



Kevin M. Beiter
After Hours: 271-1721
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May 29, 2009

Mr. R. David Guerrero
District Clerk
Jim Wells County
200 N. Almond
P.O. Drawer 2219
Alice, Texas 78333

CERTIFIED MAIL-RRR

Re: *Coronado Energy E&P Company, L.L.C. v. McGill Ranch, Ltd., Stephen Burns, Jr. and Elizabeth Burns*; Cause No. 08-06-47106-CV; In the 79th District Court of Jim Wells County, Texas

Dear Mr. Guerrero:

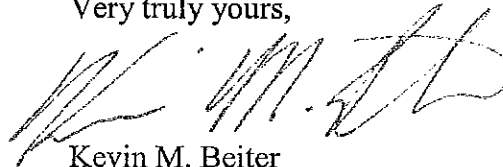
Enclosed for filing is the following:

1. Plaintiff's Motion for Protective and Confidentiality Order.

Upon filing the original, please file-stamp the enclosed copy and return it to me in the envelope provided.

Should you require anything further, please do not hesitate to call. As always, thank you for your assistance in this regard.

Very truly yours,



Kevin M. Beiter

KMB:rmc
Enclosures

JUN 01 2009



Cc:
Mr. Roger S. Braugh, Jr.
Sico, White & Braugh, L.L.P.
900 Frost Bank Plaza
802 N. Carancahua
Corpus Christi, Texas 78470

CERTIFIED MAIL-RRR

Mr. Giancarlo Nisimblat
Nisimblat & Basart
301 E. 3rd Street
Alice, Texas 78333

CERTIFIED MAIL-RRR

Mr. J. Scott McLain
Reed, McLain & Guerrero, LLP
3900 N. 10th Street, Suite 850
McAllen, Texas 78501

CERTIFIED MAIL-RRR

CORONADO ENERGY E&P COMPANY, L.L.C., Plaintiff,	§ § § § § § § § §	IN THE DISTRICT COURT 79 th JUDICIAL DISTRICT JIM WELLS COUNTY, TEXAS
V.		
MCGILL RANCH, LTD., STEPHEN BURNS, JR. and ELIZABETH BURNS, Defendants.		

PLAINTIFF’S MOTION FOR PROTECTIVE AND CONFIDENTIALITY ORDER

Plaintiff files this Motion for Protective and Confidentiality Order under Rule 192.6 of the Texas Rules of Civil Procedure and common law and would show the Court as follows:

1.

On December 3, 2008, this Court signed a Protective Order Regarding Exploitation Agreement that restricted to use of the redacted Exploitation Agreement produced by Plaintiff to Defendants. A true and correct copy of that order is attached hereto as Exhibit “A”. Given the development of certain issues discussed herein, Plaintiff now moves for a more comprehensive Protective and Confidentiality Order concerning other documents produced in discovery and anticipated future discovery in this matter (including depositions).

2.

Plaintiff has served Defendants’ its notices of depositions. True and correct copies of these Notices are attached hereto as Exhibit “B”.

3.

Document Requests have been served by Defendant on Plaintiff. Additionally, the depositions of Defendants that have been noticed by Plaintiff (and other anticipated depositions

that will likely be taken in this matter), will or may result in the disclosure of information and documents pertaining to proprietary, confidential, and/or private business information (including possibly trade secrets type information that are subject to the rights of third parties who are not parties to this proceeding) of Plaintiff.

4.

Defendant Elizabeth Burns is the author of an Internet website blog titled “Rancho Los Malulos, a Satirical View from the McGill Bros Lease in South Texas” located at <http://rancholoslosmalulos.blogspot.com> (the “Blog”). In her Blog, Defendant Elizabeth Burns publishes (almost daily) information as to the operations conducted by Plaintiff and other oil and gas and related companies evidently without regard to whether or not such information is accurate or not. In addition, Defendant Elizabeth Burns has posted actual documents and/or correspondence that have been produced or exchanged in the course of this litigation and from another lawsuit involving Plaintiff and the McGill Ranch, Ltd. pending in Brooks County, Texas. *See, e.g.*, Exhibit “C”. In addition, Defendant Elizabeth Burns has given at least one interview and tour of the McGill Ranch to a local news station. *See, e.g.*, Exhibit “D”. Based on her prior published postings, it is likely that Defendant Elizabeth Burns, absent a Confidentiality Order, will or may post to her blog (and thereby make public) Plaintiff’s confidential and/or proprietary and trade secret information.

5.

Because of the discovery steps noted above (or to be undertaken in the future), Plaintiff requests that pursuant to Texas Rule of Civil Procedure 192.6(b), a protective order be entered by the Court “to protect the movant from undue burden, unnecessary expense, harassment, annoyance, or invasion of personal, constitutional, or property rights, the [C]ourt may make any

order in the interest of justice....” Plaintiff, therefore, moves for a comprehensive Protective and Confidentiality Order under Rule 192.6 and under the common law to protect its confidential, proprietary and trade secret related or type information that will or may be revealed through the course of depositions and other discovery in this matter. Such order would allow all parties to this case to designate certain discovery products as “Confidential” and thereby limit and restrict disclosure and use of such information outside of this lawsuit; and Plaintiff also requests as a part thereof, that no such confidential information be disclosed on any “blog” or distributed or discriminated by Defendants in any other manner.

WHEREFORE, Plaintiff prays that the Court grant this Motion and sign a Protective and Confidentiality Order grant and, further, grant Plaintiff such other and further relief to which it may be entitled.

Respectfully submitted,

HORNBERGER SHEEHAN FULLER
& BEITER INCORPORATED
7373 Broadway, Suite 300
San Antonio, Texas 78209
210/271-1700 Tel.
210/271-1740 Fax

By: 

Kevin M. Beiter
State Bar No. 02059065
Patrick K. Sheehan
State Bar No. 18175500
David Jed Williams
State Bar No. 21518060
David W. Navarro
State Bar No. 24027683

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing document was forwarded via certified mail return receipt requested to:

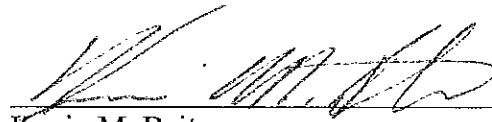
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361-664-9991

Mr. J. Scott McLain
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3900 N. 10th Street, Suite 850
McAllen, Texas 78501

ATTORNEYS FOR DEFENDANTS

on this 21st day of May, 2009.


Kevin M. Beiter

FILED AT 10:40 O'CLOCK A.M.
 R. DAVID GUERRERO
 DEC 03 2008
 CLERK, DIST COURT, JIM WELLS CO, TEXAS
 BY: *R. David Guerrero* DEPUTY

CAUSE NO. 08-06-47106

CORONADO ENERGY E&P COMPANY, § IN THE DISTRICT COURT
 L.L.C., §
 Plaintiff, §
 §
 V. § 79th JUDICIAL DISTRICT
 §
 MCGILL RANCH, LTD., §
 STEPHEN BURNS, JR. and §
 ELIZABETH BURNS, §
 Defendants. § JIM WELLS COUNTY, TEXAS

PROTECTIVE ORDER REGARDING EXPLOITATION AGREEMENT

On December 3, 2008, the Court considered Plaintiff's Motion for Protective Order. After reviewing the Motion and considering the evidence presented and the arguments of counsel, the Court has decided to grant the Motion.

With respect to the redacted Exploitation Agreement effective date August 31, 2006 (the "REA"), provided by Plaintiff at the July 1, 2008 Temporary Injunction hearing, the Court finds that such redacted agreement contains information that is confidential and proprietary to Plaintiff and a non-party hereto. The Court, therefore, makes the following orders with respect to the REA:

1. The REA shall be used by Defendants solely for the purpose of preparation and trial of this litigation and for no other purpose whatsoever, and Defendants shall not be disclose the REA or its contents in any form to any person except in accordance with the terms hereof.

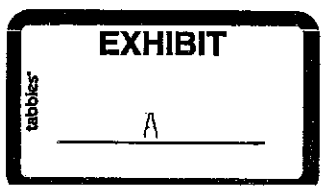
2. The REA shall not be disclosed or made available by Defendants other than to Qualified Persons as defined below.

3. "Qualified Persons," as used herein means:

(a) Defendants and attorneys of record for Defendants in this litigation; and

(b) Actual or potential independent technical experts or consultants for Defendants, ~~who have been designated in writing by notice to all counsel prior to any disclosure of the REA to such persons,~~ and who, prior to receiving the REA, have signed a document agreeing to be bound by the terms of this protective order (such signed document to be retained by the attorney retaining such person).

[Handwritten signature]



4. In the event Defendants wish to use any portion of the REA in any affidavits, briefs, memoranda of law, or other papers filed in Court in this litigation, such information used therein shall be filed under seal with the Clerk of Court.

5. In the event that Defendants wish to use any portion of the REA in depositions of any witnesses or as exhibits to any depositions, such portions of the depositions and exhibits shall be designated as "Confidential" and shall be subject to this Order, ^{CS} ~~ONCE~~ ^{DESIGNATED.} *ANY PARTY WILL HAVE 30 DAYS FOLLOWING RECEIPT OF THE TRANSCRIPT TO MAKE SUCH DESIGNATION.* *01/8*

6. The Clerk of this Court is directed to maintain under seal all documents and pleadings filed under seal with the Court in this litigation which contain any portion of the REA.

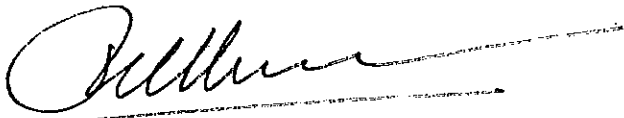
7. Within one hundred twenty (120) days after conclusion of this litigation and any appeal thereof, the REA and all reproductions thereof in the possession of any of the persons qualified under Paragraphs 3(a) and (b) shall be returned to Plaintiff.

SIGNED this 3 day of December, 2008.

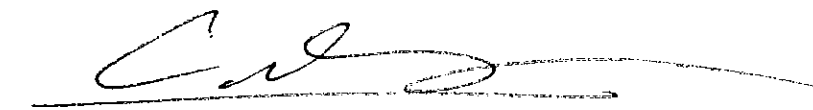


JUDGE RICHARD C. TERRELL

Approved As
To Form Only



Patrick Steuber
Counsel for Plaintiff



Craig Sico
Counsel for Defendants

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER
& BEITER INCORPORATED**

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By: _____

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David W. Navarro
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Nisimblat & Basart
301 E. 3rd Street
Alice, Texas 78333

Mr. J. Michael Guerra
P.O. Box 1968
1600 E. Main, Suite 227
Alice, Texas 78333

on this ____ day of May, 2009.

Kevin M. Beiter

CAUSE NO. 08-06-47106-CV

CORONADO ENERGY E & P COMPANY, LLC,	§	IN THE DISTRICT COURT
	§	
Plaintiff	§	
	§	
v.	§	79TH JUDICIAL DISTRICT
	§	
MCGILL RANCH, LTD, STEPHEN BURNS, JR., AND ELIZABETH BURNS,	§	
	§	
Defendants	§	JIM WELLS COUNTY, TEXAS

**PLAINTIFF CORONADO ENERGY E&P COMPANY, LLC.'S NOTICE OF
INTENTION TO TAKE ORAL DEPOSITION OF
DEFENDANT ELIZABETH BURNS**

Plaintiffs will take the oral deposition of Defendant ELIZABETH BURNS at the following date, time, and place:

Date: June 23, 2009
Time: 1:30 p.m.
Place: Nisimlat & Basart
301 E. 3rd Street
Alice, Texas 78333

The deposition will be recorded by stenographic means and may also be recorded by videotape.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER
& BEITER INCORPORATED**

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on this ____ day of May, 2009.

Kevin M. Beiter

Respectfully submitted,

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Mr. J. Michael Guerra
P.O. Box 1968
1600 E. Main, Suite 227
Alice, Texas 78333

on this ____ day of May, 2009.

Kevin M. Beiter

EXHIBIT "A"

I. DEFINITIONS

- 1) "McGill Ranch" means Defendant McGill Ranch, Ltd., and any of its agents and employees and all other persons or entities acting for or on its behalf.
- 2) "Stephen Burns, Jr." means Stephen Burns Jr. and any of his agents and employees and all other persons or entities acting for or on his behalf.
- 3) "Elizabeth Burns" means Elizabeth Burns and any of her agents and employees and all other persons or entities acting for or on her behalf.
- 4) "Plaintiff" means Plaintiff Coronado Energy E&P Company, LLC and any of its employees, members, agents, predecessors, successors, attorneys, investigators, affiliates, contractors, subcontractors and all other persons or entities acting for or on their behalf including, but not limited to, contractors and their employees, such as employees of Grey Wolf and Alice Southern Equipment.
- 5) The term "person" means natural person, corporations, partnerships, sole proprietorships, associations, or any other kind or type of legal entity.
- 6) The term "Ranch" means the McGill Ranch property, which is the subject of this lawsuit.
- 7) "Access Agreement" means that agreement dated January 19, 2007 between Peoples Energy Production-Texas, L.P. and certain Defendants whereby Defendants agreed to allow People LP's "employees, its contractors, and sub-contractors unlimited access onto the Ranch premises for all purposes" attached hereto as Exhibit"1".
- 8) "Receipt and Release Agreement" means that agreement dated November 1, 2006 between Peoples Energy Production-Texas, L.P. and certain Defendants concerning the Kelsey Central Production Facility attached hereto as Exhibit "2".
- 9) "Leased Properties" means those properties that are subject to the oil and gas leases originally executed by Humble Oil & Refining Company as the lessee of oil and gas interests from J.C. McGill, Jr. et. al. by Oil, Gas and Mineral Leases dated February 27, 1935 and September 9, 1941.

II. MATTERS FOR EXAMINATION

- 1) The Access Agreement, including payments received thereunder.
- 2) The Receipt and Release Agreement, including payments received thereunder.

- 3) Facts supporting any claim by you that Plaintiff is not entitled to access water on the Ranch to use in its operations on the Ranch.
- 4) Facts supporting any claim by you that Plaintiff is not entitled to use temporary water flow lines to transport water from the water wells on the Ranch to the well sites.
- 5) Facts supporting any claim by you that Plaintiff is required to bury its temporary water flow lines to plow depth.
- 6) The identify and authority of the person(s) who operated the tractor and shredded the temporary water flow lines on the Ranch on or about June 19, 2008.
- 7) The identity and authority of your agents, partners, managers, and employees.
- 8) Elizabeth Burns's authority to order Plaintiff's employees and/or its contractors' employees to: (1) leave the Ranch; and/or (2) not enter the Ranch.
- 9) Elizabeth Burns's authority to come on or near Plaintiff's well sites on the Ranch during Plaintiff's operations.
- 10) Communications with Plaintiff concerning: (1) access to the Ranch; (2) use of water on the Ranch; (3) use of temporary water flow lines on the Ranch; and/or (4) Plaintiff's operations on the Ranch.
- 11) Identification and authentication of documents produced by you in this suit.

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RANCHO LOS MALULOS

A SATIRICAL VIEW FROM THE MCGILL BROS LEASE IN SOUTH TEXAS


THURSDAY, MAY 28, 2009

On the news

Will Ripley's report about the contamination was on the local ABC news affiliate last night.

CLICK TO VIEW

(If the link doesn't work, go to KRGV.com and look for the video "Oilfields leave dangerous chemicals behind.")

POSTED BY MALULO NUMERO UNO AT 4:01 AM 0 COMMENTS 

My local hangouts.



WANT TO KNOW MORE?



MALULO NUMERO UNO

We live on a 38,000 acre ranch in South Texas.

See how major oil companies conduct

operations here! Don't believe me?

You are welcome to come and see for yourself. I'll be happy to give you a tour. Check out my homepage for more information.

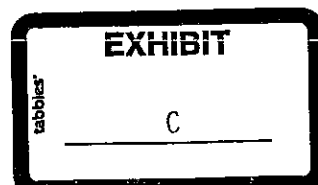
<http://rancholosmalulos.com/>

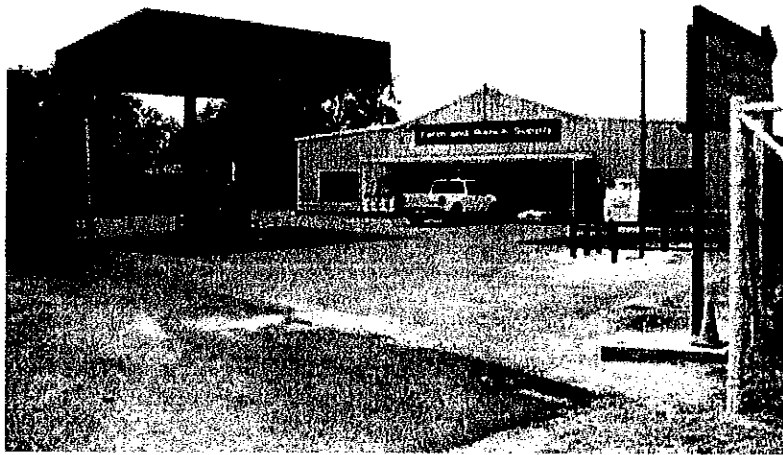
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VIDEOS REPORTS FROM THE RANCH



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BLOG ARCHIVE

▼ 2009 (124)

▼ 05/24 - 05/31 (5)

On the news

My local hangouts.

Some progress with the politicians.

Word of the day: Wetsters

Ten El Paso workers arrested on Saturday

▶ 05/17 - 05/24 (6)

▶ 05/10 - 05/17 (1)

▶ 04/26 - 05/03 (4)

▶ 04/19 - 04/26 (5)

▶ 04/12 - 04/19 (6)

▶ 04/05 - 04/12 (6)

▶ 03/29 - 04/05 (10)

▶ 03/22 - 03/29 (9)

▶ 03/15 - 03/22 (5)

▶ 03/08 - 03/15 (2)

▶ 03/01 - 03/08 (6)

▶ 02/22 - 03/01 (7)

▶ 02/15 - 02/22 (6)

▶ 02/08 - 02/15 (6)

▶ 02/01 - 02/08 (7)

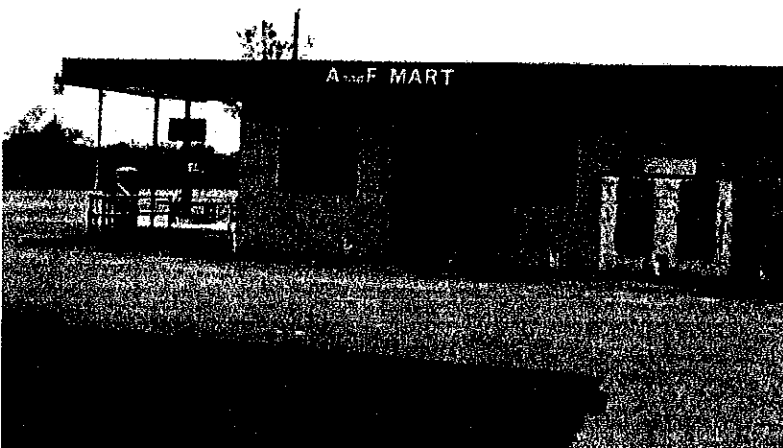
▶ 01/25 - 02/01 (8)

▶ 01/18 - 01/25 (11)

▶ 01/11 - 01/18 (8)

▶ 01/04 - 01/11 (6)

▶ 2008 (207)



HQ is 12 miles from the post office, 17 miles from the Farm and Ranch, and 18 miles from the food mart. Just in case you wondering if I have anything better to do besides dig up ExxonMobil's mess.... I do not.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 1 COMMENTS

WEDNESDAY, MAY 27, 2009


Some progress with the politicians.

I talked to my friend, Big Oil, last week. Told him that I was going to have my first deposition soon. He thinks El Paso should have called the Sheriff. It doesn't matter now. Big Oil figures the lawyers were just doing what El Paso told them to

do, but now they are trying to save face and will totally get blamed when the whole mess backfires and someone gets seriously hurt. There have already been two young pilgrim girls found here beaten, raped, strangled and left for dead since the injunction. (only two found, Border Patrol assumes many more were dumped dead) This is just the kind of thing that happens when El Paso operates on ranches around here. They are such a nice company and I really urge people to sign leases and pipeline easements with them. Plus, they are really cool about underpaying you and deducting taxes that don't exist. And, having their PCB's on your place is an added bonus!

When I first started the blog, Big Oil told me that I needed to get the politicians and regulators on my side if I wanted to cross ExxonMobil's "nuisance threshold". I called Senator Hinojosa's office about XOMan's old electrical system. He sent his right-hand-man Rene Ramirez to tour the ranch last fall. Rene couldn't believe his eyes. They got to work with another Senator named Duncan and they managed to adjust the Natural Resource Code to include the following language. ExxonMobil removed all of their rickety electrical poles in the past few weeks!! The new rules make oilfield operations follow all regulations licensed electricians must follow. Here is the wording.

Sec. 91.019. STANDARDS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF ELECTRICAL POWER LINES. An operator shall construct, operate, and maintain an electrical power line serving a well site or other surface facility employed in operations incident to oil and gas development and production in accordance with the National Electrical Code published by the National Fire Protection Association and adopted by the Texas Commission of Licensing and Regulation under Chapter 1305, Occupations Code.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

TUESDAY, MAY 26, 2009

Word of the day: Wetsters

Yesterday afternoon, Big Oil Jr.'s Cousin and Part Deux pulled up to HQ. "I just saw about 60 wetsters bail out of a Penske truck by the Kelsey Plant." Big Oil Jr.'s Cousin announced as way of greeting. (he calls pilgrims "wetsters")

"What else is new?" I replied while eyeing some big wooden thing in the bed of his pick-up.


"It's a loom." Of course. What the hell else would it be? I guess Big Oil Jr.'s Cousin and Part Deux have taken up making rugs because this loom was the length of the pick-up bed. He didn't offer any more details. I thought he might be here to deliver my little ocelot kitten. He was not. He wanted to borrow my husband's MIG welder. Probably just as well because I've been spending most of my time in town lately. Things have been so crazy with (in the words of XOMan's lawsuit) "high pressure, highly flammable gas" leaking and pilgrims, I'm afraid one of them is going to flick a cigarette and blow us all to kingdom come.

I had a question for Big Oil Jr.'s Cousin. About ten years ago, when we lived in Alice, he called me about adopting a dog. He had some friends who lived on 755 with a Great Pyranese sheep dog that needed a home. I lived in Alice back then and had a big yard. The dog had belonged to their seven-year-old daughter. The girl died of leukemia and they were looking for a home for the dog. They wanted a family with kids. I love big dogs and had small kids so Big Oil Jr.'s Cousin called me. I went to get the dog. The family was very nice and said the dog had been the loyal companion to their daughter through the chemo and was the little girl's only comfort. Since the girl died, the dog was miserable and they were miserable for the dog. I volunteered to take the dog. I couldn't remember exactly where they lived. It had been years and I had totally forgotten about the dog. (who was named Paco, by the way) All this study of pits and leukemia reminded me of Paco.

So, I asked Big Oil Jr.'s Cousin, "Who was that family with the sheep dog and the daughter that died of Leukemia? Where exactly did they live?"

Big Oil Jr.'s Cousin answered, "Oh that was the Phillips. They lived on Las Brisas Ranch on 755 and 490." I asked him if there was a lot of old oilfield stuff there. He said, "It's Rincon. Old old field." Then Big Oil Jr.'s Cousin dropped a bombshell-- **"They got their water from the Delmita Gas Plant. There is a pipeline that moves water from the Delmita plant to Rincon. That's probably what did her in. They came from San Angelo. Didn't know they weren't supposed to drink the water."**

Part Deux loaded the MIG welder into the pick-up and they left. A loom and a MIG welder....I wonder what that is all about.


POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

MONDAY, MAY 25, 2009

Ten El Paso workers arrested on Saturday



Border Patrol chased a truck full of El Paso workers thru the ranch and on to the neighbors on Saturday. A bunch of them got away, but BP managed to track down and arrest 10 of them. We have hundreds of oilfield looking trucks driving thru us every day. We have no idea which El Paso workers are here to work on the wells and which are just cutting thru us to get around the checkpoint. I am sure all of these guys have safety training and proper protective equipment to be around ExxonMobil's dangerous "high pressure" and "highly flammable gas". El Paso workers left the truck. It turned out to be stolen. Probably from some other El Paso lease around here. If El Paso operates on your property, expect your crime rate to go thru the roof. Anything that fits into the bed of a pick-up will vanish.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

FRIDAY, MAY 22, 2009

Life goes on.



Truck flies of the Kelsey Curve into the pasture this afternoon. Thirty something pilgrims abscond. Nine apprehended. Three females. Six Males. The rest vanish in brush. Most will probably die if it's hot tomorrow. My husband was there and just had his cell phone for the photo. Sorry, I wasn't there with my good cameras to get better photos and interview everyone.


More lawsuit discovery in the mailbox.

CLICK FOR CHEVRON DISCOVERY

So, here's the deal with discovery: (I'm just learning about this as the polyline is the first time I've ever gotten far enough in a lawsuit to even get a discovery request.) The lawyers send over these ridiculous demands, then there are hearings. People argue each of the points. Delays are made. More hearings. Appeals. The judge decides what each side has to fork over, etc. Then there are appeals to the higher court to overturn the judge's orders. It's all about dragging things out and costing people money. Oil companies have teams of lawyers and they can usually wear the other side down with costs and hearings. Or, the other side just dies of leukemia. Either way, the oil company gets away with the crap most of the time.

That is why I have a blog. So, people will know how the companies really operate in South Texas. It doesn't really matter what happens in court if people learn the truth. Do you think O.J. killed Nicole? Do you think ExxonMobil, EL Paso and the rest of their JV partners are responsible for this huge cluster of 1400 kids with leukemia? Do you think their pits have anything to do with it? I believe the pits and the dumping are what is making people sick here. The judge may very well agree with ExxonMobil and EL Paso. ExxonMobil and El Paso claim 1930's leases gives them the right to dump whatever they want into the groundwater in Railroad Commission District 4. The Railroad Commission agrees with them. The judge might agree with


them. But do you think the families of the kids with leukemia are going to agree. Do you think people will want to buy stock in companies that behave like that? Even though O.J. got off in court, you don't see him endorsing much any more. I hope when people learn about ExxonMobil and El Paso, there will be public outcry and big institutions won't want anything to do with the companies that are responsible for the poverty and sickness that is Railroad Commission District 4. I hope the EPA comes in and fines them and makes them clean up the mess. The EPA is already eyeing the situation. But will they act? The political climate is certainly perfect for action.

POSTED BY MALULO NUMERO UNO AT 5:21 PM 0 COMMENTS 

Kudos to XOMan.

Someone sent me a box of old XOMan files and I came across this little note. I think it's funny. XOMan, you do a fine job. Good work burying those PCB's.

[CLICK TO VIEW](#)

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

THURSDAY, MAY 21, 2009

Global warming?




Here are some snapshots from our family trip to Hawaii last week. It was so nice to get away from the chaos around here. The highlight of the trip was a helicopter ride around the big island. I have never believed that Global Warming was a manmade phenomena. The oil

companies are responsible for a lot of environmental problems. However, I don't think it's fair to pin "climate change" on them. The earth pumps out enough "green house" gases on it's own thru volcanos and thermal vents, etc.

The Grandfathered Kelsey Compressor Station pumps out a lot of poisons, but I don't think it's responsible for the lack of rain this year. I do think that ExxonMobil should spend the money to update their facilities because they are making people sick locally and they cause worry. Read XOMan's own version of what his Kelsey Compressor Station pumps into the atmosphere each year. (from his grandfather permit that exempts his activities from the Clean Air Act). You have to figure these numbers are based on the notion that the Kelsey Compressor Station is in tip top shape. I'm sure the volumes are much worse than stated on this application.

Additionally, this grandfather permit was issued with the agreement that XOMan would cut the emissions over the years. It seems to me, that the emissions are not being cut. There are no improvements or updates made to this facility. I am pretty sure XOMan is lying to the TCEQ and EPA. ExxonMobil has several more facilities just like this in District 4.

[CLICK TO VIEW EXXON'S VERSION OF THEIR KELSEY EMISSIONS](#)

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

WEDNESDAY, MAY 20, 2009

My first ever deposition.

[CLICK TO VIEW REQUEST](#)

The polyline trial is moving forward. I'm a bit nervous to be deposed. I have never been deposed. It will all be video taped. I'll put the highlights on the blog. If there are any. It might just be really boring.

Yesterday it was eerily quiet. Not a soul on the lease.

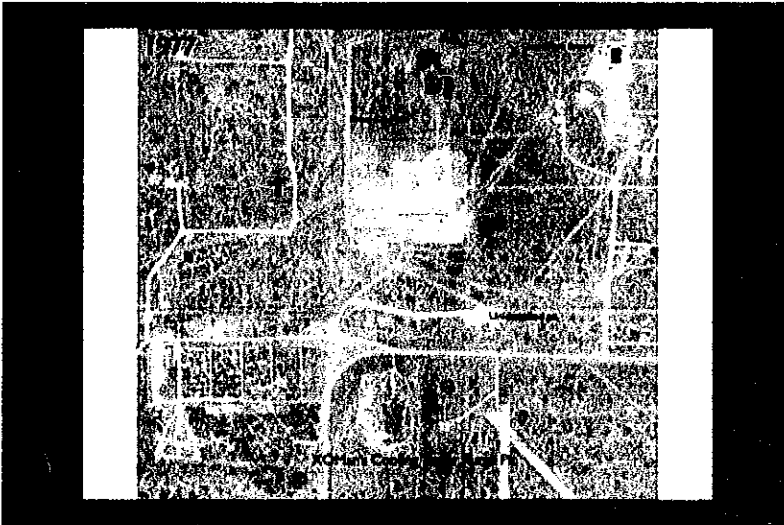
I have the feeling that something bad is about to happen. That this is the calm before some kind of storm. I have no idea what kind of storm. It is so still here it is SPOOKY. To make it even SPOOKIER - cell phones aren't working. As you know, EL Paso has an injunction that prevents us from having any security and now we have no cell phone to call our neighbors who do have security. El Paso provides no security. Homeland Security, DPS, Sherriff and Border Patrol parked every few miles on 281 between Corpus and the Valley. It's

like they are expecting something. It sucks that EL Paso has denied us the right to defend ourselves. I feel like we are floating in the ocean like a piece of bait in chummy waters. My kids sleep with loaded 9 mm next to their beds. It's really sad.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS

TUESDAY, MAY 19, 2009

Want to JV with XOMan?




CLICK FOR MAP OF EXXON KELSEY

How many pits are on the ranch? I don't even know how many pits are in my hood because I lost interest while finding them on the aerials. This is as far as I got. No wonder all these kids have leukemia. These pits are 100's of feet across. Football field size and bigger. You can click on the slide show and bring up larger more detailed versions of the pits. I have the complete collection of aerial photos for all of Starr and Hidalgo Counties available from 1955 thru 1982. I can zoom in on the computer and isolate sites like the ones I have posted above. Unless the pit is marked El Paso or La Reforma -- they are all Exxon Kelsey Pits on the ranch or in the Kelsey Unit. I put a few extra pits that were on the south side of the fence. I'm not sure who operates those old leases. I know El Paso, Sierra, Rising Star, Chesapeake, Forrest all have some crap down there. The usual suspects. All of the pits in this slide show are on the ranch or within 2 miles which overlay on the photos. Sludge pits tend to contain PCB's, mercury, chromium, polycyclic aromatic hydrocarbons, arsenic, lead, and goodness knows what other yummy stuff that causes leukemia.

I was mistaken in earlier posts. Apparently, cracking pits are only the pits used after refining with heat -- referred to as "Catalytic

Cracking". The pit behind the Kelsey gas plant would be a "cracking pit". The pits at the tank batteries are "chemical sludge pits" from chemical refining -- without the use of heat. Also, the chemicals were not stirred into the pit, they were mixed in to the tanks and then the mixture was dumped into the pits and the oil skimmed off the top. The acid sludge that sunk to the bottom was burned or left to soak into the soil. Previously, I was calling all pits "cracking pits". Also, I thought the chemicals were stirred in the pit. I have now learned that they were mixed in the tanks and then dumped in the pits. Cracking with heat or refining with chemicals -- those pits are not something you want to live on.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 
LABELS: EXXONMOBIL EXXON CONTAMINATION GROUNDWATER
POLLUTION, LEUKEMIA, OILFIELD WASTE, SIERRA RESOURCES LLC,
SLUDGE PITS

MONDAY, MAY 18, 2009

XOMan doing his spring cleaning?



When I got back from my trip, I went to see how many more PCB transformers XOMan might have added to his heap for "re-use". Appears that XOMan has been busy cleaning up. I wondered why after 35 years, he would be so anxious to clean up. Then it all became clear when I read THIS:

CLICK TO VIEW.

I got these documents in response to an open records request to the RRC. I'm honored that the Railroad Commission cuts and pastes from my blog. They aren't concerned about the dump. They are concerned that the TCEQ is on their turf. Then they find out about the EPA and suddenly are so serious about being part of the joint

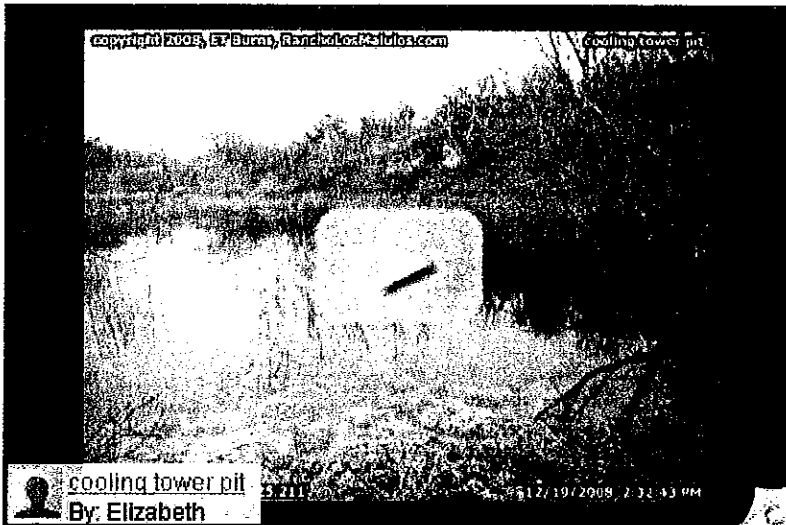
remediation. Mmmm, Seems that dossier of XOMan's PCB dump I sent to the White House made a difference: The EPA is coming to sample the dump tomorrow. I did not hear directly from the White House, so I thought they had just ignored my detailed presentation of how ExxonMobil and their law firm conspire together to illegally dump PCB's. ExxonMobil has been hauling stuff off by the dumpster to the recycling place in Corpus. NORM and all. I don't know about you, but to me, XOMan looks like a guilty dumper with this attempt to clean up at the last minute. He is so arrogant that he thinks he can just dump gravel on top of this and no one will notice. It's worked before.... will it work now?

I wonder what the EPA is going to think of XOMan's 9 acre cooling tower purge pit right across the street from their "pipe yard"? That smooth XOMan used an abandoned caliche pit for his purge pit for 40 years. Even built a pipeline from the plant to the purge pit across the road. The bottom of the caliche pit is actually the groundwater. There is a huge pit of sludge filled with chromium. 2070 mg/kg of CHROMIUM! Yippee! XOMan, you have outdone yourself!


CLICK TO VIEW LAB RESULTS

(The results named pit 1-4 are from XOMan's purge pit.)

Here are some lovely photos of the purge pit. Beautiful but deadly. That orangey and yellow stuff is the hexavalent chromium of Erin Brockovich fame. It was widely used as an anti-corrosive agent. (then dumped in pits) Curiously, there are no fish or frogs to be seen. No life except these cute ducks. (Which I'm sure died shortly after visiting the purge pit)



CLICK TO VIEW THE DEED FOR THE PURGE PIT.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 
 LABELS: CHROMIUM, CONTAMINATED GROUNDWATER, EXXONMOBIL, KELSEY DEEP, MCGILL BROTHERS

THURSDAY, MAY 14, 2009

www.LosRanchosLosMalulos.com?



I just returned from a Hawaiian vacation. I'll post more about that next week. I have so many things in my mailbox! I'm jet lagged but just have to post something as I have really missed the blogging. And, I'm sure that everyone has missed me, too! I will quickly unveil an extremely amusing set of discovery requests send over by none other than XOMan and his criminal PCB dumping co-conspirator law firm.


(As Granny used to say, "Desperate men try desperate means".)

When I first read thru ExxonMobil's discovery request sent to the McGill Bros heirs (which I am not) I spotted all these questions about some "Los Ranchos Los Malulos" website. The first thing that popped into my mind was some sort of trademark infringement issue. Then I realized that Exxon's discovery might possibly be focused on my website "Rancho Los Malulos" and they just had the name wrong. And, the name of the blog, too. Details.... they aren't really important in lawsuits.

CLICK TO READ XOMan's DISCOVERY REQUEST

I'm going to wait until I find out if they are in fact asking about my blog or some cheap knock off blog by another Elizabeth Burns. I have no idea why ExxonMobil would think that the family has any information about my blog or my business. I am not a party to that lawsuit so why ExxonMobil would be directing requests for my blog to other parties is besides me. Well, maybe some other family members have created their own blog and named it "Los Ranchos Los Malulos" as the "Rancho Los Malulos" domain was already

spoken for.


POSTED BY MALULO NUMERO UNO AT 2:23 PM 3 COMMENTS 

THURSDAY, APRIL 30, 2009

MIA

I WILL BE OUT OF TOWN UNTIL MAY 16th. Expect no installments in the McGill Bros. soap opera until my return.

I can't wait to see what's been going on around here when I get back. You just never know!

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

WEDNESDAY, APRIL 29, 2009

Big Oil Jr.'s Cousin loses a bet.




Lucky me! None other than Big Oil Jr.'s Cousin dropped by the HQ yesterday. If you recall from previous posts, Big Oil Jr.'s Cousin is a miscreant from the bustling hub of Bruni, Texas. Another XOM pit up the road. His Grandfather was one of the biggest and craziest Texas oilmen of all time. I don't know what he does with his days but I'm sure it's not good because he's super paranoid. He's always with this other guy who appears to be a bigger version of Big Oil Jr.'s Cousin, dresses the same and walks about 5 feet behind Big Oil Jr.'s Cousin. (with numerous cell phones, a Glock 19, and radios attached

to him) In all the years I have known Big Oil Jr.'s Cousin, I have never been introduced to the other guy that follows him around and the other guy has never muttered a word to me. I pretend I don't notice he is there. I refer to him privately as "Part Deux". If I ask them, "Do you want something to drink?" Big Oil Jr.'s cousin turns to Part Deux and asks him "Do you want a drink?" The guy answers to Big Oil Jr.'s cousin and then Big Oil Jr. will turn to me and say, "Two Dr. Peppers." It's really odd because we are standing all together and speaking the same language. It's always been that way so I continue with the charade. I rarely see Big Oil Jr.'s Cousin and he's so funny. I just go along with his eccentric behaviors.

Sorry, I digress. The purpose for the visit was that Big Oil Jr.'s Cousin had bet me "anything I want" that the Starr County Sheriff would escape charges related to accepting bribes based on the legal argument that bribes were a "Starr County tradition."

Yesterday, it came out on the news that the Sheriff had decided to plead guilty. True to his word, Big Oil Jr.'s Cousin showed up and asked, "What do you want?" So, I told him I wanted an ocelot kitten. Big Oil Jr.'s Cousin turned to Part Deux and told him I wanted an ocelot kitten. Part Deux talked to someone on one of his several cell phones. Then his other cell phones began to ring. Ocelots were located, deals were made. Then Part Deux told Big Oil Jr.'s Cousin, "The kittens are usually born in Feb - March so Baby can't bring one until April." Then Big Oil Jr.'s cousin told me, "The kittens are usually born in February or March, so you won't have it until April." How funny would it be if there were a bunch of endangered ocelot kittens frolicking about El Paso's operations? There would be no more need for polyline because there would be no more drilling! (NOTE: I got this photo off the Internet. This is not my kitten!)

POSTED BY MALULO NUMERO UNO AT 4:00 AM 2 COMMENTS 


TUESDAY, APRIL 28, 2009

XOM's dump, I mean pipe yard.

Some things are in the works for XOMan. The RRC sent that letter as if I reported the dump to them and it just is NOT accurate. I did not report the dump to the RRC and it isn't even on McGill Ranch property. Despite Exxon's best efforts to argue that their "pipe yard" is under the jurisdiction of the RRC, the TCEQ is coming for two days to do extensive testing in XOMan's "pipe yard" in mid-May.

The TCEQ is testing for contaminants outlined in RCRA. (Resource Conservation and Recovery Act) I think these include metals. That

could get interesting. What if XOMan had to clean something up? The dump, err I mean "pipe yard" is only 20 acres. It will be good practice for the other 1, 999,080 acres of old Exxon leases that need tending to in District 4. Maybe when they are done with the "pipe yard", they can scooch their cleaning crew over to the old Kelsey Gas Plant 9 acre purge pit across the street.

POSTED BY MALULO NUMERO UNO AT 9:16 AM 1 COMMENTS 

MONDAY, APRIL 27, 2009

Dirty Lying Crooks stealing from Dirty Lying Crooks.


Here is my discovery request from El Paso (a.k.a. Coronado LLC)
[CLICK TO VIEW](#)

Camera Shy (that's my lawyer) is preparing a counter claim against El Paso on my behalf. He's got some arbitration job and won't have time until mid-May. This case is fixing to get a WHOLE lot more interesting. I'm really looking forward to posting El Paso's response for Requests for Production #27-#30. This blog will get a much needed injection of sex, drugs and rock & roll when we do the video depositions of the El Paso folks. It's one of those scenarios where the truth is more scandalous and intriguing than any kind of fiction I could come up with.

I think it's hilarious that crooks are stealing El Paso, Exxon, and Chevron's oil and gas from the lease. (and their contractor's back-hoes!) El Paso and Chevron have private investigators and the Texas Rangers. XOMan doesn't even notice his stuff is stolen because he doesn't have any sort of accurate measurement to begin with.

Coronado got an injunction that requires us to not interfere with any one coming or going. Roger asked how are we supposed to know who to let in as El Paso doesn't give us a list. The judge said, "Let anyone who says they work for Coronado in and do not interfere." So we do. And, I guess some of those tanker truck drivers who say they work for Coronado don't really work for Coronado. They are oil thieves. Poetic Justice. I suggested ExxonMobil put some low clearance bars on the unmanned gates because of the questionable vacuum trucks using those exits. XOMan sent a mean letter to Roger about my low clearance suggestions. I called El Paso's Corpus Christi office and told the guy in charge, "Hey, people are stealing your oil." The guy said, "We know." I see strange vacuum trucks off the beaten track and I just wave. And, they wave back. I don't know if low clearance

bars would stop the oil theft completely. Oil is stolen from pipelines, too. But, it would certainly help. El Paso and Exxon refuse to take any responsibility for the security around here. Exxon says it's the landowner's job and El Paso has a restraining order that prevents the landowner from doing anything. It's stupid of them because they are the biggest victims of the theft. When oil was \$130 a bbl, every vacuum truck that left full of oil cost El Paso \$16,900. (vacuum trucks haul 130 bbls). A fake oil tanker hauls 160 bbls. (\$20,800).

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 


FRIDAY, APRIL 24, 2009

American Gothic



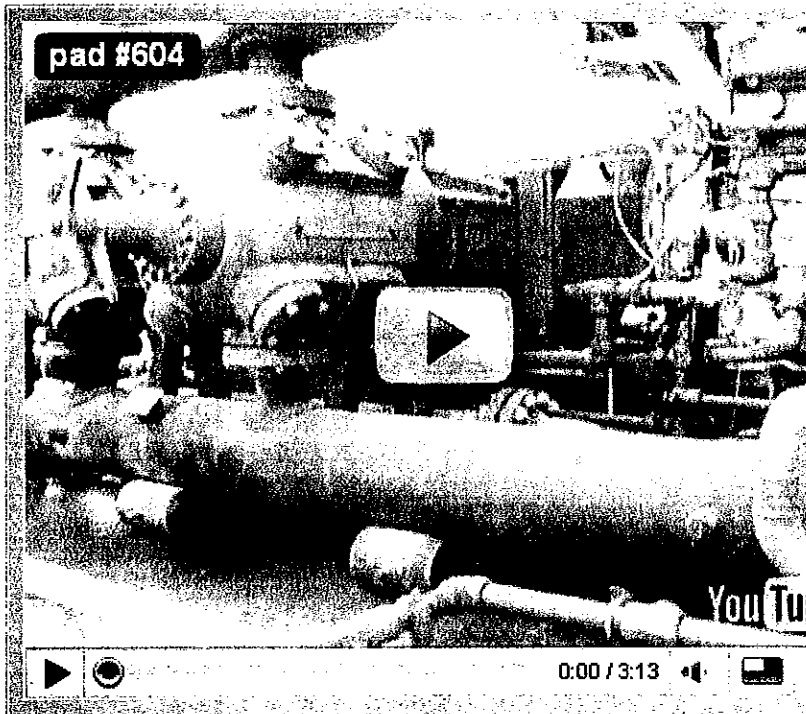
We live miles from any neighbors. It's wonderful to just go out and drive around and explore. The kids target practice. We see wild animals. Doesn't it look so pretty? We went for a drive this week on part of ExxonMobil's old Kelsey. It looks pristine, huh? The reality is that many of these trees have just grown up thru abandoned tank slag roads, pipelines dumping underground, chromium, mercury and 3 feet down are buried cracking pits. (dead pilgrims, live pilgrims, middle of drug war/political revolution, etc) When you don't know that, it's really pleasant. Well, even when you do know it, it's still fun to go out and explore - when you don't think about it. We have one spot where there was a house in the 1800's and we find chimney bricks and pieces of old dishes, civil war era bullets and things. Those white rocks you see in the photo are what is left of the house from a Spanish land grant. That's what we do -- just go out and see what we come across. A lot of times we come across really ugly XOMan mess, but other times we come across more interesting

and pleasant things. You never know until you get out there. It's dangerous but it's very exciting to live here.


POSTED BY MALULO NUMERO UNO AT 5:15 AM 0 COMMENTS 

THURSDAY, APRIL 23, 2009

Would you like to hunt here?



Here is one drill pad on the El Paso lease. They operate here as Coronado LLC. These set-ups dot the landscape and each one reverberates for miles around. It used to be peaceful here. Now it's loud all the time. El Paso is starting to look like they are taking some pointers from ExxonMobil in the "how to operate in the oilfield" department. They are bringing in old used compressors and look at their separators leaking. Really, their whole operation is starting to look ramshackle and things are starting to squirt and leak all over. **By the way, El Paso/Coronado appears to have no TCEQ air quality permits to run any of their stuff on the McGill Bros. (compressors, dehy's, etc. puffing away. no permit, even XOM permits their stuff)

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

WEDNESDAY, APRIL 22, 2009

The Justice Dept deal with the pipeline

companies.

I could only find the consent decree for Transco -- but all the major interstate pipeline companies made an agreement to clean things up and do a bunch of testing in the mid-90's.


CLICK FOR PRESS RELEASE

The EPA only had the agreements on line after 2006. I will have to make a request from Southern District of Texas for the El Paso/Tennessee Gas, etc agreements to find the maps of the compressor stations and meter stations. But, you can scan thru this one and get an idea of what sort of promises were made. El Paso/Tennessee Gas has about 20 ground water monitoring wells in the Kelsey Station area. I doubt they are doing it out of the goodness of their heart. (El Paso Corporation's Pipeline Group owns Tennessee Gas)

CLICK TO VIEW

Some of the Transco sites are right here in District 4! I'm sure the RRC is keeping up with all these clean-ups. As I am sure that El Paso is doing all the Tennessee Gas clean-ups!

FERC adjusts the transportation rates for the interstate pipelines to cover the costs of the clean-up. For instance, Transco charges a few extra cents and applies them to the clean-up. So, it's not like the big clean-up comes out of the pocket of the interstate gas pipeline companies. It is passed on to their partners. Even if El Paso-Tennessee Gas doesn't get around to meeting their obligation, they are still collecting the money to do it. Kind of like the severance tax on an oil and gas lease. For an operator, that is a cost that is passed on to working interest and royalty interest partners. Sometimes, even if there is no severance tax - it is passed on! El Paso has severance tax exemption on the McGill Bros, but that doesn't stop them from collecting the taxes out of the royalty owner checks. Natural Gas severance tax in Texas is just 7.4%!

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 

TUESDAY, APRIL 21, 2009

How to make an open records request.


For the TCEQ

CLICK HERE

For the RRC

CLICK HERE

To make an open records request, you simply send a letter to the agency at issue. At the top of the letter put in all caps "TEXAS OPEN RECORDS REQUEST". Then in the body of the letter put "Under the open records provisions of Chapter 552 of the Texas Government Code, please provide the undersigned with copies of the Texas Railroad Commission (or TCEQ as the case may be) at the cost established by the Railroad Commission: then list everything you are asking for. Then continue, "If you have no records responsive to this request, I ask that you so indicate in your written response. Thank you for your cooperation. If you need any additional information please contact me." Of course, provide all of your contact information including your phone number as they often will follow up by phone to get clarification before they formally respond in writing.

POSTED BY MALULO NUMERO UNO AT 4:00 AM 0 COMMENTS 
LABELS: GAS LEAKS, HOW TO MAKE AN OPEN RECORDS REQUEST, OIL SPILL, TCEQ, TEXAS RAILROAD COMMISSION

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- Agencies Working to Remove Poisonous Fish
- High Levels of Cancer-Causing Chemicals Found in Donna Lake
- Thirty-Three Acres in McAllen Contaminated with Toxic Substance

5 On Your Side

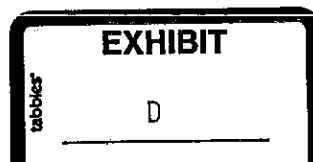
Free Vacation Costs Man Hundreds

- Neighborhood Says Improvement Project Damaged Their Property
- Residents Tired of Dirt Road Problems
- Workers Not Getting Paid
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- 5 On Your Side: Contractor Issues

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Marks Explains Edinburg Decision

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- Be Careful What You Wish For



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Weather



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Con Mi Gente



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- [Please God, I'm Only 17](#)
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- [Teardrops \(Santa Rosa ISD\)](#)
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- [Insomnia \(Los Fresnos CISD\)](#)
- [Round Up \(La Joya ISD\)](#)
- [Bitter Memories Pt. 1 \(PSJA ISD\)](#)
- [Bitter Memories Pt. 2 \(PSJA ISD\)](#)
- [Kick the Girl \(San Benito CISD\)](#)
- [Make-A-Wish \(PSJA ISD\)](#)
- [Palo Alto \(San Benito CISD\)](#)
- [ESBN](#)
- [Vampire Pig \(San Benito CISD\)](#)
- [The Mullins Show II \(San Benito CISD\)](#)
- [Halloween Mullins \(San Benito CISD\)](#)
- [Squealer \(San Benito CISD\)](#)
- [Thriller \(San Benito CISD\)](#)
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Masterminds



Edinburg -vs- International Baccalaureate (part 4)


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- [Edinburg -vs- International Baccalaureate \(part 2\)](#)
- [Edinburg -vs- International Baccalaureate \(part 1\)](#)
- [San Benito -vs- Med High \(part 4\)](#)
- [San Benito -vs- Med High \(part 3\)](#)
- [San Benito -vs- Med High \(part 2\)](#)
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- [San Benito Veterans -vs- International Baccalaureate \(part 3\)](#)
- [San Benito Veterans -vs- International Baccalaureate \(part 2\)](#)
- [San Benito Veterans -vs- International Baccalaureate \(part 1\)](#)
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Kids You Should Know



Guillermo Rojas

- [Connor Smith](#)
- [Gabriela Flores](#)
- [Erin Zamora](#)

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