

Notes on Vargas family lawsuit vs. Shamrock

Louis G. Vargas et al. v. Diamond Shamrock, 84-4951-D, 105th District Court; complaint filed ca August 28, 1984.

Interrog answers by D on 11/21/84.

Plaintiffs second set of supplemental answers to interrogatories filed on 11/3/85

Defendant's answers to Ps second set of interrogatories filed on 2/12/87

Plaintiffs Supp. answers to Ds Interrogatories, 2/13/87

D Interrog 13: Please list any payments made in your behalf by WANDA LOPEZ prior to her death. Plaintiffs' answer: "Wanda would pay my husband and I amounts that usually averaged between \$40.00 and \$50.00 per week while she worked for Diamond Sharock. Before this she also gave us varying amounts of money."

D Interrog 15: Plaintiffs' answer: "Wanda told us a number of times that she was fearful of working alone and at night at the location where she was killed." People to whom Wanda reported her fear for her safety at the Shamrock: Dee Vasquez, Sylvia, Becky Chapa, Gloria, Art Lopez.

Supplemental Plaintiffs' answer: Friends/coworkers: Dee Vasquez, Sylvia Elias Gonzales, Becky Chapa Nesbitt, Gloria Lopez; eyewitnesses: John Arsuaga, George Aguirre, Kevin Baker.

Later Supplemental answer adds: Jim Manning (store manager), J.J. Vanich, M. W. Wagner, G.L. Magio

D Interrog 24, Plaintiffs' answer: lists in addition to above: Jesus Escochea, Jr. (dispatcher); CCPD officers Steve Fowler, Bruno Mejia, Ruben Riversa, Mark David Schauer, Thomas Mylett, Joel Infante, Eddie McConnley, and Olivia Escobedo, Robert Clamp, Daniel Pulido (worked that beat from 9 years); additional friends/coworkers: Mary Alice Villanueva, Joe Hinojasa, Carmen Taylor Paulie Olivares Ramos, Mario Aparicio, Rogelio Alcocer; Benny Brulloths of the Bandidos and lounge across the way.

From Shamrock to Texas Employers Insurance Assn: form informing insurance co. about injury (2/5/83).

Says killing occurred at 8:15 p.m.

Lists Wanda as "Assistant manager" employed by Shamrock for one year \$3.60 an hour; average of 188.00 per week.

James Manning heard of injury at 8:30 that night

Knife; reports "knife stab wounds [plural] to upper portion of body"

One witnesses: Kevan Baker.

12-person jury --- no date, just list.

Court of Appeals 13th judicial District opinion of 6/11/87: affirms dismissal of claims by the parents on grounds because Texas Workers' Comp benefits are exclusive absent intentional injury.

We don't know what happened on the child's wrongful death action.

No. 84-4957-D

IN 1654 DISTRICT COURT,
COUNTY OF NUECES
STATE OF TEXAS

FILED 69-6931-D FILED 08/24/84 10
DEPT. VARIOUS, LOUIS G. J. JR., ET AL.
ATTY. GENERAL, A. RODRIGUEZ

MEMORANDUM OF PAPERS FILED

Plaintiff's Original Petition Filed 8/24/84

- 1 Original Copy 8/28/84
- 2 Petition for writ of Habeas Corpus - 9/20/84
- 3 Petition for writ of Habeas Corpus - 10/22/84
- 4 Petition for writ of Habeas Corpus - 10/22/84
- 5 Petition for writ of Habeas Corpus - 11/14/84
- 6 Affidavit - 11/27/84
- 7 Petition for writ of Habeas Corpus - 11/27/84
- 8 Affidavit - 12/14/84
- 9 Petition for writ of Habeas Corpus - 12/14/84
- 10 Affidavit - 1/17/85
- 11 Petition for writ of Habeas Corpus - 5/1/85
- 12 Petition for writ of Habeas Corpus - 12/18/85

- 13 Petition for writ of Habeas Corpus - 6/17/86
- 14 Affidavit - 6/24/86
- 15 Petition for writ of Habeas Corpus - 7/22/86
- 16 Petition for writ of Habeas Corpus - 7/22/86
- 17 Petition for writ of Habeas Corpus - 7/22/86
- 18 Affidavit - 7/22/86
- 19 Affidavit - 7/22/86
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- 37 Affidavit - 7/22/86
- 38 Affidavit - 7/22/86

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