



ZAKOVICS THOMPSON
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ATTORNEYS AT LAW

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June 29, 2004

Lauren Price
Freedom of Information Act Coordinator
Office of Chief Counsel
Federal Railroad Administration
1120 Vermont Avenue NW, Stop 10
Washington, DC 20590

RE: v. Union Pacific Railroad

Dear Ms. Price:

I represent _____, a Union Pacific Railroad conductor, injured on _____ while working at or near the Union Pacific Railroad

His injury occurred while he was conducting his locomotive and train through the Peninsula Tunnel at a very slow speed, in conformance with a preexisting slow order due to a derailment. Due to defects in the locomotive itself, substantial levels of diesel combustion byproducts were admitted into the cab, causing an inhalation injury.

To assist with our investigation in the case and pursuant to the Freedom of Information Act, I request a copy of any Federal Railroad Administration reports, complaints, citations, photographs, and other material concerning the issue of diesel combustion byproduct inhalation by Union Pacific Railroad employees. In particular, I am interested in those employees who have alleged an inhalation injury while aboard a locomotive and/or while working in the shops in and around idling or operating diesel locomotives. The request that I make is intentionally broad enough to encompass those incidents of alleged exposure throughout Union Pacific's system and seeks documents that are as old as your database allows.

Our concern is about the hazard to employees who work on or around diesel locomotives who are being exposed to diesel particulate and the potential inhalation injuries such can cause including, but not limited to:

- a) Cancer;
- b) Emphysema;
- c) Asthma, or its aggravations;

Rec'd
7/8/04



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- d) Reactive Airways Disease Syndrome;
- e) Bronchitis;
- f) Any other irritation of the human pulmonary or cardiac-pulmonary systems for the period 1965 to the present.

Thank you for your attention to this request for information.

Yours truly,

ZAKOVICS THOMPSON & RITCHEY PC

A large, stylized handwritten signature in black ink, appearing to be 'SCT', written over the printed name.

Stephen C. Thompson

SCT/dmm

cc: