



East Palestine Derailment Litigation Chronology

March 27, 2023 | [by Chiron Return](#) | Version 1.0

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February 7, 2023

Harold R. Feezle, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00242-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Representative Plaintiffs and other persons adversely affected (exposed to toxic substances, toxic fumes and carcinogens as well as evacuated/prevented from returning from their residences and/or businesses) by train derailment and chemical spill.

[Business, residents file class action negligence lawsuit over East Palestine derailment, spill](#)

[230207-feeze-v-ns.pdf](#)

February 9, 2023

Andrew Erdos, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00268-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of residents and other businesses located in and around the derailment site and subsequent “controlled” release in East Palestine, Ohio resulting in contamination of, and exposure to massive amounts of vinyl chloride and other toxic chemicals.

[Norfolk Southern Accused of Trying to Destroy Evidence of Ohio Wreck](#)

[230209-erdos-v-ns.pdf](#)

February 09, 2023

Ray E. Hall, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00257-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Representative Plaintiffs and other persons similarly situated who either owned, rented or resided within real property subject to the evacuation order, owned and operated businesses within the Danger Zone and/or all persons who suffered physical injuries as the result of the release of toxic substances.

[Class action lawsuits filed against Norfolk Southern for East Palestine derailment](#)

[230209-hall-v-ns.pdf](#)

February 15, 2023

Aysia Canterbury, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00298-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of all natural persons who resided, owned property or worked within a 30 mile radius of the fifty car derailment site where Norfolk Southern blew holes in its vinyl chloride cars and dumped 1,109,400 pounds of cancer causing Vinyl Chloride directly into the environment due to improperly functioning pressure relief valves.

[Norfolk Southern Sued Over Ohio Derailment—'Wholly Preventable Catastrophe'](#)

[230215-canterbury-v-ns.pdf](#)

February 15, 2023

Chase Kinder, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00292-JRA

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Class A (those who owned or rented property from February 3 to February 17, 2023 within 20 mile radius of East End of East Palestine) who experienced property damage and expense, Class B (those who owned, rented, resided in or worked at a property within 20 mile radius of East End of East Palestine who were evacuated, sheltered in place or were unable to return to their homes) who experienced economic loss and expense as well as emotion distress, discomfort and inconvenience and Class C (all persons present within a 20 mile radio of the train derailment) who were exposed to hazardous chemicals.

[All of the East Palestine train derailment lawsuits filed](#)

[230215-kinder-v-ns.pdf](#)

February 16, 2023

Kristin Battaglia, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00303-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Plaintiffs and similarly situated persons who were impacted by the derailment of trains containing hazardous substances which caused pollutants to be spilled into local waterways, evacuation of a 1 mile radius, release of noxious, hazardous and toxic fumes and hundreds of thousands of pounds of chemicals released into the air known to cause serious pulmonary and respiratory symptoms, burns to skin and death.

[Children plaintiffs in latest derailment lawsuits: One family's story](#)
[230216-battaglia-v-ns.pdf](#)

February 17, 2023

Jessica Davis, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00308-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO

Class action on behalf of Plaintiffs and similarly situated persons for property damage, loss of use and enjoyment of their property, costs and expenses incurred and to be incurred, and to seek monitoring for health risks and medical conditions that result from the derailment of a freight train which caused the release, burning, and emission of hazardous chemicals.

[Children plaintiffs in latest derailment lawsuits: One family's story](#)
[230217-davis-v-ns.pdf](#)

February 17, 2023

Tina Ibel, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00315-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Plaintiffs and similarly situated persons who suffered exposure to acute and chronic toxic constituents that pose a danger to human health following the ineffective and inadequate containment after derailment of Defendants' train.

[East Palestine neighbor sues Norfolk Southern over derailment citing, headaches, coughing, itchy skin](#)
[230217-ibel-v-ns.pdf](#)

February 20, 2023

Kayla Baker, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00324-BYP
Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of Plaintiffs and similarly situated persons who had to sequester themselves inside their homes or abandon their homes to prevent exposure to the toxic plume released by Norfolk Southern which poisoned livestock and crops and shut down local businesses. Plaintiffs are seeking to recover damages in relation to their residential property and injunctive and equitable relief, including testing and cleaning protocols to abate the toxic discharges, as well as the creation of a fund to finance medical monitoring services to screen, prevent, and treat injuries caused by exposure to Norfolk Southern toxic discharges.

[Norfolk Southern Sued Over Drop In Ohio Property Values](#)
[230220-baker-v-ns.pdf](#)

February 22, 2023

Scott Snyder, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00344-BYP
Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO

Class action on behalf of the Plaintiffs and similarly situated persons who reside or work in East Palestine, Ohio and/or a 10-mile radius of the derailment, who were exposed to hazardous fumes, chemicals, carcinogens, and other toxic substances, and who have exhibited physical symptoms like headaches, skin and eye irritation, trouble breathing and vomiting due to Norfolk Southern's negligence, including, but not limited to their cutting of signalmen around East Palestine who service detectors used to measure the temperature of the journal bearings of the train.

[Latest derailment lawsuits allege longer trains, fewer railroad employees](#)
[230223-snyder-v-ns.pdf](#)

February 22, 2023

Amy Dettmer, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00345-BYP
Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO

Class action on behalf of the Plaintiffs and similarly situated persons who reside or work in East Palestine, Ohio and/or a 10-mile radius of the derailment, who were exposed to hazardous fumes, chemicals, carcinogens, and other toxic substances, and who have exhibited physical symptoms like headaches, skin and eye irritation, trouble breathing and vomiting due to Norfolk Southern's negligence, including, but not limited to their cutting of signalmen around East

Palestine who service detectors used to measure the temperature of the journal bearings of the train.

[Latest derailment lawsuits allege longer trains, fewer railroad employees
230222-dettmer-v-ns.pdf](#)

February 23, 2023

**William Lee Fisher, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00350-BYP
Norfolk Southern, et al., Defendants**

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of Plaintiffs and similarly situated persons who have and will continue to suffer substantial damages, including, but not limited to decreased property values, damage to real and personal property, out-of-pocket expenses, lost wages, loss of business income, loss of business goodwill, and medical monitoring expenses as a result of the derailment and “controlled burn”.

[Ohio Judge Seeks Consolidation Plan For 18 Derailment Suits
230223-fisher-v-ns.pdf](#)

February 23, 2023

**Robert & April Atkinson, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00363-BYP
Norfolk Southern, et al., Defendants**

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of the Plaintiffs and similarly situated persons who live, own property, work or own businesses within 30 miles of the site of the derailment and subsequent “controlled burn” who have suffered damages, including, but not limited to (i) increased risk of cancer and organ damage from exposure to toxic chemicals, (ii) contamination of their property by dangerous levels of toxic chemicals dispersed by Defendants into the environment, (iii) diminution in the value of their property, and (iv) loss of use of their property.

[Youngstown Couple Sue Norfolk Southern Over Derailment
230223-atkinson-v-ns.pdf](#)

February 24, 2023

**Christina Bodnar, et al., Plaintiffs
v. Class Action, Case No. 4:23-cv-00380-BYP
Norfolk Southern, et al., Defendants**

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of residents and businesses located in and around the derailment and subsequent “controlled” release and burn in East Palestine, Ohio, that resulted in death to wildlife, contamination of, and exposure to, massive amounts of vinyl chloride and other toxic

chemicals leading to loss of use and enjoyment of property, property damage, loss of property value, emotional distress, and economic damages.

[All of the East Palestine train derailment lawsuits filed 230224-samek-v-ns.pdf](#)

March 01, 2023

Rosemary Mozuch, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00415-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of all individuals who resided in, leased, or owned property within a 30 mile radius of the derailment site who will continue to suffer decreased property value, damage to personal property and lost wages due to toxic chemical exposure.

[Ohio Judge Seeks Consolidation Plan For 18 Derailment Suits](#)

[230301-mozuch-v-ns.pdf](#)

March 02, 2023

Brenda Smith, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00429-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of Plaintiffs and similarly situated individuals who are residents, employees, property owners, or business owners affected by the derailment and subsequent “controlled burn” of massive amounts of toxic chemicals leading to contamination of air, surface, and ground water and inhalation of contaminants causing injury or medical monitoring as well as, loss of use and enjoyment of property, property damage, diminution of value of property and emotional distress.

[Ohio Judge Seeks Consolidation Plan For 18 Derailment Suits](#)

[230302-smith-v-ns.pdf](#)

March 03, 2023

Jon Luke Affeltranger, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00440-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Plaintiffs and similarly situated individuals who resided and/or owned or rented property within a 30 mile radius of train derailment site and were blanketed in toxic particles emanating from train derailment site and may be subject to short-term and long-term consequences to their health, property and water supply.

[Car Club Owner Sues Norfolk Southern Over Ohio Derailment](#)

[230323-affeltranger-v-ns.pdf](#)

March 09, 2023

Giovanni Irizarry, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00479-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Plaintiffs and similarly situated individuals seeking common law relief and vindication for a violation of their respective constitutional rights arising from the Defendant's toxic derailment where Defendants have taken Plaintiff's respective properties without payment of just compensation.

[Norfolk Southern class action claims properties taken by eminent domain without payment 230309-irizarry-v-ns.pdf](#)

March 11, 2023

Frank Policaro, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00495-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of Plaintiffs and similarly situated individuals whose lives were brought to an abrupt halt, closing businesses and leaving residents unable to enjoy their properties due to the spread of toxic pollutants following a train derailment which effects will be long-lasting.

[Norfolk Southern Derailment Suits Spur Lead Counsel Race 230311-policaro-v-ns.pdf](#)

March 13, 2023

Creamfab Inc., et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00509-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO

Civil action on behalf of Plaintiffs who are businesses who share common ownership and are each located in East Palestine, OH who were impacted by the train derailment and resulting fire and release of toxic chemicals into the air, soil and water which have caused and will continue to cause direct and substantial damages for Plaintiffs.

[East Palestine plant up and running after derailment but with concerns 230323-creamfab-v-ns.pdf](#)

March 13, 2023

Edward E. Barnhouse, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00510-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action on behalf of Plaintiffs and others similarly situated to seek relief from Defendant's irresponsible and tortious act which caused the displacement and inability for residents to use or enjoy their properties as well as exposure to acute and chronic toxic constituents that pose a

danger to human health as well as cause emotional distress.

[All of the East Palestine train derailment lawsuits filed
230313-barnhouse-v-ns.pdf](#)

March 14, 2023

The State of Ohio, Plaintiff

v. Class Action, Case No. 4:23-cv-00517-JRA

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Civil action filed on the behalf of Plaintiff to recover response costs, redress damages to natural resources, and receive an order of injunctive relief, civil penalties, and damages as a result of the wastes disposed of at the Derailment location.

[Norfolk Southern Sued by Ohio Over Toxic Train Derailment
230314-ohio-v-ns.pdf](#)

March 15, 2023

Robert Kurtz, Jr et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00529-BYP

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION, YOUNGSTOWN

Class action on behalf of Plaintiffs and similarly situated individuals who are residents, employees, property owners, or business owners affected by the derailment and subsequent “controlled burn” of massive amounts of toxic chemicals leading to contamination of air, surface, and ground water and inhalation of contaminants causing injury or medical monitoring as well as, loss of use and enjoyment of property, property damage, diminution of value of property and emotional distress.

[230315-kurtz-v-ns.pdf](#)

March 21, 2023

Michael Bunts, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00586-SL

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Class action filed on behalf of Plaintiff and similarly situated individuals who are residents, property owners, and businesses located near the scene of the train derailment adversely affected by exposure to toxic substances, toxic fumes, and carcinogens from the resulting chemical spill, suffering mental and physical injuries, forced to evacuate from their residences and businesses and prevented from returning, suffered property damage and lessened property values.

[Norfolk Southern Derailment, Spill, Fire Draw Another Suit
230301-bunts-v-ns.pdf](#)

March 21, 2023

Davidson Culixte, Plaintiff

v. Class Action, Case No. 4:23-cv-00600-SL

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Civil action filed on behalf of Plaintiff who lived within a two mile radius of Defendant's train derailment site and was forced by authorities to evacuate his home when train damage caused many of the railcars to breach, discharging more than a million pounds of hazardous chemicals into the local air, soil and water.

[230321-culixte-v-ns.pdf](#)

March 21, 2023

Jerrold Gurney, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00601-SL

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Civil action filed on behalf of Plaintiffs who owned a business within a two mile radius of Defendant's train derailment site and was forced by authorities to close their doors when train damage caused many of the railcars to breach, discharging more than a million pounds of hazardous chemicals into the local air, soil and water.

[230321-gurney-v-ns.pdf](#)

March 21, 2023

Tim Hamilton, et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00602-SL

Norfolk Southern, et al., Defendants

Civil action filed on behalf of Plaintiff who lived within a two mile radius of Defendant's train derailment site and was forced by authorities to evacuate his home when train damage caused many of the railcars to breach, discharging more than a million pounds of hazardous chemicals into the local air, soil and water.

[230321-hamilton-v-ns.pdf](#)

March 21, 2023

Jibril Hammond, Plaintiff

v. Class Action, Case No. 4:23-cv-00603-JRA

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Civil action filed on behalf of Plaintiff who lived within a two mile radius of Defendant's train derailment site and was forced by authorities to evacuate his home when train damage caused many of the railcars to breach, discharging more than a million pounds of hazardous chemicals into the local air, soil and water.

[230313-hammond-v-ns.pdf](#)

March 21, 2023

Scott Mcaller et al., Plaintiffs

v. Class Action, Case No. 4:23-cv-00604-SL

Norfolk Southern, et al., Defendants

U.S. District Court - NORTHERN DISTRICT OF OHIO - EASTERN DIVISION

Civil action filed on behalf of Plaintiffs who lived within a two mile radius of Defendant's train derailment site and was forced by authorities to evacuate his home when train damage caused many of the railcars to breach, discharging more than a million pounds of hazardous chemicals into the local air, soil and water.

[230313-mcaller-v-ns.pdf](#)