

# Post Mother sues Union Pacific over son's death

LINCOLN (AP) — The mother of a 13-year-old boy who died when struck by a Union Pacific train last year has sued the company, alleging that an attorney told her he had her best interests at heart but then pressured her into signing a document that released the railroad from liability.

Two days after Efrain Ramos-Domingo died from injuries at the railroad crossing near a school in Schuyler, an attorney retained by Union Pacific approached his mother, Manuela Domingo Gaspar Gonzalez, according to the complaint filed this week in Colfax County.

Gonzalez does not speak English, according to the lawsuit, and

## **The suit also alleges an attorney pressured her to sign a form releasing the railroad from liability.**

was worried about how to pay for her son's burial.

The attorney "held himself out to have (Gonzalez's) best interests at heart," then obtained her signature that released the company from liability in exchange for \$15,000, according to the suit filed by attorneys Robert Chaloupka and Maren Lynn Chaloupka of Scottsbluff.

"In fact, (Gonzalez) did not understand the meaning of the release. Plaintiff had no money to pay for her son's burial. She did

not understand that by signing the release . . . she was giving up the right to use the procedures of the judicial system to learn how Efrain was killed, to learn what (Union Pacific's) role was in Efrain's death, and to seek accountability for Efrain's wrongful death," the legal complaint says.

Company spokesman Joe Arbona said he was not familiar with the complaint and would not comment on its allegations.

"I can tell you that Union Pacific certainly follows prudent

procedures when dealing with situations like these," Arbona said when asked about how the company attains releases from liability.

The complaint also says that the boy's death was caused by negligence on the part of Union Pacific for not eliminating dangers at the pedestrian crossing where he was killed.

There was an unreasonable risk of death at the crossing because the simultaneous passing of eastbound and westbound trains created a visual obstruction that "made it impossible to visualize both trains prior to crossing the tracks," the complaint says.