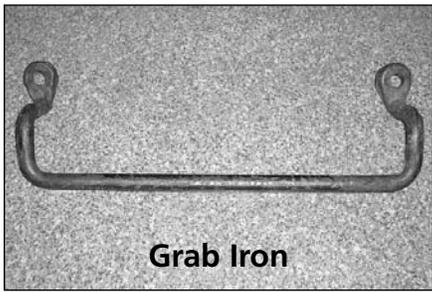


Glenn Ames vs. Union Pacific Railroad Company

Glenn Ames was three months shy of his 60th birthday when he suffered career-ending injuries. A grab iron suddenly broke, causing him to jump from a moving train in the Union Pacific's Nampa, Idaho rail yard. Veteran railroader Ames was able to land on his feet but the impact sent a shock wave through his lower back and body. Despite physical therapy and other rehabilitation modalities, his doctors concluded he could not return to the conductor job he loved and had performed for over 35 years.

...a grab iron suddenly broke causing him to jump from a moving train...

Although this was an unwitnessed accident, the railroad, after depositions and other discovery, admitted its grab iron broke but denied any causative physical or other damages to Ames.



Specifically, the railroad argued that any and all of his physical problems were related to long-standing degenerative disc disease, and that this incident was very minor because Ames did not fall to the ground nor did he suffer any immediate physical symptoms. The railroad relied on Ames' MRI to support



its position that all his problems were related to pre-existing conditions.

The railroad further argued that Mr. Ames had told one of its managers that he was planning to retire at age 60 and that, even if they found the incident caused Ames' injury, he should only recover economic damages for the three months he was off until his 60th birthday. Despite the railroad's self-serving argument, the evidence showed that Ames wanted nothing more

than to get back to being a conductor; he worked extensively for several years with physical therapists hoping that one day he would achieve that goal. When it was ultimately determined he would never be able to return to the railroad, Ames enrolled in college where he is currently working towards a degree in business.

The 'Yaeger Team,' made up of primarily Ron Barczak, Roberta Freeman, Tricia Olson, Joe Dolan and Bobby Dolan, took the railroad to task on all

...he worked extensively for several years with physical therapists...

issues, persuading a jury of ten after a week-long trial that the railroad's defective grab iron did result in significant physical and economic damage. The jury ultimately awarded Mr. Ames \$420,000 for the losses he suffered as a result of the railroad's negligence. YJB

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