



AP Photo/Damian Dovarganes

Metrolink commuter rail collision survivor Raymond Conklin, who was in the first car of the commuter train that was crushed by a freight train in 2008 in Los Angeles resulting in eight surgeries and faces over one million dollars in medical bills, attends a meeting with U.S. Rep. Elton Gallegly, not seen, Tuesday, Aug. 31, 2010, in Simi Valley, Calif. Gallegly and accident survivors discussed ways to lift the liability limits established by the railroad and former contractor, Connex Railroad, last week. Metrolink and Connex agreed to set up a \$200 million fund for victims. Victims say the sum isn't enough to cover their losses and medical expenses.

Calif. lawmaker questions liability cap on Metrolink train crash

Aug. 31, 2010 | [Brian Watt](#) | KPCC

A group of victims and relatives of victims from Metrolink's Chatsworth crash two years ago met privately today in Simi Valley with Congressman Elton Gallegly to discuss the proposed \$200 million settlement from Metrolink and Connex.

Many victims don't think the dollar amount's high enough. But that's as high federal law will allow this kind of settlement to go.

Gallegly, who represents Ventura and Santa Barbara counties, said that law challenges reasonable compensation in this case.

"When you consider 25 people killed, 135 people seriously and in some cases permanently injured, that money is gonna go quickly," he told reporters after the meeting at the Boys and Girls Club of Simi Valley.

"Whether the amount should be \$300 or \$350 million or whatever, I want to make sure that we have a way to see that they do receive what's fair, now keeping in mind: I don't believe you can put a true dollar value on the losses these folks have suffered, " said Gallegly.

He's looking for a legislative work-around for the federally mandated \$200-million cap on liability for passenger rail accidents. The mandate was part of the 1997 federal re-authorization of Amtrak.

In the Chatsworth crash, a Metrolink commuter train crashed into an oncoming freight train. Investigators say the engineer on the Metrolink train was texting at the controls.

"I was one of three people taken out of the first car still alive. Everybody else died," said Raymond Conklin of Simi Valley. The crash broke both his legs and he arrived at the private meeting at the Simi Valley Boys and Girls Club in a wheelchair.

Conklin's attorney says he's run up more than a million dollars in medical bills and hasn't worked since the crash.

"The pain, that'll be with me for the rest of my life. I have a lot of screws and metal in my legs that'll always be there, so all I can do is fight now," Conklin said.

<http://www.scpr.org/news/2010/08/31/calif-lawmaker-questions-liability-cap-train-crash/>