

**IN THE CITY OF ST. LOUIS CIRCUIT COURT  
STATE OF MISSOURI**

JIMMIE LOUIS WATKINS, SR., )  
CONEATRA WATKINS, As )  
Representatives of Decedent )  
CHRISTOPHER WATKINS, )  
)

Plaintiffs, )

v. )

LOY-LANGE BOX COMPANY )  
)  
)  
)

Defendant. )

CASE NO. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**PETITION**

**COMES NOW**, the Plaintiffs, through their undersigned attorney, and states as follows for their causes of action against Defendant Loy-Lange Box Company and states as follows:

**PARTIES**

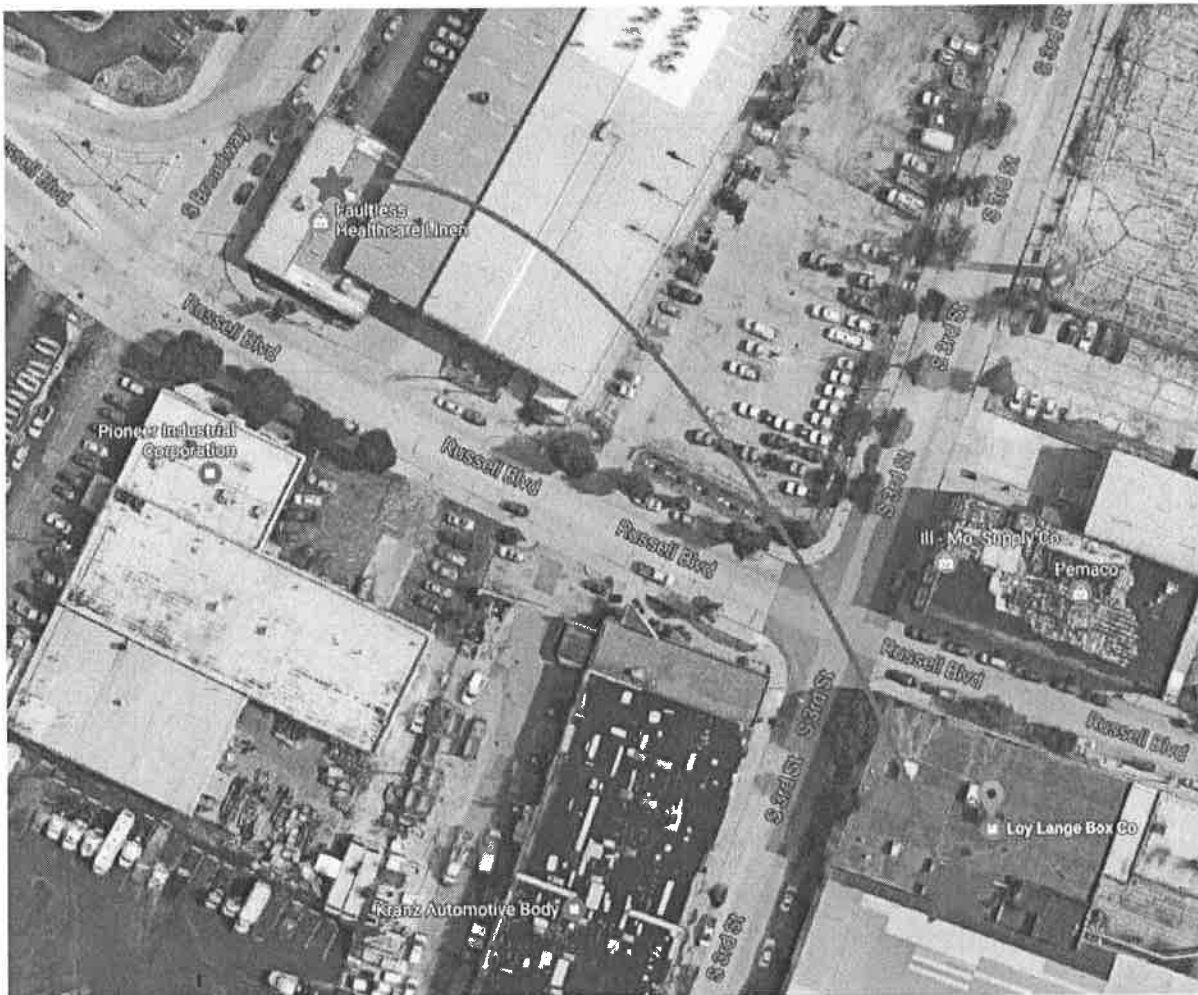
- 1. The Plaintiff Jimmie Watkins is the father of Christopher Watkins.
- 2. The Plaintiff Coneatra Watkins is the sister of Christopher Watkins.
- 3. The Defendant Loy-Lange Box Company may be served through its registered agent Robert Hardy, 222 Russell Blvd, Saint Louis, Mo 63104.

**JURISDICTION AND VENUE**

- 4. Venue in this Court is proper.
- 5. This Court has subject matter jurisdiction in this matter because the instant action arises from Defendants acts or omissions in the State of Missouri.

## BACKGROUND

6. On Monday, April 3, 2017, Christopher Watkins, age 46, was at Faultless Linen Company when a hot water storage tank called a semi-closed receiver, or SCR, exploded at Loy-Lange Box Company, went airborne and crashed through the linen company's roof killing Watkins.



7. At all material times, the subject storage tank was owned and under the management and control of the Defendant.

8. The Defendant possesses superior knowledge or means of information as to the cause of the occurrence.

9. The incident made the basis of this lawsuit occurred through no fault of Christopher Watkins.

10. As a direct and proximate result of the Defendants acts and omissions, Christopher Watkins was fatally injured.

**COUNT I  
NEGLIGENCE**

**COMES NOW**, the Plaintiffs, through their undersigned attorney, and states as follows for their cause of action against the Defendant and states as follows:

11. The Plaintiffs incorporate the paragraphs set forth above and below as if fully set forth in Count I.

12. At all material times, the subject storage tank was owned and under the management and control of the Defendant.

13. At all material times, Defendant was negligent.

14. The Defendant had a duty to properly maintain the subject tanker and to exercise reasonable care to avoid exposing Christopher Watkins to an unreasonable risk of harm.

15. The Defendant breached that duty in one or more of the following respects, individually or in combination with others:

- a. Failing to exercise care and caution in the maintenance of the subject tanker;

16. As a direct and proximate result of the Defendant's acts and omissions, Christopher Watkins was fatally injured.

17. As a direct and proximate result of the death of Christopher Watkins the Plaintiffs suffered losses including but not limited to pecuniary losses, funeral expenses

and has been permanently deprived of services, companionship, comfort, society, and counsel and support.

**WHEREFORE**, the Plaintiffs, respectfully requests that judgment be entered in their favor, and against the Defendant for wrongful death, for pecuniary losses including, but not limited to, loss of companionship, care, solace and society of Decedent, loss of services, past and future wages and funeral expenses, and costs, and such other and further relief as the Court deems just and equitable.

**COUNT II  
RES IPSA LOQUITUR**

**COMES NOW**, the Plaintiffs, through their undersigned attorney, and states as follows for their cause of action against the Defendant and states as follows:

18. The Plaintiffs incorporate the paragraphs set forth above and below as if fully set forth in Count II.

19. Res Ipsa Loquitur applies when (a) the occurrence resulting in injury was such as does not ordinarily happen if those in charge use due care; (b) the instrumentalities involved were under the management and control of the defendant; and (c) the defendant possesses superior knowledge or means of information as to the cause of the occurrence.

20. At all material times, the subject storage tank was owned and under the management and control of the Defendant.

21. The Defendant possesses superior knowledge or means of information as to the cause of the occurrence.

22. The incident made the basis of this lawsuit occurred through no fault of Christopher Watkins.

23. As a direct and proximate result of the Defendant's acts and omissions, Christopher Watkins was fatally injured.

24. As a direct and proximate result of the death of Christopher Watkins the Plaintiffs suffered losses including but not limited to pecuniary losses, funeral expenses and has been permanently deprived of services, companionship, comfort, society, and counsel and support.

**WHEREFORE**, the Plaintiffs, respectfully requests that judgment be entered in their favor, and against the Defendant for wrongful death, for pecuniary losses including, but not limited to, loss of companionship, care, solace and society of Decedent, loss of services, past and future wages and funeral expenses, and costs, and such other and further relief as the Court deems just and equitable.

**JURY DEMAND**

The Plaintiffs respectfully demands a trial by a properly impaneled jury of all fact issues.



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