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## \$2.1M settlement reached in Metra derailment injury

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A \$2.1 million settlement has been reached on behalf of a woman who was among dozens of people injured five years ago in a Metra derailment that resulted in two deaths, according to the woman's attorney.

Marie Bullock, 39, was among the passengers on a double-decker, five-car Rock Island Line Metra train on Sept. 17, 2005, that was traveling from Joliet toward downtown Chicago.

Bullock, who is an auditor for the Wm. Wrigley Jr. Company, was headed to work that Saturday morning, and suffered a fractured ankle when the train derailed and hit a steel support beam on a bridge, said Mark J. Horwitz of Horwitz Law Group, who represented Bullock.

That morning, the train had encountered a track crossover with a maximum allowable speed of 10 mph and entered the crossover at 69 mph, resulting in the derailment and crash.

Metra has admitted liability for the train accident, which resulted in about 100 claims filed, according to lawyers who have represented parties in the cases.

Bullock's case, which was dismissed Nov. 12 by Cook County Associate Judge John B. Grogan, is among the last of the cases to be resolved from the 2005 Metra derailment.

Defense attorney A. Jay Koehler of Swanson, Martin & Bell Ltd., who along with Kevin V. Boyle is representing Metra, said Tuesday that two cases remain pending.

Horwitz said that so far, the \$2.1 million settlement reached earlier this month appears to be the largest settlement of the cases arising from the train derailment that involved plaintiffs who suffered non-fatal injuries.

A 38-year-old woman and a 22-year-old woman were killed in the train derailment, and their families were awarded a total of \$11 million under settlements approved in 2008.

In one case that was tried last year, a jury returned a \$29.5 million verdict in favor of a woman who was seriously injured in the accident, including a traumatic brain injury and a broken neck.

In Bullock's case, Metra disputed the nature and extent of the injuries she claimed, her attorney said. Koehler

declined to comment on the case.

Horwitz contended that Bullock, whose severe ankle injury required numerous surgeries, suffered from complex regional pain syndrome.

He said Bullock, who was seated in the car where the two women were fatally injured and where another suffered serious injuries, also claimed that she suffers from post-traumatic stress disorder arising from her experience during the train derailment.

Bullock, who entered the train car in Oak Forest, was seated directly across from the 22-year-old woman who was killed in the derailment and the two had been talking for much of the ride until the derailment happened, her lawyer said.

"She has a video in her brain of the horrific sights she saw that day that will never go away, and she will never get on a train again for the rest of her life," Horwitz said.

Horwitz said Metra's experts agreed that what Bullock saw was capable of causing a post-traumatic event, but that she did not suffer from post-traumatic stress disorder.

The case is *Bullock v. Metra*, No. 05 L 10944