

16th JUDICIAL DISTRICT COURT PARISH OF IBERIA

STATE OF LOUISIANA

NUMBER: 132,465

DIVISION: G

KAREN MAY, IN HER CAPACITY AS THE ADMINISTRATOR OF THE  
SUCCESSION OF LOUIS CARRIER

VERSUS

THE SUCCESSION OF MAYO ROMERO, THE SUCCESSION OF JOHN ELMER  
SCHWING, J.E. SCHWING, INC., THE SUCCESSION OF J. PAULIN DUHE,  
TEXACO, INC. F/K/A THE TEXAS COMPANY, LILLY ROMERO  
GRANDCHILDRENS' TRUST, AND CHEVRON USA INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel comes Karen May, acting as the administrator of the Succession of Louis Carrier, a major individual and Louisiana resident who is domiciled in Terrebonne Parish, who respectfully represents as follows:

1.

Made defendants herein are:

- A) THE SUCCESSION OF MAYO ROMERO, (hereinafter referred to as "ROMERO SUCCESSION") through their administrator Glenn Romero, who is a major individual and resident of Iberia Parish, who may be served personally at 5919 Loreauville Road, New Iberia, LA 70563; and
- B) GLENN ROMERO, (hereinafter referred to as "GLENN ROMERO") individually, who is a major individual and resident of Iberia Parish, who may be served personally at 5919

Iberia Street, New Iberia, LA 70563; and

D) J.E. SCHWING, INC., (hereinafter referred to as "SCHWING") a Louisiana corporation is a domestic corporation incorporated in Louisiana with its principal office at 411 Iberia Street, New Iberia, LA 70560, and at all times material hereto, they were licensed to do and doing business in the State of Louisiana and their registered agent for service of process is James W. Schwing, Sr., ; and

E) TEXACO, INC. F/K/A THE TEXAS COMPANY (hereinafter referred to as "TEXACO"), a foreign corporation organized under the laws of Texas, with its principal business office in Texas, whose agent for service of process is Paul Wang, 7082 Southwest Freeway, Houston, Texas 77074; and

F) CHEVRON USA, INC. (hereinafter referred to as "CHEVRON"), a foreign corporation organized under the laws of Texas with its principal place of business in Texas, principal business establishment in Texas, whose agent for service is The Prentice-Hall Corporation System, Inc., 211 East 7<sup>th</sup> Street, Austin, Texas, 78701-3218; and

G) THE SUCCESSION OF J. PAULIN DUHE, (hereinafter referred to as "DUHE SUCCESSION") through their administrator Thomas G. Duhe, who is a major individual and resident of Iberia Parish, who may be served personally at 6310 Jeanette Road, New Iberia, LA 70563; and

H) LILLY ROMERO GRANDCHILDRENS' TRUST, (hereinafter referred to as "ROMERO TRUST") through their trustees, Glenn Phillip Romero and Betty Ann Babin Romero, who may be served personally at 5919 Loreauville Road, New Iberia, LA 70563.

Louis Carrier was a free black man who was born in Iberia Parish in 1826 and he lived near Belle Place until his death in 1899.

4.

Your Petitioner asserts that Louis Carrier did acquire approximately 23 acres of property in Iberia Parish, more specifically those certain lots of ground located in Sections 59 and 71 of Township 12 South, Range 7 East, on April 30, 1886, and this act was recorded at Iberia Parish COB 14 folio 283.

5.

Your Petitioner asserts that Louis Carrier acquired the property via fee simple and the family does own the surface and mineral rights and that there was no cloud on the title of the property until 1916, when oil was discovered in Iberia Parish, and that they do own the surface and mineral rights to the above referenced property located near Belle Place.

6.

Petitioner is the representative of the descendants and bona fide heirs of Louis Carrier, in 1916, Schwing Well No. 1 was drilled on or near the Carrier family land, specifically, the well was located on Section 71, Township 12 South, Range 7 East, access to and from the well was provided or taken by ingress and egress across Petitioner's land.

7.

Petitioner alleges that if the well referenced in Paragraph 6 was not located on Petitioner's land, the well was located in such proximity to Petitioner's land, that it is undeniable that oil and gas was extracted from beneath Petitioner's land.

8.

Upon information and belief, Petitioner received no royalties or other monies in consideration for the oil removed from their property.

10.

The Defendants are truly and justly indebted unto your Petitioner jointly severally and in solido for damages, injuries and losses which Petitioner have sustained, together with legal interest from the date of judicial demand, for all costs of these proceedings, and for all general and equitable relief for the acts of Defendants, which are described herein.

11.

Petitioner are entitled to judgment against Defendants ROMERO SUCCESSION, GLENN ROMERO, SCHWING SUCCESSION, SCHWING, and DUHE SUCCESSION for all royalties and interest thereon paid to ROMERO SUCCESSION, GLENN ROMERO, SCHWING SUCCESSION, SCHWING, ROMERO TRUST, TEXACO, CHEVRON, and DUHE SUCCESSION, along with any of their predecessors in title who were wrongfully paid, or who wrongfully paid proceeds for any properties belonging to your Petitioner and for damages and attorney fees as may be established at a trial of this matter, as said Defendants did conspire to defraud Petitioner of their rightful ownership, possession, and proceeds from any of the fruits of Petitioner' property described in Paragraph 4 herein.

12.

The willful and deliberate acts of your Defendants described above are unfair and deceptive by definition and are declared unlawful by the UTPCPL pursuant to LA RS 51:1401, et seq.

13.

Pursuant to the UTPCPL, all unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are declared unlawful under LA RS 51:1401 and

three times the actual damages shown at the trial of this matter for Defendants knowingly committing unfair and deceptive acts per LA RS 51:1409.

15.

Your Petitioner demands trial by jury.

WHEREFORE, Your Petitioner, Karen May, Administrator, does hereby pray that your Defendants, ROMERO SUCCESSION, GLENN ROMERO, SCHWING SUCCESSION, SCHWING, DUHE SUCCESSION, TEXACO, and CHEVRON be served with copies of this petition, that they all be cited to appear and answer the same, and that after due proceedings are had, that there be judgment for Petitioner, Succession of Louis Carrier, and against Defendants, ROMERO SUCCESSION, GLENN ROMERO, SCHWING SUCCESSION, SCHWING, DUHE SUCCESSION, ROMERO TRUST, TEXACO, and CHEVRON, jointly, severally and in solido for such damages that are reasonable and proper, along with any and all other equitable relief due Petitioner, together with all court costs and legal interest from the date of judicial demand.

Respectfully Submitted,

  
\_\_\_\_\_  
Mayo, Mendolia & Vice, LLP  
Keith Mayo (Texas Bar #00794251)  
110 N. College Avenue, Suite 101  
Tyler, Texas 75702  
(903) 747-3422  
jkm@mmvllp.com

-And-

Law Offices of Wilson & Wilson, LLC

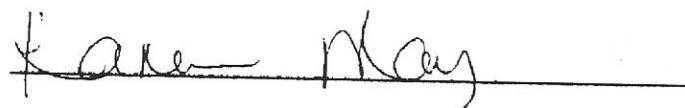
  
\_\_\_\_\_  
Tregg C. Wilson (#27328)

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

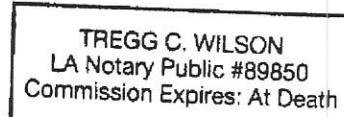
VERIFICATION

Before me, Notary Public, personally came and appeared KAREN MAY, PETITIONER in the foregoing Petition for Damages, who, after being duly sworn, did depose and state that all the allegations contained in the foregoing Petition are true and correct to the best of her knowledge, information and belief.



KAREN MAY, AFFIANT

Sworn to and subscribed before me on this 29<sup>th</sup> day of June, 2018.



KAREN MAY, ET AL

16<sup>TH</sup> JUDICIAL COURT

VS. #132465-G

PARISH OF IBERIA

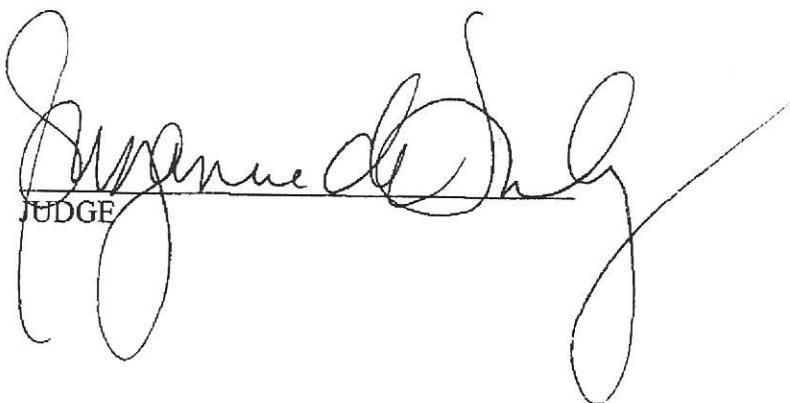
THE SUCCESSION OF MAYO ROMERO, ET AL

STATE OF LOUISIANA

**JURY ORDER**

Considering the request for trial by jury, IT IS ORDERED that this matter be tried before a jury and that mover, KAREN KAY, is to post bond in the amount of \$10,000.00, said bond to be posted within 60 days of the receipt of Notice of Fixing of this case for trial on the merits, as well as posting the jury filing fee in the amount of \$150.00 as required in SENATE BILL NO. 212, ACT NO. 302, copy of which is attached hereto, and such other amounts when and as required by law.

New Iberia, LA, this 5<sup>th</sup> day of JULY, 2018

  
\_\_\_\_\_  
Suzanne de Shy  
JUDGE

FILED July 5 2018

**WILSON & WILSON, LLC**  
**ATTORNEYS AT LAW**

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CHARLES C. WILSON

FAX: (225) 706-8427  
TREGG C. WILSON

July 3, 2018

16<sup>th</sup> JDC Clerk of Court  
P.O. Box 12010  
New Iberia, LA 70562

In Re: May v. Romero, et al, 16<sup>th</sup> JDC# 132, 465-G  
Certified Mail #: 7005 0390 0003 8613 2085

Dear Clerk:

Enclosed please find the original, fax-filed petition in the above referenced matter, along with check #2564 for costs in the amount of \$400. Thank you.

Sincerely,



Tregg C. Wilson, Esq.  
TCW

7-10-18 Karen May called upset because we haven't  
issued service.

7-11-18 See note from Ally on Fax Cover Sheet sent

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**FACSIMILE**

Date: 7/3/2018 Phone: 337-365-7282

Total Pages: 7, including this one Fax: 337-365-0737

In Re: May v. Romero, et al From: Tregg C. Wilson

Attn: Clerk

*Please send fax-file instructions back to me at the  
number listed above. Thank you. No services will  
be requested at this time.*

-Tregg C. Wilson

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