

Ontario court gives green light to class action over Via derailment

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CARLOS OSORIO/TORONTO STAR A VIA Rail train is seen after it derailed in Burlington on February 26, 2012.

The Canadian Press

Ontario's Superior Court has ruled that a lawsuit in a [fatal passenger train derailment](#) can go ahead as a class action.

The lawsuit, against Via Rail and CN Rail, seeks compensation for physical and emotional injury, property damage and loss of income for passengers.

The train was travelling at more than 100 kilometres per hour when it [derailed](#) just east of Aldershot station in Burlington, Ont., killing three engineers and injuring 45 passengers.

The speed limit while changing tracks at that particular switch is 24 kilometres per hour, and investigators have said speed caused the Feb. 26 derailment.

The court certified the lawsuit today as a class action, meaning it can proceed.