

Amtrak sues trucking company over fatal Northern Nevada crash



By [Steve Green](#)

Wednesday, June 29, 2011 | 4:49 p.m.

Another lawsuit was filed Wednesday – this time by Amtrak – over the June 24 crash of a truck into an Amtrak train in Northern Nevada, killing six people.

The National Railroad Passenger Corp. in Washington, D.C., owner of Amtrak, filed suit in U.S. District Court for Nevada against John Davis Trucking Co. Inc. of Battle Mountain, alleging negligence.

The suit says the trucking company negligently entrusted the Peterbilt tractor-trailer rig to driver Lawrence Ruben Valli II, who was killed in the incident.

"Before the accident, the crossing protection controls and warnings were activated and the horn of the locomotive of the Amtrak train was sounded alerting all vehicle traffic not to enter the crossing and the Amtrak train's right of way," the suit alleges. "The Peterbilt tractor-trailer

combination operated by Valli failed to heed the warnings, crossing protection controls and the locomotive horn, and entered the crossing, broad siding a car of the Amtrak train on the left side."

The suit says the trucking company should have known the driver was "incompetent and unqualified" to operate the truck and that the company negligently hired him and then failed to properly train him.

The suit seeks damages that are unspecified – but likely more than \$10 million -- for Amtrak's accident-related expenses including loss of use of its rail cars and loss of business due to service interruptions tied to the accident.

The trucking company hasn't yet responded to the suit.

The Associated Press reported that in an earlier suit filed by an Amtrak attendant, a Washoe County District Court judge issued an order Wednesday prohibiting the destruction or disposal of any evidence tied to the crash on the Union Pacific Railroad mainline at U.S. 95 in Churchill County about 70 miles east of Reno.