

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

USW LOCAL 11-6,)
)
Complainant,) Cause No. GC-2006-0390
)
v.)
)
LACLEDE GAS COMPANY,)
)
Respondent.)

DEPOSITION OF SHELIA THOMASSON AND JAMES THOMASSON
Taken on Behalf of the Complainant

February 20, 2007

Reported by:
Rhonda W. Venezia, Missouri CCR 583

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USW LOCAL 11-6,)
)
 Complainant,) Cause No. GC-2006-0390
)
 v.)
)
 LACLEDE GAS COMPANY,)
)
 Respondent.)

DEPOSITION OF SHELIA THOMASSON AND JAMES THOMASSON,
produced, sworn and examined on the 20th day of February, 2007,

between the hours of eight o'clock in the forenoon and six

o'clock in the afternoon of that day, at the law offices of

Bradford C. Emert, Attorney at Law, 101 South Hanley, Suite

1320, County of St. Louis, before Rhonda W. Venezia, a

Certified Court Reporter within and for the State of Missouri,

in a certain cause now pending before the Public Service

Commission of the State of Missouri.

A P P E A R A N C E S

For the Complainant:

Ms. Sherrie A. Schroder

Hammond, Shinnars, Turcotte, Larrew and Young, P.C.

7730 Carondelet, Suite 200

Clayton, Missouri 63105

For the Defendant:

Mr. Rick Zucker

Corporate Counsel

Laclede Gas Company

720 Olive

St. Louis, Missouri 63101

For the Public Service Commission:

Mr. Robert Franson (by telephone)

Senior Counsel

Public Service Commission

P.O. Box 360

Jefferson City, Missouri 65102

For the Witnesses:

Mr. Bradford C. Emert

Attorney at Law

101 South Hanley, Suite 1320

Clayton, Missouri 63105

1 SHELIA THOMASSON,

2 of lawful age, being first duly sworn upon her oath to tell the
3 truth, the whole truth, and nothing but the truth, testified in
4 answer to oral interrogatories as follows:

5 JAMES THOMASSON,

6 of lawful age, being first duly sworn upon his oath to tell the
7 truth, the whole truth, and nothing but the truth, testified in
8 answer to oral interrogatories as follows:

9 DIRECT EXAMINATION

10 QUESTIONS BY MS. SCHRODER:

11 (questions to Shelia Thomasson)

12 Q Mrs. Thomasson, my name is Sherrie Schroder. I think
13 you're aware I represent the union in this matter, USW 11-6; is
14 that right?

15 A Yes.

16 Q All right. And I'm going to ask you some questions
17 here, and you know these questions are under oath. All I'm
18 asking you to do is give me your best recollection of the
19 things that happened as truthfully as you can. Do you
20 understand that?

21 A Yes.

22 Q Okay. And your attorney is here, and so he may stop
23 the deposition at any point or make objections. And if he does
24 that, you know, just treat it just like you would ordinarily
25 with him -- which means you can tell him off. No. All right.

1 And if you have -- I'm sorry -- have you ever given a
2 deposition before?

3 A Yes.

4 Q Okay, great. So you understand that the court
5 reporter sitting off to my right is taking down everything that
6 we're saying today?

7 A Yes.

8 Q All right. And you also understand that it's very
9 important that only one of us talk at a time, and also that you
10 give your answers orally, that you say yes or no or whatever
11 the answer may be instead of nodding your head or shaking your
12 head?

13 A Yes.

14 Q Great. And you're doing very well with that.

15 A Yes.

16 Q Okay. I'm going to assume that you understand my
17 questions unless you tell me that you don't, ask me to repeat
18 it, ask me to explain it, or whatever. Is that fair?

19 A Yes.

20 Q Okay. Let me just ask you a couple of background
21 questions. There is a man sitting off to your right. Who is
22 that?

23 A Thomasson.

24 Q You said Thomasson?

25 A Yes. My husband.

1 Q All right. And what's his first name?

2 A James.

3 Q All right. Do you live with him?

4 A Yes.

5 Q All right. Do you live with anyone else?

6 A No.

7 Q Okay. And how old are you, Mrs. Thomasson?

8 A Sixty-two.

9 Q All right. I apologize for asking that question.

10 A That's okay. I'm proud.

11 Q All right. Do you have any relatives who work at
12 Laclede Gas?

13 A No.

14 Q Do you have any relatives who are involved in any way
15 with the union, USW 11-6?

16 A No.

17 Q Do you have any friends who work at Laclede Gas?

18 A No.

19 Q Do you have any friends who are involved in any way
20 with the union?

21 A No.

22 Q And what is your current retirement status? I'm
23 sorry -- employment status.

24 A I'm retired.

25 Q I apologize. All right. We're here today to explore

1 an incident that occurred at your house on December 19, 2006,
2 concerning your gas service. So I want to ask you -- I want to
3 direct your attention back to that day. What were you doing in
4 the morning of December 19?

5 A Trying to fax and work on the computer.

6 Q All right. And where is your computer located?

7 A In the basement.

8 Q Is that where your fax machine is as well?

9 A Yes.

10 Q All right. What is the first thing that happened
11 that day concerning your gas service? Do you understand my
12 question?

13 A No.

14 Q Okay. On December 19, did something occur relating
15 to your gas?

16 A Yes. A man came to the side door and said he was
17 from Laclede Gas.

18 Q All right. Was that early in the morning, around
19 8:45?

20 A Yes.

21 Q All right. What did the man look like, to the best
22 of your recollection?

23 A He had a yellow hat on.

24 Q All right. Any type of hat?

25 A A hard hat.

1 Q All right, a yellow hard hat. Anything else that you
2 remember?

3 A No.

4 Q Was he wearing any kind of uniform?

5 A I don't remember.

6 Q Did he present any credentials to you?

7 A No.

8 Q All right. You said that he claimed he was with
9 Laclede Gas; is that right?

10 A Yes.

11 Q Was he -- did you see a Laclede Gas truck when he
12 pulled up?

13 A No.

14 Q All right. Did you see the vehicle he pulled up in?

15 A No.

16 Q Okay. Had you ever met this man before?

17 A No.

18 Q Were you expecting him?

19 A No.

20 Q Had you requested any service from Laclede?

21 A No.

22 Q All right. Did he explain to you why he was there?

23 A He said he was fixing -- going to fix the meter or
24 something with the meter.

25 Q Okay. Had you recently had an automatic meter

1 reading device installed on your meter, on your gas meter?

2 A They installed something, but I don't know what it
3 was.

4 Q All right. Did anybody tell you what the function of
5 that was that was going to be installed on your meter?

6 A No.

7 Q Okay. To your knowledge, was this the first time
8 that somebody -- that somebody had come back since the
9 installation of this item on your meter?

10 A Would you repeat it again?

11 Q Sure. Was this the first time that somebody had come
12 back since the installation of an item on your meter?

13 A I need to ask a question.

14 Q All right. Go ahead.

15 A You mean prior to this, was there anybody else that
16 came prior to the 19th incident?

17 Q Yes.

18 A Yes. Someone has been there before.

19 Q Okay. And do you know what they had come for?

20 A Said they were going to fix something to the meter.

21 Q All right. So this was at least the second time
22 somebody had come to fix the meter since something had been
23 installed on it?

24 A Second or third. I'm not sure.

25 Q All right. Was anyone else in the house with you

1 while the man in the yellow hard hat was there?

2 A Yes.

3 Q And who was that?

4 A My husband.

5 Q All right. Was there also anyone else -- was there
6 anyone else working on your home while the man --

7 A No.

8 Q Okay. How were you feeling at the time that the man
9 in the yellow hard hat arrived?

10 A Fine.

11 Q Had either you or your husband been ill recently?

12 A No.

13 Q Had your husband complained that morning that he was
14 feeling ill?

15 A No.

16 Q Okay. Once the man in the yellow hard hat arrived,
17 what happened?

18 A I took him downstairs, or I led him downstairs.

19 Q All right. And why did you take him downstairs?

20 A Because the meter is downstairs.

21 Q Where is the meter in proximity to where your
22 computer and fax machine are?

23 A Right next to it. This is the computer, and then
24 here's the door to the gas [indicating].

25 Q Okay. And because your testimony is going to be

1 written --

2 A Yeah.

3 Q -- I need you to explain those things as clearly as
4 you can for the written record. Was your computer adjacent to
5 the door of the room your meter was in?

6 A Yes.

7 Q All right.

8 A And the fax.

9 Q Your computer and your fax machine were adjacent to
10 it, all right.

11 A Yes.

12 Q Did they touch the door?

13 A Do they touch the closet door?

14 Q Yes.

15 A The cabinet is not actually touching. It's next to
16 it, but it's not touching.

17 Q All right. And the cabinet, is your computer and fax
18 machine, are they on top of the cabinet?

19 A It's on top of a cabinet, and the computer's on top
20 of a computer desk.

21 Q All right. And so the fax machine is on top of a
22 cabinet?

23 A Uh-huh, file cabinet.

24 Q And the computer is on a computer desk. Are those
25 things next to each other?

1 A They're L-shaped.

2 Q All right. And were those things -- I think I
3 understood from your gesturing. Were those things in front of
4 the closet door?

5 A Yes, they're in front of the closet door.

6 Q All right. Okay. So you showed the guy, the man in
7 the yellow hard hat, where the meter was. Was he able to
8 access the meter without you moving something?

9 A No. I had to move.

10 Q What did you move?

11 A I moved my fax machine, and I moved the file cabinet.

12 Q All right.

13 A Then opened the closet doors.

14 Q All right. And how big is the closet that the meter
15 was in?

16 A Like a normal closet.

17 Q All right. A normal clothes closet, or a normal
18 utility --

19 A Clothes closet.

20 Q Okay. Was there anything else in the closet with the
21 meter?

22 A A picture with a frame on it.

23 Q All right. Was it touching the meter or any of the
24 piping leading to the meter?

25 A No, because there's a frame around and a shelf. So

1 nothing is touching that.

2 Q All right. So the picture was on a shelf?

3 A On the floor.

4 Q On the floor, leaning against a shelf?

5 A Leaning against the wall.

6 Q Okay. When you moved your fax machine and your
7 computer with the file cabinet, how far away did you move them?

8 A I just moved the fax machine to the left, to the
9 computer desk, and I moved the file cabinet forward where the
10 seat would be sitting.

11 Q All right. So did you then continue to stay down
12 there while the man was working?

13 A Yes.

14 Q Okay. And before we get on to the rest of what he
15 was doing while he was there, what other things are in your
16 basement?

17 A It's like another living room.

18 Q So you've got furniture in there?

19 A Yes.

20 Q Are there any other -- are there any other appliances
21 down there?

22 A A television.

23 Q Okay.

24 A There's a washing machine. And the fireplace is a
25 gas --

1 Q A gas pilot fireplace?

2 A Uh-huh.

3 Q Or gas log?

4 A Log.

5 Q All right. And that's downstairs in the basement?

6 A Yes. It's next -- like this is the computer desk,
7 and then there's a little space there. There's the television,
8 and then to the right there's the fireplace with the gas log.

9 Q All right. Can you give me some idea how far the
10 fireplace is from the closet where the meter is?

11 A Let's see. One, two -- I think if I take six steps,
12 I'll be at the closet.

13 Q All right. From the gas fireplace. Do you also have
14 a water heater downstairs?

15 A Yes. A water heater and a washing machine and a
16 dryer.

17 Q Okay. All right. How far are the washing machine
18 and dryer from the meter closet?

19 A I don't know, but it's in the other room.

20 Q In another room down in the basement?

21 A Yes.

22 Q What about the water heater?

23 A It's in the laundry room.

24 Q Okay. Is there anything else besides furniture and
25 the gas fireplace and the TV that's in the room that has the

1 closet door for the meter?

2 A I have a table with a light, and a workbench, and his
3 desk.

4 Q "His" meaning you were pointing to your husband?

5 A James' desk.

6 Q All right.

7 A And then a pool table, and then the bar area, and a
8 bathroom, and another television, and telephone.

9 Q Okay. And on December 19 of 2006, were you running
10 your fireplace?

11 A I don't remember.

12 Q Okay. Do you recall whether or not the pilot light
13 was on?

14 A The pilot light stays on.

15 Q Okay. And I'm sorry. You put your finger up. Does
16 that mean you wanted to change your --

17 A I put my finger up because I remembered the pilot
18 light stays on.

19 Q Okay.

20 A And I wanted to tell you.

21 Q Okay. All right. So the man with the yellow hard
22 hat came downstairs. You moved the stuff away from the closet
23 so he could get to the meter. Then what happened?

24 A He asked me -- he said Laclede Gas gave him the wrong
25 screwdriver, and did I have a screwdriver. And I took him over

1 to the workbench. Keep going?

2 Q Yes.

3 A I took him over to the workbench so he can see which
4 screwdriver, if it was a Philips or a screwdriver. And I --
5 the Philips screwdriver is the one he grabbed.

6 Q Okay. And what did he do with the screwdriver, if
7 you know?

8 A He went back over there to the meter, but I don't
9 know what he did.

10 Q Okay. How long was he there?

11 A I don't remember how long.

12 Q Okay. Did you have any conversation with him other
13 than about the screwdriver before he left?

14 A I asked him was it supposed to stink like that,
15 because it was really stinking. And he said yes, anytime you
16 take something off and put it back on, you're going to get an
17 odor.

18 Q Okay. And what kind of odor are you referring to?

19 A Gas odor.

20 Q Okay. Did he seem concerned about the gas odor?

21 A No.

22 Q After the man in the hard hat left, did you touch the
23 meter?

24 A No.

25 Q Did you go into the closet where the meter is?

1 A No.

2 Q Did you move the file cabinet and the computer back?

3 A I don't remember.

4 Q Okay. What happened after the man in the yellow hard
5 hat left?

6 A I was trying to fax and print up cards and stuff, and
7 I couldn't get the computer or the fax to work. They were just
8 like dead.

9 Q Okay. And were you continuing to do that downstairs
10 in the basement?

11 A Yeah. I stayed down there because I thought maybe I
12 was doing something wrong, and I just stayed down there and
13 kept on smelling, and you start to second-guess yourself about
14 the odor.

15 Q Okay. Did you have any conversation with your
16 husband, James, about -- well, did you have any conversation
17 with him during this --

18 A I called up and asked James do he smell anything,
19 because I'm smelling gas bad.

20 Q Okay. And how long was that after the man in the
21 yellow hard hat had left?

22 A I don't remember.

23 Q Do you think it was fairly soon after he left or a
24 long time? Give me some range.

25 A It wasn't right afterwards. It was some time.

1 Q Okay. And what did your husband say?

2 A He said to call Laclede Gas.

3 Q Okay. Did you do that?

4 A Yes.

5 Q And did your husband tell you -- did he say why he
6 thought you should call Laclede at that point?

7 A If it's real strong, call Laclede Gas.

8 Q Okay. Had you noticed the smell -- was the smell
9 getting stronger, or was it dissipating?

10 A No, it kept on stinking.

11 Q Okay. Was it stinking the same way it had been
12 stinking when the guy first left?

13 A Yes.

14 Q All right. At the time that you called Laclede Gas,
15 how were you feeling?

16 A It was kind of bothering me in the head, kind of
17 giving me a headache.

18 Q Okay. Were you able to make the call?

19 A Yes.

20 Q Do you know approximately what time that occurred?

21 A No, I don't remember the time.

22 Q All right. That's all right. Was it still morning?

23 A Yes.

24 Q Okay. Do you know how long you were on the phone
25 with Laclede?

1 A It wasn't that long. The lady there was questioning
2 me.

3 Q The customer service representative?

4 A Yes.

5 Q All right. What was she questioning?

6 A She was questioning me, "Who was it?" And I told
7 her, "Laclede Gas with a yellow hat." "Did you ask for ID?" I
8 said, "No, I didn't." Do I keep going?

9 Q Yeah.

10 A "No, I didn't." And I said, "In 62 years, I never
11 asked for ID." And, "You should have asked for it." And I
12 said, "Well, I didn't." And then she said, "Did you open the
13 doors and windows or something?" Well, the side door, it
14 wasn't open, but the -- you know, the hard door was open, but
15 not the glass door.

16 Q Okay.

17 A And she said she was going to send someone out there.
18 It wasn't long after that that they did send someone out there.

19 Q Okay. So you said somebody from Laclede did come?

20 A Yes.

21 Q Were you the person who met that person?

22 A James.

23 Q Your husband did?

24 A Uh-huh.

25 Q Okay. And incidentally, was -- did you see the man

1 who Laclede Gas sent after you called?

2 A I saw the man, the second man.

3 Q Right.

4 A Can I add something to it?

5 Q Sure.

6 A But I forgot what he looked like, the second man.

7 Q Okay.

8 A But he was real nice.

9 Q Okay. Was he dressed like the man that had come
10 before with the yellow hard hat?

11 A Now, I don't remember that.

12 Q Do you recall whether he wore a yellow hard hat?

13 A I don't remember that.

14 Q Okay. Do you recall whether he had a Laclede Gas
15 truck?

16 A I don't remember that.

17 Q Okay.

18 MS. SCHRODER: Is it okay to go ahead and ask James
19 some of these questions now? All right. Robert, just for your
20 edification, I'm going to turn and ask James Thomasson some of
21 these questions now.

22 MR. FRANSON: Okay.

23 (question to James Thomasson)

24 Q Mr. Thomasson, do you recall Laclede Gas responding -
25 - sending somebody out in response to your wife's telephone

1 call?

2 A Yes, I do.

3 Q All right. Do you recall approximately what time
4 that occurred?

5 A I would imagine somewhere around 10:15, 10:30 --
6 somewhere in there.

7 Q Okay. Do you know how this man was dressed?

8 A It seems like he was just dressed in just pants and
9 slacks. I don't remember a hard hat or anything. I don't
10 remember that. But it seems like he was just in pants and
11 shirt.

12 Q All right. Did he drive a Laclede Gas truck?

13 A I hadn't looked out to see.

14 Q Okay. How did you know that he arrived?

15 A Well, he, I think, rang the doorbell. And I came
16 from the back. I was in the back bedroom, and I came and let
17 him in.

18 Q Okay. What door did you let him in at?

19 A The side door.

20 Q Okay. Was he carrying anything when he came to the
21 door?

22 A He was carrying, I guess, something that detects
23 odor, gas odor. And he turned it on and stepped in. And just
24 as soon as he turned it on, it started going off, clicking or
25 whatever it does.

1 Q Beeping?

2 A Beeping, yes.

3 Q Okay.

4 (questions to Shelia Thomasson)

5 Q Mrs. Thomasson, did you hear the beeping?

6 A Yes.

7 Q Did you hear it before you saw the man?

8 A No. I just heard it when he came to the bottom step.

9 Q Okay. All right. So let's go back to you, then, for
10 a minute.

11 MR. ZUCKER: By you --

12 MS. SCHRODER: I'm sorry. Thank you. To Mrs.
13 Thomasson. No, actually, let's go back to Mr. Thomasson for a
14 second.

15 (questions to James Thomasson)

16 Q Mr. Thomasson, after the man turned on his leak
17 detector --

18 MS. SCHRODER: Do we have any problem -- can we cut
19 through some of the confusion by giving him a name since we
20 know who this was?

21 MR. ZUCKER: Mr. Boyle, you mean?

22 MS. SCHRODER: Mr. and Mrs. Thomasson, is it all right
23 with you if we refer to the man who came in response to Mrs.
24 Thomasson's call as Mark Boyle or Mr. Boyle?

25 MR. THOMASSON: Yes. Yes, you may. I think that's

1 what he told me. His name was Mark; I remember that.

2 MS. SCHRODER: Okay. Is that all right with you?

3 MRS. THOMASSON: Yes.

4 MS. SCHRODER: It'll just make it easier for our
5 record to keep these people straight.

6 (questions to James Thomasson)

7 Q Okay. Mr. Thomasson, when Mr. Boyle, or Mark, came
8 into your door and his detector was beeping, what happened
9 next?

10 A Well, he asked me where was the meter, and I told him
11 it was in the basement. So we went to the basement. And as he
12 was going down the steps, the thing got faster and faster.

13 Q The --

14 A The beep.

15 Q Okay, thank you.

16 A And when we got closer, he said it's -- "Ooh," he
17 said, "the leak is very really heavy in here." And he told us
18 to get out of there. And so I think Shelia went upstairs, and
19 I kind of hung around there for a minute to -- and then I went
20 up to check on her, see if she was okay.

21 Q All right. And did Mark Boyle tell you anything else
22 other than to get out of there?

23 A Well, I don't think he said any more that I can
24 recall at that particular time.

25 Q Okay. Did he tell you anything about opening windows

1 or doors?

2 A Yes, he did. I think it was later though, but he did
3 tell me to do that, and I did.

4 Q Okay.

5 (questions to Shelia Thomasson)

6 Q Mrs. Thomasson, do you recall Mark Boyle telling you
7 to leave the basement?

8 A Yeah. He told James to "get her out of here." And I
9 told him, "I want to take a bath." And he said, "No. Get her
10 out of here." And that time I was kind of like stumbling, and
11 James assisted me upstairs.

12 Q Okay.

13 A He told me don't turn on anything.

14 Q He said what?

15 A Don't turn on anything.

16 Q Okay. And who told you that? Mr. Boyle?

17 A Yes.

18 Q Okay. And where were you at the time that he told
19 you this?

20 A Down there where the computer and stuff was.

21 Q Okay. Right next to the meter closet?

22 A Meter closet, uh-huh.

23 MS. SCHRODER: Let me ask Mrs. Thomasson this first.

24 Q Had you ever met Mark Boyle before?

25 A No.

1 Q And have you ever spoken to him since that day?

2 A No.

3 Q All right.

4 (questions to James Thomasson)

5 Q Mr. Thomasson, had you ever met Mark Boyle before?

6 A No, I hadn't.

7 Q Have you ever spoken to him since December 19?

8 A No.

9 Q Okay.

10 (questions to Shelia Thomasson)

11 Q And when he told you to get out, Mrs. Thomasson, did

12 -- I mean did Mr. Boyle just say get out of the room? Did he

13 say get out of the house? Do you know or recall?

14 A I don't remember. I do remember him saying, "Get her
15 out of here."

16 Q Okay. What did you do after you left the basement?

17 A I came upstairs because I had to throw up. And I
18 went in the john and threw up.

19 Q Okay. Was this the first time that you had realized
20 you were feeling sick?

21 A Downstairs I was kind of when I was walking, yeah,
22 this isn't because I was kind of feeling woozy then. When I
23 got upstairs, I really felt like I had to throw up, and I went
24 in the john and threw up.

25 Q Okay. And I apologize. You'd mentioned earlier that

1 you were getting a headache.

2 A Uh-huh.

3 Q Was that the first thing that you realized, the first
4 symptom you had was the headache?

5 A Headache and woozy.

6 Q Okay. Did you throw up more than one time that
7 morning?

8 A I threw up two or three times.

9 Q Okay.

10 A Then I felt real weak, and I laid on the couch in the
11 den because I felt -- I felt myself feeling real sick.

12 Q Okay. And you said that you were woozy, and you were
13 stumbling around. I noticed when you walked in earlier today
14 that you have kind of a distinct gait. Do you have any
15 difficulty walking normally?

16 A I had a knee replaced, so I don't walk normal anyway.

17 Q Okay. And how long ago did that occur?

18 A In October '04.

19 Q Okay. At the time that you left the basement, did
20 either Mr. Boyle or your husband, James, comment on you being
21 sick to you, say anything to you?

22 A Mr. Boyle came upstairs, and he called someone. And
23 he was telling them he was really concerned, Mr. Boyle was.

24 Q Okay. What makes you say that?

25 A Because he was -- whoever he was talking to on the

1 phone, he said that she needs to go to the hospital or
2 something. He said he don't know, she look real sick --
3 something to that order.

4 Q Did anything indicate who he was talking to, whether
5 this was a supervisor or a coworker?

6 A I think he said it was a supervisor.

7 Q All right. How long was that after Mr. Boyle had
8 gotten to your house?

9 A I don't remember how long. But he was downstairs,
10 and whatever he was doing down there, and then he came up
11 because he was a little concerned.

12 Q Okay.

13 (questions to James Thomasson)

14 Q Mr. Thomasson, you said that after your wife went
15 upstairs, you stayed downstairs for a little bit?

16 A Uh-huh.

17 Q Did you stay until Mr. Boyle -- well, what did Mr.
18 Boyle do downstairs, if you know?

19 A He went -- he said, "Let me shut this thing" -- "I
20 better shut this thing off right now." And he shut it off.
21 And he said, "You need to check on your wife." And I think he
22 said to make sure and get all of everything opened. And he
23 said, "You need to take your wife" -- "I think you need to take
24 her to the hospital." And so I went back up. And I don't know
25 whether I called or you [indicating Shelia Thomasson] called.

1 But anyway, we called the ambulance service. And they told us
2 to get her on the porch because she was flailing arms and
3 acting erratic. So I took her to the porch, opened the door
4 with that -- kept it open with the jamb. And she was talking
5 to my all the while, and she said, "We got a ambulance coming."

6 Q So she was talking to you, the person from the
7 ambulance service?

8 MS. THOMASSON: Abbott.

9 A The Abbott Ambulance Service.

10 Q Okay.

11 A So she kept talking. She said, "Do you have her on
12 the porch?" I said, "Yeah." And what is she doing, and asking
13 me questions. And I said, "Well, I'm holding her, and, you
14 know, she's getting air." And she kept asking me, "The
15 ambulance is on its way. It's on its way." Finally it did
16 come, you know.

17 Q Now, I just want to make sure I've got the sequence
18 of events right. You were downstairs with Mr. Boyle. He told
19 you to open things up, right?

20 A Uh-huh.

21 Q Did you go do that before you went and checked on
22 your wife and called the ambulance?

23 A The sequence of -- I'm pretty sure I had already
24 opened everything up.

25 Q Okay.

1 A Yeah, I think I did that first.

2 Q Okay.

3 A Yeah.

4 Q And was there a time before you went and checked on
5 your wife that you were outside with Mr. Boyle?

6 A I did go outside with him and was standing there with
7 him, talking, yes.

8 Q Okay. And was he doing some additional checks with
9 his equipment?

10 MR. ZUCKER: Objection, leading.

11 Q What was Mr. Boyle doing outside?

12 A I don't really recall what he was doing.

13 Q Okay.

14 A I know I talked with him while he was out there.

15 Q Okay. And so how long was it before you left that
16 outside area and went back in to check on your wife? Again,
17 I'm just trying to get the sequence of events here.

18 A I think I was just kind of going back and forth
19 because I was getting concerned, you know. I went back and
20 checked on her, and you just kind of -- I just kind of didn't
21 know exactly what to do at that time, you know, other than to
22 try to get that ambulance there.

23 Q All right. And Mr. Boyle's comments about your wife,
24 did those occur while he was downstairs in the basement or when
25 he -- when she -- I'm sorry -- when she said that he came and

1 looked in on her upstairs?

2 A I think he told me while I was in the basement that I
3 should go and check on my wife and get her to the hospital.

4 Q Okay. Did you call anybody else besides the
5 ambulance?

6 A No.

7 Q All right. Other than an ambulance, do you recall
8 anybody else showing up after Mr. Boyle came?

9 A It was another guy came up, yes.

10 Q Another guy from where?

11 A I guess it could have been his supervisor.

12 Q Somebody from Laclede?

13 A I would have believed that he was, yes.

14 Q Okay.

15 A Uh-huh.

16 Q Did anybody else come?

17 A A policewoman that lives in the neighborhood.

18 Q Okay. Did you call the police, or do you know how
19 she found out about it?

20 A I think she saw cars and saw, you know, people was by
21 that time looking. She came up because we know her, you know,
22 from the neighborhood. I think that's -- she just kind of
23 dropped by to see what's going on.

24 Q All right. Do you know whether there was, in fact, a
25 police report on this matter?

1 A Yes.

2 Q Okay. And have you seen that before?

3 A I didn't read it, no.

4 Q Okay. But have you seen it? Have you seen the
5 police report. I mean you said you didn't read it, but have
6 you seen a copy of the police report?

7 A I think I saw it, but I don't know -- I didn't read
8 it. I know it was one made.

9 Q Okay.

10 A From the municipality, yes.

11 Q Okay. And where do you live? Just the city. I
12 don't want your address.

13 A Pagedale.

14 Q Okay. Is this a copy -- and I'm going to hand you
15 what I'm marking Exhibit 1 to this deposition.

16 (Deposition Exhibit 1 was marked.)

17 Q Mr. Thomasson, is Exhibit 1 a document that you've
18 seen before?

19 A Like I said, I knew there was one written. As far as
20 me reading it or anything else, I knew that it was one written.

21 Q Okay.

22 A Because the policewoman that came by, she called her
23 -- she called, and I saw the police there. And he was outside
24 there writing. He came in. But I didn't see it personally and
25 take it and read it.

1 Q Okay. But have you seen a copy of Exhibit 1 before
2 today?

3 A No.

4 Q Okay.

5 MS. SCHRODER: I can put this in through Mark Boyle,
6 or -- and we can take it out of this deposition. It's kind of
7 up to you guys at this stage. It's a Pagedale Police
8 Department, you know, record, and it is a self-authenticating
9 business record. But again, I can get that in through Mr.
10 Boyle if he wants. Just let me know what you want to do.

11 MR. ZUCKER: Well, you can put it in.

12 MS. SCHRODER: Okay.

13 MR. ZUCKER: You can mark it as an exhibit, and you
14 can leave it in.

15 MR. SCHRODER: Okay.

16 MR. ZUCKER: And it is what it is.

17 Q And Mr. Thomasson, I just wanted to ask you a
18 question or two. On page 2 of Exhibit 1, the police officer
19 talks about being radio dispatched out there and meeting you at
20 that time. And he states that this was at 10:57 a.m. And I
21 just want to ask you: Does that time sound like it would be
22 about right when you were talking to a police officer? And at
23 this point, he said he observed your wife being helped into an
24 ambulance. Would that be about the right time frame?

25 A It sounds relative to the sequence, somewhat relative

1 to this time frame.

2 Q Okay. And the police officer says that your wife had
3 actually passed out. Did that occur?

4 A Well, I don't know whether she ever passed out
5 myself. I just know that she was very disoriented, and whether
6 she actually ever lost consciousness I don't know.

7 Q All right. And a few more -- well, the third
8 paragraph, the police officer describes that the house was
9 being aired out by the opening of several doors and windows?

10 A Uh-huh.

11 Q Is that an accurate description of the situation?
12 Were several doors and windows open?

13 A Yes, uh-huh.

14 Q Okay. Thank you. And what was your condition at
15 this point? How were you feeling?

16 A Well, I was beginning to have a headache. I had a
17 headache, and just feeling tense, stranger than usual or
18 something, you know, and concerned about her. Just tense and
19 headachy.

20 Q All right.

21 (questions to Shelia Thomasson)

22 Q Mrs. Thomasson, Exhibit 1 to this depo reflects that
23 you were getting into an ambulance around in the 11 o'clock
24 time period on the morning of November 18 -- 19 -- December 19.
25 I'm sorry. How did you feel at the time you were getting into

1 the ambulance; do you recall?

2 A I remember the headache, but a lot of stuff is fuzzy.

3 Q Okay. Do you remember seeing anybody while you were
4 getting into the ambulance?

5 A I saw police.

6 Q All right. Did you see anybody from Laclede Gas?

7 A I don't remember.

8 Q What happened after you got into the ambulance?

9 A They were trying to stick me, but I have floating
10 veins. So I don't like people keep on sticking me.

11 Q Okay. Did the ambulance take you someplace?

12 A To DePaul.

13 Q DePaul Hospital?

14 A ER, yes.

15 Q Okay. To the emergency room?

16 A Yes.

17 Q Were you eventually admitted to the hospital?

18 A Yes.

19 Q And do you know, did you get a diagnosis from the
20 hospital?

21 A Natural gas exposure.

22 Q Okay.

23 (questions to James Thomasson)

24 Q Mr. Thomasson, did you also end up going to the
25 hospital?

1 A I certainly did.

2 Q All right. What happened at the hospital for you?

3 A Well, they took some blood tests, did a vital sign
4 check, and they did a scan, I think a head scan, because I was
5 having headaches.

6 Q All right. Did you eventually get admitted?

7 A We went -- not that day. I continued to have the
8 headache, and both of us went back. And they did keep us the
9 second day.

10 Q All right. They kept you -- they admitted you and
11 kept you overnight?

12 A Right.

13 Q And did they give you a diagnosis?

14 A I think it was pretty much the same as what hers
15 said.

16 Q All right. That acute natural gas exposure?

17 A Yes.

18 MR. ZUCKER: Objection. They never said the word
19 "acute."

20 MS. SCHRODER: Oh, I'm sorry. Natural gas exposure.

21 (question to Shelia Thomasson)

22 Q Well, prior to December 19, 2006, Mrs. Thomasson, had
23 you ever met any of the people from the gas company who worked
24 with you that day?

25 A No.

1 (questions to James Thomasson)

2 Q Mr. Thomasson?

3 A No.

4 (questions to Shelia Thomasson)

5 Q Mrs. Thomasson, did you have any plans outside of the
6 house on December 19?

7 A Yes. I was going to a luncheon at 11:30.

8 Q Okay. Did you end up going?

9 A No. And if we had went, the house probably would
10 have blown up or something would have happened, because it was
11 really stinking. And I wanted to go to my luncheon, and I
12 couldn't.

13 Q All right. Do you have anything else you want to add
14 before I turn you over to Mr. Zucker?

15 MR. EMERT: No.

16 A I can't think of anything.

17 MS. SCHRODER: I shouldn't have asked that question.
18 I apologize.

19 CROSS EXAMINATION

20 QUESTIONS BY MR. ZUCKER:

21 (questions to Shelia Thomasson)

22 Q Good afternoon, Ms. Thomasson. My name is Rick
23 Zucker. I'm an attorney for Laclede Gas Company.

24 A Hi.

25 Q I'm going to ask you a few questions also.

1 A Okay.

2 Q How long have you been married to Mr. Thomasson?

3 A Since 1983.

4 Q And you said you're retired, right?

5 A Yes.

6 Q What job are you retired from?

7 A Lever Brothers.

8 Q Excuse me?

9 A Lever Brothers.

10 Q Lever Brothers.

11 A L-e-v-e-r.

12 Q What does Lever Brothers do?

13 A Make washing powder, detergent.

14 Q What did you do there?

15 A I either worked in the factory or either worked in

16 the lab.

17 Q What did you do in the factory?

18 A Packed the boxes on the machine or a filler.

19 Q Where is Lever Brothers?

20 A In Pagedale. It's no longer there.

21 Q Okay. When did you work for them?

22 A You mean when did I start working?

23 Q Yes.

24 A I started working for them in '71.

25 Q Okay.

1 A September or August '71.

2 Q And how long did you work for them?

3 A 1990.

4 Q And what did you do in 1990?

5 A I retired.

6 Q Okay. And have you worked anywhere since?

7 A No.

8 Q Do you remember what your job title was at Lever?

9 A I had several job titles. Lab assistant was the last

10 one.

11 Q Okay. How long were you a lab assistant?

12 A I don't remember how long. Maybe six months, a year.

13 I don't know.

14 Q What was your title before then?

15 A Case packer, and it would vary. Filler, operator.

16 Q Does operator mean like telephone operator?

17 A I wish. No. Push the button to release the powder

18 in the box.

19 Q Okay. In your employment with Lever Brothers, were

20 you in a union?

21 A Yes.

22 Q What union is that called?

23 A I don't remember.

24 Q Did you start in the union when you started with

25 Lever Brothers?

1 A You have to wait, I think, so many days.

2 Q And then you're --

3 A I think that's how it goes.

4 Q Then you become part of the union after a short
5 period?

6 A I don't remember, but I know it's a union thing.

7 Q Okay. And were you in the union the entire time you
8 were at Lever Brothers?

9 A Yes.

10 Q Okay. You were never in management?

11 A No.

12 Q Okay.

13 (question to James Thomasson)

14 Q Let me ask you, Mr. Thomasson, the same type of
15 questions. Where did you -- are you retired also?

16 A Yes, I am.

17 Q Okay. And what are you -- what company are you
18 retired from?

19 A Ford Motor Assembly Plant.

20 Q Where was that?

21 A Hazelwood.

22 Q Hazelwood, okay. And how long did you work there?

23 A Thirty years.

24 Q From what year to what year; do you recall?

25 A May 27, '64, to May 27, '94.

1 Q Exactly 30 years.

2 MS. SCHRODER: Wow.

3 Q Okay. And what was your job there?

4 A I started off as an assembly person on the line. For
5 four years I was doing that. And then I went into supervision,
6 management.

7 Q Okay. So did you start in the union?

8 A Yes. Actually, it was a 90-day period before you
9 actually was a union member.

10 Q Okay. And then was that the United Auto Workers?

11 A Yes, Local 325.

12 Q Okay. And when you moved into supervision,
13 management, then you were no longer in the union at that point?

14 A No. I was salaried.

15 Q Okay. And how long were you in that position?

16 A Until '79 or '80.

17 Q Okay. So from about 1968?

18 A Uh-huh.

19 Q To '79 or '80?

20 A Uh-huh.

21 Q And then what did you do?

22 A I went into stock. Trying to think; they gave it a
23 fancy name. Stock follow-up. Anyway, I was working a
24 computer, and we would keep up with stock and make sure we had
25 enough stock there.

1 Q And was that a management job or a labor job?

2 A That was a -- I was back in the union at that time.

3 Q Okay. And how long did you do that job?

4 A Until I retired.

5 Q Okay. So you were in the union, then in management,

6 then the union?

7 A Uh-huh.

8 Q Okay.

9 A All by choice.

10 Q Okay. That's the way to do it.

11 A Yep.

12 Q Okay. And why did you retire?

13 A Thirty years and out, and I didn't want another day.

14 Thirty years was it for me.

15 Q You were eligible for retirement based on your 30

16 years there?

17 A Yes.

18 Q Okay.

19 (questions to Shelia Thomasson)

20 Q And Ms. Thomasson, returning to you, can you tell me

21 why you retired?

22 A Because it was time.

23 Q And what do you mean by that?

24 A You get tired of working.

25 Q In 1990, you were fairly young for a retiree.

1 A Thirty-five.

2 Q Thirty-five?

3 A Uh-huh.

4 Q Thirty-five years old?

5 A Uh-huh.

6 Q When you retired, you mean?

7 A I think I was. Forty-five, I mean.

8 Q Okay. And how was your health at that time?

9 A My health was fine.

10 Q What did you do after you retired?

11 A Nothing.

12 Q Do you find that boring?

13 A No, as long as I can shop and do things I want to do.

14 Q Okay. How do you come to know Mr. Emert here, your

15 attorney?

16 A From a knee replacement.

17 Q Okay. And did you need legal services after your

18 knee replacement?

19 A Yes.

20 Q Mr. Emert represented you?

21 A Yes.

22 Q You said your knee replacement was a few years ago,

23 right? Oh, in 2004?

24 A Yes.

25 Q Okay. I guess you were happy with his service then.

1 A Very happy with Mr. Emert.

2 Q Okay. Had you had any problems with Laclede prior to
3 the December 19 incident?

4 A You speaking of with gas or what?

5 Q Just service, billing, any issues.

6 A Yes, I had a problem with them one time.

7 Q Can you tell me about it?

8 A It's not important.

9 Q Do you remember it?

10 A No, I don't feel like remembering right now.

11 Q Was it a long time ago or recently?

12 A Well, I had that Laclede Gas, was it that insurance
13 thing with them.

14 Q Uh-huh.

15 A And they changed -- I got a water meter or something
16 with them. Somehow they changed something. I forgot how it
17 went. Anyway, they -- then somehow my bill, my insurance bill,
18 didn't get paid, and it canceled me out of the insurance, and
19 it wasn't no fault of mine. It's because they changed the date
20 of the billing or something with the water meter.

21 Q Okay.

22 A And that was an issue I had with them.

23 Q Was this a long time ago or recently?

24 A It was last year.

25 Q 2006?

1 A Six -- I think in the beginning of last year, like --
2 I don't know which month.

3 Q Okay.

4 A And they caused me to get canceled out on my
5 insurance.

6 Q Okay. Did you revive it, reinstate it?

7 A I went and paid for it myself and sent the company a
8 check. And then they started taking it out. So it was being
9 paid double because I had already paid for the year. And then
10 they was taking it -- adding it onto my bill now.

11 Q Okay.

12 (question to James Thomasson)

13 Q Mr. Thomasson, I'm going to turn back to you now.

14 A Okay.

15 Q The first -- on December 19, the first visitor from
16 Laclede was a gentleman; we'll call him an AMR installer. AMR
17 is the little module that goes on the meters now so we can read
18 the meter remotely.

19 A Uh-huh.

20 Q AMR stands for automated meter reading. When the AMR
21 installer came in, were you home?

22 A I was.

23 Q You were in the house?

24 A Yes.

25 Q Did you see him?

1 A No, I never saw him.

2 Q Okay. Do you recall what you were doing in the house

3 when he came in?

4 A Reading the paper and glancing at the TV

5 occasionally.

6 Q In what room were you?

7 A In the back bedroom.

8 Q Okay. Were you aware that he was in the house?

9 A I knew -- yes, I was aware. Yes, sir.

10 Q Was there someone else in the house doing some work

11 that morning?

12 A I don't remember anybody being in there.

13 Q Maybe carpentry work?

14 A No.

15 (question to Shelia Thomasson)

16 Q Mrs. Thomasson, do you know?

17 A I remember this. This man did some repairs for my

18 brother, and he came by my house so I can pay him when the man

19 came the first time. So they bumped heads.

20 Q Okay. When you say they bumped heads, you mean they

21 --

22 A That he was leaving as he was coming.

23 Q Okay.

24 A Yeah.

25 Q And who was the person? There was someone there

1 collecting for a job work they'd already done?

2 A Yeah. I had to write a check for my brother.

3 Q Okay. And who was this person?

4 A I don't remember his name, but I can look it up with
5 my brother's checks.

6 Q You would have written a check?

7 A Yeah.

8 Q On your brother's checkbook?

9 A I'm on my brother's checkbook.

10 Q Okay. And this man's name would be on that check?

11 A Yes.

12 Q Okay.

13 A And I have a contract at home too.

14 Q Okay. All right. So on December 19, did you have
15 any plans for that day?

16 A Yes.

17 Q You said you had a luncheon?

18 A I had a luncheon to be at at 11:30.

19 Q What was the luncheon?

20 A It was a commissioners luncheon meeting -- dinner --
21 luncheon, yeah.

22 Q What time was it supposed to be? Eleven-thirty?

23 A Eleven-thirty.

24 Q And is this a group, the commissioners?

25 A Yeah, the Housing Authority.

1 Q The Housing Authority of what?

2 A Just the whole -- it was a Christmas party for all

3 the Housing Authority people and their guests.

4 Q And is the Housing Authority the St. Louis County

5 Housing Authority?

6 A Yes.

7 Q And how did you happen to get invited to that

8 luncheon?

9 A Because I'm a commissioner.

10 Q You're a commissioner on the Housing Authority?

11 A Yes, for Pagedale.

12 Q Okay. How long have you done that?

13 A I don't know how long. Years.

14 Q Years?

15 A Uh-huh.

16 Q Okay. And what do you do as a commissioner?

17 A Listen to complaints.

18 Q From?

19 A If there is any.

20 Q From people that live in Pagedale?

21 A Yes.

22 Q Who are in public housing?

23 A Yes.

24 Q Did you have a doctor's appointment that day?

25 A I think, when -- I don't remember if I had a doctor's

1 appointment. I think, when I talked to that lady on the
2 telephone, I told her, because I was really feeling bad, that
3 you get somebody out here fast because I've got a doctor's
4 appointment. But I really had a luncheon. I think that's how
5 that went. I'm not sure.

6 Q Do you remember telling Laclede Gas on the phone that
7 you had a doctor's appointment?

8 A I'm not sure. I'm going to look in my --

9 Q What do you have?

10 A I don't know whether -- it might be at home,
11 whatever. I'm not sure. But I know I had a --

12 Q Are you looking for your calendar?

13 A Yes. I need last year's. Huh-uh. Luncheon: that's
14 all I've got here. But this isn't the regular one.

15 Q Okay. Do you have a regular doctor's appointment
16 that you go to?

17 A Not that -- it would be on the last year's thing, my
18 regular one. And I don't have it with me.

19 Q Okay. So you're not sure today if you had a doctor's
20 appointment --

21 A No, I'm not.

22 Q -- on December 19?

23 A No. I know I had a luncheon at 11:30.

24 Q But you're not sure if you had a doctor's appointment
25 that day?

1 A No, I'm not positive.

2 Q Do you have a regular doctor's appointment where you

3 go --

4 A Whenever I need to go.

5 Q Okay. You don't have something where you go once a

6 week or --

7 A Oh, no, no.

8 Q -- or twice a month or something?

9 A No.

10 Q Okay. When the AMR installer came in, can you tell

11 me, was it a male or a female?

12 A On the 19th, a male.

13 Q A male, okay. And can you tell me his general age?

14 A I don't know.

15 Q Twenties? Thirties? Forties? Fifties? Sixties?

16 A I honestly don't know.

17 Q Okay.

18 A He was young, but I don't know what young is.

19 Q Well, tell me your interpretation of young.

20 A Well, I guess he might have been in his twenties. I

21 don't know.

22 Q Okay. Do you remember --

23 A About like you.

24 MS. SCHRODER: You have gotten a compliment there,

25 Rick.

1 MR. ZUCKER: That's right. That's two for me today.

2 MS. SCHRODER: Yeah.

3 Q Okay. Do you remember what size he was?

4 A About like you.

5 Q About like me?

6 A Uh-huh, only he had dark hair.

7 Q Okay. He had dark hair. And about like me meaning

8 I'm about five-feet-eight-inches. Does that sound right to

9 you?

10 A I guess.

11 Q Okay. Slender, medium, heavy?

12 A He was a little more thicker than you.

13 Q Okay.

14 MS. SCHRODER: You're doing well today, Rick.

15 Q So that would be -- thicker than me would be in the

16 either medium or heavy range?

17 A He wasn't -- he wasn't fat.

18 Q Okay. So should we call him medium?

19 A Okay.

20 Q Okay. And he came in, and you showed him to the

21 meter; is that correct?

22 A Yes.

23 Q And he started to work on the meter; is that correct?

24 A He asked for a screwdriver because he said you-all

25 didn't give him the right one.

1 Q Okay. And by you-all, you mean Laclede Gas Company?

2 A Yes.

3 Q Okay. And did he actually say Laclede Gas Company
4 didn't give him the right one?

5 A Yes, he said Laclede Gas.

6 Q Okay. And you lent him a screwdriver?

7 A I took him over there to the workbench.

8 Q Okay. How far away is the workbench?

9 A Just like from this wall to that window maybe.

10 Q Okay. Is the workbench on the way from --

11 A When you come down the steps, it's adjacent to the
12 steps.

13 Q -- down the steps? Okay.

14 MS. SCHRODER: Wait a second. Just for the record,
15 from the wall that she pointed to to the window she pointed to
16 is?

17 MR. EMERT: Twelve feet.

18 MS. SCHRODER: Thank you. Twelve feet.

19 MR. ZUCKER: Okay.

20 Q Okay. And then you lent him the screwdriver?

21 A Uh-huh.

22 Q And I think you testified you moved the file cabinet
23 and printer out of the way?

24 A Yes.

25 Q And then did you open the closet door?

1 A Yeah.

2 Q Or did he open it?

3 A I opened the closet door.

4 Q You opened it. Okay. And then after you lent him

5 the screwdriver, he returned to working on the meter?

6 A Uh-huh. Yes.

7 Q And what did you do at that time?

8 A Where did I go? I don't remember.

9 Q Did you stay in the basement or go upstairs?

10 A I'm not sure. I might have went upstairs and came

11 back down. I might have went in the laundry room. I don't

12 remember.

13 Q Okay.

14 A It's one or the other.

15 Q Okay. At the time you told him you smelled gas --

16 A When he got ready to go.

17 Q That was when he got ready to go?

18 A Finished, yeah.

19 Q Okay. And so at that point I guess you had come back

20 over toward where he was working?

21 A Yes.

22 Q How close were you to him when you said "I --

23 A Closer than me and you.

24 Q Closer than you and I --

25 A Uh-huh.

1 Q -- and you and I right now are about six feet apart?

2 A Uh-huh.

3 Q Okay.

4 MS. SCHRODER: Was that a yes or a no?

5 THE WITNESS: Yes. I'm sorry.

6 MR. ZUCKER: Thank you, Sherrie.

7 Q And when he finished his work, did he close the
8 closet door?

9 A I don't remember. But I do remember I closed -- I'm
10 sure I closed it, because when the second man came, I had to
11 take everything apart again.

12 Q Okay. And so did you -- do you remember moving the
13 file cabinet back into place?

14 A This is with the first man?

15 Q Yes.

16 A I --

17 MR. EMERT: Excuse me. I'm going to -- are you asking
18 her, after he completed his work, did she move the file cabinet
19 back?

20 MR. ZUCKER: Yes.

21 A My answer is I don't remember, but I thought I did.

22 Q Okay. And then when everything was done, did you
23 walk back up the stairs with him?

24 A I told him that it was stinking.

25 Q And what did he say?

1 A He said it's going to smell like that anytime you
2 take something off and put it back on. And I told him it was
3 really strong.

4 Q And what did he say?

5 A He said it should go away.

6 Q Okay. And then did you -- then did he go upstairs?

7 A Yeah. I let him out. I took him upstairs, and I had
8 baked some homemade cookies. And I asked him did he want some,
9 and he said yes. And I told him have a happy holiday and gave
10 him a bag of cookies.

11 Q Okay. And at that point when you were upstairs, you
12 were in the kitchen?

13 A Yeah, to let him out.

14 Q Could you smell gas at that point, while you were in
15 the kitchen?

16 A I was just smelling gas period because I had been
17 down there in it. It was just stinking.

18 Q Okay.

19 A It was stinking wherever you went; you still smelled
20 it, the same odor.

21 Q Okay. And so after the man left, the odor did not go
22 away?

23 A No. I went back down and tried to fax and do my
24 computer work. And I couldn't get nothing to work right.

25 Q Okay.

1 A It was like it was at a standstill.

2 Q Okay. And at that point, could you still smell gas?

3 A I was still smelling it, but he said that it will go
4 away. But I was like second-guessing myself is this -- maybe
5 this is the way it smells.

6 Q Well, let me take a step back again. When he was
7 down there finishing the job, and you came up to within six
8 feet of where he was working, did you hear anything?

9 A No.

10 Q Okay.

11 A Not that I remember. What was I supposed to hear?

12 Q Don't worry. Okay. So now you've given him the
13 cookies.

14 A And he's on his way.

15 Q And he's on his way. And then what did you do? You
16 went back downstairs?

17 A Yes.

18 Q And you started working again at your computer?

19 A Uh-huh.

20 Q And your fax?

21 A Uh-huh.

22 Q And it wasn't working; is that correct?

23 A Yeah. It just wouldn't do nothing.

24 Q And you were still smelling the gas?

25 A Uh-huh. Yes.

1 Q Okay. And then what did you do?

2 A I played with it awhile. And it was getting really
3 strong, and I called James and asked him do you smell some gas,
4 because it's stinking down here really bad.

5 Q And what did James say?

6 A He said call Laclede Gas, and that's what I did.

7 Q Okay. And you remember telling the -- you talked to
8 a lady on the phone at Laclede Gas; is that what you said?

9 A Yes, I talked to a lady.

10 Q And you remember telling her that you had a doctor's
11 appointment?

12 A I think. I'm not sure.

13 Q And why would you tell her you had a doctor's
14 appointment?

15 A I wanted them to hurry on and get out there, because
16 it was stinking, and I wasn't ready to go nowhere, you know,
17 not die.

18 Q So are you saying you told her you had a doctor's
19 appointment so that they would --

20 A I'm not sure if that's what I said.

21 Q Okay.

22 A I'm not sure if that's what I told her. I know I had
23 a luncheon, but I wanted them to hurry up and do something
24 because it was really strong.

25 Q So did you think -- are you saying that if you told

1 them you had a doctor's appointment, they would treat it more
2 urgently?

3 A If that's what I told her, I would have thought that.

4 Q Okay. As opposed to I have a luncheon?

5 A Yes. You want me to be honest.

6 Q I do want you to be honest.

7 A That's what I'm being.

8 Q Okay.

9 A Okay.

10 Q Okay. So then after you called Laclede Gas and
11 talked to them, then what did you do?

12 A I went back downstairs to get my computer and my
13 printer thing, fax thing, to work, because I really wanted it
14 to work.

15 Q And what happened?

16 A Then somebody rang the doorbell, and then James did
17 the rest.

18 Q Okay. And that doorbell was Mr. Boyle? I'm asking
19 you first, Mrs. Thomasson.

20 A I assume it was Mr. Boyle because he came down the
21 steps, and James answered the door.

22 Q Okay. And what did Mr. Boyle do when he came down
23 the steps?

24 A I was moving stuff out of the way. But he had heard
25 this noise.

1 Q When you say you were moving stuff out of the way,
2 you mean you were moving what?

3 A I moved the -- picked up the printer and put it here
4 on the computer desk. And that time James and him was down
5 there. And James said, "No, I'll get that. I'll move that."
6 And this man, the meter was making noise. And he said, "Get
7 her out of here."

8 Q And so who moved the file cabinet?

9 A I guess James must have moved it because James was
10 telling me, "Leave that alone; I'll get it."

11 Q Okay. And so then what did you do?

12 A I asked him can I take a bath, and he said no. And
13 then that time I was walking kind of strange, and James
14 assisted me up the steps. And when I come upstairs, I was
15 feeling woozy and sick, had a headache. And I went in the bath
16 and I started throwing up. And I'm not sure how it went, but I
17 think James went back downstairs. Anyway, I went and I
18 finished throwing up. I threw up about two or three times, and
19 then I went in the den and laid down because I was really sick,
20 really sick, because I felt real bad.

21 MR. ZUCKER: Mr. Thomasson, do you have something to
22 add?

23 MR. THOMASSON: What did he say the reason you went
24 upstairs? You're missing that.

25 MR. ZUCKER: Well, tell us what -- don't ask her.

1 Tell us what you remember.

2 MR. THOMASSON: He said, "Get her out of here. Get
3 her out of here. Both of you get out of here." And he
4 proceeded -- he said, "I'll go over there and get this turned
5 off."

6 MR. ZUCKER: Okay.

7 MR. THOMASSON: Yeah.

8 MS. THOMASSON: Well, I was fuzzy, so I don't remember
9 everything. I'm doing the best I can.

10 MR. THOMASSON: Yeah, but that sequence has to come
11 up. That's the way it was.

12 (questions to James Thomasson)

13 Q Okay. And then how long was Mr. Boyle downstairs?
14 Mr. Thomasson, I'm directing this question to you. How long
15 was he downstairs on his first trip downstairs before he went
16 back upstairs?

17 A Maybe about from five to ten minutes, something like
18 that.

19 Q And then did he go outside, or did he go upstairs
20 inside the house?

21 A I think he kind of went back -- walked back there,
22 asked where was she, where was your wife, or went back there
23 and he saw her.

24 Q Went back there means where?

25 A In the den, where she was lying.

1 Q Okay. And that's at the top of the stairs?

2 A No. The den is on -- you go on back the hallway, and
3 it's off to the right, going east, off to the right.

4 Q Okay. So when you get to the top of the stairs --

5 A That's the kitchen.

6 Q -- that's the kitchen. And then you're saying you
7 take a right --

8 A Yes.

9 Q -- and it goes to the den?

10 A Uh-huh.

11 Q Okay. And what did he do in the den?

12 A I don't know whether he had already told me. He
13 said, "You better get your wife to a" --I don't know whether he
14 told me downstairs or upstairs or whether that was the second
15 time. I think it was the second time. He said, "You better
16 get your wife to the doctor, better call an ambulance."

17 Q Okay.

18 A It wasn't long he went back downstairs himself.

19 Q Did he ever go outside?

20 A Yes, he did.

21 Q At what point did he go outside?

22 A I'm not sure whether he went downstairs or went
23 outside at that time. But it seemed like he had been using the
24 phone, his own phone, and talking, you know --

25 Q Well, at what point did he make a phone call; do you

1 recall?

2 A It was after he was downstairs.

3 Q The first time?

4 A Yes.

5 Q So he comes upstairs and made a phone call then?

6 A I don't know exactly where that phone call was, but I
7 do know -- can remember him with it at his ear talking to
8 someone.

9 Q Okay.

10 A His supervisor, I think he said.

11 Q And did you get on the phone call?

12 A That I don't remember. I don't remember getting on
13 the phone.

14 Q Do you remember using his phone?

15 A Don't say that I do, don't say that I didn't.

16 Q Okay.

17 A I don't remember. I don't remember whether I did or
18 not. I actually don't because -- I just don't.

19 Q Okay. And you don't remember talking to anyone on
20 his phone?

21 MS. SCHRODER: Objection. I think he just said he
22 doesn't remember one way or the other.

23 MR. ZUCKER: Yeah. I'm just seeing if that would have
24 jogged his memory.

25 A I don't remember talking to anyone.

1 Q Okay. Have you ever spoken to a Mr. Patterson?

2 A I spoke to someone after a supervisor came. But we
3 were on the outside, standing there.

4 Q You spoke to someone on the phone or in person?

5 A That was in person --

6 Q Okay.

7 A -- that I'm speaking of. We was standing on the
8 outside.

9 Q Okay. And Ms. Thomasson went to the hospital by
10 ambulance?

11 A Yes.

12 Q Is that correct?

13 A Yes, she did.

14 Q And you also went to the hospital?

15 A Yes, I did.

16 Q How did you get to the hospital?

17 A I drove.

18 Q You drove yourself?

19 A Yes.

20 Q Okay. And I think you said that you had some blood
21 tests?

22 A Yes.

23 Q Do you have the results of those tests?

24 A I don't have them, no.

25 Q Do you remember what they were?

1 A I don't know what the tests were.

2 Q Okay.

3 A I just personally don't know.

4 Q Okay.

5 (question to Shelia Thomasson)

6 Q And did you have blood tests?

7 A Yes.

8 Q And do you remember what the results of those tests

9 were?

10 A No.

11 Q Okay. And I assume that those are items that we'll

12 get eventually as part of a different case. Do you remember,

13 when you got to the hospital, Mrs. Thomasson, if they took your

14 temperature?

15 A I don't remember. I think they did.

16 Q Do you remember if you had a fever?

17 A No. They -- I didn't have a fever, so they must have

18 took my temperature. I just had a headache.

19 Q Okay. Have you ever had any history of breathing-

20 type problems?

21 A No.

22 Q Respiratory problems?

23 A No.

24 Q Have you ever had surgery before?

25 A Yes.

1 Q When did you have surgery?

2 A May 23.

3 MS. SCHRODER: Of what year?

4 THE WITNESS: Oh-six.

5 Q What kind of surgery did you have then?

6 A I got to tell all my business?

7 Q Sorry. You can be somewhat vague about it if it's

8 personal. If we have enough discretion, I won't ask any more.

9 A I had a calcified cyst in my right buttocks, close to

10 the gluteus maximus muscle, that they don't know what caused

11 it.

12 Q Okay.

13 MR. EMERT: It was caused by natural gas.

14 THE WITNESS: Yeah, it really was, wasn't it?

15 MR. ZUCKER: It's all timing.

16 Q Okay.

17 MR. ZUCKER: Is he still on the line?

18 MS. SCHRODER: Yeah.

19 MR. ZUCKER: Robert, you still on?

20 MS. SCHRODER: I think. Robert?

21 MR. FRANSON: You called?

22 MS. SCHRODER: We just wanted to see if you were still

23 on the line.

24 MR. FRANSON: I am.

25 MS. SCHRODER: Okay.

1 MR. FRANSON: Is it my turn?

2 MS. SCHRODER: Not yet.

3 MR. ZUCKER: Pretty soon, Robert. Pretty soon.

4 MR. FRANSON: Oh, easy. No questions so far. Keep
5 going, Rick.

6 MR. ZUCKER: Okay.

7 MS. SCHRODER: He needed your prodding.

8 MR. FRANSON: Well, Rick, there's nothing wrong with
9 being done too.

10 MR. ZUCKER: Okay. I'll take that balanced approach.

11 MR. FRANSON: That's right.

12 MR. ZUCKER: Okay. One moment, please.

13 (questions to James Thomasson)

14 Q Mr. Thomasson, as Mr. Boyle worked, did you notice
15 the smell of gas dissipating?

16 A Personally, I don't remember. I was still smelling
17 it. It may have diminished some. It was still a heavy odor
18 downstairs. It may have diminished some upstairs. But I could
19 still smell it. Until I left there, I could still smell it.

20 Q Okay. What did Mr. Boyle say to you about the
21 situation? In other words, at first he told you to -- I guess
22 to go ahead and get out of there.

23 A We talked a little later about them contracting the
24 service out to someone else.

25 Q What was the nature of that discussion?

1 A He didn't seem to like the fact. That was it: He
2 didn't like the fact that they did this.

3 Q Okay. Did he have an opinion as to where the leak
4 was coming from?

5 A I never heard him say, nor did I know what they did,
6 what caused it, why it wasn't correct. I know nothing about
7 it.

8 Q Okay. Did he ask a lot of questions about the person
9 who had been there earlier that day?

10 A No. He didn't ask me anything because I actually
11 hadn't seen the guy. I never did see him.

12 Q Okay.

13 (question to Shelia Thomasson)

14 Q Mrs. Thomasson, did he ask you questions about --

15 A I don't remember anything about Mr. Bar or Boyle,
16 whatever his name is, except he called on the phone, and he was
17 real concerned. He was upstairs, because I was laying on the
18 couch. But anything else I do not recall.

19 Q What do you mean he called on the phone? When did he
20 call on the phone?

21 A Upstairs. I think he must have called the supervisor
22 or something when I was laying on the couch.

23 Q And he was telling someone on the phone that --

24 A Right, right.

25 Q -- he was concerned; is that what you mean?

1 A Yes.

2 Q Okay.

3 A But anything else about him I don't remember. If he
4 came in the room today, I wouldn't even know him.

5 (question to James Thomasson)

6 Q Okay. When he told you to -- I'm going to address
7 this question first to you, Mr. Thomasson. When he told you to
8 get out of there, did you actually leave the house or just go
9 up the stairs?

10 A No, I didn't leave the house. I went up the stairs,
11 and I actually was contemplating whether to leave out of there
12 or what to do, because the house was open, you know, until I
13 called the ambulance, and they just said go out on the porch.
14 We were fully expecting to go to this luncheon. And I didn't
15 leave the house. As far as I got, to the porch with her to get
16 some air.

17 Q You were going to the luncheon too?

18 A Yeah, we both were going.

19 Q Were you going to drive her to the luncheon?

20 A Yes.

21 Q And obviously you drive?

22 A Uh-huh.

23 Q Does Mrs. Thomasson drive?

24 A Sometimes.

25 (question to Shelia Thomasson)

1 Q Do you have a driver's license.

2 A Yes. Chauffeur's too.

3 Q Chauffeur's license also. Did you ever drive anyone
4 else?

5 A No.

6 (questions to James Thomasson)

7 Q Okay. Do you recall telling Mrs. Thomasson, when she
8 said that she smelled gas, to call Laclede Gas Company?

9 A Oh, yes.

10 Q Did you hear her make the call?

11 A Yes.

12 Q Did you hear her say that she had a doctor's
13 appointment at 11:30?

14 A No. I didn't hear her, and I didn't know anything
15 about a doctor's appointment. All I know that we were supposed
16 to go to a luncheon.

17 Q So you heard her make the call?

18 A Yes.

19 Q Do you recall her saying that she had a doctor's
20 appointment?

21 A No.

22 Q If she would have said that, would that have struck
23 you as strange?

24 A No.

25 Q Why?

1 A Because I've heard her say that on other occasions to
2 get quick response. She does that.

3 Q Okay.

4 MR. ZUCKER: I think that's all the questions I have.
5 Robert?

6 MR. FRANSON: No, I don't believe I have any
7 questions.

8 MS. SCHRODER: Okay. I just have a couple of follow-
9 up, and I apologize.

10 REDIRECT EXAMINATION

11 QUESTIONS BY MS. SCHRODER:

12 (questions to Shelia Thomasson)

13 Q Mrs. Thomasson -- and I realize I should have asked
14 you this earlier. You have stated several times that Mr. Boyle
15 told you to get out of there, and you've said it in a certain
16 way. But the court reporter can't get that down. Can you tell
17 me what volume and tone of voice Mr. Boyle used when he told
18 you --

19 A It was excited.

20 Q Okay.

21 A Excited, you know. In other words, don't take your
22 time, move on it, you know. But he wasn't mean at all. He was
23 a nice man.

24 Q All right. But you got the impression that he was --

25 A It was serious.

1 Q All right. You've also said that your memory of a
2 number of things about December 19 was fuzzy. Is your memory
3 normally fuzzy?

4 A No.

5 Q All right. Why do you think your memory is fuzzy
6 about December 19?

7 A I guess because of the gas, because some of the stuff
8 is like I don't remember what happened, you know.

9 Q All right. Because you were ill?

10 A Yes. It was really strong.

11 Q Mrs. Thomasson, where is the side door in relation to
12 the kitchen and the steps coming up from the basement?

13 A The side door is on the north side. And you walk in,
14 and you turn to the left. There's two steps. The second step
15 is the kitchen. And then you walk -- because I don't have a
16 kitchen table. I have a kitchen counter. And you walk in
17 there, and then there's a hallway to the left. And that's
18 where you adjust your gas meter, the thermostat.

19 Q Okay.

20 A And there's the bathroom right there to the left.
21 And straight across from the bathroom is the den where I laid
22 down.

23 Q Okay. When you come through the side door, how far
24 are you from the stairs leading to the basement?

25 A Right there.

1 Q So you walk --

2 A When you walk in the side door, there's a platform.

3 Q Okay.

4 A It's flat. And you go to the right, you're going
5 down the steps. You go to the -- you go to the right, you're
6 going to have steps. To the left, you're going in the kitchen.

7 Q All right.

8 (questions to James Thomasson)

9 Q So Mr. Thomasson, you described that Mr. Boyle came
10 up the steps after he turned off the gas. Is it possible at
11 that point that he stepped outside with his leak detector and
12 his equipment?

13 MR. FRANSON: Objection, leading, and calls for
14 speculation.

15 Q Do you recall?

16 A Not for sure.

17 Q Okay. So it could have happened or it might not
18 have; is that pretty accurate?

19 A He could have went outside or he could have went to
20 the den where she was. He was concerned about her.

21 Q Okay. One question I think both Rick and I failed to
22 ask you. Since we asked Mrs. Thomasson her age, it's only fair
23 that we ask you yours.

24 A Seventy.

25 Q All right.

1 MS. SCHRODER: I have no further questions.

2 MR. FRANSON: I have no questions.

3 MR. EMERT: They'll waive signature.

4 MS. SCHRODER: I'm sorry? They'll waive?

5 MR. EMERT: They'll waive signature.

6 MS. SCHRODER: Okay, thank you.

STIPULATION

It is stipulated and agreed by all parties hereto, through their respective counsel, and by the witness in his own behalf, that the submission of this deposition to the witness for examination and reading, and that signing of the deposition by the witness, all as provided in Rule 57.03, Missouri Rules of Civil Procedure, is hereby expressly waived, and that the deposition may be filed with the Court and be used as fully as though signed; provided, however, that without limitation as to the scope and effect of the waiver herein made, at any time before use of the deposition at trial, the witness may, by appearing before the officer having taken said deposition, as authorized under Rule 57.03 to take depositions in this State, make any changes in same he desires in the manner, and with the effect, as set out in Rule 57.03(f); and that prompt notice be given to all parties of any changes so made.

CERTIFICATE

I, RHONDA W. VENEZIA, a Certified Court Reporter in and for the State of Missouri, duly authorized to administer oaths and to certify to depositions, do hereby certify that pursuant to Notice in the civil cause now pending and undetermined before the Public Service Commission, to be used in the trial of said cause before said court, I was attended at the law office of Bradford C. Emert, 101 South Hanley, Suite 1320, County of St. Louis, by the aforesaid attorneys; on the 20th day of February, 2007.

The said witnesses, being of sound mind and being by me first carefully examined and duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in the case aforesaid, thereupon testified as is shown in the foregoing transcript, said testimony being by me reported by voice-writing and caused to be transcribed into typewriting, and that the foregoing pages correctly set forth the testimony of the aforementioned witnesses, together with the questions propounded by counsel and remarks and objections of counsel thereto, and is in all respects a full, true, correct and complete transcript of the questions propounded to and the answers given by said witnesses.

I further certify that I am not of counsel or attorney for either of the parties to said suit, not related nor otherwise interested in any of the parties or their attorneys.

Rhonda W. Venezia, Missouri CCR 583

Date

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

USW LOCAL 11-6 V. LACLEDE GAS COMPANY, Cause No. GC-2006-0390

CERTIFICATE OF OFFICER AND
STATEMENT OF DEPOSITION CHARGES

(Rule 57.03 (g)(2)(a) and Section 492.590 RSMO 1985).

DEPOSITION OF SHELIA THOMASSON AND JAMES THOMASSON, taken on behalf of the Complainant, on February 20, 2007. The name and address of person having custody of the original transcript: Ms. Sherrie A. Schroder, Hammond, Shinnars, Turcotte, Larrew and Young, P.C., 7730 Carondelet, Suite 200, Clayton, Missouri 63105.

TAXED IN FAVOR OF COMPLAINANT, Ms. Sherrie A. Schroder, Hammond, Shinnars, Turcotte, Larrew and Young, P.C., 7730 Carondelet, Suite 200, Clayton, Missouri 63105:

75 pages @ \$4.00 per page, expedited	\$300.00
Attendance of Reporter	100.00
Total:	\$400.00

TAXED IN FAVOR OF RESPONDENT, Mr. Rick Zucker, Corporate Counsel, Laclede Gas Company, 720 Olive, St. Louis, Missouri 63101:

\$127.50

TAXED IN FAVOR OF THE PUBLIC SERVICE COMMISSION, Mr. Robert Franson, Senior Counsel, Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102:

\$127.50

TAXED IN FAVOR OF THE WITNESSES, Mr. Bradford C. Emert, Attorney at Law, 101 South Hanley, Suite 1320, Clayton, Missouri 63105:

\$127.50

Upon delivery of transcripts, the above charges had not been paid.

Rhonda W. Venezia, Missouri CCR 583

Date