

C T Corporation System
The Corporation Trust Company

HOUSTON, TEXAS

(City)

(State)

Jan. 22, 1990

(Date)

TO: Conoco Inc.
ATTN: B. D. Kelly, Supv.
Support Services
McLean Building, Rm. 2030
600 North Dairy Ashford
Houston, Texas 77079

RECEIVED

(X) Via Federal Express

381 0829 504

() Via Messenger

JAN 23 1990

JERRY W. ASHBY

RE: PROCESS SERVED IN

TEXAS

(Jurisdiction)

FOR

Conoco Inc.

(Name of Company)

DEL.

(Domestic State)

Enclosed are copies of legal process served upon or received by the statutory agent of the above company as follows:

1. Title of Action: Edwin L. Chargois and wife, Maxine Chargois, Pltfs. vs Shell Oil Company, et al, Defts.
TO: Conoco, Inc.

1st Amended

2. Document(s): (X) Original Petition (XX) Citation () Summons () Complaint
(X) Motion for Appointment of Process Server & Order (Executed)
3. Court: (X) 60 Judicial District Court, Jefferson County, Texas. Case No. B-134,053
()
4. Nature of Action: First Amended Petition adding Defts., in suit seeking unspecified amount and other relief for personal injuries and damages sustained as a result of exposure to products containing benzene manufactured, sold or distributed by Defts., alleging negligence.
5. () Process Served on: C T CORPORATION SYSTEM, HOUSTON, TEXAS
(XX) Process Received by: C T CORPORATION SYSTEM, HOUSTON, TEXAS Via (XX) Certified Mail () Regular Mail
From: See Item #8
Envelope Post Marked 1-19-90 enclosed.
6. Date and Hour of Service or Receipt: Jan. 22, 1990
7. Appearance or Answer Due: (X) 10 A.M. Monday next after expiration of 20 days.
()
8. Plaintiff's Attorney(s): J. Keith Hyde
2190 Harrison
Beaumont, Texas 77701 (409) 838-6410
9. Remarks: Pltfs. hereby request a trial by jury.
() This confirms our telephone call to your office.
() Above telephoned to C T office and is sent to you per their instructions.

KINDLY ACKNOWLEDGE RECEIPT BY SIGNING
THE CARBON COPY AND RETURNING IT TO →

MCD 000018261

Signed C T CORPORATION SYSTEM

Per Rita Rodriguez
Rita Rodriguez
811 Dallas Avenue

Address

Houston, Texas 77002

NO. B-134,053

EDWIN L. CHARGOIS AND WIFE,	*	IN THE DISTRICT COURT OF
MAXINE CHARGOIS	*	
	*	
vs.	*	JEFFERSON COUNTY, TEXAS
	*	
	*	
SHELL OIL COMPANY, ET AL	*	60TH JUDICIAL DISTRICT

PLAINTIFFS' FIRST AMENDED PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW the Plaintiffs, EDWIN CHARGOIS and wife, MAXINE CHARGOIS, complaining of B. F. GOODRICH COMPANY, TEXACO BUTADIENE COMPANY, UNION OIL COMPANY OF CALIFORNIA, CHEVRON U.S.A., INC., (formerly GULF OIL CORPORATION), MOBIL OIL CORPORATION, UNIROYAL, INC., SHELL OIL COMPANY, REXENE PRODUCTS COMPANY (formerly EL PASO PRODUCTS COMPANY), PETRO-TEX CHEMICAL CORPORATION, MONSANTO COMPANY, HOLLYWOOD MARINE, INC., UNION CARBIDE CORPORATION, DOW CHEMICAL COMPANY, FINA OIL & CHEMICAL COMPANY (formerly COSDEN OIL AND CHEMICAL COMPANY), HOECHST-CELANESE, ATLANTIC RICHFIELD COMPANY, ARCO CHEMICAL COMPANY, NECHES BUTANE PRODUCTS COMPANY, TEXACO INC., TEXACO CHEMICAL COMPANY, INC., LYONDELL PETROCHEMICAL COMPANY, INC., QUANTUM CHEMICAL CORPORATION, AMERICAN SMELTING & REFINING COMPANY, AMOCO CHEMICAL COMPANY, AMOCO OIL COMPANY, ASHLAND OIL INC., BASF CORPORATION (d/b/a DELAWARE MEW CORPORATION), BORG WARNER CORPORATION, CHASE

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MANHATTAN CORPORATION, CONOCO, INC., CONTINENTAL OIL COMPANY,
E. I. DUPONT DE NEMOURS & COMPANY, EASTMAN KODAK COMPANY,
ENERGY RESOURCES, ENJAY CHEMICAL COMPANY, ICI AMERICAS INC.,
INTER-CONTINENTAL, INTERMARK, INC., KOPPERS COMPANY, INC.,
MITSUBISHI INTERNATIONAL COPORATION, MOBAY CORPORATION
(formerly MOBAY CHEMICAL COMPANY), MOBIL CHEMICAL COMPANY,
INC., NEOCHEM CORPORATION, NORCHEM, OLYMPIC PETROLEUM, OXY
PETROCHEMICALS INC., OXY U. S. A., INC., OXYDE CHEMICAL
CORPORATION, PHILLIPS PETROLEUM COMPANY, POLYSAR, INC., SUN
CHEMICAL CORPORATION, TEXAS OLEFINS COMPANY, THOMPSON-HAYWARD
CHEMICAL COMPANY, UNION TEXAS PETROLEUM CORPORATION, and
VISTA CHEMICAL, hereinafter called Defendants, and for cause
of action, Plaintiffs would respectfully show unto the Court
the following:

I.

That Plaintiffs reside in the City of Port Neches,
County of Jefferson, State of Texas.

Defendants, B. F. GOODRICH COMPANY, TEXACO BUTADIENE
COMPANY, UNION OIL COMPANY OF CALIFORNIA, CHEVRON U.S.A.,
INC. (formerly GULF OIL CORPORATION), MOBIL OIL CORPORATION,
UNIROYAL, INC., SHELL OIL COMPANY, REXENE PRODUCTS COMPANY
(formerly EL PASO PRODUCTS COMPANY), PETRO-TEX CHEMICAL
CORPORATION, MONSANTO COMPANY, HOLLYWOOD MARINE, INC., UNION
CARBIDE CORPORATION, DOW CHEMICAL COMPANY, FINA OIL &

CHEMICAL COMPANY (formerly COSDEN OIL & CHEMICAL COMPANY), ATLANTIC RICHFIELD COMPANY, ARCO CHEMICAL COMPANY, NECHES BUTANE PRODUCTS COMPANY, TEXACO INC., TEXACO CHEMICAL COMPANY, INC., and LYONDELL PETROCHEMICAL COMPANY, INC. are properly before this Honorable Court.

Defendants, HOECHST-CELANESE and QUANTUM CHEMICAL CORPORATION, have been served, but have not yet answered in this proceeding.

Defendant, AMERICAN SMELTING & REFINING COMPANY, is a corporation organized and existing under and by virtue of the laws of some state other than Texas, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, AMOCO CHEMICAL COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Texas, with an agent for service in the State of Texas, to-wit: Prentice-Hall Corporation System, 807 Brazos, Suite 102, Austin, Texas 78701.

Defendant, AMOCO OIL COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Maryland, with an agent for service in the State of Texas, to-wit: Prentice-Hall Corporation Systems, 807 Brazos, Suite 102, Austin, Texas 78701.

Defendant, ASHLAND OIL INC., is a corporation organized and existing under and by virtue of the laws of the State of Kentucky, with an agent for service in the State of Texas, to-wit: C. T. Corporation, 1601 Elm St, Dallas, Texas 75201.

Defendant, BASF CORPORATION (d/b/a DELAWARE MEW CORPORATION), is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, BORG WARNER CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, CHASE MANHATTAN CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation System, 1601 Elm Street, Dallas, Texas 75201.

Defendant, CONOCO, INC., is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 811 Dallas Avenue, Houston, Texas 77002.

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Defendant, CONTINENTAL OIL COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, E. I. DUPONT DE NEMOURS & COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, EASTMAN KODAK COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of New Jersey, with an agent for service in the State of Texas, to-wit: C. T. Corporation System, 1601 Elm Street, Dallas, Texas 75201.

Defendant, ENERGY RESOURCES, is a corporation organized and existing under and by virtue of the laws of the State of Nevada, with an agent for service in the State of Texas, to-wit: David L. Baker, 300 Texas Commerce Bank Building, Amarillo, Texas 79109.

Defendant, ENJAY CHEMICAL COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of

Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, TX 75201.

Defendant, ICI AMERICAS, INC., is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, TX 75201.

Defendant, INTER-CONTINENTAL, is a corporation organized and existing under and by virtue of the laws of some state other than the State of Texas, with an agent for service in the State of Texas, to-wit: Dan Miller, 2700, 200 Bryan Tower, Dallas, Texas 75201.

Defendant, INTERMARK, INC., is a corporation organized and existing under and by virtue of the laws of the State of Texas, with an agent for service in the State of Texas, to-wit: J. C. Matthews, Jr., 346 South Central Expresssaway, Richardson, Texas 75080.

Defendant, KOPPERS COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, MITSUBISHI INTERNATIONAL CORPORATION, is a corporation organized and existing under and by virtue of the

laws of the State of New York, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 811 Dallas Avenue, Suite 1500, Houston, Texas 77002.

Defendant, MOBAY CORPORATION (Formerly MOBAY CHEMICAL COMPANY), is a corporation organized and existing under and by virtue of the laws of the State of New Jersey, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, MOBIL CHEMICAL COMPANY, INC., is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, NEOCHEM CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Texas, with an agent for service in the State of Texas, to-wit: Dick H. Greg, 4828 Luke Central, Suite 120, Houston, Texas 77081.

Defendant, NORCHEM, is a corporation organized and existing under and by virtue of the laws of some state other than the State of Texas, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, OLYMPIC PETROLEUM, is a corporation organized and existing under and by virtue of the laws of some state other than the State of Texas, with an agent for service in the State of Texas, to-wit: Robert Wolf, 10300 North Central Exp., Building Z, Loop 120, Dallas, Texas 75201.

Defendant, OXY PETROCHEMICALS INC., is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 811 Dallas Avenue, Suite 830, Houston, TX 77002.

Defendant, OXY U.S.A., INC., is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation, 1601 Elm St., Dallas, TX 75201.

Defendant, OXYDE CHEMICAL CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Texas, with an agent for service in the State of Texas, to-wit: John W. Johnson, 11767 Katy Freeway, Suite 210, Houston, Texas 77079.

Defendant, PHILLIPS PETROLEUM COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: United States Corporation, 807 Brazos, Suite 102, Austin, Texas 78701.

Defendant, POLYSAR, INC., is a corporation organized and existing under and by virtue of the laws of the State of Ohio, with an agent for service in the State of Texas, to-wit: C. T. Corporation, 1601 Elm St., Dallas, Texas 75201.

Defendant, SUN CHEMICAL CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: Prentice-Hall Corporation System, 807 Brazos, Suite 102, Austin, Texas 78701.

Defendant, TEXAS OLEFINS COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Texas, with an agent for service in the State of Texas, to-wit: John T. Shelton, 8707 Katy Freeway, Suite 300, Houston, Texas 77024.

Defendant, THOMPSON-HAYWARD CHEMICAL COMPANY, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 1601 Elm Street, Dallas, Texas 75201.

Defendant, UNION TEXAS PETROLEUM CORPORATION, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 811 Dallas Avenue, Houston, Texas 77002.

Defendant, VISTA CHEMICAL, is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with an agent for service in the State of Texas, to-wit: C. T. Corporation Systems, 811 Dallas Avenue, Houston, Texas 77002.

In addition, Plaintiffs would show that at all material times herein, said Defendants were doing business within the State of Texas as that term is defined in Article 2031(b), Texas Revised Civil Statutes, and are therefore amenable to process because of their substantial business contacts in the State of Texas.

II.

At all times herein relevant, said Defendants were and are engaged in the business of manufacturing, selling, distributing and/or placing into the stream of commerce, chemicals, including benzene, 1,3 butadiene and/or styrene contaminated with benzene. These said chemicals were placed into the stream of commerce by the Defendants, acting through its agents, servants, employees and/or representatives, and were and are placed on the market to be purchased and used by the public, specifically the Defendants' refineries and petrochemical facilities, which supplied these chemicals to Plaintiffs' employer, Ameripol-Synpol.

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III.

Plaintiff, EDWIN L. CHARGOIS, was exposed to the said chemicals during his employment at Ameripol-Synpol from approximately 1971 to the present, which has resulted in his developing the disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia.

IV.

STRICT LIABILITY

Plaintiffs would show that this action is maintained pursuant to what is commonly called products liability law. Defendants are liable under the theory of strict tort liability as set forth in Section 402A of the Restatement of Torts (Second). Defendants were at all material times engaged in the business of manufacturing and/or distributing benzene, 1,3 butadiene and styrene contaminated with benzene. Said chemicals were expected to reach, and in fact, did reach the Plaintiff, EDWIN L. CHARGOIS, without substantial change in their condition. The said chemicals were in a defective condition, unreasonably dangerous when sold by Defendants. Said defective, unreasonably dangerous condition was a producing cause of injuries made the basis of this suit.

V.

That the products containing benzene manufactured, sold or distributed by the Defendants were in a defective

condition unreasonably dangerous to EDWIN L. CHARGOIS, and caused him as a user or consumer physical harm over the years, and as a result of the breathing or ingestion into his body of the benzene, butadiene and/or styrene contaminated with benzene, he sustained severe, permanent and disabling injuries (including the disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia).

Plaintiffs further say that the Defendants are liable to the Plaintiffs because as manufacturers, distributors and/or sellers of the products in a defective condition unreasonably dangerous, said Defendants owed a strict duty to Plaintiffs not to harm EDWIN L. CHARGOIS through the use of the products sold by said Defendants and placed on the market in a defective condition unreasonably dangerous and not safe for the intended use of such products, because said Defendants:

- (a) Failed to warn the user or consumer of the benzene products, such as EDWIN L. CHARGOIS, of the known or reasonably foreseeable danger of contracting malignant disease by the use of the products manufactured, distributed or sold by Defendants;
- (b) Knew, or in the exercise of reasonable care, should have known that their products were in a defective condition or unreasonably dangerous, and that the use of same would cause cancer.
- (c) Failed to test their products concerning the adverse health effects of benzene, butadiene, and/or styrene contaminated with benzene in the Defendants' products upon the human body;
- (d) Knew that their products would be used by users or consumers, such as EDWIN L. CHARGOIS, in a manner

that such products were so used, and the use was reasonably foreseeable;

- (e) Failed and omitted to provide EDWIN L. CHARGOIS with the knowledge as to what would be reasonably safe and sufficient wearing apparel and proper protective equipment and appliances, if, in truth, there were any way to protect him from Defendants' products;
- (f) Failed to instruct EDWIN L. CHARGOIS in proper handling of said Defendants' products to protect him from harm; and
- (g) Breached the warranty of merchantability to the Plaintiff, EDWIN L. CHARGOIS, as well as others, when Defendants warranted, either expressly or impliedly to be merchantable, when in truth, they were not.

VI.

NEGLIGENCE

Plaintiffs would further show that Defendants are liable for their injuries and damages because of negligence. Defendants through their various agents, employees and/or representatives, were negligent in failing to properly manufacture and transport the said chemicals, including benzene, butadiene and/or styrene contaminated with benzene, and in failing to warn Plaintiff, EDWIN L. CHARGOIS, or those so situated, of the adverse health effects of said chemicals. Defendants, DOW CHEMICAL COMPANY and PETRO-TEX CHEMICAL CORPORATION, supplied a catalyst to NECHES BUTANE PRODUCTS COMPANY, which was used in the manufacturing and processing of 1,3 butadiene, and in doing so, breached the duty to warn

the Plaintiff, EDWIN L. CHARGOIS, of safety health hazards. Such negligence was a proximate cause of Plaintiff's injuries and damages (including the disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia).

VII.

The Plaintiffs would further show that at all times material hereto, over the period of years in which the Plaintiff, EDWIN L. CHARGOIS, had been employed at Ameripol-Synpol the manufacture, sale and distribution of benzene, butadiene and/or styrene contaminated with benzene with which the Plaintiff, EDWIN L. CHARGOIS, came in contact, was under the exclusive control of said Defendants, their agents, servants, and employees, and that had the Defendants herein not been guilty of negligence as hereinabove set forth, the Plaintiff, EDWIN L. CHARGOIS, would not have sustained his injuries and damages, as herein set forth, and therefore, Plaintiffs say that they are entitled to recover from the Defendants under the doctrine of res ipsa loquitur.

VIII.

Plaintiffs would further show that at all material times the said Defendants were fully aware of their chemical emissions; that such Defendants released toxic chemicals into the ambient air, knowing that such contaminants would be inhaled and absorbed by persons such as EDWIN L. CHARGOIS.

Each such Defendant knew, actually or constructively, or should have known, that its chemicals have the potential for causing cancer and other chronic diseases that could result in death or serious bodily disease. A substantial portion of such emissions was unnecessary and therefore such emissions could have been substantially reduced, thereby reducing the resulting disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia.

Plaintiffs would also show that the Defendants herein are jointly and severally liable for the bodily harm of which such emissions are a producing cause or a proximate cause. Plaintiffs would moreover show that the aforesaid disease-causing contaminants contained in such emissions constituted abnormally hazardous substances and ultra-hazardous substances for which the law of Texas imposes strict liability for any resulting harm from exposure thereto.

Therefore, under the aforesaid facts, Plaintiffs say that they are entitled to recovery against Defendants jointly and severally under various legal theories, including nuisance, trespass, negligence, strict liability and pollution tort law.

IX.

That as a direct and proximate result of the aforesaid occurrence and circumstances and the breach of strict

liability of the Defendants and each of them, EDWIN L. CHARGOIS, was permanently and severely injured; that he sustained very serious and permanent injuries to his body, including the disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia; that he suffers excruciating pain; that it is necessary that Plaintiff be given narcotics to relieve his extreme pain; that the Plaintiff's condition is serious and possibly terminal.

X.

Plaintiffs would further show that as a result of the said exposures, EDWIN L. CHARGOIS, has sustained injuries and damages and the resulting disease, non-hodgkins lymphoma and the disease, lymphocytic leukemia. Plaintiffs have been damaged in excess of the minimum jurisdictional requirement of this Court and in such amount as the evidence may show proper at the time of trial, for which Plaintiffs herein sue.

XI.

Plaintiffs believe it would take punitive damages in a very substantial sum to effectively convey this overdue message to the corporate management of these Defendants who have it within their power either to continue or to curtail their participation in this needless tragedy. Accordingly, Plaintiffs, pray for a judgment against such Defendants for a just and reasonable sum.

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XII.

MAXINE CHARGOIS, wife of Plaintiff, EDWIN L. CHARGOIS, joins in this cause of action as a named Plaintiff and specifically incorporates all of the allegations as herein set forth and asserts her individual cause of action for loss of consortium. Consortium is the mutual right of a husband and wife to that affection, solace, comfort, companionship, society, assistance and sexual relations necessary to a successful marriage, for which elements of damage said Plaintiff would show that she is entitled and herein seeks to recover. As a direct and proximate result of the aforesaid acts of negligence and under the doctrine of products liability, MAXINE CHARGOIS, sustained injuries and damages as above set forth in an amount in excess of the minimum jurisdictional limits of this Court and for which she requests this Honorable Court to award her as her sole and separate property.

XIII.

Plaintiffs also assert a claim for prejudgment interest for all elements of damages that such interest is allowed for pursuant to the Texas Supreme Court decision in Caynar v. Quality Control Parking, 696 S.W. 2d 549 (Tex. 1985) and Article 5069-1.05, Texas Revised Civil Statutes, Ann. Such elements include, but are not limited to, past medical

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expenses, past physical pain and suffering, past mental anguish, past loss of earnings, past physical impairment and disfigurement, and any other proper elements of damages that prejudgment interest may be of properly awarded for.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that the Defendants be cited to appear and answer herein as the law directs, and that upon final hearing hereof, Plaintiffs, EDWIN L. CHARGOIS and MAXINE CHARGOIS, recover of and from the Defendants for their damages as alleged in excess of the minimum jurisdictional requirements of this Court and in such amount as the evidence may show proper at the time of trial, together with costs of court, interest at the legal rate from date of judgment until paid, and for such other and further relief, special and general, at law and in equity, to which the Plaintiffs may be justly entitled to receive.

Respectfully submitted,

BUSH, LEWIS & RAMSEY, P.C.
10th Floor, San Jacinto Bldg.
595 Orleans Street
Beaumont, TX 77701
(409) 835-3521

BY: 

DON BUSH
TBA# 03495200

LEAD COUNSEL FOR PLAINTIFFS

MCD 000018279

THE LAW OFFICE OF HERSCHEL L. HOBSON
2190 Harrison
Beaumont, TX 77701
(409) 838-6410

BY: AKH

J. KEITH HYDE
TBA# 10370250

COUNSEL FOR PLAINTIFFS

LAW OFFICE OF GEORGE BARRON
108 North Seventh Street
P. O. Box E
Orange, TX 77630
(409) 886-3090

BY: Geo. Barron

GEORGE BARRON
TBA# 01817500

COUNSEL FOR PLAINTIFFS

JURY DEMAND

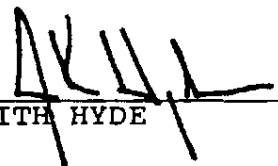
Plaintiffs hereby respectfully request a trial by jury.

AKH
J. KEITH HYDE

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the
aforementioned instrument was served by mailing a copy of the
same on the 14th day of December, 1989, to all counsel of
record.



J. KEITH HYDE

NO. B-134,053

EDWIN L. CHARGOIS AND WIFE,	*	IN THE DISTRICT COURT OF
MAXINE CHARGOIS	*	
	*	
vs.	*	JEFFERSON COUNTY, TEXAS
	*	
	*	
SHELL OIL COMPANY, ET AL	*	60TH JUDICIAL DISTRICT

MOTION FOR APPOINTMENT FOR PROCESS SERVER

COME NOW EDWIN CHARGOIS and wife, MAXINE CHARGOIS, Plaintiffs herein and move this Court pursuant to Rules 103, 105, 106(a), 107 and 108 of the Texas Rules of Civil Procedure to appoint DENISE M. TRUNCALE as a designated agent by registered mail to serve process in this action, and that said individual is designated shall have full power and authority to execute such process and make due return as provided by Rule 107, T.R.C.P.

For grounds, therefore, Plaintiff would ask this Honorable Court to execute service on the above styled cause because of the work overload of the Sheriff's Department, that the peculiarities of products liability litigation which involve numerous defendants and the necessity of an efficient and expeditious manner of process service.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray this Court enter its Order and designate DENISE M. TRUNCALE as agent to execute process by registered mail with return being made in accordance with Rule 107, T.R.C.P.

Respectfully submitted,

THE LAW OFFICE OF HERSCHEL L. HOBSON
2190 Harrison
Beaumont, TX 77701
(409) 838-6410

BY: 

J. KEITH HYDE
TBA# 10370250

MCD 000018283

60TH JUDICIAL DISTRICT

FILE
RECEIVED
JAN 11 1968

TO: Conoco, Inc.
by serving agent for service
C. T. Corporation Systems
811 Dallas Avenue
Houston, Texas

DEFENDANT:

NOTICE: SERVE BY RULES 103,105,106(a), 107 and 108

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and/ ^{Plaintiffs' First Amended Petition} petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, P. O. Box 3707, Beaumont, TX 77704, or by bringing it to the office. Our street address is 1001 Pearl St. and we are located on the second floor of the new annex. The case is presently pending before the 60th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 15th day of December 1989. It bears cause number B-134,053 and is styled:

Plaintiff :

Edwin L. Chargois and Maxine Chargois

vs

Shell Oil Company, Et Al

RETURN

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Came to hand on day of , 19 , at o'clock

and executed in County, Texas by delivering to each of the within named

in person a true copy of this Citation, with the date of delivery endorsed thereon and the

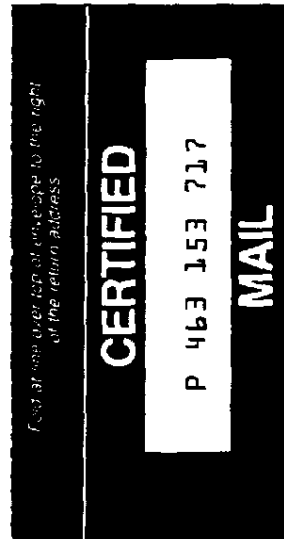
accompanying copy of

at the following times and places to-wit:

NAME	DATE			TIME			Place, Course and Distance from Court House	Mileage
	Month	Day	Year	Hour	Min.	--M.		

Herschel L. Hobson
ATTORNEY AT LAW
2190 Harrison
Beaumont, Texas 77701

MCD 0000 18285.1



C.T. Corporation Systems
811 Dallas Avenue
Houston, TX 77002