

MCKENNA & CUNEO, LLP
East Texas

Technical and Litigation Support

McKenna & Cuneo LLP, on behalf of their client Thiokol Corporation, retained Geolex, Inc. (Geolex) to provide technical and litigation support for two toxic tort suits arising from Thiokol's operation of the Longhorn Army Ammunition Plant (LHAAP) in east Texas. As part of this project, Geolex evaluated Caddo Lake and the surrounding area in the vicinity of LHAAP for the purpose of determining sources, types and extent of contamination that could potentially have arisen from LHAAP. The project included the determination of the relationship between contaminated soil and shallow groundwater at various locations throughout the plant and surface waters of bayous draining into Lake Caddo. Geolex developed a local groundwater model using BioChlor™ and BioScreen™ to substantiate the limited extent of groundwater contamination around the source areas and the extremely slow travel time due to the hydraulic characteristics of the aquifer. The model results were verified and calibrated using actual LHAAP field data and accepted hydrogeologic procedures and methodology. The results of this model were relied upon in evaluating the potential for past and future migration of contaminants in groundwater from LHAAP.

As part of the assignment, Mr. Gutiérrez provided testimony in two hearings in U.S. Federal District Court for the Eastern District of Texas in Beaumont and Tyler, Texas. Of the ten medical and technical experts on both sides of the case, Mr. Gutiérrez was the only expert who was not challenged through Daubert motions, which were the subject of a weeklong hearing in Tyler, Texas. Mr. Gutiérrez provided testimony in these hearings in support of the challenge to the expert testimony of the plaintiffs. As part of the analysis Geolex examined available black and white and color infrared aerial photography of LHAAP, Lake Caddo and the surrounding area. Furthermore, analytical data from groundwater and surface water sampling and sampling of public and private water supply systems in the area was evaluated and mapped as part of the investigation. We also conducted a series of other hydrogeologic environmental and regulatory investigations related to LHAAP and other associated issues in the case.

Thiokol Corporation and Monsanto Company subsequently retained Geolex to render expert opinions based on the analyses and investigations referenced above. Geolex produced three expert reports and Mr. Gutiérrez provided deposition testimony in support of the conclusions arrived at from the analysis described above. In June of 2000, these cases were settled favorably for Thiokol, Monsanto, and U.S. government defendants.

Major Project Elements:

- Technical and litigation support
- Groundwater modeling
- Expert witness testimony
- Hydrology/hydrogeology

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