

6. \$19 million settlement

Personal/property damage class action

Adams et al. v. DPC Industries et al.

Jefferson County Circuit Court

May & June 2007

Plaintiffs' attorneys: Kevin Roberts, Breeze, Roberts, Ponder-Bates & Zimmer, Festus; Tim Engelmeyer, McMichael, Logan and Engelmeyer, Chesterfield; Dan McMichael, McMichael & Logan, Chesterfield; Greg Roberts, The Roberts Law Firm, Chesterfield; Barry Reed, Zimmerman Reed, Scottsdale, Ariz.; Ronnie Penton, Bogalusa, La.

Defense attorneys: Lynn Hursh, Armstrong Teasdale, Kansas City, Mo.; Patrick Chavez, Williams Venker Sanders, St. Louis; Stephen Tipps, Baker Botts Houston, Texas; Donald Ohl, Knapp, Ohl & Green, Edwardsville, Ill.; Dane Jaques, Dombroff Gilmore Jaques & French, McLean, Va.

A 2002 chlorine leak from a tank car at DPC Enterprises Inc.'s packing plant in Festus forced the evacuation of hundreds of homes and businesses and sent several people to the hospital.

Almost five years later, a class action lawsuit alleging personal and property damage from the leak of 48,000 pounds of chlorine gas due to a faulty hose settled for \$19 million. DPC, which transfers chlorine from railroad cars and repackages it for commercial use, agreed to pay \$9.4 million. Branham Corp., which assembles and distributes the hoses used in the transfers, was on the hook for \$5.2 million. Crane Co., which makes the hoses, agreed to pay \$4.4 million.