

Amtrak facing costly personal injury claims from crash victim

**By Chris Mondics
and Maria Panaritis**
INQUIRER STAFF WRITERS

Amtrak likely faces hundreds of millions of dollars in claims from victims of the derailment at Frankford Junction, according to personal-injury lawyers who specialize in transportation accidents.

Because Congress capped such payouts for Amtrak in 1997, money to compensate victims probably will fall short of what is needed, these lawyers say.

Under the Amtrak Reform and Accountability Act, damages paid by the government to people injured in Amtrak derailments and to families of those passengers killed was limited to \$200 million per crash. But with eight killed and about 200 of the 238 passengers injured, some very seriously, claims from this week's crash almost surely will exceed that amount ...

Tom Kline of the personal-injury firm Kline & Specter said that "given the enormity of the accident, even without assessing the wage loss of some of the folks on the train who seem to be significant earners, I would not believe that a \$200 million fund would be adequate."

An Amtrak employee filed the first suit from the crash Thursday in federal court in Philadelphia. Bruce A. Phillips, 37, of the 2800 block of South 67th Street in Southwest Philadelphia, seeks more than \$150,000 plus punitive damages.

Phillips suffered a concussion, contusions, lacerations, and "multiple orthopedic and neurological injuries" when the train derailed, said his lawyer, Mike Olley, whose firm - Coffey Kaye Myers & Olley - specializes in representing rail workers and passengers in derailments.

A dispatcher, Phillips was heading to New York's Penn Station to begin a work shift, his attorney said, when the derailment tossed him about in one of the train's rear cars.

The complaint filed Thursday in Philadelphia accuses Amtrak of "failing to properly and safely operate the train, operating the train at an excessive speed," and other alleged failures. It also targets Atrak for "failing to provide available, necessary and appropriate systems to slow and/or stop the train."