

# 5 THINGS YOU SHOULD KNOW ABOUT THE OHIO TRAIN DERAILMENT

A fiery, catastrophic train derailment in Ohio has caused widespread disruption, released hazardous fumes into residential neighborhoods, and raised concerns about the safety of the U.S. rail system. Here are the key details of the incident:

## 1. WHAT HAPPENED

On February 3, 2023, about 50 train cars, including 10 carrying hazardous materials, derailed in the Ohio village of East Palestine, allegedly due to a broken axle. While no one was immediately injured, the train exploded and caused a fire that burned for three days.

## 2. THE RESPONSE

Emergency responders rushed to the scene to contain the blaze and ensure the safety of nearby residents. Local authorities ordered evacuations of homes and businesses within a one-mile radius of the derailment. The transportation corporation's emergency team conducted a controlled burn of five tanks of vinyl chloride to avoid another explosion.

## 3. THE IMPACT

During the controlled burn, a dark mushroom cloud formed over East Palestine as phosgene and hydrogen chloride were released into the air. The derailment also caused significant disruptions to rail traffic in the area, as well as delays to passenger and freight trains across the region.

## 4. SAFETY CONCERNS

The incident raised concerns about the safety of the U.S. rail system, particularly the transport of hazardous materials. Critics pointed to the high number of accidents involving trains carrying crude oil and other dangerous substances, as well as the need for greater oversight and regulation of the industry.

More importantly, the phosgene, hydrogen chloride, and vinyl chloride that were released from the accident are putting residents' health at risk, as exposure to these can be linked to many adverse symptoms and health issues, including cancer. Officials are also asking residents to switch to bottled water while the EPA continues to investigate the safety of nearby water supplies.

## 5. NEXT STEPS

As the investigation into the Ohio derailment is ongoing, some residents have demanded that Norfolk Southern Railway pay for the medical monitoring of everyone who lives or works within a 30-mile radius of the Ohio village. Others want justice for the negligence of the government and corporate interests that allowed this to happen. Several lawsuits have already been filed.

**IF YOUR LIFE OR HEALTH HAS BEEN IMPACTED BY THE OHIO TRAIN ACCIDENT, CONTACT MORGAN & MORGAN IMMEDIATELY TO LEARN MORE ABOUT YOUR LEGAL OPTIONS. WE ARE HERE TO HELP AT NO UPFRONT COST. CONTACT US NOW FOR A FREE, NO-OBLIGATION CASE EVALUATION.**

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## UNDERSTANDING YOUR RIGHTS\*

If you have been in an accident, or a family member has been injured or killed in a crash or some other incident, you have many important decisions to make. It is important for you to consider the following:

1. Make and keep records - If your situation involves a motor vehicle crash, regardless of who may be at fault, it is helpful to obtain a copy of the police report, learn the identity of any witnesses, and obtain photographs of the scene, vehicles, and any visible injuries. Keep copies of receipts of all your expenses and medical care related to the incident.
2. You do not have to sign anything - You may not want to give an interview or recorded statement without first consulting with an attorney, because the statement can be used against you. If you may be at fault or have been charged with a traffic or other offense, it may be advisable to consult an attorney right away. However, if you have insurance, your insurance policy probably requires you to cooperate with your insurance company and to provide a statement to the company. If you fail to cooperate with your insurance company, it may void your coverage.
3. Your interests versus interests of the insurance company - Your interests and those of the other person's insurance company are in conflict. Your interests may also be in conflict with your own insurance company. Even if you are not sure who is at fault, you should contact your own insurance company and advise the company of the incident to protect your insurance coverage.
4. There is a time limit to file an insurance claim - Legal rights, including filing a lawsuit, are subject to time limits. You should ask what time limits apply to your claim. You may need to act immediately to protect your rights.
5. Get it in writing - You may want to request that any offer of settlement from anyone be put in writing, including a written explanation of the type of damages which they are willing to cover.
6. Legal assistance may be appropriate - You may consult with an attorney before you sign any document or release of claims. A release may cut off all future rights against others, obligate you to repay past medical bills or disability benefits, or jeopardize future benefits. If your interests conflict with your own insurance company, you always have the right to discuss the matter with an attorney of your choice, which may be at your own expense.
7. How to find an attorney - If you need professional advice about a legal problem but do not know an attorney, you may wish to check with relatives, friends, neighbors, your employer, or co-workers who may be able to recommend an attorney. Your local bar association may have a lawyer referral service that can be found in the Yellow Pages or on the Internet.
8. Check a lawyer's qualifications - Before hiring any lawyer, you have the right to know the lawyer's background, training, and experience in dealing with cases similar to yours.
9. How much will it cost? - In deciding whether to hire a particular lawyer, you should discuss, and the lawyer's written fee agreement should reflect:
  - a. How is the lawyer to be paid? If you already have a settlement offer, how will that affect a contingent fee arrangement?
  - b. How are the expenses involved in your case, such as telephone calls, deposition costs, and fees for expert witnesses, to be paid? Will these costs be advanced by the lawyer or charged to you as they are incurred? Since you are obligated to pay all expenses even if you lose your case, how will payment be arranged?
  - c. Who will handle your case? If the case goes to trial, who will be the trial attorney?

This information is not intended as a complete description of your legal rights, but as a checklist of some of the important issues you should consider.

**\*THE SUPREME COURT OF OHIO, WHICH GOVERNS THE CONDUCT OF LAWYERS IN THE STATE OF OHIO, NEITHER PROMOTES NOR PROHIBITS THE DIRECT SOLICITATION OF PERSONAL INJURY VICTIMS. THE COURT DOES REQUIRE THAT, IF SUCH A SOLICITATION IS MADE, IT MUST INCLUDE THE ABOVE DISCLOSURE.**