

FOR IMMEDIATE RELEASE

\$9.76 MILLION AWARDED TO FAMILY

**Tucker, Vaughan, Gardner & Barnes, P.C. and Perdue & Kidd, LLP
Secure \$9.76 Million Verdict for Widow and Children**

On Wednesday, February 25, 2009, a Harris County jury returned a verdict in the amount of \$9.76 million in favor of the widow and children of Adan Padron, who was killed at the GSF Energy, LLC McCarty Road landfill gas processing plant on the east side of Houston. GSF Energy had hired CES Environmental Services, Inc., Padron's employer, to clean out an "iron sponge" tank using hydroblasting from the top of the tank. When that process was not working as well as GSF wanted, GSF instructed CES to enter the tank. Minutes after entering the tank, debris fell and struck Padron, killing him instantly. GSF claimed that CES was in complete control of the work and that it was not liable. Rejecting that assertion, the jury found that GSF Energy, LLC controlled the manner in which CES performed the work and that GSF was negligent in allowing entry into a permit-required confined space without performing an appropriate hazard analysis.

Lead trial counsel for Herlinda Padron and her children were Donald H. Kidd and Jim Perdue, Jr. of Perdue & Kidd, L.L.P. Barbara J. Gardner of Tucker, Vaughan, Gardner & Barnes, P.C., also represented Ms. Padron and her children. Tanya Padron, an older daughter, was represented by James Lassiter with the Lassiter Law Firm.

GSF Energy, L.L.C. was represented by Mary Szilagyi-Ovaitt of Handlin & Associates and Ralph Gustafson of Tucker, Taunton, Snyder & Slade, P.C.

The matter is *Herlinda Padron, et al. v. GSF Energy, L.L.C.*, Cause No. 2006-29506; In the 164th Judicial District Court for Harris County, Texas, the Honorable Alexandra Smoots-Hogan presiding.

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