

Lawsuits piling up after Nev. train crash

By Martha Bellisle, Reno Gazette-Journal

In most rail-crossing accidents, trains slam into trucks or cars as they try to sneak through the rail gates, get stalled on the tracks or fail to heed or receive warnings of an approaching train.

But the deadly crash on Highway 95 east of Reno in June was different: A semitrailer truck traveling on a high-speed highway skidded 320 feet before slamming into an employee dormitory car on an Amtrak passenger train, killing six and injuring dozens.

"It's pretty rare," said Tom Demetrio, a Chicago-based lawyer who has a history of big wins in railroad cases and who, along with Reno lawyer Bill Bradley, has filed two lawsuits over the deadly crash.

"A vehicle shouldn't hit a moving train."

That difference has raised questions about why John Davis Trucking Co. driver Lawrence Valli, 44, locked up his brakes before impact, and whether the 70 mph speed limit on U.S. 95, and the angle of the track and the road were factors that contributed to the crash.

Concerns about the safety of that rail crossing, raised by the Amtrak engineer operating that train and another engineer who was involved in a Sept. 14, 2010 near-miss at the same crossing, may mean that others, including Amtrak, Union Pacific and the Nevada Department of Transportation, could be named in upcoming lawsuits, according to lawyers involved with and watching the case.

Much will depend on the final report by the National Transportation Safety Board. Investigators who have been working on the case since Day One will come up with a probable cause for the accident some time in the next year.

Depending on the results, that report could lead to a flurry of lawsuits against whoever is named as responsible for the fiery crash.

Within days of the deadly June 24 California Zephyr crash, the first lawsuit was filed. Alexandra Curtis, an on-duty train attendant from Evanston, Ill., claimed John Davis Trucking in Battle Mountain was negligent when it hired, trained and supervised its driver, Valli, who was killed in the crash.

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