

Metrolink crash victims, families meet with train operator's representatives

By Teresa Rochester

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Mackenzie Souser doesn't understand the technicalities of liability caps and federal transportation law.

But the 15-year-old Camarillo girl knows the lessons her father, Doyle Souser, 56, taught her before he was killed in the Sept. 12, 2008 Metrolink crash in Chatsworth: take responsibility, be honest, apologize.

"My dad always taught me integrity, being honest and doing the right thing," she said.

On Monday, that was the message Mackenzie said she delivered to representatives of Veolia Transportation, the corporation that operated Metrolink's trains at the time of the crash.

She was among about 60 people who attended a closed-door meeting arranged by Congressman Elton Gallegly, R-Simi Valley, for the injured and the survivors of those killed in the crash to share their stories with Veolia representatives.

Standing in the lobby outside the Simi Valley City Council Chambers where the meeting took place, Mackenzie said her family has struggled since her father, the sole breadwinner, was killed.

Mackenzie said it was hard to hear her mother worry about finances, without the help of her best friend and husband.

"I really don't think they get it," she said after the meeting. "I don't think they know what it's like to be 15 without a dad."

Monday's meeting marked Gallegly's second effort to bring together officials of Metrolink's former train operators and crash victims.

Veolia representatives declined to meet in January saying they did not have anyone available to meet with the victims. The company offered a February date.

Veolia's subsidiary Connex Railroad, operated Metrolink's trains when one of them plowed into a freight train killing 25 people and injuring 135 after the engineer ran a red light, investigators

found. Most of the victims on the train that was headed to Simi Valley were from Ventura County.

The operator, who was killed in the collision, was text messaging and distracted, the National Transportation Safety Board determined.

Monday's meeting came nearly a week after a federal judge's order approving a \$200 million liability fund for victims created by Veolia and Metrolink became effective.

The case will now move to Los Angeles County Superior Court, where a judge will determine how to divide the money between the injured and the families of those killed.

The \$200 million is the maximum under a liability established under federal law governing railway collisions.

Gallegly has introduced legislation that would retroactively increase the cap for Metrolink victims to \$275 million.

"(The law) is intended to protect government interest not to protect a company worth \$20 or \$30 billion a year," Gallegly said during a break in the meeting.

Veolia officials did not make statements or answer questions. Also in attendance was Keith Millhouse, who serves on the Metrolink board of directors and the Moorpark City Council. He was not there in either official capacity, but came because he was invited by Gallegly.

Legal counsel for Metrolink advised Millhouse not to discuss matters that were part of the ongoing litigation, according to a letter from the Los Angeles County Office of the County Counsel.

The Congressman said after the meeting that he knew people on the train.

"I personally feel a responsibility to help these people," he said.

Many of the victims will require lifetime medical care for the injuries they received.

Richard Myles' neck was broken in the crash. He will need three more surgeries and will be in pain for the rest of his life.

Myles said he wanted Veolia to know that those injured are real people, who will need ongoing care, not statistics.

"I hope what will come out of this is the company will do the right thing by the victims," he said after the meeting. "They need to go beyond the cap."

Kumar Shankar, of Simi Valley, was among the seriously injured. His nose had to be reattached after the crash, eleven ribs were broken and his wrist was shattered.

He may need an additional procedure for a pinched nerve, his wife Anita and daughter Devika said.

While Shankar did not speak at the meeting he said afterward it was important for him to be there.

"I am here to support them,' Shankar said, adding that it was an emotional night and even after hearing other victim's stories before "everything keeps coming back to you."

<http://www.vcstar.com/news/2011/feb/07/metrolink-crash-victims-families-meet-with-train/>