

PETITION 3

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CAUSE NO. _____

STEVEN REAGLE, JESSIE SEWEL,
JOHNNY VILLALPANDO, DIANA
VILLALPANDO, SERGIO CRUZ, JR.,
NOE CRUZ, OMAR CRUZ, OLIVA
FLORES, ANNIE TYLER, BLANCA
SOLORZANO, DAVID SOLORAZANO,
MARIELA GARCIA, LEONEL GARCIA,
JORGE CUBAS, FLOR D. CUBAS,
CUONG VO, HUNG DUC PHAM,
SYLVIA GARZA, TATIANA MARTINEZ,
SILVIA AREVALO, FREDDY SANCHEZ,
ELOY ORTEGA, CINDY ORTEGA,
PATRICIA PARTALES, MARIA
HERNANDEZ, PATRICIO HERNANDEZ,
MIGUEL CORDERO, LIDIA HARRISON,
GUADALUPE CASTRO, REBECCA
MCKEEHAN, KAREN LAAKE, MAYRA
BENITEZ, ERNESTO BENITEZ, WENDY
NGUYEN, MARIA BARAJAS, JOHN
BACCAM, ANGELINE GARZA,
IRLANDA COPELAND, KYLE MATHIS,
EMILY PEREZ, BRENDA PHAM,
SOTAURA TYLER, JOSE TOVAR,
CANDY TOVAR, DAISY LOZANO,
JASMIN SERNA, FARAH ALBANIA,
DANA FEASTER, AMELIA DIOSDADO,
REYMUNDO CEBALLOS, LAURA
CEBALLOS, KELLY MALADY,
EDUARDO FLORES, MARIA DIOSADO,
KARLA RODRIGUEZ, ERIKA FLORES,
MARICELA FLORES, YESSICA
GONZALEZ, MICHAEL SALAZAR,
FRANK PETERS, MARTIN BOADO,
JOSE MATA, ROCHELLE
FEASTER AND DANA FEASTER

Plaintiffs,

VS.

WATSON VALVE SERVICES, INC.,
WATSON GRINDING AND
MANUFACTURING, CO.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

Defendants.

§
§

_____ JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION ALONG WITH
RULE 194 REQUESTS FOR DISCLOSURE TO ALL DEFENDANTS**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, STEVEN REAGLE, JESSIE SEWEL, JOHNNY VILLALPANDO, DIANA VILLALPANDO, SERGIO CRUZ, JR., NOE CRUZ, OMAR CRUZ, OLIVA FLORES, ANNIE TYLER, BLANCA SOLORZANO, DAVID SOLORZANO, MARIELA GARICA, LEONEL GARCIA, JORGE CUBAS, FLOR CUBAS, CUONG VO, HUNG DUC PHAM, SYLVIA GARZA, TATIANA MARTINEZ, SILVIA AREVALO, FREDDY SANCHEZ, ELOY ORTEGA, CINDY ORTEGA, PATRICIA PARTALES, MARIA HERNANDEZ, PATRICIO HERNANDEZ, MIGUEL CORDERO, LIDIA HARRISON, GUADALUPE CASTRO, REBECCA MCKEEHAN, KAREN LAAKE, MAYRA BENITEZ, ERNESTO BENITEZ, WENDY NGUYEN, MARIA BARAJAS, JOHN BACCAM, ANGELINE GARZA, IRLANDA COPELAND, KYLE MATHIS, EMILY PEREZ, BRENDA PHAM, SOTAURA TYLER, JOSE TOVAR, CANDY TOVAR, DAISY LOZANO, JASMIN SERNA, FARAH ALBANIA, DANA FEASTER, AMELIA DIOSDADO, REYMUNDO CEBALLOS, LAURA CEBALLOS, KELLY MALADY, EDUARDO FLORES, MARIA DIOSADO, KARLA RODRIGUEZ, ERIKA FLORES, MARICELA FLORES, YESSICA GONZALEZ, MICHAEL SALAZAR, FRANK PETERS, MARTIN BOADO, JOSE MATA, ROCHELLE FEASTER AND DANA FEASTER Plaintiffs in the above-styled and numbered cause, files their Plaintiffs' Original Petition along with Rule 194 Requests for Disclosure to All Defendants complaining of Defendants, WATSON VALVE SERVICES, INC., WATSON GRINDING AND MANUFACTURING, CO. and for cause(s) of action would respectfully show this Honorable Court as follows:

I.
DISCOVERY PLAN

1. Discovery in this case is to be conducted under Level 2 of Rule 190.3 of the Texas Rules of Civil Procedure as the Plaintiffs seek monetary relief over \$1,000,000.00

II.
REQUEST PURSUANT TO RULE 28 FOR SUBSTITUTION OF TRUE NAME

2. To the extent that any of the above-named Defendants are conducting business pursuant to a trade name or assumed name, suit is brought against them pursuant to the provisions of Rule 28 of the Texas Rules of Civil Procedure, and Plaintiffs demand upon answering this suit, that the Defendants answer in their correct legal and assumed names.

III.
PARTIES

3. Plaintiff STEVEN REAGLE is a natural person residing in Harris County, Texas.
4. Plaintiff JESSIE SEWEL is a natural person residing in Harris County, Texas.
5. Plaintiff JOHNNY VILLALPANDO is a natural person residing in Harris County, Texas.
6. Plaintiff DIANA VILLALPANDO is a natural person residing in Harris County, Texas.
7. Plaintiff SERGIO CRUZ, JR. is a natural person residing in Harris County, Texas.
8. Plaintiff NOE CRUZ is a natural person residing in Harris County, Texas.
9. Plaintiff OMAR CRUZ is a natural person residing in Harris County, Texas.
10. Plaintiff OLIVA FLORES is a natural person residing in Harris County, Texas.
11. Plaintiff ANNIE TYLER is a natural person residing in Harris County, Texas.
12. Plaintiff BLANCA SOLORZANO is a natural person residing in Harris County, Texas.

13. Plaintiff DAVID SOLORZANO is a natural person residing in Harris County, Texas.

14. Plaintiff MARIELA GARCIA is a natural person residing in Harris County, Texas.

15. Plaintiff LEONEL GARCIA is a natural person residing in Harris County, Texas.

16. Plaintiff JORGE CUBAS is a natural person residing in Harris County, Texas.

17. Plaintiff FLOR CUBAS is a natural person residing in Harris County, Texas.

18. Plaintiff CUONG VO is a natural person residing in Harris County, Texas.

19. Plaintiff HUNG DUC PHAM is a natural person residing in Harris County, Texas.

20. Plaintiff SYLVIA GARZA is a natural person residing in Harris County, Texas.

21. Plaintiff TATIANA MARTINEZ is a natural person residing in Harris County, Texas.

22. Plaintiff SILVIA AREVALO is a natural person residing in Harris County, Texas.

23. Plaintiff FREDDY SANCHEZ is a natural person residing in Harris County, Texas.

24. Plaintiff ELOY ORTEGA is a natural person residing in Harris County, Texas.

25. Plaintiff CINDY ORTEGA is a natural person residing in Harris County, Texas.

26. Plaintiff PATRICIA PARTALES is a natural person residing in Harris County, Texas.

27. Plaintiff MARIA HERNANDEZ is a natural person residing in Harris County, Texas.

28. Plaintiff PATRICIO HERNANDEZ is a natural person residing in Harris County, Texas.

29. Plaintiff MIGUEL CORDERO is a natural person residing in Harris County, Texas.

30. Plaintiff LIDIA HARRISON is a natural person residing in Harris County, Texas.

31. Plaintiff GUADALUPE CASTRO is a natural person residing in Harris County, Texas.

32. Plaintiff REBECCA MCKEEHAN is a natural person residing in Harris County, Texas.

33. Plaintiff KAREN LAAKE is a natural person residing in Harris County, Texas.

34. Plaintiff MAYRA BENITEZ is a natural person residing in Harris County, Texas.

35. Plaintiff ERNESTO BENITEZ is a natural person residing in Harris County, Texas.

36. Plaintiff WENDY NGUYEN is a natural person residing in Harris County, Texas.

37. Plaintiff MARIA BARAJAS is a natural person residing in Harris County, Texas.

38. Plaintiff JOHN BACCAM is a natural person residing in Harris County, Texas.

39. Plaintiff ANGELINE GARZA is a natural person residing in Harris County, Texas.

40. Plaintiff IRLANDA COPELAND is a natural person residing in Harris County, Texas.

41. Plaintiff KYLE MATHIS is a natural person residing in Harris County, Texas.

42. Plaintiff EMILY PEREZ is a natural person residing in Harris County, Texas.

43. Plaintiff BRENDA PHAM is a natural person residing in Harris County, Texas.

44. Plaintiff SOTAURA TYLER is a natural person residing in Harris County, Texas.

45. Plaintiff JOSE TOVAR is a natural person residing in Harris County, Texas.

46. Plaintiff CANDY TOVAR is a natural person residing in Harris County, Texas.

47. Plaintiff DAISY LOZANO is a natural person residing in Harris County, Texas.

48. Plaintiff JASMIN SERNA is a natural person residing in Harris County, Texas.

49. Plaintiff FARAH ALBANIA is a natural person residing in Harris County, Texas.

50. Plaintiff DANA FEASTER is a natural person residing in Harris County, Texas.

51. Plaintiff AMELIA DIOSDADO is a natural person residing in Harris County, Texas.
52. Plaintiff REYMUNDO CEBALLOS is a natural person residing in Harris County, Texas.
53. Plaintiff LAURA CEBALLOS is a natural person residing in Harris County, Texas.
54. Plaintiff KELLY MALADY is a natural person residing in Harris County, Texas.
55. Plaintiff EDUARDO FLORES is a natural person residing in Harris County, Texas.
56. Plaintiff MARIA DIOSADO is a natural person residing in Harris County, Texas.
57. Plaintiff KARLA RODRIGUEZ is a natural person residing in Harris County, Texas.
58. Plaintiff ERIKA FLORES is a natural person residing in Harris County, Texas.
59. Plaintiff MARICELA FLORES is a natural person residing in Harris County, Texas.
60. Plaintiff YESSICA GONZALEZ is a natural person residing in Harris County, Texas.
61. Plaintiff MICHAEL SALAZAR is a natural person residing in Harris County, Texas.
62. Plaintiff FRANK PETERS is a natural person residing in Harris County, Texas.
63. Plaintiff MARTIN BOADO is a natural person residing in Harris County, Texas.
64. Plaintiff JOSE MATA is a natural person residing in Harris County, Texas.
65. Plaintiff ROCHELLE FEASTER is a natural person residing in Harris County, Texas.
66. Plaintiff DANA FEASTER is a natural person residing in Harris County, Texas.

67. Defendant WATSON VALVE SERVICES, INC. (hereinafter “WATSON VALVE”) is a domestic corporation doing business in the State of Texas for the purposes of accumulating monetary profit. Defendant may be served with process through its registered agent, John M Watson, 4525 Gessner Road, Houston, Texas 77041.

68. Defendant WATSON GRINDING AND MANUFACTURING, CO. (hereinafter “WATSON”) is a domestic corporation doing business in the State of Texas for the purposes of accumulating monetary profit. Defendant may be served with process through its registered agent, John M Watson, 4525 Gessner Road, Houston, Texas 77041.

IV.
VENUE AND JURISDICTION

69. Venue is proper in Harris County, Texas, pursuant to §15.002 of the Texas Civil Practice and Remedies Code as all or a substantial part of the events or omissions giving rise to the claim occurred in Harris County, Texas.

70. Jurisdiction is proper because the amount in controversy exceeds the minimum jurisdictional limits of this Court. This Court has personal jurisdiction over all parties as set out in the below paragraph.

V.
FACTS

71. In the early morning hours of January 24, 2020, a violent explosion occurred at Watson Grinding and Manufacturing located at 4525 Gessner Road in Houston, Texas. Plaintiffs’ homes were completely/partially destroyed by the explosion and many of their homes have been or will be condemned as unfit to live. At all times relevant to the incident, Defendants WATSON and/or WATSON VALVE controlled and continues to control the premises where the explosion originated. As a result of the explosion, Plaintiffs suffered significant damages to their personal property and homes, in addition to bodily injuries.

VI.
NEGLIGENCE OF ALL DEFENDANTS

72. Defendants contemporaneous conduct constituted a breach of the duty of ordinary care owed by Defendant to Plaintiff. Defendants directly and personally participated in the conduct giving rise to Plaintiffs' negligence claims through their joint and several actions and omissions. Defendants, acting in the course and scope of their employment, owed an independent duty to Plaintiffs and were guilty of negligence in the following respects:

- a. Failing to furnish reasonably safe instrumentalities;
- b. Failing to provide and enforce safety regulations;
- c. Failing to properly inspect, maintain and store volatile gasses on the premises;
- d. Failing to properly inspect and maintain pressure regulators on the premises;
- e. Failing to properly inspect the premises for gas leaks;
- f. Failing to properly repair storage tanks, gas lines, and valves;
- g. Failing to timely repair tanks, gas lines, and valves;
- h. Failing to properly screen, hire, train, control, manage or supervise their agents and employees;
- i. Failing to cordon off the hazardous area from all traffic, tools, and equipment near the ignition source;
- j. Failing to institute precautionary measures to prevent volatile gasses from escaping high-pressure gas lines; and
- k. Failing to ensure a safe work area.

73. Each of the above referenced acts or omissions by Defendants led to the explosion.

VII.
GROSS NEGLIGENCE OF ALL DEFENDANTS

74. The occurrence made the basis of this suit and the resulting injuries and damages to Plaintiffs was proximately caused by Defendants' wanton and reckless disregard for the safety

of Plaintiffs, consisted of, but is not limited to, the following acts and/or omissions:

- a. Failing to furnish reasonably safe instrumentalities;
- b. Failing to provide and enforce safety regulations;
- c. Failing to properly inspect, maintain and store volatile gasses on the premises;
- d. Failing to properly inspect and maintain pressure regulators on the premises;
- e. Failing to properly inspect the premises for gas leaks;
- f. Failing to properly repair storage tanks, gas lines, and valves;
- g. Failing to timely repair tanks, gas lines, and valves;
- h. Failing to properly screen, hire, train, control, manage or supervise their agents and employees;
- i. Failing to cordon off the hazardous area from all traffic, tools, and equipment near the ignition source;
- j. Failing to institute precautionary measures to prevent volatile gasses from escaping high-pressure gas lines, and
- k. Failing to ensure a safe work area.

75. Each of these acts and/or omissions of Defendants constitutes a wanton and reckless disregard for the safety of Plaintiffs, and singularly or in concert, constitutes a proximate cause of the resulting injuries and damages to Plaintiffs as described below.

76. When viewed objectively from the standpoint of Defendants at the time of its occurrence, Defendants' conduct involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others. In addition, each were actually, subjectively aware of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others; therefore, Plaintiffs sue for exemplary damages in an amount to be determined by the trier of the fact.

VIII.
DAMAGES OF PLAINTIFFS

77. As a direct and proximate result of the occurrence made the basis of this lawsuit,

Plaintiffs seek:

- a. Remedial costs for real property damage;
- b. Replacement costs for personal property damage;
- c. Costs of completion;
- d. Expenses of temporary/alternate housing;
- e. Mental anguish in the past and future;
- f. Physical pain and suffering in the past and future;
- g. Medical expenses in the past and future;
- h. Loss of earnings and earnings capacity in the past and future;
- i. Disfigurement in the past and future;
- j. Loss of earnings and earnings capacity in the past and future;
- k. Loss of household services in the past and future;
- l. Loss of use;
- m. Costs of suit;
- n. Prejudgment and post-judgment interest;
- o. Cost of replacement;
- p. Incidental and consequential damages;
- q. Business interruption damages; and
- r. All other relief to which Plaintiffs may be justly entitled.

IX.
RULE 194 REQUESTS FOR DISCLOSURE

78. Pursuant to Tex. R. Civ. Proc. 194, ALL DEFENDANTS are requested to disclose,

**PLAINTIFFS' ORIGINAL PETITION ALONG WITH
RULE 194 REQUESTS FOR DISCLOSURE TO ALL DEFENDANTS**

within fifty (50) days of service of this request, the information and material described in Rule 194.2(a)-(l).

X.
**NOTICE OF DEMAND FOR PRESERVATION
OF ELECTRONICALLY STORED INFORMATION**

79. Plaintiffs asks the Court to order Defendants WATSON VALVE SERVICES, INC. and/or WATSON GRINDING AND MANUFACTURING, CO. to preserve all documents, tangible things and electronically stored information potentially relevant to the issues in this cause, in accordance with specific notice provisions as if same was set forth herein for all purposes.

XI.
PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendants WATSON VALVE SERVICES, INC. and/or WATSON GRINDING AND MANUFACTURING, CO., and for such other and further relief, both general and special, at equity and in law, to which Plaintiffs may show themselves justly entitled.

Plaintiffs further pray that Defendant WATSON VALVE SERVICES, INC., WATSON GRINDING AND MANUFACTURING, CO. be cited to appear and answer, and upon final hearing of this cause, Plaintiffs have judgment against Defendants for damages listed herein, for actual damages, exemplary damages, costs of suit, pre-judgment and post-judgment interest at the highest legal rate, and for such other and further relief, both general and special, at equity and in law, to which Plaintiffs may show themselves justly entitled.

Respectfully submitted,

[Signature on next page]

KWOK DANIEL LTD., L.L.P.

/s/ Robert S. Kwok

Robert S. Kwok

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J. Ryan Loya

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