

CAUSE NO. 12-00573

RODNEY BRYAN, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF SHONNIE BRYAN; SHAILA BRYAN; HAROLD PITTS; SHEILA PITTS; JOHNNY TAMEZ, INDIVIDUALLY AND A/N/F OF HANNAH TAMEZ, A MINOR; DENNIS YATES, INDIVIDUALLY AND A/N/F OF BRIANNA YATES, A MINOR

v.

GENERAL MOTORS, LLC; WATSON CHEVROLET BUICK PONTIAC; SCOTT WATSON CHEVROLET BUICK PONTIAC; AND WATSON TRUCK & SUPPLY, INC.

§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

294TH JUDICIAL DISTRICT

VAN ZANDT COUNTY, TEXAS

FILED FOR RECORD
12 NOV 21 AM 11:17
KATEH L. FEN
DIST CLERK VAN ZANDT CO. TX
BY _____ DEP

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Rodney Bryan, Individually and as Representative of the Estate of Shonnie Bryan; Shaila Bryan; Harold Pitts; Sheila Pitts; Johnny Tamez, Individually and a/n/f of Hannah Tamez, a Minor; Dennis Yates, Individually and a/n/f of Brianna Yates, a Minor complaining of General Motors LLC; Watson Chevrolet Buick Pontiac; Scott Watson Chevrolet Buick Pontiac; and Watson Truck & Supply, Inc, hereinafter referred to as Defendants, and for cause of action would respectfully show the court the following:

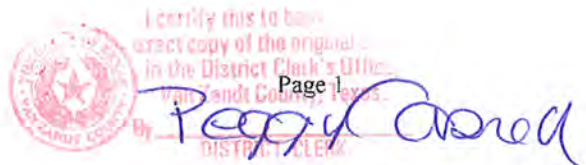
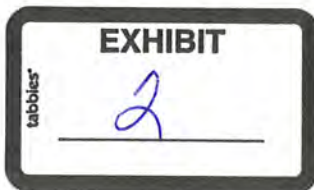
I. DISCOVERY CONTROL PLAN

Plaintiffs assert that Level 3 of the discovery control plan applies in this cause of action and that discovery should be conducted in accordance with said level.

II. PARTIES

Plaintiffs, Rodney Bryan and Shaila Bryan are residents of Dallas County, Texas.

Plaintiffs' Original Petition



Plaintiffs Harold Pitts, Sheila Pitts, Johnny Tamez, Individually and a/n/f of Hannah Tamez, a Minor, and Dennis Yates, Individually and a/n/f of Brianna Yates, a Minor are residents of Grayson County, Texas.

Defendant General Motors, LLC, is a Delaware corporation doing business in the State of Texas and may be served with process by serving its registered agent for service, C.T. Corporation System, 350 N. St. Paul Street, Dallas, Texas 75201, by certified mail return receipt requested.

Defendant Scott Watson, Individually and d/b/a Watson Chevrolet Buick Pontiac is an individual residing in Frisco, Texas, located in Collin County, Texas.

Defendants Watson Chevrolet Buick Pontiac; and Watson Truck & Supply, Inc. is a corporation doing business in the State of Texas and may be served with process by serving its principal office located at 1501 N. Grimes, Hobbs, New Mexico 88240. Service can be effected by certified mail, return receipt requested.

III. JURISDICTION AND VENUE

Venue of this action is proper as all the acts and omissions giving rise to this cause of action accrued in Van Zandt County, Texas.

IV. FACTUAL SCENARIO

On or about November 26, 2010, Shonnie Bryan, Deceased, was driving her 2003 Chevrolet Impala in a lawful and prudent manner in Van Zandt County when she suddenly lost control of the vehicle and crashed into a culvert on the side of the road. The air bags of the 2003 Chevrolet Impala did not deploy at the time of impact. At the time of the motor vehicle accident, the subject of this litigation, said vehicle was not crashworthy as that term is understood at law. The 2003 Chevrolet Impala and the parts attached thereto or that functioned therewith, including

but not limited to the air bag were defective and unreasonably dangerous as designed, manufactured and marketed; said vehicle and said parts reached the ultimate consumer/user without any substantial change in their condition while being carried through the stream of commerce and this defective and unreasonably dangerous vehicle as well as said parts became one of the producing and proximate causes of Plaintiffs' injuries and damages, all of which will be more specifically pleaded after the completion of necessary discovery in this cause. Defendants' design, manufacture and marketing of said vehicle and said parts constituted negligence, which negligence became one of the proximate causes of Plaintiffs' injuries and damages, which, again, will be more specifically pleaded upon the completion of necessary discovery.

**CAUSE OF ACTION AGAINST DEFENDANTS GENERAL MOTORS, LLC; WATSON
CHEVROLET BUICK PONTIAC; SCOTT WATSON, INDIVIDUALLY AND D/B/A
WATSON CHEVROLET BUICK PONTIAC; AND WATSON TRUCK & SUPPLY, INC.**

The 2003 Chevrolet Impala and the parts attached thereto or that functioned therewith were defective and unreasonably dangerous as designed, manufactured and marketed; said vehicle and said parts reached the ultimate consumer/user without any substantial change in their condition while being carried through the stream of commerce and this defective and unreasonably dangerous vehicle as well as said parts became one of the producing and proximate causes of Plaintiffs' injuries, all of which will be more specifically pleaded after the completion of necessary discovery in this cause. Defendants' design, manufacture and marketing of said vehicle and said parts constituted negligence, which negligence became one of the proximate causes of the injuries of Plaintiffs, which will be more specifically pleaded upon the completion of necessary discovery.

WHEREFORE PREMISES CONSIDERED, Plaintiffs pray that the Defendants be cited to appear and answer herein, and that upon trial of the cause, Plaintiffs be granted judgment against Defendants for the full sum of their damages, with prejudgment and post-judgment interest thereon at the respective legal rates, for costs of Court and for such other and further relief to which they may show themselves to be justly entitled, whether at law or in equity.

Respectfully submitted,



Reese P. Andrews
ANDREWS & ANDREWS
311 East Main Street
Nacogdoches, Texas 75961
(936) 564-5000
(936) 559-5000 - Facsimile
State Bar No. 01248800
ATTORNEY FOR PLAINTIFFS



I certify this to be a true and exact copy of the original on file in the District Clerk's Office, Van Zandt County, Texas.

By 
DISTRICT CLERK



CERTIFIED COPY