

**Testimony**  
**Before the Judiciary Committee**  
**United States House of Representatives**  
**May 27, 2010**

*Damage Caused by Transocean Deepwater Horizon  
Explosion – A Father’s Statement*

**Keith D. Jones**

Chairman Conyers, Ranking Member Smith, and other members of the Committee, it is an honor to be allowed to speak with you today.

My name is Keith Jones. I am a lawyer from Baton Rouge, Louisiana. Seated behind me is my older son, Chris, who also practices law in Baton Rouge. Chris and I appear before you today not as attorneys, but as the father and brother of Gordon Jones, who was killed on the Transocean Deepwater Horizon. Gordon was a mud engineer for M-I Swaco, who had a contract with BP to provide that service. We’re also here for Gordon’s wife Michelle, for his sons Stafford and Maxwell Gordon, for his mother Missy, and for his sister Katie.

At the outset, I want you to know that just because I am addressing you today does not mean that I believe Gordon’s death was more tragic or more important than the deaths of the other ten men that day. I’m certain their families grieve just as much as we do.

Those men were:

Jason Anderson was from Bay City, Texas and leaves behind two children.

Aaron Dale Burkeen was 37. He lived in Neshoba County near Philadelphia, Mississippi. He is survived by a wife and two children, both teenagers.

Donald Clark was 49 and lived in Newellton, Louisiana. He is survived by his wife, Sheila.

Stephen Curtis was 39 and is survived by two children. He lived in Georgetown, Louisiana.

Roy Emmett Kemp was 27 and left a wife and two very young daughters. He lived in Jonesville, Louisiana.

Karl Kleppinger lived in Natchez, Mississippi and left behind a wife and a 17 year old son. Mr. Kleppinger was 38.

Blair Manual was 56 and lived in Gonzales, Louisiana. He had three daughters and was engaged to be married.

Dewey Revette was from State Line, Mississippi. He was 48 and is survived by a wife and two daughters.

Shane Roshto was only 22 and lived in Franklin County, Mississippi. He left behind his wife, Natalie.

Adam Weise was just 24 and lived in Yorktown, Texas. He is survived by his mother.

I have to apologize to any survivors of these men who I didn't list. Quite frankly, the news coverage of them has been pretty sparse. But I know this: all of them left loving parents, children, uncles and aunts, cousins or in-laws. If I listed all the people who grieve for these men we would be here all day.

It is true, though, that neither the news media nor many public officials have spent much time talking about these men or their families. Please don't misunderstand; none of us are seeking to become public figures. But with the daily discussions of the leaking oil, the endangered coastline and the constant vain attempts by BP to stop polluting the gulf, we sometimes feel as though the victims who suffered and will suffer the most have become an afterthought.

The only one of the victims I knew, though, was Gordon. He was 28, our youngest child. Gordon is survived by his widow Michelle, and by his

two sons: Stafford, who is two, and Maxwell Gordon, who was born 13 days ago.

Gordon received his Bachelor of Arts degree from LSU. His degree was not in engineering. All the engineering a mud engineer needs to know is learned in Mud School, a course of education provided by his employer M-I Swaco that lasted about six months. After completing Mud School, Gordon worked for some time aboard a variety of rigs as a Compliance Officer, in which capacity he was able to watch and learn from experienced mud engineers.

Before long Gordon was working as a mud engineer himself. I remember when he went out for his first hitch as a mud engineer. He was nervous, not a condition I saw in Gordon very often. But he had been well trained, and he completed that hitch and the many that followed with no serious problems.

As a relative newcomer, Gordon was sent to a different rig every two weeks, filling in for one of that rig's regular mud engineers who was on vacation or unable to work for some other reason. It was in that capacity that Gordon first served aboard the Transocean Deepwater Horizon.

That Gordon was good at what he did was evidenced by the fact that when one of the mud engineers assigned to the Deepwater Horizon left, BP was offered a list of mud engineers who had worked aboard the Horizon and from that list chose Gordon.

As I am sure you have been made aware, the Deepwater Horizon was a rig of considerable prestige. It was a very large rig that drilled in very deep water and found very big deposits of oil. It was as successful an exploration rig as BP operated, I believe, and last year discovered the second largest deposit of oil in the history of the United States.

Gordon was proud of the fact that he had earned a spot on such a prestigious rig, but he never bragged about it. And he was proud that he had been so successful so soon in his career, allowing his wife Michelle to quit her job last year. With one young son and another on the way, Michelle wanted to be a full-time mom.

I have been told, and I certainly believe, that Gordon was chosen from that list not only for his skills as a mud engineer, but also for his personality. You see, everybody liked Gordon. People who met him liked him, and the more they got to know him, the more they liked about him. We've all known people like that, people whom everybody instinctively likes. I have no doubt that each of us would love to have that quality, especially those of us who run for elective office every two years.

Gordon was funny. He once joked that at his funeral he just wanted somebody to say he was "fat and funny." Gordon wasn't fat anymore though; he'd lost 80 pounds in the last year. But he was still funny. He loved to laugh and he loved to make others laugh even more. A day or so after Gordon died some friends came to Gordon and Michelle's house to sit outside and talk about the things Gordon said and did. So much laughter rang through the neighborhood into the wee hours of the morning that Michelle was afraid someone would call the police.

But when they weren't laughing Gordon's friends wept. To have a friend like Gordon was a special gift; to lose a friend like Gordon was, and will always be, a bitter loss.

We had a visitation at the oldest funeral home in Baton Rouge the day before Gordon's memorial service. The line of people who came to offer their condolences snaked through the funeral home, out the door and down Government Street. The funeral director said he had never seen anything like it. Imagine! And all for a man who had only been with us for 28 years.

Gordon was a very, very good golfer. At the time of his death his handicap was a one. In his junior year of high school he gave up baseball to play golf, and when he was a senior he was named Second Team All State. If Gordon had been serious about it he could have been very competitive in amateur tournaments. Instead, Gordon played for the fun of it. I played with him many times and at the end of the round I thought about a few wayward drives and missed putts and figured he'd shot 78 or 79. But when I added it up he'd have shot 73 or 74. I'd forgotten the two long putts he made for birdie and the time he holed it from the bunker. I'd forgotten it because he hadn't made a big deal about it; he was too busy making jokes (usually at my expense) or laughing at something someone else had said. And that was another thing about Gordon. He could make jokes at the

expense of others and they would never get mad at him for it. It was a gift he had.

And Gordon was a gift we had.

The first picture I'd like to share is my favorite because it was taken only a few days before his death and because I was standing right behind Michelle when she took it. Gordon was giving Stafford his first golf lesson. It was, of course, the last lesson he would get from his father. I remember driving away from that scene and thinking, "They are so happy!"

The next picture is of Gordon, Michelle and Stafford soon after Stafford's birth. I've had the pleasure of being with all three of my children when their first children came into the world. But I can't say I ever saw a prouder parent than Gordon. You'd have thought he was the first man ever to father a child.

The next picture is of Michelle and Maxwell Gordon, taken 13 days ago. Sadly, Gordon's presence is limited to his picture, taken with Michelle and Stafford last Easter.

Gordon was a great father to Stafford. He was tireless. Any time Stafford wanted to play his dad was ready. Perhaps the saddest story about Gordon's death, and there are many, is that Stafford is just too young to be able to remember his father in the years to come. Of course, Maxwell Gordon will never know his dad. His knowledge of his father will be limited to pictures and what Michelle and others tell him. We don't have to be psychologists to know that's not enough.

None of us will even be able to visit a cemetery where Gordon was laid to rest. To watch the videos of the fire was to know that Gordon's body was cremated. Then the fireboats washed his ashes out to sea. I must admit that having nothing to say goodbye to is much, much harder than I thought it would be. Call it closure or whatever, but something is missing for us.

You may note that I haven't mentioned how much Gordon made. There's a reason for that. The loss of Gordon's income is the last thing Michelle grieves for. When Michelle tells her boys about their dad, she's not going to show them a pay stub. She will tell them how much their father loved them, how much he loved to play with Stafford. She'll tell them how

much he loved her and what a happy marriage they had. When they're old enough she'll tell them how funny their father was and how much his friends loved to be with him. When they're older still she will explain how and why their father died. But she won't console her sons by telling them how much money their dad earned. And as I understand the present state of the law, that's all Michelle and her two sons can recover from those responsible for Gordon's death. In fact, because Maxwell Gordon had yet to be born on April 20, 2010, the law provides he is entitled to nothing.

I understand Professor Tom Galligan will later testify about the deplorable state of the law, in particular the Death on the High Seas Act, and what you will be asked to do about it. But I want to say how offensive it is when the law recognizes only pecuniary loss in cases like these eleven deaths. None of you could look Michelle in the eye and tell her she lost only income.

I am not a maritime lawyer. Neither is Chris. But I have practiced for many years in a system that compensates those who are injured and the families of those who are killed by the fault of others with money damages. Please believe me; no amount of money can ever compensate us for Gordon's death. We know that. But this is the only means available to begin to make things right.

As time goes by we learn more and more about whose fault it was that this blowout killed our Gordon. And whoever ultimately bears the greatest amount of blame will have to pay a lot of money to try to repair the environmental damage. They will have to pay money to compensate the families of these eleven dead workers. How much that will be is up to you. But reckless acts by employees of corporations, performed to try to make the most money the fastest, will never be deterred by the payment of mere compensatory damages. Payment of punitive damages by irresponsible wrongdoers is the only way they may learn. These businesses are there to make money. Punishing them by making them pay some of that money to victims who suffer most is the only way to get their attention. If you want these companies, one of which is headquartered in Great Britain and another in Switzerland, to make every effort to make sure their employees don't act as these did, putting American lives at risk, you must make certain that they are exposed to pain in the only place they can feel it—their bank accounts. As a friend recently said, "Make them hurt where their heart would be, if they had a heart."

I have been a lawyer long enough to know that no one will ever apologize for the damage they did. But I am nevertheless perplexed by the fact that none of the representatives of any of the companies who caused or might have caused this accident have expressed the slightest remorse over the loss of eleven lives.

I am an environmentalist. I worry about the Louisiana wetlands, the Florida beaches and all the other of our precious land endangered by this oil spill. I worry about the men and women who make their living providing shrimp, fish, oysters and crabs for American tables. But I do believe this: after much work, perhaps for many years, this mess will be cleaned up. The wrongdoers here can pay enough money to those who have lost their ability to make a living to make that right. And eventually the shrimp will be back. The oysters and crabs and fish will be back.

And BP will be back. We have heard over and over about the billions of dollars BP's stock has fallen. But the fact is, BP is selling for about the same price it was a year ago. So BP, Transocean, Halliburton and any other company will be back because they have the infrastructure and economic might to make more money.

But Gordon will never be back; never. And neither will any of the ten good men who died with him. The grief suffered by their families will never stop.

Now the future of those families is in your hands. The future of other families of workers on other rigs is in your hands. Only you have the power to take away the motivation to shortcut safety to increase profits. I urge you to do the right thing.

Thank you for listening. Either Chris or I will be happy to answer any questions you have.