

**Fifth Circuit Court of Appeal
State of Louisiana**

No. 26-C-263

ANGEL CLINE

versus

BP PRODUCTS NORTH AMERICA, INC., ET AL.

IN RE CHEVRON U.S.A. INC.
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL
DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE
HONORABLE JUNE B. DARENSBURG, DIVISION "C", No. 836-747

TRUE COPY

June 24, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Fredericka Homberg Wicker,
John J. Molaison, Jr., and Scott U. Schlegel

WRIT DENIED

Chevron U.S.A. Inc. (Chevron) seeks review of the May 29, 2026 judgment that denied its motion for partial summary judgment. After conducting a *de novo* review, we deny this writ application.

FACTS AND RELEVANT PROCEDURAL HISTORY

Angel Cline, the surviving spouse of William Cline, filed suit against Chevron, alleging that the decedent died from pancreatic cancer caused by exposure to naturally occurring radioactive material (NORM) while cleaning Chevron's used oilfield pipes during his employment with Oilfield Testers & Equipment Company (OTE) between 1983 and 1985. Chevron filed a motion

for partial summary judgment, arguing that Angel Cline cannot prove the decedent was exposed to NORM from pipes sent to OTE by Chevron. Specifically, Chevron contends there is no evidence that it ever sent any used pipe to OTE for cleaning, that the decedent cleaned any of Chevron's pipes, or that the pipes contained NORM.

In opposition to Chevron's motion, Angel Cline argued that the evidence shows Chevron's used pipes were sent to and cleaned by OTE in 1983, 1984, and 1985. The pipes contained "scale," and when cleaned, a significant amount of dust was released. Angel Cline contends that Chevron's own experts concede all used oilfield pipes contain NORM. She further asserts that over seventy-four percent (74%) of the used pipes cleaned by OTE in 1983, 1984, and 1985 came from Chevron. Angel Cline concludes that the evidence shows the decedent cleaned Chevron's used pipes containing NORM, which caused his cancer and death.

LAW AND DISCUSSION

Appellate courts review summary judgment rulings *de novo*, using the same criteria that govern the trial court's determination of whether summary judgment is appropriate. *Millet v. Moran Foods, L.L.C.*, 23-227 (La. App. 5 Cir. 3/13/24), 384 So.3d 1074, 1076. A court shall grant a motion for summary judgment if the motion, memorandum, and supporting documents show there is no genuine issue as to material fact and the mover is entitled to judgment as a matter of law. La. C.C.P. art. 966(A)(3). Summary judgment is not appropriate where the trier of fact must weigh conflicting evidence to reach a conclusion upon which reasonable people could differ. *Warden v. Richoux*, 06-702 (La. App. 5 Cir. 2/27/07), 952 So.2d 828, 832, writ denied, 07-0918 (La. 6/22/07), 959 So.2d 499.

In its motion for partial summary judgment, Chevron argues that Angel Cline will not be able to meet her burden of proving causation. However, the documents attached to the writ application show otherwise.

The deposition of Lester Drennan was attached to the opposition to the motion for summary judgment. Mr. Drennan testified that he sold the service of cleaning used oilfield production pipe from 1983 to 1985. OTE performed the cleaning of used pipes for the customers to whom Mr. Drennan sold cleaning services. Chevron accounted for seventy-five percent (75%) of the used production pipe cleaned by the services Mr. Drennan sold. Mr. Drennan testified that he created ninety-nine percent (99%) of the work at OTE from 1983 to 1985. As part of his job, he visited the worksite at OTE where the decedent worked at least once per week. He knew the decedent worked with a crew of other men cleaning pipe.

Robinson Jason testified that he worked with the decedent cleaning used pipes at OTE in 1983 and 1984. All of the pipes Mr. Jason saw come into the yard at OTE were used pipes containing “scab” and “scale.” Mr. Jason testified that cleaning the pipes generated a lot of dust, and the workers could not avoid inhaling it. He also testified that he saw trucks bearing the name Chevron deliver used pipes to OTE for cleaning.

An expert report prepared by Charles Wilson and John Frazier states that scale on used oilfield pipe contains NORM.

An expert report prepared by Ronald Goans, Phillip Plato, and David Dooley states that the decedent received a high dose of radiation from his exposure to NORM from the oilfield pipes. The report concludes, with a reasonable degree of medical and health physics certainty, that the decedent’s

exposure to radiation during his work at OTE more probably than not caused his pancreatic cancer and subsequent death.

Our *de novo* review of the motion for partial summary judgment shows a genuine issue of material fact exists as to whether the decedent worked on Chevron's pipe and whether this caused his cancer and death.

CONCLUSION

For the foregoing reasons, we deny this writ application.

Gretna, Louisiana, this 24th day of June, 2026.

**JJM
FHW
SUS**

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
(504) 376-1498 FAX

NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **06/24/2026** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

26-C-263

E-NOTIFIED

24th Judicial District Court (Clerk)

Honorable June B. Darensburg (DISTRICT JUDGE)

R. A. Osborn, Jr. (Respondent)

Louis M. Grossman (Relator)

Timothy J. Falcon (Respondent)

Jeremiah A. Sprague (Respondent)

Michael R. Phillips (Relator)

Claire E. Juneau (Relator)

Jarrett S. Falcon (Respondent)

Jeffrey J. Gelpi (Relator)

Michael A. Levatino, Jr. (Relator)

MAILED

Brennan L. Falcon (Respondent)

Cameron J. Falcon (Respondent)

Jennifer L. Martin (Respondent)

Attorneys at Law

5044 Lapalco Boulevard

Marrero, LA 70072