

1 IN THE UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF TEXAS  
3 VICTORIA DIVISION

4 \_\_\_\_\_ )  
5 SAN ANTONIO BAY ESTUARINE )  
6 WATERKEEPER and SYLVIA )  
7 DIANE WILSON, )  
8 Plaintiffs, )  
9 VS. ) CIVIL ACTION NO.  
10 ) 6:17-CV-47  
11 )  
12 FORMOSA PLASTICS CORP., TEXAS, )  
13 and FORMOSA PLASTICS CORP., )  
14 U.S.A., ) 8:31 A.M.  
15 Defendants. )  
16 \_\_\_\_\_ )

17 BENCH TRIAL  
18 BEFORE THE HONORABLE KENNETH M. HOYT  
19 MARCH 265, 2019  
20 VOLUME 2

21 APPEARANCES:

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**Ms. Johnson Direct of Jeremy Conkle**

1 Q So he had said the bags were 20 to 40 percent pellets, and  
2 you went down to five; is that right?

3 A Correct.

4 Q So we have -- this is from the opening. This is page 28.  
5 This is from Lavaca Bay.

6 You calculated both the pounds of pellets and powder that  
7 had been collected --

8 A Right.

9 Q -- as well as the actual number of pellets, right?

10 A Correct.

11 Q Okay. And so how'd you know -- how'd you know how many  
12 pounds of pellets are in one of those bags or --

13 A So Formosa, in one of their communications, had some number  
14 for the amount of pellets that they estimate per pound, and I  
15 think it was 22,000. And so using that and the range of the  
16 masses, you can calculate these values.

17 **MS. JOHNSON:** And let's just look at the next slide.

18 A Oh, I should also mention that I used the mass of poly- --  
19 was it polypropylene, I believe -- whichever one was lower. So  
20 that would make the value even more conservative.

21 **BY MS. JOHNSON:**

22 Q So you believe these are conservative estimates of the  
23 cleanup.

24 *(Sotto voce discussion between Ms. Johnson and*  
25 *Mr. Gilmore.)*