

3. Defendant, DELFIN OFFSHORE PIPELINE, LLC, is a foreign limited liability company with its principal place of business in Houston, Harris County, Texas. This Defendant is registered to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic basis. On information and belief, one or more of this defendant's members are Texas citizens. This defendant is therefore a Texas citizen. *See Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1079–80 (5th Cir. 2008). This Defendant can be served with process through its registered agent, CT Corporation System, located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

4. Defendant, DELFIN LNG, LLC, is a foreign limited liability company with its principal office and principal place of business in Houston, Harris County, Texas. This Defendant is registered to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic basis. On information and belief, one or more of this defendant's members are Texas citizens. This defendant is therefore a Texas citizen. *See Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1079–80 (5th Cir. 2008). This Defendant can be served with process through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

5. Defendant, DELFIN MIDSTREAM, INC., is a foreign for-profit corporation with its principal office and principal place of business located at 609 Main Street, Suite 2500, Houston, Harris County, Texas 77002. This Defendant is thus a Texas citizen. This Defendant is registered

to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic basis. This Defendant can be served with process through its registered agent, Capital Corporate Services, located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

6. Defendant, GENESIS ENERGY, LP, is a publicly traded, master limited partnership listed on the New York Stock Exchange (ticker symbol: GEL) with its principal office, principal place of business, and corporate headquarters located at 811 Louisiana St., Suite 1200, Houston, TX 77002. This Defendant is registered to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic basis. On information and belief, one or more of this defendant's unit interest holders / partners are Texas citizens. *See Carden v. Arkoma Associates*, 494 U.S. 185 (1990); *Williams v. Pipe Pros, LLC*, No. 6:20-CV-00057, 2021 WL 951933, at *3 (S.D. Tex. Mar. 11, 2021); *Trafigura AG v. Enter. Prods. Operating LLC*, 995 F. Supp. 2d 641, 645–46 (S.D. Tex. 2014). This defendant is therefore a Texas citizen. This defendant may be served with process through its registered agent, Louis Nicol, 811 Louisiana St., Suite 1200, Houston, TX 77002, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

7. Defendant, GENESIS OFFSHORE HOLDINGS, LLC, is a foreign limited liability company with its principal office, principal place of business, and corporate headquarters located at 811 Louisiana St., Suite 1200, Houston, TX 77002. This Defendant is registered to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic

basis. On information and belief, one or more of this defendant's members are Texas citizens. This defendant is therefore a Texas citizen. *See Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1079–80 (5th Cir. 2008). This defendant may be served with process through its registered agent, Louis Nicol, 811 Louisiana St., Suite 1200, Houston, TX 77002, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

8. Defendant, GENESIS GTM OFFSHORE OPERATING COMPANY, LLC, is a foreign limited liability company with its principal office, principal place of business, and corporate headquarters located at 811 Louisiana St., Suite 1200, Houston, TX 77002. This Defendant is registered to do business in Texas and conducts a substantial amount of business in Texas on a continuous and systematic basis. On information and belief, one or more of this defendant's members are Texas citizens. This defendant is therefore a Texas citizen. *See Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1079–80 (5th Cir. 2008). This defendant may be served with process through its registered agent, Louis Nicol, 811 Louisiana St., Suite 1200, Houston, TX 77002, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

9. Defendant, MANTA RAY GATHERING COMPANY, LLC, is a Texas limited liability company with its principal office, principal place of business, and corporate headquarters located at 811 Louisiana St., Suite 1200, Houston, TX 77002. On information and belief, one or more of this defendant's members are Texas citizens. This defendant is therefore a Texas citizen. *See Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1079–80 (5th Cir. 2008). This Defendant

can be served with process through its registered agent, Louis Nicol, Louisiana St., Suite 1200, Houston, TX 77002, or wherever it may be found. ***Plaintiff requests a citation.*** Plaintiff asserts all rights and requests all relief under Texas Rule of Civil Procedure 28 and demands that this Defendant answer in its true name, if it differs from that outlined above.

III. JURISDICTION & VENUE

10. This Court has jurisdiction over the subject matter of this action, and the amount in controversy is above its minimum jurisdictional limits.

11. This Court has personal jurisdiction over Defendants because Defendants are citizens of Texas, conduct a substantial amount of business in the State of Texas, and have continuous, systematic contacts with the State of Texas.

12. All other jurisdictional prerequisites and conditions precedent to suit have been met.

13. This case cannot be removed to federal court because no federal question exists, at least one Defendant is a citizen of Texas, and complete diversity does not exist between the parties. *See* 28 U.S.C. § 1441. Removal would therefore have no basis in law or fact, and an improper removal would subject Defendants to an award of costs, expenses, and fees, including, but not limited to, attorney's fees under 28 U.S.C. § 1447©.

14. Venue is proper in Harris County, Texas pursuant to TEX. CIV. PRAC. & REM. CODE § 15.002(a)(3) because Harris County is the county of numerous Defendants' principal offices in this state.

**IV.
FACTUAL BACKGROUND**

15. This catastrophic injury case arises from a preventable explosion at a pipeline being prepared to service the floating liquefied natural gas (FLNG) installation under construction in or around the Louisiana Coast and extending offshore into the Gulf of Mexico known as the Delfin LNG Project. On February 3, 2026, Plaintiff Laman Gutierrez was working as an operator for Enermech on the portion of the pipeline situated in or around or 575 Beach Highway, Cameron Parish, Louisiana. Upon information and belief, at the time of the explosion, the pipeline was being cleaned, inspected, and/or maintained via a “pig” in preparation for future use. A “pig” is a device that is “launched” inside the pipeline that facilitates cleaning and maintenance.

16. Plaintiff was sitting in his vehicle monitoring gauges when suddenly, and without warning, the pipeline ruptured, causing at least two massive explosions. The explosions violently jarred Plaintiffs’ vehicle and engulfed it in flames, causing Plaintiff to suffer catastrophic personal injuries. The following image from the scene depicts the magnitude of the explosions and the horror Laman endured:

Unofficial Copy Office of Marilyn Buiques District Clerk



17. Defendants are the owners of, operators of, and entities with responsibility for inspection and maintenance of the pipeline and associated facilities, appurtenances, and equipment, as well as implementation, training, and enforcement of the governing safety policies and procedures applicable to the pipeline and ongoing work. Among other things, Defendants failed to ensure that the pipeline was free of flammable vapors and materials and was otherwise safe for Laman to conduct his work. These acts and omissions, among the many others that will no doubt be uncovered with robust discovery in this case, proximately caused this tragic event and his catastrophic injuries. Laman has been damaged far in excess of the jurisdictional minimums of this Court, for which he now sues.

V.
**CLAIMS AGAINST DELFIN OFFSHORE PIPELINE, LLC, DELFIN LNG, LLC,
& DELFIN MIDSTREAM, INC.**

18. Plaintiff incorporates all other paragraphs by reference here fully.

19. Plaintiff would show that Defendants, Delfin Offshore Pipeline, LLC, Delfin LNG, LLC, and Delfin Midstream, Inc. had ownership, custody, oversight, and/or control over the premises, instrumentality, and/or activity in question and thus had a duty to exercise the degree of care that a person of ordinary prudence would use to avoid harm under circumstances similar to those described herein.

20. Plaintiff's injuries were proximately caused by the Defendants' negligent, careless and reckless disregard of this duty.

21. The negligent, careless, and reckless disregard and breach of this duty consisted of, but is not limited to, the following acts and omissions:

- a. failing to provide a safe work environment for contractors, including Plaintiff, at the facility;
- b. failing to perform operations in a safe, reasonable, and prudent manner;
- c. failing to maintain, follow, or enforce policies and procedures for safe operations;
- d. failing to recognize and remediate hazards;
- e. failing to provide proper, safe equipment and competent personnel;
- f. failing to institute precautionary measures to protect individuals working at the facility in question;
- g. failing to adequately warn or make safe dangers or conditions of which Defendants had actual or constructive knowledge;
- h. failing to maintain its equipment and facility in good working order;
- i. failing to properly screen and retain employees and contractors;

- j. undertaking and assuming a duty to make safe dangerous conditions on the premises and to implement, train on, and enforce safety policies and procedures, and failing to use reasonable care in doing so;
 - k. creating a dangerous condition and failing to prevent injury to others, where it reasonably appeared or should have appeared to Defendant that Plaintiff, in exercise of their lawful rights, were likely to have been injured by creation of such dangerous situation, and failing to correct, make safe, or adequately warn about this condition;
 - l. violating industry standards and best practices for safe operations;
 - m. failing to properly train, supervise, monitor and retain its employees;
 - n. failing to use ordinary care as a reasonable company would under the same or similar circumstances; and/or
 - o. such additional acts of negligence, which will be established as this case progresses.
22. Plaintiff further asserts the doctrine of *res ipsa loquitur*.

VII.
CLAIMS AGAINST DEFENDANTS, GENESIS ENERGY, LP, GENESIS OFFSHORE HOLDINGS, LLC, GENESIS GTM OFFSHORE OPERATING COMPANY, LLC & MANTA RAY OFFSHORE GATHERING COMPANY, LLC,

23. Plaintiff incorporates all other paragraphs by reference here fully.
24. Plaintiff would show that Defendants, Genesis Energy, LP, Genesis Offshore Holdings, LLC, Genesis GTM Offshore Operating Company, LLC, and Manta Ray Offshore Gathering Company, LLC, had ownership, custody, oversight, and/or control over the premises, instrumentality, and/or activity in question and thus had a duty to exercise the degree of care that a person of ordinary prudence would use to avoid harm under circumstances similar to those described herein.
25. Plaintiff's injuries were proximately caused by Defendants' negligent, careless and reckless disregard of this duty.

26. The negligent, careless, and reckless disregard and breach of this duty consisted of, but is not limited to, the following acts and omissions:

- a. failing to provide a safe work environment for contractors, including Plaintiff, at the facility;
- b. failing to perform operations in a safe, reasonable, and prudent manner;
- c. failing to maintain, follow, or enforce policies and procedures for safe operations;
- d. failing to recognize and remediate hazards;
- e. failing to provide proper, safe equipment and competent personnel;
- f. failing to institute precautionary measures to protect individuals working at the facility in question;
- g. failing to adequately warn or make safe dangers or conditions of which Defendant had actual or constructive knowledge;
- h. failing to maintain its equipment and facility in good working order;
- i. failing to properly screen and retain employees and contractors;
- j. undertaking and assuming a duty to make safe dangerous conditions on the premises and to implement, train on, and enforce safety policies and procedures, and failing to use reasonable care in doing so;
- k. creating a dangerous condition and failing to prevent injury to others, where it reasonably appeared or should have appeared to Defendant that Plaintiff, in exercise of their lawful rights, were likely to have been injured by creation of such dangerous situation, and failing to correct, make safe, or adequately warn about this condition;
- l. violating industry standards and best practices for safe operations;
- m. failing to properly train, supervise, monitor and retain its employees;
- n. failing to use ordinary care as a reasonable company would under the same or similar circumstances; and/or
- o. such additional acts of negligence, which will be established as this case progresses.

27. Plaintiff further asserts the doctrine of *res ipsa loquitur*.

**IX.
GROSS NEGLIGENCE OF ALL DEFENDANTS**

28. Plaintiff incorporates all other paragraphs by reference here fully.

29. The acts or omissions described above, when viewed from Defendants' standpoint, involved an extreme degree of risk considering the probability and magnitude of the potential harm to Plaintiff and others. Defendants had actual, subjective awareness of this risk but proceeded with conscious indifference to the rights, safety, and welfare of Plaintiff and others.

30. Plaintiff would further show that the injuries and damages Plaintiff sustained as a result of the incident in question were caused by the gross negligence of Defendants acting by and through their employees, agents, officers and representatives in the course and scope of their employment for said Defendants.

31. Plaintiff would further show that Defendants ratified and failed to repudiate their agents' gross negligence.

32. As such, Defendants are grossly negligent and should be subjected to exemplary damages.

**X.
DAMAGES**

33. Plaintiff incorporates all other paragraphs by reference here fully.

34. As a direct and proximate cause of the Defendants' negligence and gross negligence described above, Plaintiff has sustained the following injuries and damages:

- a. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident complained of herein and such charges are reasonable and were usual and customary charges for such services;

- b. Reasonable and necessary medical care and expenses that will, in all reasonable probability, be incurred in the future;
- c. Physical pain and suffering in the past and that will, in all reasonable probability, be suffered in the future;
- d. Physical impairment in the past and that will, in all reasonable probability, be suffered in the future;
- e. Mental anguish in the past and that will, in all reasonable probability, be suffered in the future;
- f. Loss of earnings and/or earning capacity in the past and that will, in all probability, be incurred in the future;
- g. Disfigurement in the past and future;
- h. Cost of medical monitoring and prevention in the future;
- i. Exemplary damages;
- j. Prejudgment and post-judgment interest at the maximum rate allowed by law; and/or
- k. Any and all other damages to which Plaintiff shows entitlement in law or equity through the course of this proceeding.

XI.

RULE 47 STATEMENT OF MONETARY RELIEF SOUGHT

35. Plaintiff prefers that the jury determine the fair amount of compensation for Plaintiff's damages. It is too early in this case to be assessing the full nature and scope of Plaintiff's damages, and Plaintiff places the decision regarding the amount of compensation to be awarded in the jury's hands. Rule 47 of the Texas Rules of Civil Procedure, however, requires Plaintiff to provide a statement regarding the amount of monetary relief sought. Accordingly, Plaintiff states that monetary relief of over \$1,000,000, in an amount to be determined by the jury, is being sought.

XII.
RULE 193.7 NOTICE

36. Pursuant to Texas Rule of Civil Procedure 193.7, Plaintiff hereby gives notice that Plaintiff intends to use all discovery instruments produced in this case at trial. Such discovery documents include, but are not limited to, all documents Defendants have produced in response to Plaintiff's written discovery requests.

XIII.
NOTICE TO PRESERVE EVIDENCE

37. Plaintiff hereby requests and demands that Defendants and their agents, attorneys, and insurers preserve, maintain, and place a litigation hold on all documents, communications, tangible things, and electronically stored information that arise out of or relate to the incident made the basis of this suit. This includes, but is not limited to, the pipeline and all associated infrastructure, facilities, installations, appurtenances, and equipment; all electronic data relating to the work and the pipeline; all data (electronic or otherwise) from all gas monitoring and LEL readings related to the work; all data (electronic or otherwise) from all pressure readings and measurements related to the work; the pig and pig launcher in question; the vehicles in question; samples of hydrocarbon-based products and remnants in or around the blast area; all operational documents related to the pipeline and the ongoing work; and all smart devices (including, but not limited to, cell phones and tablets) and all smart device data from workers associated with the ongoing work. Failure to maintain such items will constitute "spoliation" of the evidence and may subject Defendants to sanctions.

XIV.
REQUEST FOR DISCLOSURE

38. Pursuant to Texas Rule of Civil Procedure 194, Plaintiff requests that Defendants produce the information and material described in Rule 194.2(a)-(l).

**XV.
DEMAND FOR JURY TRIAL**

39. Plaintiff hereby demands a jury trial on this matter and tenders the appropriate jury fee.

**XVI.
RESERVATION OF RIGHTS**

40. The above allegations against Defendants are made acknowledging that investigation and discovery, although undertaken, are continuing in this matter. As further investigation and discovery are conducted, additional facts may be uncovered that necessitate further, additional, and/or different allegations, including the potential of adding additional parties to the case or dismissing parties from the case. The right to do so, under Texas law, is expressly reserved.

**XVII.
PRAYER**

41. For these reasons, Plaintiff prays that Defendants be cited to appear and answer herein, and, upon a final hearing of the cause, judgment be entered for the Plaintiff and against Defendants for:

- a. Actual damages above the jurisdictional minimum of the Court, further outlined above;
- b. Pre-judgment and post-judgment interest at the maximum rate allowed by law;
- c. All costs of court;
- d. Exemplary damages; *and*
- e. All other relief to which Plaintiff is justly entitled.

SIGNATURE BLOCK ON THE FOLLOWING PAGE

Respectfully submitted,

KHERKHER GARCIA, LLP

By: /s/ Kevin Haynes

Steve Kherkher
State Bar No. 11375950
Jesus Garcia, Jr.
State Bar No. 24027389
Kevin C. Haynes
State Bar No. 24055639
Hon. Mike Engelhart
State Bar No. 00793690
Omar R. Chawdhary
State Bar No. 24082807
Matt L. Martin
State Bar No. 24090246
Victoria R. Brown
State Bar No. 24118679
Troy O'Brien
State Bar No. 24088140
Dakota Eddins
State Bar No. 24122690
2925 Richmond Ave., Suite 1560
Houston, Texas 77098
(713) 333-1030
(713) 333-1029 Fax
Service: Skherkher-Team@KherkherGarcia.com

-and-

ADAME ★ GARZA, LLP

Miguel A. Adame
State Bar No. 24040386
Johnny N. Garza, Jr.
State Bar No. 24036624
2223 N Main Street
Houston TX 77009
(713) 863-7100 Telephone
(713) 863-7133 Facsimile
Service: johnny@htxtriallawyers.com

ATTORNEYS FOR PLAINTIFFS

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Steve Kherkher on behalf of Kevin Haynes
Bar No. 24055639
skherkher-team@kherkhergarcia.com
Envelope ID: 111088327
Filing Code Description: Petition
Filing Description: Plaintiff's Original Petition, Rule 193.7 Notice and Jury Demand
Status as of 2/10/2026 4:11 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Steve Kherkher		skherkher-team@kherkhergarcia.com	2/10/2026 3:24:10 PM	SENT
Johnny Garza, Jr.		johnny@htxtriallawyers.com	2/10/2026 3:24:10 PM	SENT

Unofficial Copy Office of Marilyn Burgess District Clerk