

PETITION 4

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CAUSE NO. _____

CHRIS LE, JOAN DOAN, SEBASTIJAN §
BERENJI, VICTORIA WELLS, DAVID §
DIOSDADO, YOLANDA WELLS, JUNG S. §
YUN, JERLESA TATES, JAMES §
BOSTICK, MARY BOSTICK, WENDY §
HONDA, JOSEPH PHAM, JORGE §
PHAM, JORGE CHACON, ZACARIAS §
CHACON, DOMINGO DURON, MANUEL §
CORRAL, JOSE CORRAL, JAIME §
GONZALEZ, BIBIANO SANDOVAL, §
ANGELINA SANDOVAL, CELINA §
SANDOVAL, ABIGAIL HERNANDEZ, §
ROSALBA MARTINEZ, HILDA LIMAS, §
ANTHONY HOWARD, JR., JEANNE §
MERRITT, MERVIN ALBANIA, RIVIS §
HUSBAND, MIRIAN CRUZ, ROBERTO §
HERNANDEZ, ALVARO MENDIETA, §
ROSALBA MENDIETA, PAUL §
MARTINEZ, JANET MARTINEZ, ARMIN §
DENIC, LINDA DANG, MYRA §
JEFFERSON, TUYET DO, STEVEN §
TRAN, MARK TRAN, GILBERT §
ORELLANA, EDUARDO DOLPHER, §
MORGAN LEE, ELIZABETH RUEDA, §
SARA GLORIA, DORIS ARIAS, PABLO §
LOPEZ, SKYLAR DOUGLAS, DENIS §
HERNANDEZ, ABEL MARTINEZ, §
MARTIN ESQUEDA, BLANCA MOJICA, §
ANA SARPAS, SULMA BERJANO, §
ANDRES GOMEZ, LUIS REYES, §
PATRICIA CERVANTES, CRISTHIAN §
MARTINEZ, SINDY SANCHEZ, §
ROSAURA CALIX, DIANA LOPEZ, §
SUSAN LOPEZ, LUIS MEDELLIN, §
MARIA MEDELLIN, NGUYEN HOANG, §
KEVIN VU, JULIA TALAMANTES, §
ONEIDA TALAMANTES, MELODY §
DOLPHER, LUCERO MEDELLIN AND §
HECTOR MEDELLIN §

Plaintiffs,

VS.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

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

§
§
§
§
§
§

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, CHRIS LE, JOAN DOAN, SEBASTIJAN BERENJI, VICTORIA WELLS,
DAVID DIOSDADO, YOLANDA WELLS, JUNG YUN, JERLESA TATES, JAMES
BOSTICK, MARY BOSTICK, WENDY HONDA, JOSEPH PHAM, JORGE CHACON,
ZACARIAS CHACON, DOMINGO DURON, MANUEL CORRAL, JOSE CORRAL, JAIME
GONZALEZ, BIBIANO SANDOVAL, ANGELINA SANDOVAL, CELINA SANDOVAL,
ABIGAIL HERNANDEZ, ROSALBA MARTINEZ, HILDA LIMAS, ANTHONY HOWARD,
JR., JEANNE MERRITT, MERVIN ALBANIA, RIVIS HUSBAND, MIRIAM CRUZ,
ROBERTO HERNANDEZ, ALVARO MENDIETA, ROSALBA MENDIETA, ALVARO
MENDIETA, JR., PAUL MARTINEZ, JANET MARTINEZ, ARMIN DENIC, LINDA DANG,
MYRA JEFFERSON, TUYET DO, STEVEN TARN, MARK TRAN, GILBERT ORELLANA,
EDUARDO DOLPHER, MORGAN LEE, ELIZABETH RUEDA, SARA GLORIA, DORIS
ARIAS, PABLO LOPEZ, SKYLAR DOUGLAS, DENIS HERNANDEZ, ABEL MARTINEZ,
MARTIN ESQUEDA, BLANCA MOJICA, ANA SARPAS, SULMA BERJANO, ANDRES
GOMEZ, LUIS REYES, PATRICIA CERVANTES, HECTOR CERVANTES, CRISTHIAN
MARTINEZ, SINDY SANCHEZ, ROSAURA CALIX, DIANA LOPEZ, SUSAN LOPEZ, LUIS
MEDELLIN, MARIA MEDELLIN, NGUYEN HOANG, KEVIN VU, JULIA TALAMANTES,
ONEIDA TALAMANTES, MELODY DOLPHER, LUCERO MEDELLIN AND HECTOR

MEDELLIN, 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 CHRIS LE is a natural person residing in Harris County, Texas.
4. Plaintiff JOAN DOAN is a natural person residing in Harris County, Texas.
5. Plaintiff SEBASTIJAN BERENJI is a natural person residing in Harris County, Texas.
6. Plaintiff VICTORIA WELLS is a natural person residing in Harris County, Texas.
7. Plaintiff DAVID DIOSDADO is a natural person residing in Harris County, Texas.
8. Plaintiff YOLANDA WELLS is a natural person residing in Harris County, Texas.
9. Plaintiff JUNG YUN is a natural person residing in Harris County, Texas.

10. Plaintiff JERLESA TATES is a natural person residing in Harris County, Texas.
11. Plaintiff JAMES BOSTICK is a natural person residing in Harris County, Texas.
12. Plaintiff MARY BOSTICK is a natural person residing in Harris County, Texas.
13. Plaintiff WENDY HONDA is a natural person residing in Harris County, Texas.
14. Plaintiff JOSEPH PHAM is a natural person residing in Harris County, Texas.
15. Plaintiff JORGE CHACON is a natural person residing in Harris County, Texas.
16. Plaintiff ZACARIAS CHACON is a natural person residing in Harris County,
Texas.
17. Plaintiff DOMINGO DURON is a natural person residing in Harris County, Texas.
18. Plaintiff MANUEL CORRAL is a natural person residing in Harris County, Texas.
19. Plaintiff JOSE CORRAL is a natural person residing in Harris County, Texas.
20. Plaintiff JAIME GONZALEZ is a natural person residing in Harris County, Texas.
21. Plaintiff BIBIANO SANDOVAL is a natural person residing in Harris County,
Texas.
22. Plaintiff ANGELINA SANDOVAL is a natural person residing in Harris County,
Texas.
23. Plaintiff CELINA SANDOVAL is a natural person residing in Harris County,
Texas.
24. Plaintiff ABIGAIL HERNANDEZ is a natural person residing in Harris County,
Texas.
25. Plaintiff ROSALBA MARTINEZ is a natural person residing in Harris County,
Texas.
26. Plaintiff HILDA LIMAS is a natural person residing in Harris County, Texas.

27. Plaintiff ANTHONY HOWARD is a natural person residing in Harris County, Texas.
28. Plaintiff JEANNE MERRITT is a natural person residing in Harris County, Texas.
29. Plaintiff MERVIN ALBANIA is a natural person residing in Harris County, Texas.
30. Plaintiff RIVIS HUSBAND is a natural person residing in Harris County, Texas.
31. Plaintiff MIRIAN CRUZ is a natural person residing in Harris County, Texas.
32. Plaintiff ROBERTO HERNANDEZ is a natural person residing in Harris County, Texas.
33. Plaintiff ALVARO MENDIETA is a natural person residing in Harris County, Texas.
34. Plaintiff ROSALBA MENDIETA is a natural person residing in Harris County, Texas.
35. Plaintiff ALVARO MENDIETA, JR. is a natural person residing in Harris County, Texas.
36. Plaintiff PAUL MARTINEZ is a natural person residing in Harris County, Texas.
37. Plaintiff JANET MARTINEZ is a natural person residing in Harris County, Texas.
38. Plaintiff ARMIN DENIC is a natural person residing in Harris County, Texas.
39. Plaintiff LINDA DANG is a natural person residing in Harris County, Texas.
40. Plaintiff MYRA JEFFERSON is a natural person residing in Harris County, Texas.
41. Plaintiff TUYET DO is a natural person residing in Harris County, Texas.
42. Plaintiff STEVEN TRAN is a natural person residing in Harris County, Texas.
43. Plaintiff MARK TRAN is a natural person residing in Harris County, Texas.

44. Plaintiff GILBERT ORELLANA is a natural person residing in Harris County, Texas.
45. Plaintiff EDUARDO DOLPHER is a natural person residing in Harris County, Texas.
46. Plaintiff MORGAN LEE is a natural person residing in Harris County, Texas.
47. Plaintiff ELIZABETH RUEDA is a natural person residing in Harris County, Texas.
48. Plaintiff SARA GLORIA is a natural person residing in Harris County, Texas.
49. Plaintiff DORIS ARIAS is a natural person residing in Harris County, Texas.
50. Plaintiff PABLO LOPEZ is a natural person residing in Harris County, Texas.
51. Plaintiff SKYLAR DOUGLAS is a natural person residing in Harris County, Texas.
52. Plaintiff DENIS HERNANDEZ is a natural person residing in Harris County, Texas.
53. Plaintiff ABEL MARTINEZ is a natural person residing in Harris County, Texas.
54. Plaintiff MARTIN ESQUEDA is a natural person residing in Harris County, Texas.
55. Plaintiff BLANCA MOJICA is a natural person residing in Harris County, Texas.
56. Plaintiff ANA SARPAS is a natural person residing in Harris County, Texas.
57. Plaintiff SULMA BERJANO is a natural person residing in Harris County, Texas.
58. Plaintiff ANDRES GOMEZ is a natural person residing in Harris County, Texas.
59. Plaintiff LUIS REYES is a natural person residing in Harris County, Texas.
60. Plaintiff PATRICIA CERVANTES is a natural person residing in Harris County, Texas.

61. Plaintiff HECTOR CERVANTES is a natural person residing in Harris County, Texas.
62. Plaintiff CRISTHIAN MARTINEZ is a natural person residing in Harris County, Texas.
63. Plaintiff SINDY SANCHEZ is a natural person residing in Harris County, Texas.
64. Plaintiff ROSAURA CALIX is a natural person residing in Harris County, Texas.
65. Plaintiff DIANA LOPEZ is a natural person residing in Harris County, Texas.
66. Plaintiff SUSAN LOPEZ is a natural person residing in Harris County, Texas.
67. Plaintiff LUIS MEDELLIN is a natural person residing in Harris County, Texas.
68. Plaintiff MARIA MEDELLIN is a natural person residing in Harris County, Texas.
69. Plaintiff NGUYEN HOANG is a natural person residing in Harris County, Texas.
70. Plaintiff KEVIN VU is a natural person residing in Harris County, Texas.
71. Plaintiff JULIA TALAMANTES is a natural person residing in Harris County, Texas.
72. Plaintiff ONEIDA TALAMANTES is a natural person residing in Harris County, Texas.
73. Plaintiff MELODY DOLPHER is a natural person residing in Harris County, Texas.
74. Plaintiff LUCERO MEDELLIN is a natural person residing in Harris County, Texas.
75. Plaintiff HECTOR MEDELLIN is a natural person residing in Harris County, Texas.

76. 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.

77. 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

78. 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.

79. 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

80. 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

81. 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.

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

VII.
GROSS NEGLIGENCE OF ALL DEFENDANTS

83. 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.

84. 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.

85. 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**

86. 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

87. 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).

X.
NOTICE OF DEMAND FOR PRESERVATION
OF ELECTRONICALLY STORED INFORMATION

88. 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 for the 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

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J. Ryan Loya

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