

CAUSE NO. 97-12163

TEXAS DISPOSAL SYSTEMS  
LANDFILL, INC.

Plaintiff,

vs.

WASTE MANAGEMENT, INC. and  
WASTE MANAGEMENT OF  
TEXAS, INC.,

Defendants.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

126<sup>th</sup> JUDICIAL DISTRICT

**PLAINTIFF'S THIRD SUPPLEMENT TO  
PLAINTIFF'S THIRD AMENDED PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff, Texas Disposal Systems Landfill, Inc. ("TDSL") complaining of Waste Management, Inc. ("WMI") and Waste Management of Texas, Inc, ("WMT") (collectively the "Defendants" or "Waste Management"), and files this Third Supplement to Plaintiff's Third Amended Petition, and respectfully shows the Court as follows:

Paragraph 27 of Plaintiff's Third Amended Petition is supplemented to add the following allegation following the sentence "Defendants have engaged in a joint enterprise with regard to their conduct with Plaintiff TDSL":

In the alternative, Waste Management of Texas, Inc. is the alter ego of Waste Management Holdings, Inc, or they are engaged in a common business enterprise. As a result, WMHI, if not directly liable, is liable for the actions of WMT as described herein.

Respectfully submitted,

GEORGE & DONALDSON, L.L.P.

By: 

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Third Supplement to Plaintiff's Third Amended Petition has been served upon counsel for Defendants as indicated below on the 7<sup>th</sup> day of April, 2003:

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