

Metrolink Agrees to Pay \$200 Million in Liability to Chatsworth Crash Victims

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Metrolink: \$200 million to settle LA rail disaster

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In this Sunday Sept. 14, 2008, file photo showing Investigators photographing the mangled inside of a Metrolink commuter train in Chatsworth, Calif. Southern California's Metrolink commuter rail system and Connex Railroad have decided to pay the maximum \$200 million liability for a 2008 collision that killed 25 people and injured more than 100. (AP Photo/Richard Vogel)

Metrolink and one of its contractors have agreed to pay the maximum \$200 million in liability to survivors and victims of a horrific 2008 Chatsworth crash that killed 25 people and injured 102 others.

While the amount represents the most that can be paid for train crashes under federal law, some families are expected to continue pursuing additional compensation for damages suffered in the head-on crash between a Metrolink commuter train and a Union Pacific freight train.

"The rationale is this is the maximum that could be recovered in any event and will expeditiously get the maximum compensation to the victims and their families," said Keith Millhouse, chairman of the Southern California Regional Rail Authority.

Investigators with the National Transportation Safety Board determined that the crash on Sept. 12, 2008, was caused by Metrolink engineer Robert Sanchez, who was sending text messages from his cell phone and ran a red light near a bend in the track.

The money will be allocated by the courts to the victims and their families.

The fund is being covered by the insurance companies, with \$150 million from Metrolink insurers and \$50 million from insurers of Connex Railroad, the private contractor that employed Sanchez under a contract with Metrolink.

Attorney Jerome Ringler, who represents the families of some victims, said he was pleased to see the payment, but it does not resolve the issue of damages, for which the families would need to pursue separate legal actions.

"There are efforts under way by different congressmen to raise the cap on liability," Ringler said. "We don't know if they will be successful."

"My responsibility was to win the liability and secure the maximum and we are pleased we were able to do that. What's unfortunate is that we had to wait as long as we did. My position is they should have paid this on day one. They recognized this was their fault. There was no reason to wait two years."

Some may seek more

Ringler said individual families might seek other damages. There have been estimates the \$200 million will not cover the full costs of the victims.

Officials from Connex and its owner, Veolia Transportation, did not return telephone calls.

However, Metrolink and Connex issued a statement saying the offer "is intended to quickly and fairly compensate those affected by the Chatsworth collision."

"The court filing will provide compensation on an accelerated basis - potentially years faster than without this action - and would also make available the maximum level of funds to injured and deceased passengers and affected family members," the statement said.

Many changes since crash

The crash was among the deadliest in commuter rail history and prompted calls for improvements in train operations, including developing automated systems to minimize the calamity from human error.

Other changes include a ban on the use of wireless devices by engineers and calls for cameras within operating cabs as well as prompting reviews of work hours and how much time off is provided engineers.

Richard Katz, vice chairman of the Metrolink board of directors, said the fund will deal with the problem faced by the families in seeking reimbursements.

"What it resolves is getting money to them," Katz said. "It has become very complicated with so many parties of insurance companies and lawyers. Our board felt we needed to get compensation to the families and this starts that."

"Now it will be up to the courts to accept this and allocate the money."

Katz added the fund should not have any impact on fares charged.