

Metropolitan Transit Authority
of
Harris County, Texas

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Legal Department

June 2, 2005

Mr. Tom Bazan
PO Box 2786
Houston, Texas 77252

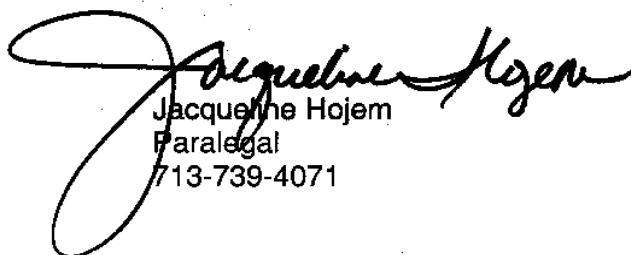
RE: Request for information under the Texas Public Information Act

Dear Mr. Bazan:

The legal Department has received your request for information under the Texas Public Information Act. You have requested a "current METRO Rail incident report." Attached hereto please find a copy of the requested information.

Please call me if you have any questions.

Yours truly,

A large, stylized handwritten signature in black ink, which appears to read "Jacqueline Hojem". The signature is written over the typed name and title.

Jacqueline Hojem
Paralegal
713-739-4071

METRO LIGHT RAIL ACCIDENT REPORT

DOA	Location	LRV#	Amount of Damage	Responsible Party	Summary of Accident/Status
11/19/2003	Main @ Gray (NB)	107	\$ 10,499.30	Krista Lyn Marino	Rail car was traveling NB on Main Street when other vehicle driven by Krista Lyn Marino made an illegal left turn in front of the train. Impact caused minor damage to the exterior of the bumper, but damaged the electronic connector coupler.
12/17/2003	Fannin @ Southmore	104	\$ 2,199.30	Janet Spencer	LRV 104 traveling SB on Fannin. The OV pulled out of parking lot into the path of the train causing train to hit OV.
12/19/2003	Main @ Alabama	110	\$ 8,807.65	Joseph Kittrell	LRV 110 traveling NB on Main. A Nissan pickup truck also NB on Main made a left turn in front of the LRV and was struck on the left side.
12/20/2003	Fannin @ John Freeman	108	\$ 8,587.93	Noe B. Lopez	LRV 108 was NB on Fannin at John Freeman. Ford Explorer also north on Fannin made a left turn in front of the LRV. LRV impacted the left side of the SUV.
12/30/2003	8200 Fannin	106	\$ 7,954.50	Felix Francisco Rodriguez	LRV #106 was SB on Fannin when OV pulled from Reliant Center Parking Lot onto trackway and was struck by LRV #106.
1/9/2004	Fannin @ Binz	104	\$ 7,487.93	Asuncion Allende	LRV driver was SB on Fannin at Binz. The other vehicle driver was also SB on Fannin to the right of the LRV. The OV driver made a left turn in front of LRV. This accident was investigated by MTA Police, the OV driver was charged with "Disregard Official Traffic Control Device No Left Turn Over Rail".
1/13/2004	Fannin @ University	112	\$ 1,125.00	Richard Martinez	Mr. Martinez made a left turn from University onto Fannin in front of LRV 112, contact was made. Responsible party has been put on notice.
1/17/2004	Rosedale @ Fannin	103	\$ 450.00	Maria Sterling	Motorist Maria Sterling WB on Rosedale and stopped at Fannin Street traffic light. Front end of her vehicle was protruding beyond the designated white stop line on Rosedale which caused contact with the LRV as it was passing through the intersection. Ms. Sterling was ticketed by METRO Police for the accident.
1/19/2004	Fannin @ Dryden	112	\$ 6,679.50	Joseph Cousins	LRV Driver was NB on Fannin at Dryden. The other vehicle driver was also NB on Fannin to the right of the LRV. The OV driver made a left turn in front of the LRV. The accident was investigated by MTA Police. The OV was charged with "Left turn from wrong lane".
1/20/2004	Fannin @ Dryden	108	\$ 450.00	Saed Azeemuddin	OV made contact with LRV and fled the scene. OV was located by Metro Police and issued a traffic citation.
1/23/2004	Fannin @ TCH	114	\$ 2,063.63	Bernadino Hernandez	LRV traveling SB on Fannin. The other vehicle was also SB made illegal left turn in front of the train. New claim assigned 01-26-04.
1/23/2004	Holmes @ Kirby (Test Track)	115	\$ 500,000.00	Union Pacific Railroad Employee Christopher McGinnis	LRV car traveling EB at estimated speed of 50 mph. Union Pacific employee lifted gate arm which was down with lights flashing and bells ringing to allow Union Pacific truck to cross track. Truck pulled out in front of oncoming train. T
1/26/2004	Fannin @ Southmore	104	\$ 7,438.43	Erica Jimenez & Tracy Champine	LRV 104 and other vehicle traveling SB on Fannin. The OV made a left turn in front of the LRV and contact was made.
1/27/2004	Main @ McGowen	109	\$ 2,513.63	Din Lu Quyen	LRV traveling SB on track II. The other vehicle made a left turn onto McGowen in front of the LRV and contact was made.
2/3/2004	Fannin @ Dryden	106	\$ 2,613.63	Charles Baker	LRV #106 was NB on Fannin at Dryden. The OV was also NB on Fannin to the right of the LRV. The OV made a left turn in front of the LRV.
2/15/2004	Main @ Pierce	111	\$ 15,181.36	Nathan Earle	LRV #111 was traveling SB on Main Street and the OV was traveling EB on Pierce. The OV disregarded the red traffic signal causing the collision.
2/19/2004	Fannin @ Southmore	113	\$ 2,342.63	David King	LRV #113 was SB on Fannin approaching Southmore intersection. Other vehicle was exiting driveway of drive-thru bank and made contact with left side of LRV.
2/21/2004	Fannin @ Montrose	101	\$ 2,213.63	Andrew Pink	LRV #101 was SB on Fannin approaching Montrose intersection. Other vehicle was also SB on Fannin on the right side of LRV. Other driver attempted left turn in front of LRV onto Montrose causing LRV to make contact with left side rear of other vehicle.

METRO LIGHT RAIL ACCIDENT REPORT

DOA	Location	LRV#	Amount of Damage	Responsible Party	Summary of Accident/Status
2/24/2004	Fannin @ Dryden	114	\$ 2,213.63	Edwin W. Cagle	LRV #114 was NB when Toyota 4Runner made a left turn from the thru lane into the LRV's path. LRV struck the left rear corner of the automobile.
2/27/2004	San Jacinto @ Montrose	110	\$ 7,222.13	Mary Quick	LRV 110 was NB when a Toyota Camry made left turn from the thru lane in front of the LRV. The right front of LRV made contact with the left side of the vehicle. The other vehicle driver was cited for an illegal left turn.
2/27/2004	Fannin @ Southmore	114	\$ 2,493.04	Mary Stewart	LRV #114 was SB when Toyota Landcruiser made a left turn from the thru lane into the LRV's path. LRV struck the left side of the vehicle.
3/1/2004	San Jacinto @ Southmore	110	\$ 3,243.04	William Lemuel	LRV 110 was NB on San Jacinto when the OV disregarded traffic control device and made an illegal right turn into the path of the train. Impact caused the OV to spin clockwise and strike a pick-up truck standing at intersection facing WB. T
3/5/2004	San Jacinto @ Rosedale	116	\$ 1,275.00	Sharon Bigler-Kindrick	LRV 116 was NB on San Jacinto when the other vehicle disregarded traffic control device and made a right turn into the front of the train. OV carrier was identified and contact with the adjuster has been made.
3/4/2004	Fannin @ Rosedale	108	\$ 3,113.63	Mohammad Tej	LRV 108 SB on Fannin @ Rosedale. The OV was WB on Rosedale, attempted to stop for the red light, slid onto the tracks and was struck by the train. Preliminary investigation reveals the OV driver was shown at fault for the accident.
3/10/2004	Main @ Gray	106	\$ 3,636.11	Benjamin Delgadillo	LRV 106 and the OV were NB on Main, OV attempted an illegal left turn in front of the LRV. The OV driver was shown at fault for the accident and no insurance.
3/15/2004	Main @ Gray	113	\$ 2,213.63	James Gibson	LRV 113 was NB on Main, the OV driver was also NB on Main to the right of the LRV. The OV driver made a left turn in front of the LRV. This accident was investigated by METRO Police. The OV driver was charged with "Left turn from wrong lane". At the scene the OV driver said he was WB on Gray but physical evidence and witnesses on the LRV and independent witnesses discounted this statement.
3/23/2004	Fannin @ Dryden	116	\$ 5,736.11	Lenneta Netters	OV traveling NB on Fannin in the left lane made a left turn in front of train causing train to make contact with the left side of OV. The OV was ticketed for disregarding the traffic signal.
3/22/2004	Main @ Wheeler	106	\$ 4,841.35	Kim Star Pham	OV traveling NB on Main in the right lane and failed to stop at designated point and made contact with the right side of the train. The claimant was ticketed for failure to stop at designated point.
3/24/2004	Greenbriar @ S. Braeswood	102	\$ 9,926.98	Kimberly Pounds	OV traveling NB on Greenbriar in the right lane and disregarded crossing signal and made contact with the left front of train. The claimant was ticketed for disregarding crossing signal.
3/27/2004	Fannin	112	None	Ruben Holmes	LRV #112 was traveling NB on Fannin. The claimant had exited the SB train on a scooter and was exiting the SB train on a scooter and was exiting the ramp to go left to Hermann Hospital. The claimant was not paying attention and turned into the path of the train. Claimant was transported to area hospital.
3/29/2004	Fannin @ Binz	111	\$ 19,998.63	Mark Hinton	LRV 111 SB on Fannin. OV WB on Binz ran red light and was struck on right by LRV 111. OV driver said he thought he had a green light at Fannin; but, when he realized it was red and came to a stop his vehicle was sitting right across the LRV tracks. The LRV struck the ov broadside on the right knocking it off the tracks.
4/2/2004	Main @ St. Joseph	105	\$ 817.17	Quynhnhu Vo	LRV 105 was NB on Main and passing through St. Joseph intersection when it was struck on the right side front by the ov that was WB on St. Joseph.
4/7/2004	Fannin @ John Freeman	117	\$ 1,359.80	Fay Young Lee	LRV 117 was SB on Fannin at John Freeman. The OV was also SB on Fannin to the right of the LRV in a designated left turn lane. The signal for the car was showing red. The LRV proceeded and the car suddenly made a left turn hitting the 1st and 2nd skirt of the train.
4/12/2004	Fannin @ Southmore	108	\$ 1,039.71	Jimmy W. Scott	LRV 108 was traveling SB on Fannin, OD pulled from private drive and collided with left front of train. We are currently pursuing subrogation against USAA.

METRO LIGHT RAIL ACCIDENT REPORT

DOA	Location	LRV#	Amount of Damage	Responsible Party	Summary of Accident/Status
4/17/2004	Fannin @ Rosedale	110	\$ 2,428.33	Javier Morales	LRV 110 was traveling SB on Fannin Street when a WB vehicle failed to make a stop at the designated location causing contact with the front section of the train. The train sustained minor damages and the OV sustained moderate damages.
4/21/2004	Hollyhall	112	\$ 16,843.93	Yadira Bravo	OV driver was SB on Fannin made a right turn into the drive way of Reliant Center in front of approaching NB LRV #112, when contact was made. The impact forced OV into another vehicle.
5/4/2004	Fannin @ Dryden	108	\$ 600.00	Lonna Sims	LRV #108 was traveling SB on Fannin. The OV sideswiped the train.
5/5/2004	Fannin @ Rosedale	107	\$ 2,922.48	Tamara Holman	LRV #107 was traveling SB on Fannin. The OV was traveling WB on Rosedale and ran the red light and struck the train. Claimant and carrier have been placed on notice.
5/9/2004	Fannin @ University	102	\$ 2,022.48	Matthew McKee	LRV #102 was traveling SB on Fannin. The OV was also traveling SB on Fannin in the left lane. The OV made a left turn in front of the train making contact with the right lower couple and panel. Claimant and carrier have been placed on notice.
5/14/2004	Fannin @ Rosedale	110	\$ 23,095.54	Andre Louis Guillory	LRV #110 was traveling SB on Fannin Street when a WB vehicle failed to yield right-of-way at the red light causing a major accident. The train sustained major damages and the OV sustained major damages. Initial subrogation notice has been sent to OV driver.
5/24/2004	Fannin @ 610 East Service Rd	116	\$ 387.47	Cynthia Brown	LRV #116 was traveling SB on Fannin Street OV EB @ 610 east Service Road. The vehicle struck the crossing arm and impeded the right-of-way causing a minor collision with the train. The train sustained minor damages and the OV sustained minor damages.
5/27/2004	Main @ Congress	106	\$ 525.00	Freddy Cauley	LRV #106 was NB on Main @ Congress after departing Preston Rail Station when the OV made an illegal left turn in front of the train.
6/1/2004	Fannin @ Rosedale	109	\$ 3,563.63	Fredrick Kelly	LRV #109 SB on Fannin. The OV was WB on Rosedale, failed to stop in the designated area, and was struck by the SB LRV 109.
6/7/2004	Fannin @ John Freeman	110	\$ 3,338.63	Selma Ahmed	LRV #110 traveling NB on Fannin approaching John Freeman when the OV made an illegal left turn in front of the train.
6/8/2004	Main @ Pierce	118	\$ 12,905.00	John Villarreal	LRV #118 traveling SB on Main. The OV was traveling EB on Pierce. Disputed red light match. Both parties stated they had green light.
6/16/2004	Main @ Elgin	103	\$ 11,981.94	Colin Patrick Lindsey	LRV #103 was SB in the 3100 of Main approaching Elgin. The OV made an illegal left turn and struck right front side of LRV. Injuries involved 4 passengers in the OV. The OV driver was cited for disregarding traffic signal and no left turn.
6/17/2004	Main @ Franklin	108	\$ 2,213.63	Hit and run Driver	OV turned left and hit coupler on LRV #108 and fled scene. Operator managed to obtain other party's name, address and license plate number only.
6/22/2004	Main @ Alabama	113	\$ 47,319.98	Jacky Tran	LRV #113 was SB on Main at Alabama. The OV driver was WB on Alabama and ran the red light. The OV driver was charged by METRO Police with disregard of a traffic light.
7/8/2004	Main @ Rusk	107	None	Robert Close	LRV #107 was traveling NB on Main Street when a pedestrian, identified as Robert Close stepped off the curb into the path of the train. The pedestrian was transported to Ben Taub Hospital. He is listed in fair condition.
7/13/2004	Main @ Texas	110	\$ 3,441.78	Robert Teofilo	LRV #110 and the OV were involved in an auto accident. The OV driver made an illegal turn in front of the train.
7/14/2004	Fannin @ TCH	111	\$ 375.00	Terry D. Landry	LRV #111 was NB on track 1 when the OV drifted over into the train making contact with the right front side, only a scuff mark to the train.
7/22/2004	Fannin @ Holly Hall	110	\$ 2,215.00	Rebecca Gray (owner) Leslie Gaspard (driver)	LRV #110 was NB on Fannin at Holly Hall. The OV was also NB on Fannin made a "U" turn on to the rail track. The OD was charged by MTA Police for an illegal "U" turn.
7/24/2004	Main @ Clay	108	\$ 8,841.75	Lester Hadnot	LRV #108 was SB on Main at Clay. The OV was EB on Clay ran the traffic light, colliding with the LRV. The OV driver was charged by MTA Police for running red light.

METRO LIGHT RAIL ACCIDENT REPORT

DOA	Location	LRV#	Amount of Damage	Responsible Party	Summary of Accident/Status
7/28/2004	Main @ Texas	114	\$ 3,531.82	Shuron Hubert	OV made an illegal left turn in front of train. There was minor damage to the right front side of LRV #114.
7/29/2004	Fannin @ Dryden	118	\$ 450.00	Boris Shteyn	LRV #118 was SB on Fannin when OV made an illegal left turn in front of LRV resulting in minor door threshold extension damage.
8/2/2004	Fannin @ University	111	\$ 18,504.88	Rengo Campos	LRV #111 was traveling SB on Fannin. The OV was also traveling SB on Fannin and made an illegal turn making contact with the train.
8/19/2004	Main @ Gray	107	\$ 2,183.82	Wanda Washington	LRV #107 was NB on Main @ Gray. The OV traveling on Gray disregarded stop and go signal and collided with right side of train. There were no reports of injuries. The OV driver was cited for disregarding stop and go signal.
8/20/2004	Main @ Commerce	109	\$ 10,370.00	Deputy Alvin J. Melman of Tarrant County Sheriff Department	LRV #111 was traveling SB on Main and the OV was traveling in the same direction on Main. OV made an illegal right turn in front of the train; occupants of adverse vehicle were transported with non life threatening injuries.
8/24/2004	Fannin @ McGregor	116	\$ 525.00	Peter Flores	LRV #116 NB at MacGregor when the driver of the OV attempted to turn left in front of the train, the LRV braked however was unable to avoid contact with the OV.
8/25/2004	6600 Fannin	117	\$ 7,132.85	Ashley Hoskins	LRV #117 was SB on Fannin, the OV was EB on Pierce ran red light and was struck by LRV. The responsible party received a citation for running the red light.
9/7/2004	Main @ Webster	104	\$ 450.00	Sheng Yang	LRV #104 traveling NB on Main. The OV also traveling NB on Main, OV decided to back up to go around another vehicle and backed into the train.
9/14/2004	Main @ Lamar	118	None	Joe Sopher	Intoxicated pedestrian walked into the side of LRV #118.
9/19/2004	Main @ Pierce	109	\$ 7,185.00	Thunhung Ngo	Preliminary information indicates an EB vehicle on Pierce disregarded the traffic control signal and entered the intersection on a red light causing collision with LRV #109.
10/8/2004	Main @ Fannin	105	\$ 1,528.00	Stephanie Gilbert	LRV #105 was SB on Main @ Franklin. The OV was SB on Main, attempted to make an illegal left turn from Main EB onto Franklin when the driver made contact with the LRV. The responsible party received a citation for an illegal turn and no insurance. Responsible party will be placed on notice.
10/22/2004	Main @ Jefferson	106	\$ 3,890.95	Lisa Jammer	LRV #106 was traveling SB on Main. The OV ran the red light and struck the right rear of the train. Carrier has been placed on notice.
11/18/2004	Fannin @ Ross Sterling	106	\$ 300.00	Kathryn Shepherd	LRV # 106 was traveling NB on Fannin. The OV was also traveling NB on Fannin in the left lane and made an unsafe lane change making contact with the right front of train.
12/15/2004	Main @ Jefferson	106	\$ 2,940.00	Jacob Danford	LRV was SB on Main @ Jefferson. The OV was also SB on Main and made a left turn into the path of the train. The OV was charged by MTA Police for an illegal left turn. No one was injured.
12/30/2004	Main @ Pierce	104	\$ 4,024.63	Patricia McGruder	LRV #104 was traveling SB on Main. The OV was traveling EB on Pierce and disregarded the red light making contact with the right side of the LRV. Carrier placed on notice.
1/7/2005	Main @ Gray	117	\$ 58,158.09	Ryszard Dojs	LRV #117 was traveling NB on Main when a WB vehicle failed to yield right-of-way. The vehicle veered directly into path of the train and was broadsided. Both vehicles sustained major damages. Initial subrogation notice has been sent to Allstate. Police issued traffic citation to the OV driver.
1/27/2005	Fannin @ MacGregor	101	\$ 4,018.88	Anthony Brown	Preliminary investigation revealed the OV driver made an improper lane change and struck the bus. license, and changed lanes when unsafe. Placing responsible party on subrogation notice.
2/10/2005	Fannin @ University	117	\$ 60,725.26	Patricia Downey	LRV 117 was traveling SB on Fannin Street when a SB para-transport van (ambulance) disregarding traffic control device (No left turn) and made a left turn or u-turn inot the path of the train. Impact cause extensive damage to both vehicles and injury to van driver and disabled transport passenger.

METRO LIGHT RAIL ACCIDENT REPORT

DOA	Location	LRV#	Amount of Damage	Responsible Party	Summary of Accident/Status
3/13/2005	Fannin @ Reliant Park	110	\$ 3,581.91	Amber Epperson	OV made a u-turn in front of the path of the train causing the train to make contact with the OV. The claimant was cited for the accident.
3/16/2005	Fannin @ Dryden	114	\$ 13,273.97	Manuela Fradiou	The OV driver was driving a rental vehicle owned by Budget Rent-A-Car. Train hit OV when OV driver made a left turn in front of the train causing contact.
3/18/2005	San Jacinto @ Hermann	110	\$ 2,708.52	Maria Reinanta	LRV 110 hit OV that turned left in front of it.
4/2/2005	Main @ Pease	113	\$ 2,726.18	Diann Williams	OV driver veered into path of train alleging her shoe fell off and got stuck under the gas pedal. She was trying to free it and veered into path of the train. OV driver cited for failure to maintain a single lane-accident, no insurance, expired license plates, and expired inspection sticker.
4/10/2005	Main @ Webster	106	\$ 22,710.34	Michael Munoz/Earthman Funeral Home	LRV 106 was NB on Main at Webster. The OV driver was EB on Webster to the left of the LRV. The OV driver disregarded a red light and pulled into the path of the LRV. This accident was investigated by MTA Police. The OV driver was charged with "Disregard of a Traffic Light".
4/25/2005	Main @ Alabama	116	\$ 16,711.32	David Marcus	LRV 116 was traveling SB on Main. OV driver was EB on Alabama disregarded a traffic signal/running a red light and hit the LRV on right front. The OV driver was cited for the accident. Major damage to both vehicles and no injuries reported.
5/9/2005	Fannin @ Dryden	117	\$ 4,302.20	David Guerrero	OV driver made an unsafe lane change into the path of the train. The OV driver failed to yield right of-way by disregarding traffic control signage.
5/10/2005	Main @ Jefferson	114	Awaiting estimate	Jesse Villarreal (fatality)	LRV was SB on Main St. @ Jefferson at approximately 25 mph. The train had a vertical bar signal to proceed and the traffic light was green for vehicles moving on Main St. The OV driver failed to yield right-of-way as it traveled EB on Jefferson (had a red light). The OV driver sustained fatal injuries.
5/13/2005	Main @ Jefferson	113	\$ 10,481.18	Darlene Kilmer	OV driver failed to yield right of way for the red light causing collision with train. Investigation is ongoing at this time.
5/16/2005	Main @ McGowen	108	\$ 3,552.00	Paul Sims	LRV 108 SB on Main, the OV driver was EB on McGowen, failed to stop for the red light and collided with the right front coupler on the LRV with the left front side fender on his 2001 Chevy Suburban.

Potentially Millions \$\$\$

The damages on the 5/10/05 tram fatality could run into the millions of dollars after the lawyers are through.

Reported Damages Total

The total damages the the trams, as reported by Metro is:

\$1,060,646.38