Multimillion Dollar Deal In Bakken Fire

MATTHEW BROWN, Associated Press

BILLINGS, Mont. (AP) — A Montana man severely burned in a Bakken oil patch fire has reached a multimillion-dollar settlement with a Texas company accused of providing him insufficient training and equipment, according to attorneys for the plaintiff and court documents.

Thirty-year-old Lester "Gary" Roberts of Billings received what his attorneys described Wednesday as a "substantial eight-figure sum" to resolve his lawsuit against EOG Resources Inc. of Houston. That would make the settlement worth at least $10 million, although a precise figure was not released.

Court documents show the two sides reached the deal this month, and District Judge David Cybulski dismissed the suit Tuesday.

Roberts was disfigured by burns to his head, face, hands and chest during a November 2010 fire that occurred while he was employed as a contractor at a drilling rig in Stanley, N.D., said his attorney, Clifford Edwards. He said Roberts was permanently disabled by the injuries and will never work again.

In a statement released by Edwards' law firm, Roberts said he was grateful he could still take care of his family.

"I hope by bringing this incident to light, it will hold companies working in the Bakken accountable and remind them that safety needs to be more than a slogan on the side of a truck," Roberts said. "The Bakken provides great opportunity for people to make a good living, but it shouldn't be at the expense of safety."

EOG spokeswoman Michelle Mayo said she could not immediately comment on the case.

Roberts has undergone more than a dozen surgeries and could need as many as 20 more as he continues to recover from his burns, Edwards said. He has a one-year-old daughter and is expecting a second child with his fiancee in January.

He sued EOG in March, 2012, according to court documents. Edwards said he was bound by the terms of the settlement not to identify the defendants.

The lawsuit included claims that Roberts was not sufficiently trained and lacked the required flame-retardant clothing. It said there were no working fire extinguishers on-site when the accident occurred.

All of those circumstances violated the company's own policies, Edwards said. Roberts was not directly employed by EOG, according to court documents. But the company was in control of the drilling operation and had an employee on-site at the time of the accident, according to a March order from Cybulski in which he ruled that EOG was liable in the case.

The company that employed Roberts, EOG contractor G&C Industries, also was named as a defendant when the lawsuit originally was filed. G&C, described as an oil fields services company, was dismissed from the case in August after reaching a separate agreement with Roberts, according to court documents and G&C attorney William "Andy" Forsythe.

Details were not disclosed.

Neither company named in the suit admitted liability under the terms of their settlements, Edwards said.

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