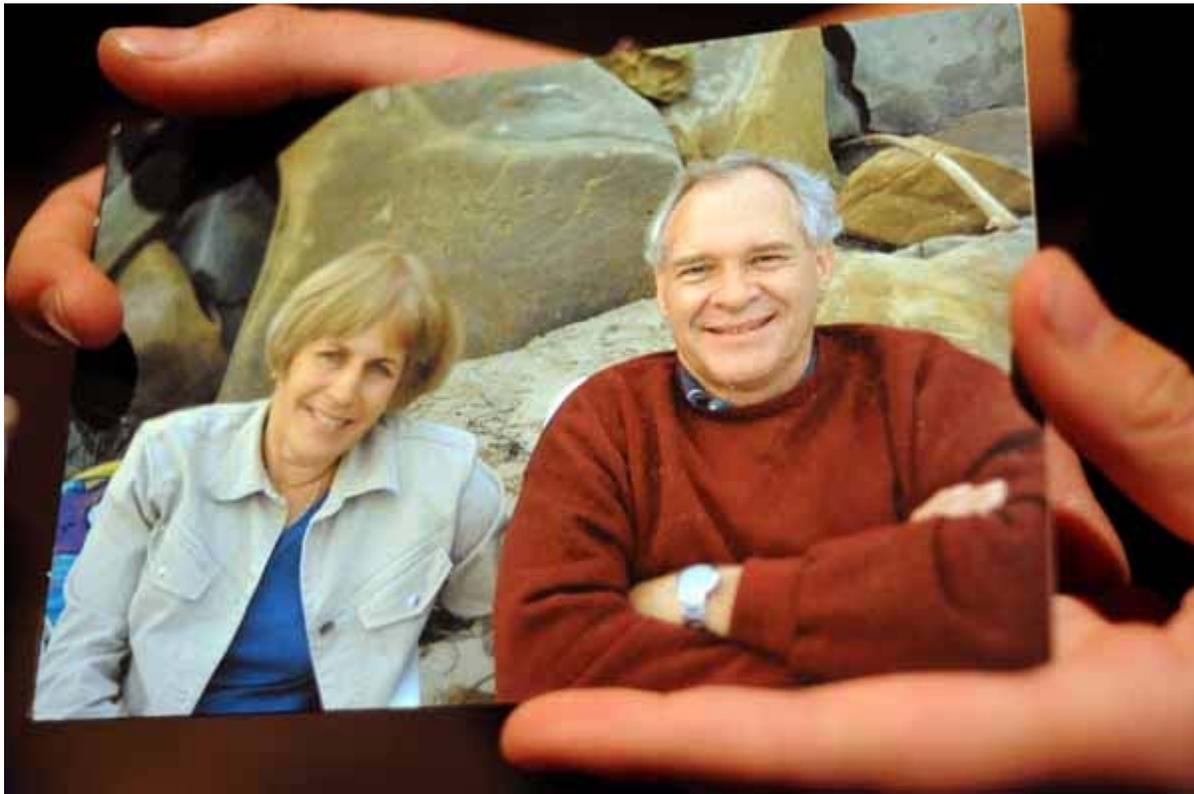


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Chatsworth Metrolink rail disaster leaves lives 'turned upside-down'

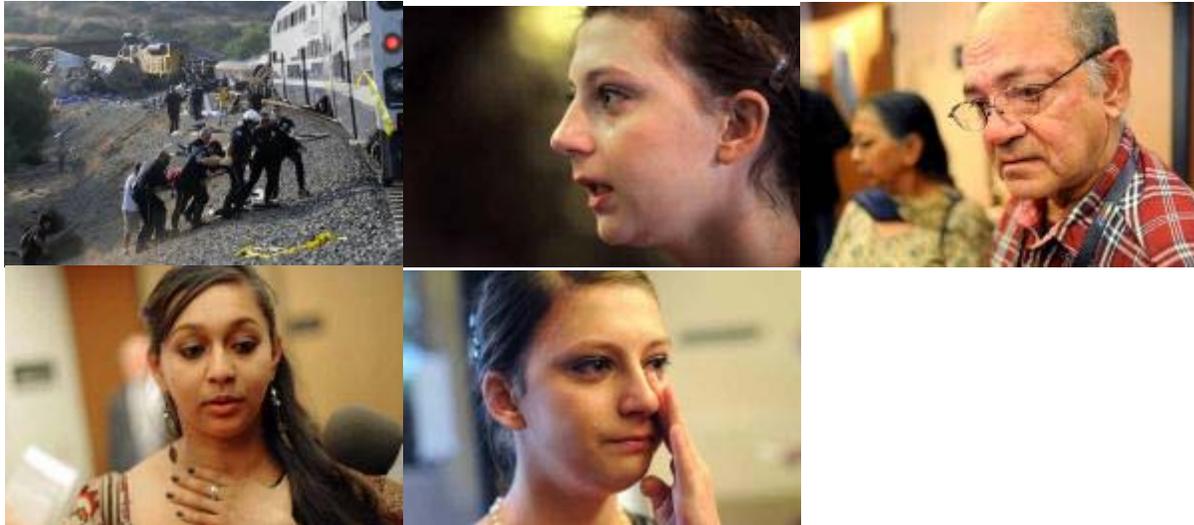
[By Tony Castro, Staff Writer](#)

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MacKenzie Souser shows the last photograph taken of her dad, Doyle Souser, before he was killed in the 2008 Metrolink crash in Chatsworth, CA. Souser joined family members and other victims of the crash for a private meeting to share their personal stories with company executives from Veolia, the company that employed the train engineer. (Andy Holzman/LA Daily News)





Two-and-a-half years after a nightmarish Friday devastated dozens of families, relatives of victims of the 2008 Metrolink commuter rail disaster in Chatsworth continue to struggle with a financial limbo that has only served to compound their emotional trauma.

Claudia Souser's memory of Sept. 12, 2008, was of waiting all night for word of the fate of her husband Doyle, 56, who was on Metrolink 111 that day.

It was not until early Saturday that she and her daughters Kelsey and Mackenzie and son Zachary would learn that Doyle - the general manager of a Burbank supplier of construction products - had been among the 24 commuters killed in one of America's worst train disasters.

Today, she still suffers the anguish of waiting for another bit of news: Will she ever be compensated for the loss of the family's primary breadwinner? Relatives of the dead and survivors of the horrific crash - whose savings have been depleted by mounting medical bills - are waiting for a settlement to inch its way through the court system.

"You never dream - I didn't - that my husband would be killed. You assume you would have these things forever," says Souser.

"But it isn't true. I had a traditional marriage. My husband was the breadwinner and I took care of the kids. That's all been turned upside down in the last two years."

A California Superior Court judge is expected next month to begin hearings leading to the division of a \$200 million settlement to survivors and families of those killed in the crash. The settlement is capped at that amount by a federal law adopted by Congress in 1997 which relieves Metrolink and private contractor Connex Railroad of any future liability.

The Sousers' lives, like that of the other victims' families, are clouded by uncertainty, and they are adjusting to what Jenny Fuller, the widow of Metrolink victim Walter, calls "the new normal."

"Life will never, ever be the same," says Fuller, the mother of three grown children and a fifth grade teacher in the Simi Valley school district. "And my kids and I have talked about what our new normal is, and we haven't quite figured out what that is going to be. But we know we're working toward a new normal."

Victims and their families say their psyches have been tested by a roller-coaster of emotions: Near-inconsolable grieving for their loved one's loss. Mounting money worries over how they will pay for the simplest essentials or how they will put their kids through college. Anguish and loneliness over lost loves and last words never said. The mistaken perception by the public that they are on the verge of becoming rich.

Federal investigators concluded the accident was caused by train engineer Robert Sanchez, who ran a red light while sending text messages on his cell phone. Sanchez was also killed in the crash.

At the time of the accident, Metrolink - a five-county regional rail authority - contracted with Connex to provide engineers. Connex is a subsidiary of Veolia, a French company that operates bus, rail and other services throughout North America.

Advocates for the victims - families of 24 commuters who died and the 135 who were seriously injured - maintain that the \$200 million covers possibly only half of the actual damages.

"The victims are not a greedy group," says Fuller. "These are real expenses and real damages that are not going to be covered by that \$200 million. I know it sounds like a lot of money, but in this case, it just really isn't. It's actually less than a third of the actual damages.

"The law was never intended to be used in this purpose, and to be hiding under it is cowardly in this case. We just really need them to step up and do the right thing because it's the right thing to do."

In court documents filed by Veolia in federal court last Nov. 11, the defendants confirmed that: "All parties concede that plaintiffs' liability for claims arising from the Chatsworth collision exceed \$200 million."

Veolia executives who attended a recent meeting with the victims did not respond to any of their comments, but afterward the company's vice president and general counsel Alan Moldawer told The Associated Press:

"Of course we're human beings and it had tremendous impact on us. We're all human beings. We have family. We have loved ones. We can sense the pain."

A spokeswoman for Metrolink again extended the agency's sympathy to the victims and their families, and expressed optimism that they would be receiving funds from the settlement soon.

"Chatsworth was a tragedy that affected so many lives as well as the entire railroad industry. There are no words to express the sorrow that we feel for all the victims of the Chatsworth collision," said Metrolink spokeswoman Sherita Coffelt.

"We are pleased the affected families and passengers will be receiving their financial compensation as quickly as possible now that the federal judge accepted the Interpleader (settlement claim) without any appeals from the plaintiffs."

She added that the agency has implemented safety improvements in an effort to avoid future accidents, including inward-facing cameras that monitor the engineers and a partnership with the University of Southern California to develop a safety certification program for Metrolink employees and contractors.

Veolia, though, appears unmoved to raise its settlement amount even as victim advocates like attorney Mark O. Hiepler, who represents 19 of the victims and loved ones in the civil case, argue that the last two and a half years have already taken a financial toll on many of those families.

Many of them still owe money for medical care received, he said.

"They've put some of it on credit cards," Hiepler said. "Some people have gone through their \$2 million insurance policy. ... They never thought they'd go through it all but they have."

Some health providers have also filed liens against the legal settlements of victims such as Cheryl Santor, information security manager at Metropolitan Water District who is still recovering from injuries.

"I figure my medical costs to date are around \$150,000 - and I'm one of the low ones," says Santor, whose injuries included compression fractures along several parts of her neck and spine, a torn clavicle, broken ribs and major head traumas, among them having an eye torn out of its socket.

Six months after the accident, Santor slowly returned to work and resumed her full-time responsibilities, though she is surrounded by ergonomic settings and always sits on cushions.

"I have to compensate for things I normally would have done in the past," says Santor, who still takes the train to and from work. "My quality of life has changed dramatically."

Like other survivors, Santor also knows that there are possibly future surgeries ahead and years of therapy and medications - tens, if not hundreds, of thousands of dollars in more medical expenditures. She and others have implored Connex officials to pay whatever it takes beyond the \$200 million to fully cover medical costs.

"The rest of our lives are going to be dealing with these things," she says, "and that would help to somewhat appease that pain and misery that we're experiencing every single day."

But a cost that is immeasurable is the psychological price the crash has imposed on the victims and families. For more than two years a hospice in Simi Valley has hosted a grief group forum for victims and their families. Some of the victims have expressed guilt at having survived the crash when others died - what psychologists call "survivor guilt."

"You can't put a price on the emotional loss," says Souser, who has been meeting with Fuller, privately, often twice a month, leaning on each other for support. "I never understood what it could be like. I tell you: For a close marriage and (losing) a loving father, it's irreparable, and the emotional damage is huge."

Mackenzie Souser, 15, the youngest of the family's three children who spent her 13th birthday mourning her father at his funeral, says it has been painful just watching her mother deal with life without her spouse.

"Most 15 year-olds have to worry about what they're going to wear to the high school game," she says. "I have to worry about if my mom's going to be OK by herself. It's so hard what she has to go through every day because her best friend isn't there."

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