

Railroad

The history of railroads is woven into the fabric of our nation's history, and nowhere more so than in the Pacific Northwest. For almost 80 years, Cosgrave has helped weave that history. We represent national, regional, and local rail operators, as well as suppliers and contractors.

Railroads today face new challenges, ranging from volatility in demand and fuel costs to workforce issues and complex regulations. At the same time, there's been a resurgence in the growth of short-line railroads and multimodal transportation hubs. As history meets the future, Cosgrave provides the rail industry with the experience and vision needed to keep the rails rolling into the next century.

Our railroad practice group provides a full range of litigation services and legal advice, including:

- Appellate law
- Commercial contracts
- Environmental
- Employment
- Federal Employers' Liability Act (FELA)
- Federal Rail Safety Act
- Franchises
- Grade crossing claims
- Insurance
- Labor
- Occupational Safety and Health Administration (OSHA)
- Property damage
- Real estate
- Regulatory compliance

PRACTICE AREAS

Arbitration & Mediation

Business & Commercial
Litigation

Business & Corporate Law

Construction Services &
Litigation

Employment Law

Employment Litigation

Environmental Law & Toxic
Torts

Product Liability

Real Estate Law

Regulatory

ATTORNEYS

Paul A. C. Berg

Julie A. Smith

Shane P. Swilley

Nicholas E. Wheeler

Brandon L. Thornburg

- Third-party recovery
- Toxic torts

The chair of our railroad practice, Nicholas Wheeler, has litigated well over 100 FELA cases in state and federal court in Oregon and Washington over the last two decades. Moreover, the founder of the firm's railroad practice, Randall Kester (1916-2012), is a former Justice of the Oregon Supreme Court and previously worked in the Legal Department at Union Pacific Railroad.

Representative Clients

- BNSF Railway Company
- Genesee & Wyoming, Inc.
- Portland & Western Railroad, Inc.
- Portland Terminal Railroad
- Puget Sound and Pacific Railway
- RailAmerica
- Union Pacific Railroad
- Willamette & Pacific Railroad, Inc.

Affiliations

- American Short Line and Regional Railroad Association
- Association of Transportation Professionals
- National Association of Railroad Trial Counsel