

Robin D. Franks, PG, CHMM, RSO, MAC (TX), LIAC (TX)
President, TGE Resources, Inc.
Summary Listing of Litigation Support & Expert Witness/Testifying Experience

- ✓ *Denotes Testimony – Pre-Trial or Trial Appearance.*
● *Denotes Ongoing Case (as of date above)*
-

- **State of Texas v. Eastern Fuels Properties**
Retaining Law Firm: Dawson & Sodd, PLLC
Subject: Petroleum hydrocarbon retail facility – condemnation proceeding
Timeframe: 2025
Retained by: Plaintiff
Real Property Location: Kilgore, Texas
Project: Retail fuel facility undergoing eminent domain by TXDOT
Scope: Review 3rd party documentation; opine as to reasonableness of scope and estimates; provide expert OSHA opinion

- **Meagan White vs. Weinstein Management Co**
Retaining Law Firm: Wentz & Zavarelli, LLP
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2025
Retained by: Defendant
Real Property Location: Dallas, Texas
Project: Multi-family commercial complex; negligence claims of deferred maintenance and ensuing mold
Scope: Document review; rebuttal; expert report

- **Angela Pollard vs. Arcadis Inc.; Equinix (US) Enterprises, Inc.; Equinix LLC; Equinix, Inc.; Informart Dallas GP, LLC; Informart Dallas, LP; MINC Gp, LLC.; and MIINC, L.P.**
Retaining Law Firm: Waddel Serafino Geary Rechner Jenevein, P.C.
Subject: Pending
Timeframe: 2025
Retained by: Defendant
Real Property Location: Dallas, Texas
Project: Pending
Scope: Pending

- **David Zaehring & Tracy Zaehring vs. Ervin Custom Homes, LLC, Cause No. 23-670**
Retaining Law Firm: Davidson Troilo Ream & Garza, P.C.
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2025
Retained by: Defendant
Real Property Location: Sabinas Ridge Road, Boerne, Texas 78006
Project: Private residence; IH field (forensic) assessment; report review; consulting; rebuttal; reporting.
Scope: Document review; rebuttal; expert report

- **Madison Urbanowski vs. Lincoln Apartment Management, LP d/b/a Lincoln Property Company and Bel Overlook, LP d/b/a Overlook Ranch, Cause No. 067-340098-23**
Retaining Law Firm: Pierson Ferdinand
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2025
Retained by: Defendant
Real Property Location: 13140 Overlook Point Dr., Unit 1924, Fort Worth, Texas 76177
Project: Multi-family; mold-specific report review; consulting
Scope: Document review; rebuttal; expert report

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

Stephen Shae Smart vs. Barton Creek Villas Owner, LLC, Barton Creek Villas, LLC, The Connor Group, A Real Estate Investment Firm, LLC, Greystar Partners, LP, JMI/Greystar Realty Partners, LP, Grep General Partner, LLC, and Greystar Development and Construction, LP, Cause No. D-1-GN-24-00354

Retaining Law Firm: Wentz & Zavarelli, L.L.P.

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2025

Retained by: Defendant

Real Property Location: 2716 Barton Creek Boulevard, Unit 1923, Austin, Texas 78735

Project: Multi-family; mold-specific report review; consulting

Scope: Document review; rebuttal; expert report

- **Martin Donald Zielinski and Elizabeth Coite Lorenz vs. Woodstone Builders, LLC. Thomas W. O'Neil, Individually, and Noah Millsap, Individually Cause No. 2020-68704**

Retaining Law Firm: Andrews Myers

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023-2025

Retained by: Plaintiff

Real Property Location: Underwood Street, Houston, Texas 77030

Project: Private residence; field sampling; forensic (IH) assessment; cause of loss determination; moisture mapping; mold-specific consulting

Scope: Mold & moisture intrusion expert witness; document review; testing; rebuttal reporting

- **Maintain My Property Houston, LLC; Clayton Hirt, and Hadley Hirt v MKRR Constructions, LLC; Rana Razzaque, Kazi Rashid, Mohammed Hussain, and Rafi Zaman, Cause No. 24-04-05617**

Retaining Law Firm: Aziz Trial Law

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2024 - 2025

Retained by: Plaintiff (Hirt)

Real Property Location: 15436 Willowisp Trial, Conroe, Texas 77302-5417

Project: Private residence; mold-specific report review; forensic evaluation for cause of loss; general pre-trial consulting

Scope: Document review; expert opinion; declaration; deposition; litigation support

- **Rod Anthony & Mary Anthony vs Mostaghasi Enterprises, Inc. AKA Mostaghasi Enterprises & George Hossein Mostaghasi Cause N0. 2022DCV-2948-C**

Retaining Law Firm: Lovein Ribman PC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2024 - 2025

Retained by: Plaintiff

Real Property Location: 15309 Beaufort Court, Corpus Christi, Texas 78418

Project: Private residence; mold-specific report review; cause of loss consulting; work practices evaluation

Scope: Document review; rebuttal; expert report

- **Ellis County Pipeline Spill**

Retaining Law Firm: Buzbee Law Firm

Subject: Petroleum Hydrocarbon/Pipeline Spill

Timeframe: 2024

Retained by: Plaintiff

Real Property Location: 6429 FM877 Ennis, Ellis County, Texas

Project: Comprehensive site inspection/characterization

Scope: Field assessment

Janet L. Hinman and Larry L. Hinman vs ABB, Inc., Individually and as Successor in Interest to ITE Imperial Co., f/k/a ITE Circuit Breaker Co., et.al.

Retaining Law Firm: Grady Bell, LLP

Subject: Asbestos Exposure

Timeframe: 2024

Retained by: Defendant

Real Property Location: Monadnock Building, Chicago, Ill

Project: Historical document review; expert report; litigation support to settlement

Scope: Document review; expert report; cost estimation; settlement support

• **Hillsboro Diesel Spill**

Retaining Law Firm: Buzbee Law Firm

Subject: Petroleum Hydrocarbon Diesel Release

Timeframe: 2024

Retained by: Plaintiff

Real Property Location: Hillsboro, Hill County, Texas

Project: Comprehensive site inspection/characterization

Scope: Field assessment

Rocky & Sheri Reeves vs. Wesley & Helen Wiese DTPA Claim

Retaining Law Firm: Angela M. Dowdle, PC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2024

Retained by: Defendant

Real Property Location: 200 Golden Eagle Way, Liberty Hill, TX 78642

Project: Private residence; mold-specific report review; cause of loss consulting. expert report

Scope: Document review; expert report

• **Caddo Mountain Spring Water, LLC, and Caddo Mountain Water Partners, LLC vs. Environmental Works, Inc., Case No. 6:24-CV-6027 – 2024-2026**

Retaining Law Firm: Wright, Lindsey & Jennings, LLP

Subject: Hazardous Material (Arsenic, et.al.) in Groundwater -Compliance Review & Best Practices Evaluation

Timeframe: 2024 - 2026

Retained by: Plaintiff

Real Property Location: Hwy 8, Norman, Arkansas

Project: Commercial property; field assessment; water well resource characterization testing; contracts/scope review; litigation support; expert opinion

Scope: Field assessment & resource testing/evaluation; document review; compliance assessment; expert report; P.G. of record

✓ **Brett Taylor Royalty Trust vs Dallas Production**

Retaining Law Firm: Holland & Knight

Subject: Real Estate Due Diligence

Timeframe: 2024

Retained by: Defendant

Real Property Location: Seybold Rd., Mineral Wells, Texas

Project: Private property – E&P use; prior (ESA) report review; water well research; brine contamination evaluation

Scope: Document review; resource research; deposition under oath

- **Murnane Building Contractors, Inc. & The Travelers Casualty & Surety of America vs. State of New York**

Retaining Law Firm: NYS Office of General Services

Subject: Asbestos; lead; abatement contract compliance

Timeframe: 2024 - 2025

Retained by: Defendant

Real Property Location: 1220 Washington Ave., Albany, NY 12226

Project: Commercial property owned by the State of NY; asbestos fiber and lead dust release (during abatement); compliance evaluation; best practices review

Scope: Document review; expert report; rebuttal; litigation support

Margarette Moore; D. Moore; & M. Moore v. Weinstein Management Co., Inc., No. 2023-001802-3

Retaining Law Firm: Wentz & Zavarelli, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2024 - 2025

Retained by: Defendant

Real Property Location: 6310 South State Hwy 360, Unit #137, Grand Prairie, TX 75052

Project: Multi-family -mold document peer review & rebuttal

Scope: Document review; 3rd party rebuttal; expert report

Christine Knight, et al vs. Gehan Homes & Casa Mechanical Services, Cause No. 22-1857-C425

Retaining Law Firm: Chamberlain McHaney, PLLC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2024 - 2025

Retained by: Defendant

Real Property Location: 109 Gibran Trail, Georgetown, TX 78626

Project: Private property; mold document peer review & rebuttal

Scope: Document review; 3rd party expert rebuttal; litigation support; expert report

Carolyn Houren vs Greystar Management Services, LP. & R.G. Mueller, Jr., Partnership, LP.

Retaining Law Firm: Fletcher, Farley, Shipman & Salinas, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023 - 2024

Retained by: Defendant

Real Property Location: 1611 West 5th Street, Unit 437, Austin, TX 78703

Project: Multi-family; mold document peer review & rebuttal

Scope: Document review; 3rd party rebuttal; expert report

- ✓ **Aliyah My Linh Tran vs. LumaCorp, Inc., Cause No. 22-8720-431**

Retaining Law Firm: Pierson Ferdinand, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023 - 2024

Retained by: Defendant

Real Property Location: 650 E. Vista Ridge Mall Drive, Apt. 511, Lewisville, TX 75067

Project: Private property; peer review & rebuttal; trial testimony

Scope: Document review; rebuttal report; trial testimony

Lori Munoz vs. TX Waterford Apartments LLC; Weidner Investment Services, Inc., and Anne Donovan, Cause No. 401-06380-2023

Retaining Law Firm: Faegre, Drinker, Biddle & Reath, LLP; Phelps Dunbar, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023 – 2024

Retained by: Defendant

Real Property Location: 6355 Enterprise Dr., Unit 2-131, Frisco, TX 75033

Project: Multi-family; field sampling; forensic (IH) survey; cause of loss determination; moisture mapping; mold-specific consulting

Scope: Mold & moisture intrusion expert witness; document review; testing; rebuttal reporting

Kyle & Kallie Hale Case

Retaining Law Firm: Grimes and Fertitta, P.C.

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023 – 2024

Retained by: Plaintiff

Real Property Location: 707 Cowards Creek Dr, Friendswood, TX 77546

Project: Private property; mold-specific report review; pre-litigation consulting

Scope: Document review; consulting; rebuttal report

- ✓ **Barenkralle Holdings, LLC, Robert McCrea & Natalie McCrea vs. Brynda Robyn Brand, GH III Management LLC d/b/a Better Homes & Gardens Real Estate Gary Greene, & Sweet Home Inspectors of Texas, Inc.; Cause No. 21-01-00059; In the 457th District Court; Montgomery County, Texas**

Retaining Law Firm: The Voss Law Firm

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023

Retained by: Plaintiff

Real Property Location: 98 S. Tranquil Path, The Woodlands, TX 77380

Project: Private property; field sampling; forensic (IH) assessment; cause of loss determination; moisture mapping; mold-specific consulting

Scope: Mold & moisture intrusion consulting expert witness; document review; expert reporting; deposition testimony

- ✓ **Domain West Land v. Rampart Construction, LLC, Cause No. 01-22-0004-7264**

Retaining Law Firm: McKenzie Mena, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023

Retained by: Plaintiff

Real Property Location: 611 Dairy Ashford St., Houston, TX 77079

Project: Multi-family; multiple mold-specific assessments & remediation planning; 3rd party rebuttal; pre-trial litigation support

Scope: Unit-specific mold assessments; protocol preparation; mold remediation oversight/clearance; multiple depositions pre-trial

Kay Ma vs. Travelers Personal Insurance Company, Et Al

Retaining Law Firm: Quilling, Selander, Lownds, Winslett, & Moser, PC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023

Retained by: Defendant

Real Property Location: 7604 Jean Ann Dr., North Richland Hills, Texas 76180

Project: Private property; mold-specific assessment; consulting; reporting

Scope: Field investigation; consulting; expert report

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)

Expert/Testifying Experience

Updated 07/2025

Underwood v. O'Reilly Auto Enterprises, LLC d/b/a O'Reilly Auto Parts, Inc., et al. (RM Markets, Inc.) (U.S. Distr. Nev.) Angela Underwood, PR for the Estate of Tyler Underwood vs. RM Markets, Inc., et al – Case No.: 2:21-CV-01766-GMN-NJK; In the U.S. District Court, District of Nevada

Retaining Law Firm: Resnick & Louis, PC

Subject: Hazardous Materials - Benzene toxicity review (Reno, Nevada gasoline)

Timeframe: 2023

Retained by: Defendant

Real Property Location: 5690 Sun Valley Blvd., Sun Valley, Nevada 89433

Project: Personal injury/wrongful death; 3rd party document review; subject matter expert; research; expert reporting

Scope: Document review; litigation support consulting; expert report

Reid and Brodi Orr vs. ManageRentHouses.com, Inc., Wojciech and Mike Haag; In the District Court of Harris County, Texas

Retaining Law Firm: Universal Law Group, PLLC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023

Retained by: Plaintiff

Real Property Location: 11943 Rolling Steam Dr., Tomball, Texas 77375

Project: Single-family rental; mold consulting and expert witness/litigation support

Scope: Review case documents; expert report

China Armstrong and as Next Friend to SS, KA, SD, and JA vs. Tam Residential, LLC and Post Riverside Country Club, LLC – Cause No. D-1-GN-22-002637; In the 345th District Court of Travis County, Texas

Retaining Law Firm: Fletcher, Farley, Shipman & Salinas, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2023

Retained by: Defendant

Real Property Location: Austin, TX

Project: Multi-family; mold consulting and expert witness/litigation support

Scope: Document review; consultation; 3rd party rebuttal; expert report

Ghaznavi vs. Arby Construction

Retaining Law Firm: Friesell Westerlage, PLLC

Subject: Fire Forensics - Indoor Air Quality Assessment

Timeframe: 2023

Retained by: Plaintiff

Real Property Location: 23707 Hackberry Drive, Katy, TX 77494

Project: Single-family home; post-fire forensic/IAQ assessment, cost estimating; expert reporting

Scope: Field investigation; expert report; cost estimates for remediation and repair

No Petition Available

Retaining Law Firm: Scott H. Palmer, PC

Subject: OSHA Lead - Wrongful Death Following Workplace Exposure to Lead (Indoor Firing Range)

Timeframe: 2022 – 2023

Retained by: Plaintiff

Real Property Location: Wichita Falls, Texas

Project: Wrongful death lead exposure; worker/OSHA compliance review; research; reporting

Scope: Case file document review; research, expert report

Olen C. Baker and Ann M. Baker vs. Rhonda Riedel LLC – Cause No. C2021-0677B; In the District Court of Comal County, Texas

Retaining Law Firm: Tribble Ross

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2022 – 2024

Retained by: Defendant

Real Property Location: 1021 Lake Island Drive, Canyon Lake, Texas 78133

Project: Single-family residence; field evaluation for TMARR-regulated mold & evidence of builder defects

Scope: Field assessments; moisture mapping; expert report

Vera Hines as Administrator for the Estate of Arthur Maurice Hines vs. Speedway, LLC, BNK Excavating, Inc., and Swiech Electrical and Mechanical Co. – Cause (Index) No. 004651/2021; Supreme Court of the State of New York; Onondaga County

Retaining Law Firm: Stanley Law Offices, LLP

Subject: Hazardous Materials – OSHA - Wrongful Death (Confined Space UST Entry & Fire)

Timeframe: 2022 (ongoing)

Retained by: Plaintiff

Real Property Location: 704 Front Street, Binghamton, New York 13905

Project: Wrongful death; tank & equipment inspection at forensic examiner's field location; review of OSHA files; litigation support; expert report/opinion

Scope: Field investigation; expert report; settlement support/litigation consulting

Frank Rappold and Olga Rappold individually and as next friend of Kelly Rappold, a minor child and of Frank Rappold, Jr., a minor child, and Linda Rappold vs. The City of Blue Ridge, a Texas municipality – Cause No. 380-05678-2017; In the District Court 380th Judicial District; Collins County, Texas

Retaining Law Firm: Law Offices of John Barra Law (& Legalist)

Subject: Hazardous Materials – Sewer Discharge to Residential Property

Timeframe: 2022

Retained by: Plaintiff

Real Property Location: 312 Oak Street, Blue Ridge, TX 75424

Project: Single-family residence; Phase II field sampling/assessment; expert reporting

Scope: Collection of soil samples; field assessment/testing; cost estimating; expert report

Pasha & Sina Inc. vs. Travelers Home & Marine Insurance Company, and Doug Salsbury – Cause No. 3:21-CV-301840-E; In the Northern District of Texas, Dallas Division; Dallas County, Texas

Retaining Law Firm: Quilling, Selander, Lownds, Winslett & Moser, P.C.

Subject: Hazardous Materials release - fire damage/contamination

Retained: Defendant

Timeframe: 2022 – 2023

Real Property Location: 2708 Routh Street, Dallas, TX 75201

Project: Single-family residence; fire investigation -Forensic investigation, sampling, and facility evaluation - Los Palomas restaurant

Scope: Forensic facility investigation; comprehensive indoor air/post event testing; expert report; remediation cost estimates

Jerry Thomas vs. United Petroleum Transports, Inc., and Gregmar, Inc., - Cause No. 4:21-CV-1314; In the Southern District of Texas Houston Division; Harris County, Texas

Retaining Law Firm: Gauntt Koen Binney & Kidd, LLP

Subject: OSHA injury and exposure

Timeframe: 2022

Retained by: Defendant

Real Property Location: 11908 E. Airport Rd., Dalhart, Texas

Project: Industrial (airport) property; worker exposure; records review; industrial hygiene evaluation of SDS; OSHA compliance review

Scope: Document review; research; consulting; expert report

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

- ✓ **Michael Franks et. al. vs. Sunoco, ETP**
Retaining Law Firm: The Buzbee Law Firm
Subject: Petroleum hydrocarbon pipeline release – class action
Timeframe: 2022 – 2025 (ongoing)
Retained by: Plaintiff
Real Property Location: Centerville, Leon County, Texas – Pine Creek
Project: Privately-owned lands; consultant of record for multiple affected property owners along the Pine Creek water course; comprehensive real property testing and assessment
Scope: Multiple field investigations; soil, groundwater, surface water sampling; expert report; agency communication; loss estimates; EPA damage modeling; deposition
-

- ✓ **Reynaldo LaFuente and Arisbeth LaFuente vs. OmniBuild Texas, LLC f/k/a Rizvi Group, LLC, Haider Ali Rizvi, Syed Nasir Rizvi, Ali Taha Rizvi, Paroo Properties, LLC, and Sasha Paroo – Cause No. DC-19-18011; In the District Court; 14th Judicial District; Dallas County, Texas**
Retaining Law Firm: Curtis | Castillo PC
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2022 – 2023
Retained by: Plaintiff
Real Property Location: 4569 Virginia Avenue, Dallas, TX 75204
Project: Privately-owned residence; review of construction defects and builder construction negligence claims; comprehensive assessment/survey; 3rd party report rebuttal; expert reporting
Scope: Comprehensive microbial site survey/assessment; expert report; settlement support; cost estimates; formal declaration; pre-trial deposition; testified at trial.
-

William G. Hasnberger and William E. Hansberger vs. Westfield Apartments, AHF-Westfield LLC, Atlantic Housing Management LLC, and Atlantic Housing Foundation, Inc. – Cause No. 20-1714; In the 453rd Judicial District; Hays County, Texas

Retaining Law Firm: Bell Nunnally & Martin LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2022

Retained by: Defendant

Real Property Location: Westfield Apartments – 112 West Avenue, San Marcos, Texas 78666

Project: Multi-family; litigation support; document review; mold consulting; expert reporting

Scope: Document review; expert report; litigation support consultation

- ✓ **Senior Living Properties, LLC and SLP Omega Operations, LLC vs. The Bridge Group Construction, Inc.**

Retaining Law Firm: McGinnis Lochridge

Subject: Asbestos; Mold; Bioaerosol; IEQ

Timeframe: 2021 - 2024

Retained by: Plaintiff/Owner

Real Property Location: 300 Cardinal Street, Orange, Texas

Project: Senior Nursing facility (commercial property); post-hurricane (Laura) response; compliance review and consultation

Scope: Asbestos survey; visual mold and damage assessment; litigation support; rebuttal; expert report; deposition.

Richard B. Wilkens IV, Trustee of the Richard B. Wilkens IV Exempt Trust Derry K. Wilkens, Trustee of the Derry K. Wilkens Exempt Trust, and Robert Clinton Ernst Executor of the Estate of Sunny Wilkens Ernst vs. Onshore Royalties, LLC., Cause No. 21-CV-0741; In the District Court 405th Judicial District; Galveston County, Texas

Retaining Law Firm: The Schuck Law Firm

Subject: Petroleum Hydrocarbons/Hazardous Materials Release (abandoned E&P facility)

Timeframe: 2022

Retained by: Plaintiff

Real Property Location: Santa Fe, TX; the Wilkens Lease

Project: Privately-owned ranch; property damage (real estate); breach of contract/nuisance; abandonment of leased property and E&P equipment

Scope: Field testing (Phase II); document review & consulting; expert report; cost estimating.

Dionne Hall, Individually, and A/N/F of N.P. and N.H vs. Raamco Texas Properties, L.P., and Sheng-Raamco Management Co. – Cause No. 2021-20194; In the District Court 333rd Judicial District; Harris County, Texas

Retaining Law Firm: Tribble Ross

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2021

Retained by: Defendant

Real Property Location: 911 Sun Prairie Drive, Apartment Unit 1302, Houston, TX 77090

Project: Multi-family commercial; litigation support/expert opinion

Scope: Document review; expert report/rebuttal; consulting witness

Kinder Morgan Contracting Services LLC vs. U.N.I. Engineering, Inc. – Case No. 4:21-cv-01815; In the United States District Court; Southern District of Texas; Houston Division

Retaining Law Firm: Rymer, Echols, et al.

Subject: Petroleum hydrocarbon release

Timeframe: 2021 – 2022

Retained by: Defendant

Real Property Location: 6310 Passyunk Avenue, Philadelphia, PA 19153

Project: Industrial plant; release of unleaded gasoline/petroleum hydrocarbon; research; document review; expert report

Scope: Third-party opinion as to the reasonableness of remediation cost estimates; expert report

Jo Monk, Jeanette Hesker, and Wesley Hesker vs. American Homes 4 Rent Properties One, LLC. – Cause No.: 429-04381-2021 in the District Court of Collin County, Texas

Retaining Law Firm: N/A; Retained by American Homes 4 Rent

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2021

Retained by: Defendant

Real Property Location: 911 Twin Buttes Drive, Prosper, Texas

Project: Multi-family; indoor air quality/industrial hygiene evaluation; breach of contract; microbial impact to a residence; deceptive trade practices; multiple building defects; comprehensive microbial investigation/assessment and reporting

Scope: Sampling survey; property damage & mold; expert report; consultation

- **Holiday Inn Club Vacations Incorporated vs. T&G Corporation F/K/A T&G Constructors and ACI Architectural Concepts, Inc. – Case No.: 3:20-cv-00318; In the United States District Court for the Southern District of Texas, Galveston Division**

Retaining Law Firm: Andrews Myers

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2021 – 2025

Retained by: Plaintiff

Real Property Location: 19418 San Luis Pass Road, Galveston, Texas 77514

Project: Resort property (multi-tenant); Ocean Club Resort Construction and Design Defects; litigation support; expert reporting

Scope: Comprehensive site assessment; preparation of cost estimates; defects cure consulting; expert reporting; protocol development

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

1 Priority Environmental Services, LLC aka 1 Priority Environmental Services, Inc. vs. Coastal Bend Demolition, Inc., (CBD) and Insurers Indemnity Company – Cause No. 2018DCV-4588-E; Pending in the District Court 148th Judicial District, Nueces County, Texas

Retaining Law Firm: Ziegler Gardner Bell, PLLC

Subject: Asbestos & Contract Compliance

Timeframe: 2021 – 2023

Retained by: Defendant

Real Property Location: 1321 Van Loan Ave. Nueces County, Corpus Christi, TX (aka, “Parcel 499”)

Project: Industrial redevelopment of residential tracts; Port of Corpus Christi Authority Imminent Domain for Harbor Bridge Replacement; document review/research; reporting

Scope: Comprehensive document review & compliance audit of asbestos regulations; in defense of 3rd-party (counter) claim

Edward Elie vs. SoHo Metal Recycling, PC Energy LLC, Petrochem Energy LLC, et.al., in the District Court of Harris County, Texas – (Cause No. not provided)

Retaining Law Firm: Johanson & Fairless, LLP

Subject: OSHA/Hazardous Materials

Timeframe: 2021

Retained by: Defendant

Real Property Location: 1429 Highway 3, League City, Texas

Project: Industrial property; workplace exposure allegations; workplace hazards; hazardous solvent fire evaluation

Scope: Document review; research & consultation; litigation support; best practices review; reporting

Jim Anderson Bailey & Jeannie Bailey vs. Eagle Oil & Gas Company, in the District Court 82nd Judicial District, Robertson County, Texas – Cause No. 21-03-21200-CV

Retaining Law Firm: Chamberlain McHaney, PLLC

Subject: Petroleum hydrocarbon/Hazardous Waste - Accidental Spill of Crude Oil & Condensate to Land & Surface Water

Timeframe: 2021

Retained by: Defendant

Real Property Location: Family Homestead, 100-acre Tract of Land, Situated in Robertson County, Texas

Project: Privately-owned ranchland; petroleum hydrocarbon compliance support; rebuttal; expert report; litigation consulting

Scope: Conducted field visit; a tour of well location, equipment, & release area; reviewed case file; consulted with counsel, prepared supporting materials for settlement.

Anabi Oil Corporation, a California Corporation (Plaintiff) vs. HDI Global Specialty SE, an Illinois Corporation, and DOES 1-20, Inclusive, (Defendants) – Case No. CIVDS1930891

Retaining Law Firm: Bleau Fox, PLC

Subject: Petroleum hydrocarbon-related; underground storage tank failure; cause of loss review; & expert declaration

Timeframe: 2021 – 2022

Retained by: Plaintiff

Real Property Location: 2600 Pellissier Place, City of Industry, California

Project: Commercial-use retail fuel facility; PST compliance review; rebuttal; expert opinion

Scope: Review the case file & prepare a formal declaration

Anabi Oil Corporation, a California Corporation (Plaintiff) vs. HDI Global Specialty SE, an Illinois Corporation, and DOES 1-20, Inclusive (Defendant) – Case No. CIVDS1934513

Retaining Law Firm: Bleau Fox, PLC

Subject: Petroleum hydrocarbon (PSTs)

Timeline: 2021 - 2022

Retained by: Plaintiff

Real Property Location: San Leandro, California; San Bernardino County

Project: Commercial-use retail fuel facility; PST compliance review; rebuttal; expert opinion

Scope: Review the case file & prepare a formal declaration

Lyn Morgan vs. Hawkwood Energy, LLC (aka, TRRC OCP No. 03-5214

Retaining Law Firm: Travelers Property and Casualty Insurance

Subject: Petroleum Hydrocarbon – Emergency Response – Pipeline Release

Timeframe: 2017 – 2025

Retained by: Defendant

Real Property Location: Lyn Morgan Residence 4056 Austin's Estates Drive Bryan, Brazos County, Texas, 77808

Project: Privately-owned residence; comprehensive project management; execution of field work; installation & monitoring of well network; agency liaison; routine TRRC reporting; litigation support; expert reporting

Scope: Multi-year project execution; comprehensive field assessment/sampling; agency compliance review; client representation; Professional Geoscientist of Record; RI/FS Report; remediation design & implementation; comprehensive reporting; case closure under MNA.

✓ **Barenkralle Holdings LLC (Claimant) v. Jason Post Homes LLC (Respondent)**

American Arbitration Association in the Matter of Arbitration Between Parties in AAA Case #02-19-00004317

Retaining Law Firm: The Voss Law Firm

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2021

Retained by: Plaintiff

Real Property Location: The Woodlands, Texas

Project: Privately-owned residence; field sampling; forensic (IH) assessment; cause of loss determination; moisture mapping; mold-specific consulting

Scope: Mold & moisture intrusion consulting expert witness; document review; expert reporting; deposition testimony

Patsy Nunnally, Pingze Gao, and James Nunnally vs. Fath Brownstones GP, Inc., et.al. Cause No. DC-18-14699 in the 68th Judicial District Court of Dallas County, Texas

Retaining Law Firm: Touchstone Bernays, Johnston, Beall, Smith & Stollenwerck, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2019 – 2020

Retained by: Defendant

Real Property Location: Dallas County, Dallas, Texas

Project: Multi-family; field sampling; forensic (IH) assessment; cause of loss determination; moisture mapping; mold-specific consulting

Scope: Mold & moisture intrusion consulting expert witness; document review & rebuttal; expert reporting

Geologist Perspective | Asbestos Types and Mines - Litigation Consulting - Gordon Rees Scully Mansukhani, LLP

Retaining Law Firm: Gordon Rees Scully Mansukhani, LLP

Subject: Asbestos (personal injury/exposure)

Timeframe: 2020 – 2023

Retained by: Defendant

Real Property Location: throughout Southern California

Project: Commercial asbestos mines; litigation-scope research; expert consultation

Scope: Litigation support; technical expert; supported counsel in preparing for depositions and trial

**J.W. Greer Enterprises, Inc., and 3015 Maxroy Street, Houston, Harris County, Texas
Vermiculite Products, Inc., and Greer Capital Corporation**

Retaining Law Firm: Mehaffy Weber

Subject: Asbestos as Hazardous Materials (in soil – vermiculite [Libby Amphibole] processing plant)

Timeframe: 2019 – 2020

Retained by: Defendant

Real Property Location: Houston, Harris County, Texas – Superfund Action

Project: Industrial property - Superfund; asbestos expert involving W.R. Grace, Libby, Montana processing plant; waste management & remediation; cost estimating; reporting

Scope: Designated expert; report review; cost analysis; third-party opinion as to the reasonableness of estimates; review of CERCLA documents

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

- ✓ **TASCA Holdings, LLC d/b/a Pockets Menswear, Plaintiff Vs. CODEL, Inc., Avanti Construction, LLC, Caruth/Preston Road Associated, Ltd., Caruth/Preston Road, L.L.C. and Venture Commercial Management, LLC, Defendants**
CAUSE NO. DC-16-13564 – In the District Court, 160th Judicial District, Dallas County, Texas
Retaining Law Firm: Forensics Group
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2019
Retained by: Defendant
Real Property Location – Dallas, Dallas County, Texas
Project: Commercial retail; review of case file documents; 3rd party rebuttal; litigation support/expert witness; matter of alleged construction defect
Scope: Designated expert; document review; expert report; testified under oath
-

- ✓ **Amy Kozelsky And Darren Kozelsky Plaintiff Vs. Lionel Morrison, Respondent**
Retaining Law Firm: Fisk Attorneys, PC
Subject: Mold; Bioaerosol; IEQ; Construction Defect
Timeframe: 2019
Retained by: Defendant
Real Property Location – Dallas, Dallas County, Texas
Project: Single-family residential; testifying expert for private Arbitration due to construction defect against architect of record
Scope: Comprehensive site inspection; critically reviewed multiple reports; prepared expert report; testified under oath
-

Mike Eagle and Lauren Eagle, et al. V. Kerr Construction, LLC, et al., and Sioux Chief MFG. Co., Inc., Cause No. 2016-15747 in the 80th Judicial District Court of Harris County, Texas
Retaining Law Firm: Andrew Myers
Subject: Mold; Bioaerosol; IEQ
Timeframe: 2019 – 2022
Retained by: Defendant
Real Property Location: 410 Trails Court, Houston, Harris County, Texas
Project: Single-family residential; construction defect claim; expert report reviews; field sampling; reviewed & rebutted cost estimates; opinion regarding building-related damage; prepared expert report; assisted with settlement in lieu of trial
Scope: Document review; consulting; research; site sampling; expert report

Mike Eagle and Lauren Eagle (and Others) vs. Kerr Construction, LLC, and Strutton Plumbing Company, Inc., Cause No.2016-15747 in the 80th Judicial District Court of Harris County, Texas
Retaining Law Firm: Andrew Myers
Subject: Mold; Bioaerosol; IEQ; Construction defect claim; mold litigation
Timeframe: 2017 – 2021
Retained by: Defendant
Real Property Location – 410 Trails Court, Houston, Harris County, Texas
Project: Single-family residential; construction defect claim; 3rd party document review/rebuttal; field sampling; cost estimate opinion; building-related defect damage; expert report; litigation support/settlement in lieu of trial
Scope: Field assessment/sampling; rebuttal/expert reporting; cost estimating; cause of loss determination; expert witness.

- ✓ **Hamilton County, Florida Cause No.2014-ca-000051 Charles A. Lieupo vs. Simons Trucking, Inc., Iowa Corporation; and Florida Department of Highway Safety and Motor Vehicles, Division of the Florida Highway Patrol, an Agency of the State of Florida**
Retaining Law Firm: Wicker Smith O' Hara McCoy & Ford, P.A.
Subject: Hazardous Materials Release
Timeframe: 2017
Retained by: Defendant
Real Property Location: Jasper (Hamilton County), Florida

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

Project: Remote highway; loss and causation (damage, personal injury, cause of catastrophic release) from a hazardous materials spill at the scene of an 18-wheeler accident & truck fire.

Scope: Expert witness; testifying expert; document review; deposition; research pre-trial.

- ✓ **Tim Chung & Lauren Bosley vs. Gary DeSerio & Patricia Reedy, Cause No.: 2014-49532; in the 113th Judicial District Court of Harris County, Texas**

Retaining Law Firm: Buck Keenan, LLP

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2016 - 2017

Retained by: Defendant

Real Property Location: Katy, Texas

Project: Single-family residential; field assessment/sampling; expert reporting and rebuttal; cost estimating; established cause(s) of loss for mold under defects in advance of sale; consulting pretrial; testifying expert.

Scope: Expert witness; testifying expert; reporting (expert and rebuttal); prevailed in pre-trial challenge; settlement support

BLT-Houston, LLC vs. Houston Motor Sports, Inc., David E. Lednicky, and Charles R. Harvey (aka Bob Harvey) Cause No. 2010-78604; in the Judicial District Court of Harris County, Texas

Retaining Law Firm: Bracewell & Giuliani, LLP

Subject: Haz Mat (Petroleum Hydrocarbon/Landfilling) **Release:** real estate diminution in value; non-disclosure

Timeframe: 2011 - 2012

Retained by: Defendant

Real Property Location: Houston, Texas

Project: Commercial/industrial; environmental impact assessment; peer reviews; subsurface (Phase II) testing; site inspections; review of historical property use; technical expert.

Scope: Expert witness; comprehensive field assessment/sampling; rebuttal/expert reporting; cost estimating; cause of contamination determination; research pretrial; expert witness.

- ✓ **Prestonwood Tradition, LP vs. Three/ Architecture, Inc.; Cause No. DC-10-15277; in the 44th Judicial District Court of Dallas County, Texas**

Retaining Law Firm: Milby PLLC

Subject: Mold; Bioaerosol; IEQ

Timeframe: 2012

Retained By: Defendant

Real Property Location: Prestonwood Rd., Dallas, Texas

Project: Multi-family residential/retirement facility; construction defect-related mold litigation; review of damages for cost reasonableness; cost estimation rebuttal; field assessment; design defect moisture mapping under water intrusion; evaluated microbial decay; prepared detailed report/affidavit; researched wetting of wood and climate influence during construction; evaluated wood decay & evidence of "latent damage".

Scope: Field assessment; expert report; testimony; pretrial consultation.

- ✓ **Becky Hendrix, et al., vs. Cajun Well Service and Mantle Oil and Gas, L.L.C. Cause No. 032551; in the 23rd Judicial District Court Parish of Assumption, Louisiana**

Retaining Law Firm: N/A; Retained by Mantle Oil and Gas, L.L.C.

Subject: Petroleum Hydrocarbon Emergency Response release mitigation & Case Management (class action litigation)

Timeframe: 2010 - 2025

Retained by: Defendant - under class action

Real Property Location: South La. Sugar Cane Fields; Paincourtville, Louisiana

Project: E&P wellsite oilfield; emergency response; project management; full post catastrophic response to onshore well blowout onto environmentally sensitive lands (environmental loss 10M+)

Scope: Comprehensive field response; asset recovery; exposure control (to community/land); field site inspections/sampling & multi-media field characterization; ongoing loss mitigation; engineering design; routine site sampling; case management under RECAP (petroleum hydrocarbons, priority pollutants, and chloride). Pre-suit conferences with landowners & affected community; 3rd party rebuttal; lead agency meetings (LDEQ and DNR); data modeling/reduction; comprehensive expert reports & cost estimates to value real property damage. Retained to manage long-term corrective action and served as a resource for litigation; provided expert opinion during mediation; attended formal hearings; assisted in litigation as fact/expert. fact and expert witness; expert reporting; rebuttal reporting; cost estimating; deposition (multiple days); mediation consulting.

- ✓ **Alta Fay & Eugene R. Fant Children's Trust of 1978 No. One vs. John S. Beeson, Individually & as Trustee & CenterPoint Energy Houston Electric, LLC; Cause No. 2010-29071; 269th Judicial District Court of Harris Co., Texas**

Retaining Law Firm: Richie & Gueringer, P.C.

Subject: Asbestos (in soil) Contamination to Real Estate (exposure & diminution in value)

Timeframe: 2010 – 2012

Retained by: Plaintiff

Real Property Location: Houston, Harris County, Texas

Project: Industrial real property; assessment & characterization (TRRP & IOP solicitation); disposal of asbestos & other hazardous substances/wastes; exposure monitoring for building occupants/employees; conducted activity-based sampling for soil; technical expert & fact witness for trespass; managed field remediation; prepared cost estimates; pre-trial mediation/testimony; testified at court hearings; prevailed in pretrial challenge; testified during jury trial.

Scope: Comprehensive field sampling; expert and fact witness; expert reporting; rebuttal; testimony at trial (multiple days).

- ✓ **Great American Insurance Co. of New York vs. SMX 98, Inc., et al.; Cause No. 4:09-cv-00603, United States District Court Southern District of Texas, Houston Division**

Retaining Law Firm: Gauntt, Earl & Binney, LLP

Subject: Mold; Bioaerosol; IEQ - Construction defect

Timeframe: 2010

Retained by: Plaintiff

Real Property Location: Houston, Harris County, Texas

Project: Healthcare development; fact and litigation support consultant/expert witness; assessment/characterization of impact to hospital (owned by third parties). Comprehensive, post-hurricane (Ike) loss assessments; litigation support related to the underwriter's dispute under alleged multiple builder defects. Advised as to costs and methods of repair & reconstruction due to damage.

Scope: IEQ/mold assessment throughout facility; moisture mapping; protocol development; cost estimating; expert reporting; testified as fact witness/expert.

Stanley & Betty Pelletz, et.al., vs. Weyerhaeuser Co. & Advanced Environmental Recycling Technologies, Inc., Case Nos. C08-0334JCC & C08-0403JCC in the U.S. District Court for Western District (Class Action)

Retaining Law Firm: NA

Subject: Mold/Product Liability

Timeframe: 2009

Retained by: Defense

Real Property Location: Across Distribution Market - Various

Project: Evaluation of recycled products for mold damage and biological contamination. expert report; consulting expert

Scope: Litigation support for Class Action case and settlement in pursuit of underwriter compensation under subsequent claim. Prepared testing protocol to evidence whether biological growth had resulted in damage; inspected bulk samples and client consultation.

- ✓ **Julie (Judy) Murray, Individually & as Successor-in-Interest to Erica Murray vs. Chevron Corporation; Cause No. YC056221; in the Superior Court of California, County of Los Angeles**

Retaining Law Firm: Paul & Hanley, LLP

Subject: Hazardous Materials – Benzene Exposure

Timeframe: 2009

Retained by: Plaintiff

Real Property Location: Santa Maria Valley in Santa Barbara County, California

Project: E&P use lands; document review; expert opinion; compliance review related to exploration, production (E&P) & final removal of oil wells, sumps, wastes & ancillary structures (circa 1965 to 1983).

Scope: Researched & considered historical documents with emphasis on the Operational and Abandonment phases of E&P property within the subject lease area & designated time; expert report; testimony.

New Mexico Environment Department Complainant vs. Lea Land, Inc., Robert G. Hall, and Kenneth Slaughter

Retaining Law Firm: Modrall, Sperling, Roehl, Harris & Sisk, P.A.

Subject: Asbestos – waste management & compliance

Timeframe: 2009

Retained by: Defendant

Real Property Location: New Mexico

Project: Commercial/industrial-use landfill; expert report; document review; expert opinion as to reasonableness of fines/penalty & asbestos risk of exposure

Scope: Testifying expert; document and pertinent regulatory statute review; 3rd party expert rebuttal; review of videotaped testimony of parties to the suit; expert report; opined as to solid waste management and disposal practices respecting asbestos

- ✓ **Compass Bank, As Successor in Interest to the Laredo National Bank vs. Walter C. Keller Distributor, Inc., and Tom Yates Petroleum Co., Inc.; Civil Action No.: L-08-CV-68; in the United States District Court for the Southern District of Texas, Laredo Division**

Retaining Law Firm: Grissom & Thompson, LLP

Subject: Hazardous Materials (hydrocarbon) contamination to real property

Timeframe: 2008 - 2015

Retained by: Plaintiff

Real Property Location: Laredo, Texas

Project: Commercial bank & associated property; petroleum hydrocarbon release; hazardous materials trespass; diminution in value; vapor mitigation; IAQ monitoring; highly reliable cost estimates; expert report

Scope: Comprehensive facility characterization; technical reporting; litigation expert and fact witness regarding the trespass of hazardous waste to real property and contingent building-related concerns under occupant complaint. Prepared comprehensive environmental due diligence documents and highly reliable cost estimates; conducted comprehensive building-specific hazardous materials assessments for worker exposure (hydrocarbon, asbestos, microbial, and other hazardous materials), conducted a comprehensive review of state LPST files for multiple surrounding properties (from the 1940s to current), conducted comprehensive Phase I and II ESAs (asbestos, soil, groundwater, and soil vapor) and indoor air sampling. Prepared Site Investigation Report (SIR) and preliminary remedial action plan (RAP) as well as cost estimates for plaintiff's counsel in support of settlement. Video testimony at trial.

- ✓ **Metropolitan Transit Authority (MTA) of Harris County for Formal Condemnation in Consideration of Light Rail Expansion, Harris County, Texas**

Retaining Law Firm: Andrews Kurth, LLP

Subject: Hazardous Materials release – related: real estate environmental damage estimates (diminution in value)

Timeframe: 2008

Retained by: Harris County

Real Property Location: Throughout Houston, Texas

Project: Multiple commercial/residential-use properties; expert reports; depositions; technical support at formal hearings

Scope: Retained by counsel representing MTA in preparation of environmental assessment reports for use in the development of light rail expansion. Peer review of third-party reports; evaluated 3rd party cost estimates; represented MTA in the condemnation process for the establishment of fair market values. Conducted multiple Phase I and Phase II ESAs, assessment/cost estimates in the presence of asbestos, lead-based paint, and other hazardous materials.

Debra Bryson and Brad Bryson, et. al., vs. Big Tex Management, Inc., and Honeywell International Inc., Cause No. D-1-GN-08-001143; in the District Court of Travis County, Texas, 53rd Judicial District

Retaining Law Firm: Brock Person Guerra Reyna, P.C.

Subject: Mold; Bioaerosol; IEQ - Construction defect

Timeframe: 2008 - 2009

Retained by: Defendant

Real Property Location: Austin, Texas

Project: Single-family residential; litigation support microbial expert; 3rd party rebuttal; expert report

Scope: Field assessment/survey for mold & other IEQ concerns; moisture mapping; prepared deliverables (expert report); established actual site conditions; 3rd party rebuttal.

Memorial Hermann Hospital System vs. Anslow-Bryant Construction, LTD et al; No. 2010-55665; in the 55th Judicial District Court of Harris County, Texas; & MC Medical Campus, LP vs. Anslow-Bryant Construction, LTD et al; No. 2011-24838; in the 55th Judicial District Court of Harris Co., Texas

Retaining Law Firm: N/A; Retained by Memorial Hermann Hospital

Subject: Mold; Bioaerosol; IEQ - Construction defect – Post Hurricane

Timeframe: 2008

Retained by: Plaintiff

Real Property Location: Houston, Texas

Project: Commercial hospital property; prepared expert reports; proposed/prepared protocol for loss mitigation; comprehensive assessments; routine loss estimates; specification preparation and implementation oversight.

Scope: Retained as a technical expert and named witness relative to construction contractor (builder) defects revealed in the aftermath of a named hurricane. Conducted periodic field assessments and multiple events of site sampling & moisture mapping; evaluated and mitigated for moisture intrusion and ensuing mold; estimated fees for remediation; conferred with counsel and other experts; rendered formal opinions; conducted multiple pre- and post-hurricane inspections (and reports) detailing moisture impact/intrusion. Provided opinion as to the methods of repair/reconstruction and the magnitude of loss.

✓ ***David Taylor Cadillac Company., & David Taylor Jr. vs. Taylor Realty Co., LP, T/Realty Manager-I, LLC, & Susan Taylor; Cause No. 2008-75330; in the 129th Judicial District Court of Harris Co., Texas***

Retaining Law Firm: Gardere Wynne Sewell, LLP

Subject: Hazardous Materials-Impact to real estate; allegations of real estate contamination, torturous interference, et.al.

Timeframe: 2008 – 2012

Retained by: Defendant

Real Property Location: Houston, Texas

Project: Commercial/industrial auto dealership; performed multiple sampling assessments/surveys for petroleum hydrocarbon releases; asbestos surveys; prepared reliable documentation/cost estimates. Pursued case closure via TCEQ.

Scope: Intrusive assessments; expert reports; peer reviews; cost estimates; TCEQ Corrective Action to Clean Closure under VCP. Field work involved assessment of building materials (asbestos; mold; hazardous materials); groundwater testing; delineation of alleged “former (historical) spill.” Technical expert and fact witness for COC trespass, remediation, cost estimation, and consultant for pre-trial mediation and testimony. Prepared Site Investigation Report (SIR), Affected Property Assessment Report (APAR), and preliminary remedial action plan as well as cost estimates in support of settlement. Prepared expert report and rebuttal; testified during video deposition used at trial.

Gene Booker, Ann Booker, and Tammie Lambert vs. WR Hess Company, and ENERCON Services, Inc., Cause No. CJ-2008-99; District Court for Kiowa County, State of Oklahoma

Retaining Law Firm: Edinger & Blakely, P.C.

Subject: Hazardous Waste Contamination – Real Estate Due Diligence

Timeframe: 2008

Retained by: Plaintiff

Real Property Location: Edmond, Oklahoma

Project: Commercial property/retail fuel facility; 3rd Party rebuttal; expert report; litigation support to counsel

Scope: Comprehensive 3rd party document review; critical review of remediation plans & costs incurred due to material charges in scope (by consulting company); review of OCC files relative to the site-specific case of a LUST that caused material damage to the plaintiff's property due to the defendant's use of the leased real estate to "job" fuel for retail sale.

Joanne F. Hayford et al; vs. Kerr McGee Oil & Gas, Inc., Sun Oil Company, Vista Resources, LLC, & Pan OK Prod. Company, Inc.; Cause No. 83049 in the District Court, Acadia Parish, 15th Judicial District

Retaining Law Firm: Juneau Law Firm

Subject: Hazardous Waste & Real Estate Damage

Timeframe: 2008

Retained By: Defendant

Real Property Location: Lafayette, Louisiana, Acadia Parish

Project: Commercial/industrial retail fuel facility; expert report; mediation support; cost estimation

Scope: Testifying expert for alleged damage to real property; conducted field assessment, performed site sampling due to real property impact by asbestos and petroleum hydrocarbons, conferred with counsel and other experts, prepared a formal expert report and opinion including cost estimates for alleged damage presented during mediation.

Big Tex Grain Company Former Superfund Site (formerly operated as a W.R. Grace "Libby Amphibole" Processor) & U.S. EPA Region 6 CERCLA Docket No. 06-10-07, Proceeding Under Sections 104, 106(a), 107 and 122 of the CERCLA, as amended, 42 U.S.C. §§ 9604, 9606(a), 9607 and 9622 Administrative Settlement Agreement and Order on Consent for Removal Action; CERCLIS ID No.: TXN0006066634; Contract No.: EP-W-06-042

Retaining Law Firm: Richie & Gueringer, PC

Subject: Hazardous Materials (Asbestos) – PRP Representation Under Superfund Action

Timeframe: 2007-2009

Retained by: Defendant

Real Property Location: San Antonio, Bexar County, Texas

Project: Former industrial property; PRP Support; agency interface; sampling plan preparation; cost estimates; expert reporting

Scope: PRP's technical expert regarding imminent COC hazards and public risk. Assisted in diminution of value claims under discharge of hazardous material/wastes (Libby Amphibole asbestos) during historical Site use as a Libby amphibole processor (W.R. Grace). Conducted comprehensive field assessment, reviewed and critically opined regarding expert reports and methodology, prepared and presented sampling protocols and clean-up strategies to EPA; conducted comprehensive review of site and contaminant-related remediation history. Represented client/owner at hearings with TCEQ, Region 6 EPA, the City of San Antonio, Local City Council, and State Representatives. Conducted and/or prepared forensic studies, conducted comprehensive historical reviews, and prepared technical submittals, statistical analyses, expert reports, and comprehensive remediation cost estimates.

✓ **Michael Heggeness vs. State Farm Lloyds; Civil Action No.: h-07-0296; in the United States District Court Southern District of Texas, Houston Division**

Retaining Law Firm: Martin, Desiree, Jefferson & Wisdom, LLP

Subject: Mold; Bioaerosol; IEQ - Construction defect

Timeframe: 2007

Retained By: Defendant

Real Property Location: Bellaire, Texas

Project: Single Family Residence; expert report; deposition/testimony; cost estimating

Scope: Comprehensive assessment/survey; prepared technical documents; damage evaluation due to moisture intrusion & ensuing mold/biological growth; prepared abatement protocol; conferred with counsel and defense; testified under oath.

Duane F. Robertson and Wife, Susan K. Robertson vs. State Farm Lloyds, et al.; Pursuant to Rule 197 of Texas Rules of Civil Procedure, 127th Judicial District, Harris County, Texas - 2007

Retaining Law Firm: Martin, Disiere, Jefferson & Wisdom, LLP

Subject: Mold; Bioaerosol; IEQ - Due to Alleged Mismanagement/Underwriter Negligence

Timeframe: 2007

Retained By: Defendant

Real Property Location: Humble, Texas

Project: Single-family residence; comprehensive survey/assessment; expert report; litigation support; expert witness

Scope: Comprehensive field assessment; site sampling following alleged impact to real estate under moisture intrusion and ensuing mold; fee estimate for remediation; prepared abatement protocol; conferred with counsel and other experts; represented client at arbitration; provided formal opinion used at litigation; expert report.

- ✓ **American Door Products, Inc. f/k/a A.J. May, Inc. vs. Trammell Crow Company; First Industrial Realty Trust. L.P., & Sealy Company; Cause No. 2006-57352; in the District Court of Harris County, Texas, 295th Judicial District**

Retaining Law Firm: Lambright & Associates

Subject: Hazardous Materials (Arsenic) historical release

Timeframe: 2006 – 2010

Retained by: Plaintiff

Real Property Location: Houston, Harris County, Texas

Project: Industrial (manufacturing) property; comprehensive site characterization; remedial investigation; fact/expert witness; expert report; trial testimony

Scope: Initial retention by lender (under refi); later by the real property owner (plaintiff) for comprehensive due diligence assessment of highly contaminated real estate (undisclosed at purchase). Entered the site into the TRRP VCP; served as consultant for ongoing case management; assisted client and client counsel in preparing technical deliverables and remediation cost estimates; deposed multiple times in formal settings by counsel for defense; prepared, presented, and had approved a Remedial/Response Action Plan to TCEQ. Executed certain corrective measures. Prevailed in defense challenge (bench ruling/Daubert - January 2010); testified again at trial.

- ✓ **Klein Bank vs. Spectrum Construction Services, Inc. and Haltner & Associates, Inc. (Cause No. 2003- 57351I); 281st Judicial District Court of Harris County, Texas**

Retaining Law Firm: The Donaldson Firm

Subject: Mold; Bioaerosol; IEQ – Construction Defect (ensuing mold)

Timeframe: 2006

Retained By: Plaintiff

Real Property Location: Klein, Harris County, Texas

Project: Commercial (bank) property; comprehensive IAQ survey; expert report; deposition pre-trial

Scope: Comprehensive IAQ/mold survey/assessment; fact and testifying witness/expert for construction defect damage to real property; diminution of value claim; follow-on assessment under new findings of damage and repeated occupant (worker) complaints of illness. Represented client/owner at formal hearings; conducted forensic & invasive evaluation (with other engineering and architectural experts) for cause of loss determination. Issued expert reports inclusive of remediation cost estimates. Testified under oath in a formal setting to advance a successful settlement.

- ✓ **Mamo et al., vs. BP P.L.C. et al., In the United States District Court for the Eastern District of Virginia, Alexandria Division: Cause No.: 1:05cv1323 (JCC)**

Retaining Law Firm: N/A; Retained by DAG Petroleum

Subject: Hazardous Materials (Petroleum Hydrocarbon) Fuel Tank Compliance

Timeframe: 2006

Retained By: Plaintiff

Real Property Location: Washington, D. C., Virginia, and Maryland

Project: Comprehensive research into portfolio value to allow viable bid for purchase; expert report/reliable cost estimating; retained as fact witness for ensuing discrimination case; defense of estimates; deposed under oath via video used at trial.

Scope: A regional petroleum supplier engaged TGE for due diligence assessment of 181 retail fuel facilities; comprehensive regulatory file review; preparation of retrofit and “cost to close” estimates for all locations subject to sale. Specialized services included research into multiple regulatory agency compliance requirements; opinion as to site compliance status and action required to carry LUST cases to closure; reviewed materials within virtual data rooms following “clearance” by and under the authority of the seller for expedited work product delivery. The client filed suit against a third party (prior owners) in U.S. District Court on four counts of complaint, which included violation of implied covenant of good faith and discrimination.

- ✓ **Metal Coaters Operating, L.P. vs. Lawrence W. Kohlmeyer, LWK-WPOH Liquidating, Inc., and LWK-SW Liquidating, Inc., et. al.; Cause No. 20040589; in the District Court of Harris County, 189th Judicial District**
Retaining Law Firm: Richie & Gueringer, P.C.
Subject: Hazardous Materials (PCBs) – Real Estate Contamination – Due Diligence
Timeframe: 2005 – 2007
Retained By: Plaintiff
Real Property Location: Houston (Ship Channel), Harris County, Texas
Project: Industrial-Use property; comprehensive sampling and facility characterization; remediation/removal of hazards; expert report; formal (mediation) technical support.
Scope: Performed initial due diligence (research and sampling); quantified environmental impact (damage) to real property. Assisted in calculating the diminution in value caused by illegal discharge of hazardous materials (PCBs, petroleum hydrocarbons, priority pollutants [metals]) by prior owners. Conducted emergency response removal actions; performed confirmatory site sampling; conferred with counsel and other experts, client/owner at TCEQ hearings; prepared expert report and cost estimates.

- ✓ **Michael Harness on Behalf of OSYKA Producing Company, Inc. vs. Louis Cognata, and Mona B. Cognata (multiple cases and countersuits); District Court of Harris County, Inc. 190th Judicial District**
Retaining Law Firm: Barnes & Turner
Subject: Petroleum hydrocarbon (Oilfield) Contamination & Clean-up
Timeframe: 2004
Retained By: Plaintiff
Real Property Locations: Marion Williams and VA Lawrence Leases, Harris County, Texas
Project: E&P-use rural property; comprehensive site characterization testing; delineation and quantification of releases; preparation of remediation plan; execution of plans; expert reporting; multiple events of deposition at bench hearings; participation in final settlement
Scope: Environmental consultant for oil company due to environmental damage caused by Client's operation under its E & P lease. Diminution in value of private property under "illegal discharge" of petroleum products & production fluids/hazardous materials to the leased lands. Field assessment, expedited remediation of surface spills and sub-surface releases, successfully removed impacted media from each lease site, and performed site sampling and post-remediation confirmation testing (emergency orders by the presiding judge). Conferred with counsel and the Texas Railroad Commission as well as other experts, researched applicability of certain TRRC clean-up requirements vs. TCEQ requirements under Memorandum of Agreement (MOA). Multiple court hearings, data reduction, expert reports issued to court; prepared negotiated work scopes and cost estimates for damage presented for petition settlement.

- ✓ **Southeast Texas Regional Planning Commission (SETRPC) vs. MKC Energy Investments, Inc.; Cause No. E-166-061 in the 60th Judicial District Court of Jefferson County, Texas**
Retaining Law Firm: Sheldon, Jordan & Dunham, LLP
Subject: Hazardous Materials Releases -Alleged Diminution in Value
Timeframe: 2001 – 2003
Retained By: Plaintiff
Real Property Location: Port Arthur, Jefferson County, Texas
Project: Comprehensive release assessment; expert reporting; client representation and testimony at trial
Scope: Fact witness and testifying expert. Conducted field assessment; performed site sampling; conferred with counsel and other experts; prepared expert reports and testified under oath.

- ✓ **Coastal Marine Service of Texas, Inc. vs. Intracoastal Environmental Services, Inc., No.: D-162.401, 136th Judicial District Court of Jefferson County, Texas; and I.E. Systems, L.C, dba Intracoastal Environmental Service, Inc. (Debtor) Cause No. 98-36817, Chapter 7 in U.S. Bankruptcy Court, Northern District of Texas, Dallas Division**
Retaining Law Firm: Karl C. Hoppess and Associates, PC
Subject: Hazardous Materials Spill (Release) - SVOCs & Petroleum Hydrocarbons – Real Estate Diminution in Value
Timeframe: 1999 – 2001
Retained By: Plaintiff
Real Property Location: Port Arthur (Ship Channel), Jefferson County, Texas
Project: Industrial-use former marine vessel cleaning and refurbishing facility subject to multiple litigation filings; comprehensive facility testing/site characterization; expert witness/fact witness; expert reporting; testimony

Robin D. Franks, P.G., CHMM, RSO, MAC (TX), LIAC (TX)
Expert/Testifying Experience
Updated 07/2025

Scope: Performed consulting and expert witness; technical support during condemnation hearings; long-term remediation to eventual case (TCEQ) case closure prior to purchase of real property by the City of Port Arthur. The scope of work was wide-ranging and included comprehensive site characterization (soil and groundwater), as well as the preparation of reliable estimates to monetize damage. The work products were utilized during condemnation and bankruptcy proceedings.

- ✓ **Po-Boy Beverage Corp. and Po-Boyz, LTD., (Collectively, the “PO-Boy Parties”) vs. Star Enterprise, Motiva Enterprises, LLC, Harris County, Houston, Texas (supporting cause details not provided by counsel for specific bankruptcy court)**
Retaining Law Firm: N/A; Retained by Morgan Company (Real Estate Investment Company)
Subject: Hazardous Materials Management; & Petroleum Hydrocarbon Release – Trespass & Diminution in Value
Timeframe: 1998

Retained By: Plaintiff

Real Property Location: Houston, Harris County, Texas

Project: Former retail fuel facility/commercial garage repurposed to food establishment; former owner’s failure to remove tank systems resulted in contamination and reduced value of the real estate.

Scope: Performed comprehensive characterization/testing of soil and groundwater; prepared a response action plan (RAP) for tank system removal for systems previously closed in place (filled with hazardous drilling mud); executed the plan and conducted confirmation testing/assessment; submitted expert reports; testified at formal hearing/trial. Completed remediation of property to meet TCEQ requirements. Unique tasks involved forensic study (fuel fingerprinting) in formal opinion; comprehensive research to identify RP.

Elizabeth N. Park, deceased; No. 278,430-401; Texas Commerce Bank Association, as Independent Administrator with Will Annexed for the Estate of Elizabeth N. Park, Deceased vs. Maintenance Engineering Corporation, et al; In Probate Court No. 3 of Harris County, Texas (involving real property at 10th and Dove Streets, McAllen, Texas)

Retaining Law Firm: N/A; Retained by Texas Commerce Bank (now Chase Bank, Texas)

Subject: Petroleum Hydrocarbon (E&P) Release – Diminution in Value

Timeframe: 1997

Retained By: Defendant

Real Property Location: McAllen, Hidalgo County, Texas

Project: Unimproved Urban Land; comprehensive characterization of soil and groundwater; delineation of buried contamination (E&P waste); expert reports; contributed at formal hearings and testified under oath

Scope: Conducted comprehensive due diligence via applicable regulatory programs that considered multiple jurisdictional concerns; prepared site characterization (Phase II ESA) reports and other deliverables used in various legal settings by multiple interested parties; attended and contributed to meetings and formal hearings on client’s behalf.

- ✓ **Partition Action Between Texas Commerce Bank, N.A., Owners of Real Property in Undivided Interest; No. 01-98002; 10th & Dove Street, McAllen, Texas**

Retaining Law Firm: N/A; Retained by Texas Commerce Bank (now Chase Bank, Texas)

Subject: Hazardous Materials/Petroleum Hydrocarbon (E&P Release) – Damage estimates for Loss Recovery

Timeframe: 1996

Retained By: Plaintiff

Real Property Location: McAllen, Hidalgo County, Texas

Project: Technical expert and deposed witness for a financial institution holding the subject property in trust on behalf of multiple parties prior to the partition action being finalized by the Court; expert report; testimony/deposition; presented remediation cost estimates

Scope: Prepared comprehensive file reviews and reviewed historical technical (environmental) reports by others related to oil and gas exploration and production over 50+ years. Performed phased site assessments including site characterization/testing; conducted historical research into former E&P use of the property (including involved parties); conducted events of soil and groundwater sampling; prepared detailed (peer-reviewed) remediation cost estimates and expert reports prior to formal hearings and deposition.

- ✓ **Reef Industries, Inc. vs. Remedial Construction Services, Inc.**
Retaining Law Firm: Liddell, Sapp, Zivley, Hill & BaBoon, LLP
Subject: Real Estate Due Diligence & Hazardous Waste- Property Contamination
Timeframe: 1996
Retained By: Plaintiff
Real Property Location: Houston, Texas
Project: Industrial facility; release investigation and reporting; case closure management
Scope: Phase I and Phase II ESAs; TCEQ case closure management; litigation support; expert witness; testimony

- **Totals as of Date Above**

- Cases/Retention as Expert as of date above: 88
 - Subject Matter Areas & Case Assignments – some cases involved multiple areas of expertise/overlap
 - Hazardous Materials/Petroleum Hydrocarbons, et al: 34
 - Asbestos: 8
 - Mold; Bioaerosol; IEQ; Fire: 41
 - Real Estate Due Diligence: 15+
 - OSHA/Wrongful Death: 3
- Depositions: 31
- Trial Depositions: 9
- Successful Challenges: Zero (0)
- Representation for Defense: 47
- Representation for Plaintiff: 41