall of about one million pistols across nine models alleged to fire when dropped or to discharge with the safety engaged.

2

GX4 class action

Filed 2026. Alleges deaths and an inadequate, non-recall response to the drop-fire pattern first flagged in the 2023 safety notice.

Remington Model 700 family (Walker fire control)

1

Collins v. Remington Arms

Texas, 1994. \$17 million verdict after a foot amputation caused by an unintended discharge on release of the safety.

2

Pollard v. Remington Arms Company

W.D. Mo. No. 4:13-cv-00086, filed January 2013. Nationwide class settlement covering approximately seven and a half million rifles; 2017 final approval order affirmed by the 8th Circuit in 2018.

Bryco / Jennings Model 38 (.380 Auto)

1

Maxfield v. Bryco Arms

Approximately \$24 million judgment (2003), affirmed 2005. Twelve-year-old paralyzed after a family friend tried to unload the pistol and the trigger had to be pulled to clear the chamber. Company filed for bankruptcy the day after the verdict.

Ruger (single-action revolvers and Mark IV)

1

Old-model Blackhawk and Single-Six litigation

Historical drop-fire matters resolved by the 1973 New Model transfer-bar redesign and the still-offered free conversion program.

2

Ruger Mark IV recall

June 2017. Voluntary manufacturer recall of all Mark IV pistols manufactured before June 1, 2017, on the ground that a mid-position safety could cause a discharge on movement to fire with no trigger contact.

Colt 1911 (and Series 70 pattern clones)

1

Series 70 versus Series 80 baseline

Not a case, but the reference point for what a positive trigger-actuated firing pin block does. Series 70 pattern clones remain in current production under Rock Island / Armscor, Tisas, Springfield GI, and Taylor's & Company, and are the drop-safe question a plaintiff expert has to test.

Kahr CW9

1

Lyons v. Saeilo

11th Cir. affirmance, 2025. Drop from a holster and discharge on impact. Summary judgment for the manufacturer affirmed; the plaintiff's dual-defect "in-tandem" theory held forfeited by failure to plead it in the district court. The teaching case on how not to plead a drop-fire matter.

Canik TP9SF Elite

1

Hill v. Century Arms

E.D. Tenn., 2021. Punitive-damages claim allowed to proceed against importer and distributor; the 2017 "Product Safety Warning and Severe Duty Upgrade Notice" carried the failure-to-warn theory.

Savage Axis II

1

McAllister v. Savage Arms

Pensacola, Florida. Defense verdict, March 2024. Alleged mid-position tang safety. Internal documents produced at trial showed the manufacturer had flagged the issue between 2013 and 2019 and designed a sixteen-cent cure not implemented in production until 2020.

FMK 9C1

1

FMK 9C1 recall

2013. Manufacturer recall of pistols fitted with the original Fast Action Trigger after determining they could discharge if dropped with a round in the chamber. Corrected triggers are marked "316."

Walther PPS M2

1

Walther PPS M2 recall

November 2018. Manufacturer-disclosed drop-fire risk on certain pistols. A Part 1 item 4 striker-sensitivity matter.

This list is not exhaustive. The P320 docket in particular contains scores of individual cases not captured here; the entries above are the ones with the greatest doctrinal or evidentiary reach.

Sources and Notes

Public reporting and records consulted for the figures in this guide. Verify the current status of any active matter before relying on it in a filing.

1**SIG P320 litigation status**

Verdicts, class certification, and agency actions: contemporaneous legal-news and trade coverage, 2024 to 2026.

2**SIG P365 litigation status**

Harvard v. Sig Sauer, N.D. Ga., order denying motion to dismiss (Aug. 7, 2026), at CourtListener; Reason / Volokh coverage (Aug. 10, 2026) at reason.com; De Souza filing coverage at Legal Newsline; Ashe filing coverage at CBS6 Albany.

3**SIG P365 mechanism references**

P320 vs. P365 internal architecture comparison at GritrSports; general P365 overview at Wikipedia; 2018 striker-tip run and MIM supplier issue at The Firearm Blog; SIG four-point safety system on legacy P220 series at Wikipedia.

4**Glasscock v. SIG Sauer, 8th Cir. No. 25-2707 (July 16, 2026)**

Class certification vacated for lack of Article III standing. Opinion at FindLaw; parties' releases at PR Newswire.

5**Colwell v. SIG Sauer, 2d Cir. (May 28, 2026)**

Reinstating a Troy, N.Y. police detective's design-defect claim tied to a holstered discharge. Reuters coverage at reuters.com; Bloomberg Law summary at news.bloomberglaw.com.

6**New Jersey v. SIG Sauer, Essex Cty. Ch. Div., ESX-C-000217-25 (filed Oct. 16, 2025)**

Complaint hosted at the New Jersey Attorney General's Office; Reuters coverage at reuters.com; July 2026 remand-recommendation coverage at Legal Newsline.

7**Schreiber v. SIG Sauer, W.D. Wash. No. 2:25-cv-02303 (filed Nov. 17, 2025)**

Class complaint hosted at ClassAction.org.

8

New Hampshire HB 172, firearm shield law (signed May 23, 2025)

Coverage from New Hampshire Public Radio.

9

Washington State Criminal Justice Training Commission P320 report (February 2025)

Available as a PDF from the state's Criminal Justice Training Commission.

10

FBI Ballistic Research Facility and Michigan State Police findings

Summarized at Outdoor Life.

11

Public teardown and mechanism analysis

P320 tolerance and two-lock architecture at Workman Firearms and Modern Engineering Marvels.

12

SIG P320 install base

Manufacturer fact sheet and public-radio reporting, 2024 to 2025 (roughly 3.6 to 4 million sold; military variants additional).

13

Remington Model 700 Walker fire control

Class-action filings, the 1994 Collins verdict, the nationwide settlement and trigger-replacement program, and national television investigation.

14

Taurus Millennium series

2018 settlement of approximately \$239 million and recall of about one million pistols.

15

Taurus GX4

2023 safety notice, expanded serial-number list, and 2026 class action.

16

Bryco / Jennings Model 38

Maxfield v. Bryco, approximately \$24 million judgment (2003), affirmed on appeal (2005), and the subsequent bankruptcy.

17

Ruger old-model single actions

The 1973 New Model transfer-bar redesign and the free conversion program.

Authored works

Wolf Safety Series, by Steve Wolf: *Firearms Safety On Set* and *The Smart Citizen's Guide to Concealed Carry*.

Contact

Steve Wolf | wolf.steve@gmail.com | (512) 653-9653 | SteveWolfExpertWitness.com

If you need a link to a printable version of this guide, [click here](#).

Drafting note: this guide is a reference, not a legal opinion. It does not establish a defect in any specific firearm or case. Confirm every figure and case status against primary sources before use. Third Edition, current through August 24, 2026.

ABOUT THE AUTHOR

Steve Wolf

EXPERT WITNESS IN HUMAN FACTORS, FIREARMS, AND ON-SET SAFETY

Steve Wolf is a nationwide firearms and safety expert witness, retained by plaintiff and defense counsel in civil and criminal matters. In more than thirty-five years of hands-on work he has built a record of thirty-one retentions and thirty-one wins, including a \$66.5 million New Mexico verdict that ranks among the largest personal injury verdicts in the state's history. His cases span shootings, gun ranges, and accidental discharge; pyrotechnics, fire, and explosions; wildfire and property loss; stunts, rigging, and aerial work; on-set and theatrical accidents; climbing gyms and ropes courses; and related safety matters.

Wolf's command of on-set firearm safety placed him at the center of the public analysis of the Rust shooting, the 2021 incident on the New Mexico set of the Alec Baldwin film in which cinematographer Halyna Hutchins was killed and director Joel Souza was injured. Engaged to examine the incident, he laid out how a single-action revolver discharges, why trigger-finger discipline is decisive, and where the production's safety practices broke down. His assessment was sought by national outlets including CNN, Fox News, and CBS, and it drew on his earlier work investigating movie-set shootings, among them the 1993 death of Brandon Lee. The Rust analysis is the central question of this guide in its starkest form: whether the firearm discharged on its own or a person's handling caused it.

Attorneys retain Wolf because he makes complex cases clear to a jury. He pinpoints the preventable failure, explains causation in plain language, ties conduct to accepted safety standards, builds demonstratives jurors remember, and holds his ground under cross-examination.

His expertise rests on decades in film special effects and firearms work, eleven patents, and a long record of firearms instruction and on-set safety supervision. He is the author of the Wolf Safety Series, including *Firearms Safety On Set* and *The Smart Citizen's Guide to Concealed Carry*.

Steve Wolf | wolf.steve@gmail.com | (512) 653-9653 | SteveWolfExpertWitness.com

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