

CAUSE NO. 2020-40526

VICTOR DELGADO, ALAN WOMAC, § IN THE DISTRICT COURT OF  
ALEJANDRA ALBAINE, ALISA WOMAC, §  
ALONDRA HERNANDEZ, AMADA §  
GONZALEZ, ANABEL PAITA, ANDREA §  
MARBAN, AUGUSTINE S. RODRIGUEZ, §  
BARBARA WOMAC, BLAINE JACKSON, §  
CARLOS G. ALVARADO, CARLOS JAVIER §  
VASQUEZ, CARMEN LASPRILLA, §  
CHARLENE GRECO, CHRISTINE JOLINK, §  
INCORRECTLY NAMED AS CRISTINE §  
JOLINK, INDIVIDUALLY AND AS NEXT §  
FRIEND OF M.J., M.J. AND M.J., MINORS, §  
CLAUDIA LARA, DAVID GARCIA, DEAN §  
ENRIGHT, INVIDIUALLY AND DBA BILL §  
FISH REALTY, DONNA BRUMFIELD, §  
DOYALINE LIVINGSTON, EDITH DEL §  
CARMEN VASQUEZ CRUZ, EDUARDO §  
SANCHEZ, ELWOOD LESTER NELSON §  
AKA ELWOOD WHITFIELD NELSON, §  
ERICK BERMUDEZ, ESTEBAN DELGADO, §  
ESTEBAN MENDOZA, JR., INDIVIDUALLY §  
AND AS NEXT FRIEND OF A.M., MINOR, §  
EUNIC MENDIOLA, GILBERT DESOTO, §  
GILBERTO ECHEVERRI, GIOVANA TAPIA §  
CAMPOS, GREGORY SANDERS, §  
INCORRECTLY NAMED AS GREG §  
SANDERS, ILENE ROBBINS, §  
INDIVIDUALLY AND AS NEXT FRIEND OF §  
S.A., MINOR, JAIME SALGUERO, §  
INDIVIDUALLY AND AS NEXT FRIEND OF §  
A.S., MINOR, JAN HARVEAT, JESSICA §  
MEDELLIN LOPEZ, INDIVIDUALLY AND §  
AS NEXT FRIEND OF S.A.L., MINOR, JERRY §  
TODD, JHONNY JAVIER RIVERA-AYALA, §  
JOHN HARVEAT, JOHN RADKEY JOLINK, §  
INCORRECTLY NAMED AS RADKEY §  
JOLINK, JOHN RICHARD GRECO, §  
JONATHAN MORALES, JONATHYN §  
DILLARD, JOONHEE RHEE, JORGE A. §  
CASTILLO MANCIA, INDIVIDUALLY AND §  
AS NEXT FRIEND OF A.J.C. AND H.G.C., §  
MINORS, JOSE CORTEZ, JOSE MIGUEL §  
CRUZ, JOSE MURCIA, JOSEFINA I. §  
RODRIGUEZ, JUAN MARBAN, JULIO §

**MENDIOLA, JUNE PORTIS, KARON §**  
**MAPLES, KATERINE MENDIOLA, LUCIA §**  
**DEL CARMEN BERMUDEZ, LUEANN §**  
**ENRIGHT AKA LUEANN WALTER, LUIS §**  
**FERNANDO CEPEDA, MARCIA §**  
**CHAMORRO, MARGARITA HERNANDEZ, §**  
**MARIA DE LOS SANTOS, INDIVIDUALLY §**  
**AND AS NEXT FRIEND OF J.R. AND J.R., §**  
**MINORS, MARIA DE LOS SANTOS, MARIA §**  
**E. ALVARADO DE CASTILLO, MARIA §**  
**ELENA CAMPOS, MARIA EVA MARTIN, §**  
**VAN MARY VU AKA MARY VU, MAURA §**  
**MURCIA, MELISSA GARZA, §**  
**INDIVIDUALLY AND AS NEXT FRIEND OF §**  
**A.F., MINOR, MINH TRAN, NATALIE §**  
**BOUGHAL, INDIVIDUALLY AND AS NEXT §**  
**FRIEND OF R.B., MINOR, NELIDA §**  
**DOMINGUEZ, INDIVIDUALLY AND AS §**  
**NEXT FRIEND OF J. M., MINOR, NOE §**  
**RODRIGUEZ, INDIVIDUALLY AND AS §**  
**NEXT FRIEND OF N.E.R., V.R., N.R., JR. §**  
**AND E.M.M., MINORS, PEDRO GARZA, §**  
**PETRA RODRIGUEZ DE PAITA, RANDALL §**  
**WOMAC, RAVEN LINDSEY, RUBEN ZUNO §**  
**VILLADOLID, RUTH ELIZABETH PAITA, §**  
**SANTOSH AGGARWAL, SHANTERIA §**  
**AVERIL, INDIVIDUALLY AND AS NEXT §**  
**FRIEND OF L.L. AND J.L., MINORS, §**  
**SIYAPHORN AUPAYO, INDIVIDUALLY AND §**  
**NEXT FRIEND OF L.S., MINOR, SOPHIA A. §**  
**CASTILLO ALVARADO, STEFANY §**  
**MONTESINO, TONYA BRITTON-AVERL §**  
**AKA TONYA BRITTON-AVERIL, TRISTIN §**  
**WILLIAMS, UGOLINA DELGADO, §**  
**INDIVIDUALLY AND AS NEXT FRIEND OF §**  
**S.E.D., MINOR, DAVID DELGADO, §**  
**VICTOR DOMINGUEZ VAZQUEZ, §**  
**WALTER F. PETERS, WILLIAM BOUGHAL, §**  
**YASMIN MURCIA, YVONNE RODRIGUEZ §**  
**AND GENESIS MARTINEZ, §**  
**INDIVIDUALLY AND AS NEXT FRIEND OF §**  
**M.K.D.L.T., MINOR §**

*Plaintiffs,*

VS.

**HARRIS COUNTY, TEXAS**

WATSON VALVE SERVICES, INC., §  
WATSON GRINDING AND §  
MANUFACTURING, CO., MATHESON §  
TRI-GAS, INC., WESTERN §  
INTERNATIONAL GAS & CYLINDERS, §  
INC., KMHJ, LTD., KMHJ MANAGEMENT §  
COMPANY, LLC, 3M COMPANY, §  
FIRESTONE CRYOGENICS, INC., §  
FIRESTONE CRYOGENIC EQUIPMENT, §  
INC., TELEDYNE EXPLORATION §  
COMPANY, TELEDYNE TECHNOLOGIES, §  
INC. F/K/A DETCON, INC., DETCON, INC. §  
D/B/A OLDHAM, ARC SPECIALTIES, INC., §  
AUTOMATION PLUS, INC., TRCC, LLC, §  
DATAONLINE, LLC, AND INDUSTRIAL §  
SCIENTIFIC CORPORATION §  
§  
§  
*Defendants.* §

**270th JUDICIAL DISTRICT**

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

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, VICTOR DELGADO, ALAN WOMAC, ALEJANDRA ALBAINE, ALISA WOMAC, ALONDRA HERNANDEZ, AMADA GONZALEZ, ANABEL PAITA, ANDREA MARBAN, AUGUSTINE S. RODRIGUEZ, BARBARA WOMAC, BLAINE JACKSON, CARLOS G. ALVARADO, CARLOS JAVIER VASQUEZ, CARMEN LASPRILLA, CHARLENE GRECO, CHRISTINE JOLINK, INCORRECTLY NAMED AS CRISTINE JOLINK, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], [REDACTED] AND [REDACTED], MINORS, CLAUDIA LARA, DAVID GARCIA, DEAN ENRIGHT, INDIVIDUALLY AND DBA BILL FISH REALTY, DONNA BRUMFIELD, DOYALINE LIVINGSTON, EDITH DEL CARMEN VASQUEZ CRUZ, EDUARDO SANCHEZ, ELWOOD LESTER NELSON AKA ELWOOD WHITFIELD NELSON, ERICK BERMUDEZ, ESTEBAN DELGADO, ESTEBAN MENDOZA, JR., INDIVIDUALLY AND AS

NEXT FRIEND OF ██████████, MINOR, EUNIC MENDIOLA, GILBERT DESOTO, GILBERTO ECHEVERRI, GIOVANA TAPIA CAMPOS, GREGORY SANDERS, INCORRECTLY NAMED AS GREG SANDERS, ILENE ROBBINS, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████, MINOR, JAIME SALGUERO, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████, MINOR, JAN HARVEAT, JESSICA MEDELLIN LOPEZ, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ ██████████, MINOR, JERRY TODD, JHONNY JAVIER RIVERA-AYALA, JOHN HARVEAT, JOHN RADKEY JOLINK, INCORRECTLY NAMED AS RADKEY JOLINK, JOHN RICHARD GRECO, JONATHAN MORALES, JONATHYN DILLARD, JOONHEE RHEE, JORGE A. CASTILLO MANCIA, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ ██████████ AND ██████████, MINORS, JOSE CORTEZ, JOSE MIGUEL CRUZ, JOSE MURCIA, JOSEFINA I. RODRIGUEZ, JUAN MARBAN, JULIO MENDIOLA, JUNE PORTIS, KARON MAPLES, KATERINE MENDIOLA, LUCIA DEL CARMEN BERMUDEZ, LUEANN ENRIGHT AKA LUEANN WALTER, LUIS FERNANDO CEPEDA, MARCIA CHAMORRO, MARGARITA HERNANDEZ, MARIA DE LOS SANTOS, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ AND ██████████, MINORS, MARIA DE LOS SANTOS, MARIA E. ALVARADO DE CASTILLO, MARIA ELENA CAMPOS, MARIA EVA MARTIN, VAN MARY VU AKA MARY VU, MAURA MURCIA, MELISSA GARZA, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ ██████████, MINOR, MINH TRAN, NATALIE BOUGHAL, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████, MINOR, NELIDA DOMINGUEZ, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ ██████████, MINOR, NOE RODRIGUEZ, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████,

██████████, ██████████, ██████████ AND ██████████ ██████████, MINORS, PEDRO GARZA, PETRA RODRIGUEZ DE PAITA, RANDALL WOMAC, RAVEN LINDSEY, RUBEN ZUNO VILLADOLID, RUTH ELIZABETH PAITA, SANTOSH AGGARWAL, SHANTERIA AVERIL, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ AND ██████████, MINORS, SIYAPHORN AUPAYO, INDIVIDUALLY AND NEXT FRIEND OF ██████████, MINOR, SOPHIA A. CASTILLO ALVARADO, STEFANY MONTESINO, TONYA BRITTON-AVERIL AKA TONYA BRITTON-AVERIL, TRISTIN WILLIAMS, UGOLINA DELGADO, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████, MINOR, DAVID DELGADO, VICTOR DOMINGUEZ VAZQUEZ, WALTER F. PETERS, WILLIAM BOUGHAL, YASMIN MURCIA, YVONNE RODRIGUEZ AND GENESIS MARTINEZ, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████, MINOR, 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., MATHESON TRI-GAS, INC., WESTERN INTERNATIONAL GAS & CYLINDERS, INC., KMHJ, LTD., KMHJ MANAGEMENT COMPANY, LLC, 3M COMPANY, FIRESTONE CRYOGENICS, INC., FIRESTONE CRYOGENIC EQUIPMENT, INC., TELEDYNE EXPLORATION COMPANY, TELEDYNE TECHNOLOGIES, INC. F/K/A DETCON, INC., DETCON, INC. D/B/A OLDHAM, ARC SPECIALTIES, INC., AUTOMATION PLUS, INC., TRCC, LLC, DATAONLINE, LLC, AND INDUSTRIAL SCIENTIFIC CORPORATION 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 VICTOR DELGADO is a natural person residing in Harris County, Texas.
4. Plaintiff ALAN WOMAC is a natural person residing in Harris County, Texas.
5. Plaintiff ALEJANDRA ALBAINE is a natural person residing in Harris County, Texas.
6. Plaintiff ALISA WOMAC is a natural person residing in Harris County, Texas.
7. Plaintiff ALONDRA HERNANDEZ is a natural person residing in Harris County, Texas.
8. Plaintiff AMADA GONZALEZ is a natural person residing in Harris County, Texas.
9. Plaintiff ANABEL PAITA is a natural person residing in Harris County, Texas.
10. Plaintiff ANDREA MARBAN is a natural person residing in Harris County, Texas.
11. Plaintiff AUGUSTINE S. RODRIGUEZ is a natural person residing in Harris County, Texas.

12. Plaintiff BARBARA WOMAC is a natural person residing in Harris County, Texas.

13. Plaintiff BLAINE JACKSON is a natural person residing in Harris County, Texas.

14. Plaintiff CARLOS G. ALVARADO is a natural person residing in Harris County, Texas.

15. Plaintiff CARLOS JAVIER VASQUEZ is a natural person residing in Harris County, Texas.

16. Plaintiff CARMEN LASPRILLA is a natural person residing in Harris County, Texas.

17. Plaintiff CHARLENE GRECO is a natural person residing in Harris County, Texas.

18. Plaintiffs CHRISTINE JOLINK, INCORRECTLY NAMED AS CRISTINE JOLINK, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], [REDACTED] AND [REDACTED], MINORS are natural persons residing in Harris County, Texas.

19. Plaintiff CLAUDIA LARA is a natural person residing in Harris County, Texas.

20. Plaintiff DAVID GARCIA is a natural person residing in Harris County, Texas.

21. Plaintiff DEAN ENRIGHT, INVIDIUALLY AND DBA BILL FISH REALTY is a natural person operating a commercial business in and residing in Harris County, Texas.

22. Plaintiff DONNA BRUMFIELD is a natural person residing in Harris County, Texas.

23. Plaintiff DOYALINE LIVINGSTON is a natural person residing in Harris County, Texas.

24. Plaintiff EDITH DEL CARMEN VASQUEZ CRUZ is a natural person residing in Harris County, Texas.

25. Plaintiff EDUARDO SANCHEZ is a natural person residing in Harris County, Texas.

26. Plaintiff ELWOOD LESTER NELSON AKA ELWOOD WHITFIELD NELSON is a natural person residing in Harris County, Texas.

27. Plaintiff ESTEBAN DELGADO is a natural person residing in Harris County, Texas.

28. Plaintiffs ESTEBAN MENDOZA, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

29. Plaintiff ERICK BERMUDEZ is a natural person residing in Harris County, Texas.

30. Plaintiff EUNIC MENDIOLA is a natural person residing in Harris County, Texas.

31. Plaintiff GILBERT DESOTO is a natural person residing in Harris County, Texas.

32. Plaintiff GILBERTO ECHEVERRI is a natural person residing in Harris County, Texas.

33. Plaintiff GIOVANA TAPIA CAMPOS is a natural person residing in Harris County, Texas.

34. Plaintiff GREGORY SANDERS, INCORRECTLY NAMED AS GREG SANDERS is a natural person residing in Harris County, Texas.

35. Plaintiffs ILENE ROBBINS, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

36. Plaintiffs JAIME SALGUERO, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

37. Plaintiff JAN HARVEAT is a natural person residing in Harris County, Texas.

38. Plaintiffs JESSICA MEDELLIN LOPEZ, INDIVIDUALLY AND AS NEXT



FRIEND OF [REDACTED] are natural persons residing in Harris County, Texas.

39. Plaintiff JERRY TODD is a natural person residing in Harris County, Texas.

40. Plaintiff JHONNY JAVIER RIVERA-AYALA is a natural person residing in Harris County, Texas.

41. Plaintiff JOHN HARVEAT is a natural person residing in Harris County, Texas.

42. Plaintiff JOHN RADKEY JOLINK, INCORRECTLY NAMED AS RADKEY JOLINK is a natural person residing in Harris County, Texas.

43. Plaintiff JOHN RICHARD GRECO is a natural person residing in Harris County, Texas.

44. Plaintiff JONATHAN MORALES is a natural person residing in Harris County, Texas.

45. Plaintiff JONATHYN DILLARD is a natural person residing in Harris County, Texas.

46. Plaintiff JOONHEE RHEE is a natural person residing in Harris County, Texas.

47. Plaintiffs JORGE A. CASTILLO MANCIA, INDIVIDUALLY AND AS NEXT

FRIEND OF [REDACTED] AND [REDACTED], MINORS are natural persons residing in Harris County, Texas.

48. Plaintiff JOSE CORTEZ is a natural person residing in Harris County, Texas.

49. Plaintiff JOSE MIGUEL CRUZ is a natural person residing in Harris County, Texas.

50. Plaintiff JOSE MURCIA is a natural person residing in Harris County, Texas.

51. Plaintiff JOSEFINA I. RODRIGUEZ is a natural person residing in Harris County, Texas.

52. Plaintiff JULIO MENDIOLA is a natural person residing in Harris County, Texas.
53. Plaintiff JUAN MARBAN is a natural person residing in Harris County, Texas.
54. Plaintiff JUNE PORTIS is a natural person residing in Harris County, Texas.
55. Plaintiff KARON MAPLES is a natural person residing in Harris County, Texas.
56. Plaintiff KATERINE MENDIOLA is a natural person residing in Harris County, Texas.
57. Plaintiff LUCIA DEL CARMEN BERMUDEZ is a natural person residing in Harris County, Texas.
58. Plaintiff LUEANN ENRIGHT AKA LUEANN WALTER is a natural person residing in Harris County, Texas.
59. Plaintiff LUIS FERNANDO CEPEDA is a natural person residing in Harris County, Texas.
60. Plaintiff MARCIA CHAMORRO is a natural person residing in Harris County, Texas.
61. Plaintiff MARGARITA HERNANDEZ is a natural person residing in Harris County, Texas.
62. Plaintiffs MARIA DE LOS SANTOS, INDIVIDUALLY AND AS NEXT FRIEND OF ██████████ AND ██████████, MINORS are natural persons residing in Harris County, Texas.
63. Plaintiff MARIA E. ALVARADO DE CASTILLO is a natural person residing in Harris County, Texas.
64. Plaintiff MARIA ELENA CAMPOS is a natural person residing in Harris County, Texas.

65. Plaintiff MARIA EVA MARTINEZ is a natural person residing in Harris County, Texas.

66. Plaintiff VAN MARY VU AKA MARY VU is a natural person residing in Harris County, Texas.

67. Plaintiff MAURA MURCIA is a natural person residing in Harris County, Texas.

68. Plaintiffs MELISSA GARZA, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

69. Plaintiff MINH TRAN is a natural person residing in Harris County, Texas.

70. Plaintiffs NATALIE BOUGHAL, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

71. Plaintiffs NELIDA DOMINGUEZ, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

72. Plaintiffs NOE RODRIGUEZ, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], [REDACTED], [REDACTED] AND [REDACTED], MINORS are natural persons residing in Harris County, Texas.

73. Plaintiff PEDRO GARZA is a natural person residing in Harris County, Texas.

74. Plaintiff PETRA RODRIGUEZ DE PAITA is a natural person residing in Harris County, Texas.

75. Plaintiff RANDALL WOMAC is a natural person residing in Harris County, Texas.

76. Plaintiff RAVEN LINDSEY is a natural person residing in Harris County, Texas.

77. Plaintiff RUBEN ZUNO VILLADOLID is a natural person residing in Harris County, Texas.

78. Plaintiff RUTH ELIZABETH PAITA is a natural person residing in Harris County, Texas.

79. Plaintiff SANTOSH AGGARWAL is a natural person residing in Harris County, Texas.

80. Plaintiffs SHANTERIA AVERIL, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED] AND [REDACTED], MINORS are natural persons residing in Harris County, Texas.

81. Plaintiffs SIYAPHORN AUPAYO, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

82. Plaintiff SOPHIA A. CASTILLO ALVARADO is a natural person residing in Harris County, Texas.

83. Plaintiff STEFANY MONTESINO is a natural person residing in Harris County, Texas.

84. Plaintiff TONYA BRITTON-AVERIL AKA TONYA BRITTON-AVERIL is a natural person residing in Harris County, Texas.

85. Plaintiff TRISTIN WILLIAMS is a natural person residing in Harris County, Texas.

86. Plaintiffs UGOLINA DELGADO, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED] are natural persons residing in Harris County, Texas.

87. Plaintiff DAVID DELGADO is a natural person residing in Harris County, Texas.

88. Plaintiff VICTOR DOMINGUEZ VAZQUEZ is a natural person residing in Harris County, Texas.

89. Plaintiff WALTER F. PETERS is a natural person residing in Harris County, Texas.

90. Plaintiff WILLIAM BOUGHAL is a natural person residing in Harris County, Texas.

91. Plaintiff YASMIN MURCIA is a natural person residing in Harris County, Texas.

92. Plaintiff YVONNE RODRIGUEZ is a natural person residing in Harris County, Texas.

93. Plaintiffs GENESIS MARTINEZ, INDIVIDUALLY AND AS NEXT FRIEND OF [REDACTED], MINOR are natural persons residing in Harris County, Texas.

94. Defendant WATSON GRINDING AND MANUFACTURING CO. ("WATSON GRINDING") is a Texas entity with a principal place of business in Harris County. This Defendant may be served through its registered agent, John M. Watson located at 4525 Gessner Road, Houston, Texas 77041, and/or wherever he may be found for service.

95. Defendant WATSON VALVE SERVICES, INC. ("WATSON VALVE") is a Texas entity with a principal place of business in Harris County. This Defendant may be served with process through its registered agent, John M. Watson located at 4525 Gessner Road, Houston, Texas 77041, and/or wherever he may be found for service.

96. Defendant KMHJ, LTD. ("KMHJ") is Texas entity with a principal place of business located in Harris County. This Defendant may be served through its registered agent, KMHJ Management Company, LLC located at 1400 McKinney Street, #1212, Houston, Texas 77010, and/or wherever they may be found for service.

97. Defendant KMHJ MANAGEMENT COMPANY, LLC ("KMHJ MANAGEMENT") is Texas entity with a principal place of business located in Harris County. This Defendant may be served through its registered agent, Kelly Watson located at 1400

McKinney Street, #1212, Houston, Texas 77010, and/or wherever she may be found for service.

98. Defendant 3M COMPANY ("3M") is a foreign corporation that is registered and does a substantial amount of business in the state of Texas. This Defendant may be served through its registered agent, CSC-Lawyers Incorporating Service Company located at 211 E. 7th St, Suite 620, Austin, Texas 78701, and/or wherever they may be found for service.

99. Defendant FIRESTONE CRYOGENICS, INC. ("FIRESTONE") is a Texas entity with its principal place of business in Conroe, Texas and does a substantial amount of business in Harris County. This Defendant may be served through its registered agent, Linda Plummer located at 12446 Cutten Road, Houston Texas 77066, and/or wherever she may be found for service.

100. Defendant FIRESTONE CRYOGENIC EQUIPMENT, INC. ("FIRESTONE EQUIPMENT") is a Texas entity with its principal place of business in Conroe, Texas and does a substantial amount of business in Harris County. This Defendant may be served through its registered agent, Linda Plummer located at 12446 Cutten Road, Houston, Texas 77066, and/or wherever she may be found for service.

101. Defendant MATHESON TRI-GAS, INC. ("MATHESON") Is a foreign corporation with its principal place of business in Basking Ridge, New Jersey and does a substantial amount of business in Texas. This Defendant may be served through its registered agent, CT Corporation System located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201, and/or wherever they may be found for service.

102. Defendant WESTERN INTERNATIONAL GAS & CYLINDERS, INC. ("WESTERN") is a Texas entity with its principal place of business in Irving, Texas. This

Defendant may be served through its registered agent Denise C. Haugen located at 7173 Highway 159 E., Bellville, Texas 77418, and/or wherever she may be found for service.

103. Defendant TELEDYNE EXPLORATION COMPANY ("TELEDYNE") is a foreign corporation with its principal place of business in Pittsburgh, Pennsylvania and does a substantial amount of business in Texas. This Defendant may be served through its registered agent, CT Corporation located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201, and/or wherever they may be found for service.

104. Defendant TELEDYNE TECHNOLOGIES, INC. F/K/A DETCON, INC. ("TELEDYNE TECHNOLOGIES") is a foreign corporation with its principal place of business in Thousand Oaks, California and does a substantial amount of business in Texas. This Defendant may be served through its registered agent, Cogency Global, Inc. located at 1601 Elm Street, Suite 4360, Dallas, Texas 75201, and/or wherever they may be found for service.

105. Defendant DETCON, INC. D/B/A OLDHAM ("DETCON") is a domestic for-profit corporation doing business in the State of Texas. This defendant may be served through its registered agent, Cogency Global, Inc. - located at 1601 Elm St., Suite 4360, Dallas, Texas 75201, and/or wherever they may be found for service.

106. Defendant ARC SPECIALTIES, INC. ("ARC") is a Texas corporation with a principal place of business in Harris County, Texas. This Defendant may be served through its registered agent, L. Don Knight located at 8100 Washington Ave, Ste 1000, Houston, Texas 77007, and/or wherever he may be found for service.

107. Defendant AUTOMATION PLUS, INC. ("AUTOMATION") is a Texas corporation with a principal place of business in Harris County, Texas. This Defendant may be served through its registered agent, Frank Lomelo located at 3705 Pine Lawn Drive, Pearland,

Texas 77581, and/or wherever he may be found for service.

108. Defendant TRCC, LLC (“TRCC”) is a domestic limited liability corporation doing business in the State of Texas. This defendant may be served through its registered agent, Nader Salim located at 3303 Falling Brook Court, Sugar Land, Texas 77479, and/or wherever he may be found for service.

109. Defendant DATAONLINE, LLC (“DATAONLINE”) is a foreign limited liability company doing business in the State of Texas. This defendant may be served through its registered agent, Lloyd M. Eddings located at 3142 Waldrop Dr., Dallas, Texas 75229, and/or wherever he may be found for service.

110. Defendant INDUSTRIAL SCIENTIFIC CORPORATION (“INDUSTRIAL”) is a foreign-for-profit corporation doing business in the State of Texas. This Defendant may be served through its registered agent, CT Corp. System located at 1999 Bryan St., Ste. 900, Dallas, Texas 75201, and/or wherever they may be found for service.

#### **IV. VENUE AND JURISDICTION**

111. 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.

112. 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**

113. 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 (the “WATSON Facility”). Plaintiffs’ homes and/or businesses were completely/partially destroyed by the explosion and many of their homes and/or businesses have been or will be condemned as unfit to live/work. At all times relevant to the explosion, Defendants WATSON and/or WATSON VALVE controlled and continues to control the premises where the explosion originated. Defendants MATHESON, WESTERN, 3M, ARC, AUTOMATION, TELEDYNE, TELEDYNE TECHNOLOGIES, DETCON, TRCC, and DATAONLINE marketed, sold, maintained, and/or provided the propylene gas, gas lines, gas tanks, component parts of warning systems for gas leak detection, LEL monitoring system, safety equipment, safety system, and all other direct-reading instruments for gas detection at the WATSON Facility which failed, causing this explosion. Defendants MATHESON and/or WESTERN’s monitoring of the propylene levels inside the storage tank failed, causing this explosion. Defendants ARC, AUTOMATION, FIRESTONE, FIRESTONE EQUIPMENT, and INDUSTRIAL designed, installed, maintained and/or monitored the safety equipment, safety system, and direct-reading instruments at the WATSON Facility which failed, allowing copious amounts of propylene to escape without detection/warning, causing this explosion. As a result of the explosion, Plaintiffs suffered significant damages, including total disruption of their lives, including damages to their personal property, homes, businesses, and bodily injuries and/or death.

**VI.**  
**NEGLIGENCE OF ALL DEFENDANTS**

114. Defendants’ joint and several contemporaneous conduct constituted a breach of the duty of ordinary care owed by Defendants to Plaintiffs. 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 create, provide and enforce safety regulations, rules and guidelines;
- c. Failing to maintain properly functioning gas/LEL monitors and alarms at the Watson facility;
- d. Failing to properly maintain, inspect and service the propylene tanks and piping on site;
- e. Failing to monitor the amount of propylene in the storage tank and warn of a significant decrease in pressure;
- f. Failing to use correct and sufficient systems for propylene gases;
- g. Failing to provide adequate equipment and competent personnel;
- h. Creating latent dangers and failing to warn of the same;
- i. Failing to recognize and remediate hazards with an extreme degree of risk;
- j. Failing to have an adequate risk management plan;
- k. Failing to read, understand, and follow published safe work policies and procedures;
- l. Violating governmental regulations and standards including, but not limited to OSHA and the EPA;
- m. Failing to institute precautionary measures to protect individuals such as Plaintiffs;
- n. Failing to properly inspect, maintain and store volatile gasses on the premises;
- o. Failing to properly inspect and maintain pressure regulators on the premises;
- p. Failing to properly inspect the premises for gas leaks;
- q. Failing to properly maintain and repair storage tanks, gas lines, and valves;
- r. Failing to timely repair tanks, gas lines, and valves;
- s. Failing to properly screen, hire, train, control, manage or supervise their agents and employees;

- t. Failing to cordon off the hazardous area from all traffic, tools, and equipment near the ignition source;
  - u. Failing to institute precautionary measures to prevent volatile gasses from escaping high-pressure gas lines;
  - v. Failing to ensure a safe work area and workplace; and
115. Each of the above referenced acts or omissions by Defendants led to the explosion.

## **VII.**

### **STRICT LIABILITY AGAINST DEFENDANTS WESTERN, MATHESON, 3M, TELEDYNE, TELEDYNE TECHNOLOGIES, DETCON, ARC, AUTOMATION, FIRESTONE, FIRESTONE EQUIPMENT, AND INDUSTRIAL**

116. For the following section, "the products" shall refer to: tank(s) and associated piping/equipment for Defendants WESTERN and MATHESON; piping and associated equipment for Defendants ARC, AUTOMATION, FIRESTONE and FIRESTONE EQUIPMENT; gas detection and monitoring equipment for Defendants 3M, WESTERN, TELEDYNE and TELEDYNE TECHNOLOGIES.

117. Defendants listed herein manufactured, designed, distributed and/or sold the products that injured Plaintiffs, which contained design, manufacturing, and/or marketing defects.

118. Marketing Defects and Failure to Warn: Defendants listed herein designed, manufactured, distributed, and/or sold the alleged defective products with one or more marketing defects.

- a. There was an unreasonable risk in the intended or reasonably foreseeable use of such products;
- b. Defendants knew, foresaw, or should have known for foreseen the above risks;
- c. Defendants failed to adequately warn Plaintiffs of the risks, failed to instruct Plaintiffs of the above risks, and/or failed to adequately instruct Plaintiffs and other third parties how to avoid the dangers; and
- d. The marketing defects rendered the products unreasonably dangerous.

119. Design Defects: The products were designed, manufactured, distributed and/or sold with one or more design defects.

- a. Defendants designed the products and knew of safer alternative designs that were available at the time of production;
- b. The safer alternative designs would have prevented or significantly reduced the above risks without substantially impairing the products' utility;
- c. The safer alternative design was economically and technologically feasible at the time the products left Defendants' control; and
- d. The design defects rendered the products unreasonably dangerous.

120. Manufacturing Defects: The complained of products were designed, manufactured, distributed, and/or sold with one or more manufacturing defects. The Defendants manufactured the condition and at the time deviated in the quality of construction, plan and/or specifications rendering the condition unreasonably dangerous.

121. The design, manufacturing, and/or marketing defects rendered the products unreasonably dangerous.

122. The design, manufacturing, and/or marketing defects, which rendered the products unreasonably dangerous were the producing causes to Plaintiffs' injuries.

### **VIII.**

#### **BREACH OF WARRANTY AGAINST DEFENDANTS WESTERN, MATHESON, 3M, TELEDYNE, TELEDYNE TECHNOLOGIES, DETCON, ARC, AUTOMATION, FIRESTONE, FIRESTONE EQUIPMENT, AND INDUSTRIAL**

123. Defendants, their agents, servants and employees impliedly and expressly warranted that they would properly, adequately and safely design, construct, test, maintain and install the tank(s) and associated equipment and systems at the WATSON Facility, including all its components, including but not limited to the detection, prevention and safety system(s). Defendants, their agents, servants and employees breached these warranties in one or more of the

following ways:

- a. Failing to perform their work in a good and workmanlike manner;
- b. Failing to adequately design the tank systems;
- c. Failing to adequately design the safety and detection systems;
- d. Failing to adequately design the system component parts;
- e. Failing to properly test the tank systems;
- f. Failing to properly test the safety and detection systems;
- g. Failing to properly test the component parts;
- h. Failing to provide the tank systems for its intended purpose;
- i. Failing to provide the safety and detection systems for its intended purpose;
- j. Failing to provide the components parts for their intended purpose; and
- k. Other various breaches of warranty.

124. Plaintiffs suffered injuries and direct damages as a proximate result of Defendants' breach of the express and implied warranties. Further, Plaintiffs suffered actual and consequential damages as a proximate result of Defendants' breach of express and implied warranties.

**IX.**  
**GROSS NEGLIGENCE OF ALL DEFENDANTS**

125. 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 create, provide and enforce safety regulations, rules and guidelines;
- c. Failing to have properly functioning monitors and alarms on the premises;
- d. Failing to properly maintain, inspect and service the propylene tanks and piping on

site;

- e. Failing to use correct and sufficient systems for propylene gases;
- f. Failing to provide adequate equipment and competent personnel;
- g. Creating latent dangers and failing to warn of the same;
- h. Failing to recognize and remediate hazards with an extreme degree of risk;
- i. Failing to have an adequate risk management plan;
- j. Failing to read, understand, and follow published safe work policies and procedures;
- k. Violating governmental regulations and standards including, but not limited to OSHA and the EPA;
- l. Failing to institute precautionary measures to protect individuals such as Plaintiffs;
- m. Failing to properly inspect, maintain and store volatile gasses on the premises;
- n. Failing to properly inspect and maintain pressure regulators on the premises;
- o. Failing to properly inspect the premises for gas leaks;
- p. Failing to properly maintain and repair storage tanks, gas lines, and valves;
- q. Failing to timely repair tanks, gas lines, and valves;
- r. Failing to properly screen, hire, train, control, manage or supervise their agents and employees;
- s. Failing to cordon off the hazardous area from all traffic, tools, and equipment near the ignition source;
- t. Failing to institute precautionary measures to prevent volatile gasses from escaping high-pressure gas lines; and
- u. Failing to ensure a safe work area and workplace; and.
- v. Each of the above referenced acts or omissions by Defendants led to the explosion.

126. 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.

127. 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.

**X.**  
**NEGLIGENCE OF DEFENDANTS**  
**UNDER THE DOCTRINE OF *RESPONDEAT SUPERIOR***

128. Defendants are liable for the torts committed by their employees during the course and scope of the employment. At the time of the incident, Defendants' employees were the agents, ostensible agents, servants, and employees of Defendants and were acting within the scope of his authority as such agents, ostensible agents, servants, and employees. Defendants' employees were negligent and/or grossly negligent more thoroughly described above was a proximate cause of Plaintiffs' injuries and damages described below. Therefore, Defendants should be held jointly and severally liable for tortious actions of their agents, ostensible agents, servants, and/or employees under the doctrine of *respondeat superior*.

**XI.**  
**DAMAGES OF PLAINTIFFS**

129. As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiffs seek:

- a. Real property and personal property damage;
- b. Remedial costs for real property damage;
- c. Replacement costs for personal property damage;

- d. Diminished Value;
- e. Depreciation;
- f. Costs of completion;
- g. Expenses of temporary/alternate housing;
- h. Mental anguish in the past and future;
- i. Physical pain and suffering in the past and future;
- j. Medical expenses in the past and future;
- k. Physical impairment in the past and future;
- l. Disfigurement in the past and future;
- m. Loss of earnings and earnings capacity in the past and future;
- n. Loss of household services in the past and future;
- o. Loss of use;
- p. Costs of suit;
- q. Prejudgment and post-judgment interest;
- r. Cost of replacement;
- s. Incidental and consequential damages;
- t. Business interruption damages;
- u. Lost profits;
- v. Lost business;
- w. Lost income;
- x. Lost rentals;
- y. Punitive damages in such amount as may be found proper and just under the facts and circumstances as determined by the jury; and/or
- z. All other relief to which Plaintiffs may be justly entitled.



**XII.**  
**PRESERVATION OF EVIDENCE**

130. Plaintiffs request and demand that Defendants and their employees, agents, ostensible agents, representatives, attorneys and insurers preserve and maintain all evidence pertaining to any claim or defense to the incident made the basis of this suit, or the damages resulting therefrom, including but not limited to photographs; videotapes; audiotapes; recordings; business records; memoranda; files; facsimiles; e-mails; voicemails; text messages; cell phone data; sales receipts; invoices; commission records; tax records; telephone messages; telephone calling card transactions; calendar entries; diary entries; bills of lading; any incident reports; and any electronically stored information including images; data or information related to the incident. Failure to maintain such items, including but not limited to any other items preciously requested and demanded to be preserved before the subject lawsuit ensued, will constitute a “spoliation” of the evidence and may subject Defendants to sanctions.

**XIII.**  
**TEXAS RULE OF CIVIL PROCEDURE 193.7**

131. Pursuant to Texas Rule of Civil Procedure 193.7, Defendants are hereby put on actual notice that any documents produced in response to written discovery will be used in pretrial proceedings and at trial and will be deemed authentic unless they make valid objections to authenticity pursuant to the rule.

**XIV.**  
**RULE 194 REQUESTS FOR DISCLOSURE**

132. Pursuant to Tex. R. Civ. Proc. 194, ALL DEFENDANTS are requested to disclose, within fifty (50) days of service of this request, the information and material described in Rule 194.2(a)-(l).

**XV.**  
**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendants WATSON VALVE SERVICES, INC., WATSON GRINDING AND MANUFACTURING, CO., MATHESON TRI-GAS, INC., WESTERN INTERNATIONAL GAS & CYLINDERS, INC., KMHJ, LTD., KMHJ MANAGEMENT COMPANY, LLC, 3M COMPANY, FIRESTONE CRYOGENICS, INC., FIRESTONE CRYOGENIC EQUIPMENT, INC., TELEDYNE EXPLORATION COMPANY, TELEDYNE TECHNOLOGIES, INC. F/K/A DETCON, INC., DETCON, INC. D/B/A OLDHAM, ARC SPECIALTIES, INC., AUTOMATION PLUS, INC., TRCC, LLC, DATAONLINE, LLC, AND INDUSTRIAL SCIENTIFIC CORPORATION 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,

**KWOK DANIEL LTD., L.L.P.**

*/s/ Robert S. Kwok* \_\_\_\_\_

**Robert S. Kwok**

SBN: 00789430

**J. Ryan Loya**

SBN: 24086531

**Marcos H. Cardenas**

SBN: 24116164

**Alex P. Boylhart**

SBN: 24087198

**William W. Hoke\***

SBN: 24046086

9805 Katy Freeway, Suite 850

Houston, Texas 77024

Telephone: (713) 773-3380  
Facsimile: (713) 773-3960  
Email: rk wok@kwoklaw.com  
Email: rloya@kwoklaw.com  
Email: mcardenas@kwoklaw.com  
Email: aboylhart@kwoklaw.com  
Email: whoke@whokelaw.com  
\* Of Counsel

**ATTORNEYS FOR PLAINTIFFS**