



NEW JERSEY CONDUCTOR FILES SUIT AGAINST AMTRAK OVER DERAILMENT

by Dray Clark

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Dray Clark reports on the lawsuit alleging negligence by Amtrak in the deadly derailment in Philadelphia.

NEW YORK (WABC) --One of the conductors aboard the Amtrak train that derailed last week in Philadelphia has sued the rail carrier.

Emilio Fonseca, of Kearny, New Jersey, filed the lawsuit Monday in Newark. It seeks unspecified damages.

The complaint accuses Amtrak of "negligence and carelessness" in the May 12 derailment that killed eight people and injured more than 200.

Fonseca's attorney, Bruce Nagel, says he suffered broken bones and head trauma and is still hospitalized in Philadelphia.

His attorney says Fonseca's injuries are so severe, he may not be able to work again.

"My client suffered terrible injuries in this accident and we are thankful that Amtrak has taken full responsibility. Our prayers go out to those who did not survive this tragedy," said Nagel.

The Amtrak train from Washington to New York derailed as it passed through Philadelphia. Investigators have said the train was traveling over 100 mph just before it entered a curve where the speed limit is 50 mph.

Four passengers have also filed civil suits against Amtrak, which has said it doesn't comment on pending litigation.

Their lawsuit says Amtrak did not install the automatic system that could have slowed the train before the crash.

"There was a system available to control it, and it was available on one track going the other way, my word, how could that possibly be right?", said the attorney for one of the plaintiffs, Tom Kline.

(Some information from the Associated Press.)