



Devika Shankar, 27, left, of Simi Valley talks about her family's pain in dealing with her father's injuries suffered in the Chatsworth Metrolink train crash at a meeting at Simi Valley with the employer of the engineer blamed in the disaster. (Brian van der Brug, Los Angeles Times / February 7, 2011)

## **Relatives tell engineer's employer of effects of Chatsworth Metrolink crash**

**A congressman seeking to raise the liability cap of \$200 million on such accidents arranged the private meeting in Simi Valley, home to many victims in the 2008 Chatsworth Metrolink crash that killed 25.**

By Catherine Saillant, Los Angeles Times

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One by one, survivors and family members of those killed in the Chatsworth Metrolink rail disaster rose to a lectern Monday to talk about the injuries and nightmares that have haunted them in the years since the head-on crash between a commuter line and a freight train.

Though many had done it before — for depositions and court hearings — this time they were telling their stories for officials with Veolia, the French-owned conglomerate that employed the engineer who federal transportation officials say caused the crash because he was text messaging. Twenty-five people were killed, including the engineer, and 135 injured in the Sept. 12, 2008, accident.

"Every time I hear the train go by, I flash back to that day," said Kumar Shankar, 66, who broke more than two dozen bones and was unable to work for six months. "I was lucky to survive. What about all of the people who are not here?"

The media weren't allowed into the private meeting in Simi Valley, set up by a Ventura County congressman who is pushing to raise the \$200-million liability cap for such accidents to \$275 million. But victims and their families said afterward that it was cleansing to unleash their feelings on the company they see as most directly responsible for the crash.

"It was their person who did the damage, and he had already been warned for text messaging on the job," Shankar said. "And now they are just hiding behind the law."

A federal court last week approved a \$200-million settlement that relieves Metrolink and private contractor Connex Railroad, a subsidiary of Veolia, of any additional liability. But attorneys for the victims say costs will far exceed that amount and are seeking, with Rep. Elton Gallegly's help, to raise the liability limit to \$275 million.

On Monday, survivors and relatives of those who died told Veolia officials that the cap — adopted by Congress in 1997 — would mean that those most severely injured might not get needed continuing medical help and that the children of some victims won't be able to attend college.

"I had a traditional marriage. My husband was the breadwinner and I took care of the kids," said Claudia Souser, whose husband, Doyle, 56, was killed. "That's all been turned upside down in the last two years. My hope is that my kids can go to college and have the education that my husband wanted for them."

Some carried photographs of their deceased family members to a table where the Veolia executives sat. The executives did not respond, several family members said.

"We want them to see that this is not just numbers, it's flesh and blood," Claudia Souser said, standing with her 15-year-old daughter, Mackenzie. Mackenzie said she told the executives that she spent her 13th birthday mourning the loss of her father.

"I was supposed to be having a party," she said outside the hearing room, wiping away tears. "Instead I went to a funeral."

Gallegly (R-Simi Valley) said he arranged the meeting so Veolia could hear firsthand how lives have been permanently changed by the crash. Veolia insisted that no media be present, he said.

"Even with those conditions," Gallegly said, "I believe it's important for Veolia to meet eye-to-eye with the victims."

Gallegly's Simi Valley district is home to many of the victims. He said he will continue pushing for legislation that would place a higher limit on liability for passenger rail accidents.

"This is the most important issue that has ever happened in my district," said Gallegly, a Republican who has been in office more than two decades.

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