

Bloomberg

Victims of deadly LA crash confront train execs

By *DAISY NGUYEN* - Feb 8, 2011
By The Associated Press

SIMI VALLEY, Calif. (AP) — A woman showed photos of her late partner. A girl described losing her dad at 13. A mother presented X-rays detailing the metal rods doctors put in to fix her son's injured spine.

One by one, victims of a Southern California commuter train crash that killed 25 people and injured more than 100 others told their stories of hurt and heartache on Monday to executives of the company that accepted liability for the 2008 disaster.

"Imagine being 13, you're already insecure, and having your dad taken away, your entire sense of security taken away," Mackenzie Souser, now 15, said.

About 60 people whose lives were affected when a Metrolink train collided head-on with a freight train attended the meeting. Three executives from Veolia Transportation sat quietly and did not answer questions, which were conditions they set for attending the closed door-meeting.

They mostly avoided eye contact, yet despite their decision to remain silent, one of the executives wiped her eyes as she listened to the victims speak, according to those who were inside.

"Of course we're human beings and it had tremendous impact on us," Veolia's vice president and general counsel Alan Moldawer said after the meeting. "We're all human beings; we have family; we have loved ones; we can sense the pain."

Besides Moldawer, the other executives included the chief operating officer of Veolia's rail division and its executive vice president of communications and marketing. They agreed to attend the meeting days after a federal judge's ruling, which approved a \$200 million settlement fund for the victims and released Veolia and Metrolink from further liability, went into effect.

Veolia is the parent company of private contractor Connex Railroad, which at the time supplied engineers for Metrolink.

A federal investigation found the commuter train's engineer, Robert Sanchez, was texting when he ran a red light and collided with a Union Pacific train in the Chatsworth area of the San Fernando Valley on Sept. 12, 2008. Sanchez was among those who died.

The meeting was organized by Rep. Elton Gallegly, who said that despite the conditions set by Veolia, he believed it was important for the executives to see the human toll of the tragedy. His district is home to many killed or injured in the crash.

"This is not something you can get in a staff report or a lawyer's brief," Gallegly said. "This is the human side, and when you clearly are responsible for what has happened to their lives, even though maybe you haven't quite reconciled that, there's very little question about the fault here and the responsibility."

For some, the meeting brought back raw memories as they met other victims for the first time and heard about how others suffered a worst fate.

Kumar Shankar, 66, of Simi Valley, recalled dangling from his seat for 45 minutes before being pulled from a train that derailed upon impact. He said he felt grateful to be alive despite having to deal with complications from injuries sustained in the collision.

"I'm just so happy to be alive. I just got lucky, somebody was looking after me," a tearful Shankar said.

Metrolink, a five-county regional rail authority, and Connex filed papers in August accepting liability for the crash, though neither revealed how much each was paying into the fund. The \$200 million settlement was the largest of its kind for a passenger train wreck and reflects the maximum amount set by Congress in 1997 to help keep passenger rail systems operating when faced with major lawsuits.

Gallegly recently introduced a bill proposing to raise the liability cap to \$275 million because he thinks the current settlement amount would not cover all the victims' medical expenses and properly compensate children and spouses of those killed.

He said he didn't think the bill will go anywhere, given the judge's decision.

A man who was injured in the crash criticized the Veolia executives for hiding behind the liability cap and not doing more to compensate everyone's claims.

"I believe they genuinely heard our message, and I trust that they'll take that message back to the company bosses," Richard Myles said. "What they do with that information is another story."

<http://www.bloomberg.com/news/2011-02-08/victims-of-deadly-la-crash-confront-train-execs.html>