

# Coalgate Record Register

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## Lawsuit filed in 2014 oil rig fire deaths

The families of three men killed in an oil rig fire in December 2014 have filed negligence lawsuits against the drilling rig company and several other companies that owned, operated and/or controlled the Dan D Rig 18 west of Coalgate.

Mark Allen Pittman, Jr., Gary Keenan and Kelsey Bellah were working for Dan D Drilling Corporation when the fire erupted the night of December 18, 2014. Bellah, 27, and Keenan, 26, died at the scene. Pittman, 26, died 16 days later in a hospital. Two other workers were injured.

The lawsuits were filed by Pittman's wife, Bobbie Sue Pittman; Bellah's mother, Teresa Bellah; and Keenan's mother, Mary Baker.

Named as defendants in the lawsuit are Dan D. Drilling, Pablo Energy, Verdugo-Pablo Energy, Verdugo Energy, Evolution Guidance Systems, Casing Crews, and 3D Well Service.

Following the fire, the Occupational Safety and Health Administration (OSHA) performed an investigation and cited Dan D. Drilling with nine "Serious" violations, two "Willful" violations and one "Repeat" violation.

The "Willful" violations were for allowing the use of an open flame portable heater on the rig floor and for not providing or ensuring the use of flame-resistant personal protective clothing.

The petitions allege that the fire and the resulting deaths and injuries "were foreseeable, expected, probable and resulted from Defendants' negligence and willful conduct" and that the fire and resulting deaths and



The Dan D Drilling Rig 18 west of Coalgate. Photo taken the day following a 2014 fire that resulted in the death of three workers.

injuries would have been prevented if the defendants "had followed and abided by industry standards, the rules and regulations of OSHA and other safety rules and regulations."

The three grievances were filed May 25 in the Coal County District Court.

The Keenan and Bellah cases were filed by Coalgate attorney Trae Gray, LandownerFirm, and the Abel Law Firm in Oklahoma City.

Trae Gray and Jack S. Dawson and Andrea R. Ruse of the Miller Dollarhide law firm in Oklahoma City represent Bobbie Sue Pittman.

Each petition seeks judgment "in an amount in excess of \$75,000.00" plus interest, costs "and such other necessary and proper relief as the Court may deem just." The families will be seeking the full amount of money that the Court allows, Gray told the Record-Register on Monday night.

In addition to seeking a monetary judgment, the Pittman petition

challenges the validity and operation of the statutes in Title 85A, i.e., the Administrative Workers' Compensation Act, Oklahoma Employee Injury Benefit Act and the Workers' Compensation Act. The plaintiff "brings this cause of action...for a declaration that the statutes are unconstitutional and do not provide an exclusive remedy to the injured worker in this case," the petition states.

The complaint goes on to say that Title 85A does not provide adequate due process protection required by Article II of the Oklahoma Constitution and works a prejudice in the administration of a statutory right which is also forbidden by Article II of the Oklahoma Constitution.

Title 85A so drastically limits benefits for injured workers that the worker's compensation statutory scheme is no longer adequate as an exclusive replacement remedy for common law tort relief, the petition states. "The unconstitutional restraints upon judges or fact-finders are unconstitutional and abrogate the exclusive remedy protection of Title 85A," the petition continues.

The Pittman petition requests the Court to declare Title 85A "unconstitutional, or in the alternative, declare that Title 85A does not provide an exclusive remedy for work-related injury claims in Oklahoma, particularly in this case."

Dan D. Drilling and the other defendants have 30 days to respond to the petitions, Gray said.