

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, HAMMOND DIVISION AT LAFAYETTE

Justin W. Hedden v. Toledo Peoria & Western Railway, Corp. and
Genesee & Wyoming Railroad Services, Inc.

Hedden · No. 4:22-cv-24 · Decided April 10, 2026

SUMMARY

The United States District Court for the Northern District of Indiana considered defendants’ motion to exclude expert testimony and motion for summary judgment in a Federal Employers’ Liability Act action arising from a railroad worker’s shoulder injuries. The court excluded the expert’s opinions that the hand brake was inefficient and that the railroad failed to maintain the railcars, but permitted testimony concerning railcar identification, inspection adequacy, and employee training. The court denied summary judgment because genuine issues of material fact remained concerning the alleged Safety Appliance Act violation and FELA negligence claims.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, Hammond Division at Lafayette
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana, Hammond Division at Lafayette
DECIDED	April 10, 2026
DOCKET	4:22-cv-24
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on all Federal Employers’ Liability Act claims and moved to exclude the opinions of plaintiff’s expert under Federal Rule of Evidence 702.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court construes facts and reasonable inferences in favor of the nonmoving party. Expert admissibility under Rule 702 is reviewed through the court’s gatekeeping inquiry into qualification, relevance, reliability, sufficient facts or data, reliable methodology, and reliable application.

PRECEDENTIAL VALUE

unpublished district court opinion; persuasive rather than binding outside the case

TOPICS

employment law

negligence

expert testimony

summary judgment

evidence

PRACTICE AREAS

Federal Employers' Liability Act

railroad safety

expert evidence

summary judgment

negligence

QUESTIONS PRESENTED

1. Whether Engle's five challenged expert opinions satisfied Federal Rule of Evidence 702.
2. Whether Hedden presented sufficient evidence to create a genuine dispute regarding whether the hand brake was inefficient under the Safety Appliance Act.
3. Whether Hedden presented sufficient evidence of breach and causation to proceed on his direct negligence claims under FELA.
4. Whether alleged violations of railroad safety procedures constituted contributory negligence or otherwise required summary judgment for defendants.

HOLDINGS

1. Opinion 1 is inadmissible because Engle offered no reliable methodology or clear theory explaining why the hand brake failed, did not inspect the brake, and merely repeated Hedden's account. His ultimate legal conclusion that the railcar violated the Safety Appliance Act also improperly invaded the roles of the court and jury.
2. Opinion 2 is inadmissible because it was conclusory, lacked analysis of inspection or maintenance practices, rested on Hedden's account, and depended on the inadmissible premise that the hand brake was defective or inefficient.
3. Opinion 3 is admissible because Engle relied on multiple data points and his experience in railyard operations to explain why movement and continued assembly of the train made identification of the involved railcar difficult. Defendants' contrary arguments were matters for cross-examination.
4. Opinion 4 is admissible because Engle's relevant expertise concerned proper railyard inspection practices, and his opinion that a proper inspection should recreate the conditions of the incident was supported by reliable reasoning.
5. Opinion 5 is admissible because Engle relied on training documents and his experience training railroad workers, and defendants' challenges concerned the weight and conclusions of the opinion rather than the reliability of its methodology.
6. The Safety Appliance Act claims survive summary judgment because Hedden's testimony that the hand brake did not release as it should created a genuine issue of material fact regarding whether the brake was inefficient.

7. The direct FELA negligence claims survive summary judgment because the record contained genuine disputes regarding breach and causation, including training, safety procedures, hand-brake condition, inspection adequacy, and Hedden’s interaction with the brake.

KEY QUOTATIONS

“Determinations on admissibility should not supplant the adversarial process; ‘shaky’ expert testimony may be admissible, assailable by its opponents through cross-examination.” (Opinion and Order, § A.3)

“Critically, for the second avenue, if there is proof that the hand brake did not function in the usual manner during the incident in question, an SAA violation has been shown even if the hand brake worked correctly ‘both before and after the occasion in question.’” (Opinion and Order, § B.1)

“Defendants’ motion to exclude the testimony of John David Engle [DE 43] is GRANTED as to Opinions 1 and 2 and DENIED as to Opinions 3, 4, and 5. Defendants’ motion for summary judgment [DE 56] is DENIED.” (Opinion and Order, Conclusion)

FACTUAL BACKGROUND

On September 1, 2021, Hedden, a railroad conductor, was assembling a train in a Lafayette, Indiana, railyard. He attempted to release the final railcar’s hand brake with a brake stick; when the brake did not release, he repositioned the stick and pulled again, causing the stick to slip and Hedden to fall against an adjacent railcar. Hedden suffered labrum tears to both shoulders. The railroad inspected several potentially involved railcars and the brake stick, but Hedden disputed whether the correct railcar was identified and whether the inspection was competent.

PROCEDURAL HISTORY

Justin W. Hedden sued Toledo Peoria & Western Railway Corp. and Genesee & Wyoming Railroad Services, Inc. for injuries allegedly sustained while releasing a railcar hand brake. Defendants moved to exclude expert John David Engle and for summary judgment. The court partially granted the evidentiary motion, excluding Engle’s first two opinions but allowing Opinions 3 through 5, and denied summary judgment because genuine disputes of material fact remained regarding the hand brake, inspection, training, negligence, and causation.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Heft v. Moore, 351 F.3d 278, 282 (7th Cir. 2003)
- Goodman v. National Security Agency, Inc., 621 F.3d 651, 654 (7th Cir. 2010)
- Lewis v. CITGO Petroleum Corp., 561 F.3d 698, 704 (7th Cir. 2009)
- U.S. v. Pansier, 576 F.3d 726, 737 (7th Cir. 2009)
- Winters v. Fru-Con Inc., 498 F.3d 734, 742 (7th Cir. 2007)

- *Jenkins v. Bartlett*, 487 F.3d 482, 489 (7th Cir. 2007)
- *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 152 (1999)
- *Arrington v. City of Chicago*, 2022 WL 2105871, at *5 (N.D. Ill. June 10, 2022)
- *Gilreath v. CSX Transportation, Inc.*, 2018 WL 1003884, at *2-3 (E.D. Ky. Feb. 21, 2018)
- *C.W. ex rel. Wood v. Textron, Inc.*, 807 F.3d 827, 837 (7th Cir. 2015)
- *United States v. Hall*, 93 F.3d 1337, 1344 (7th Cir. 1996)
- *Gayton v. McCoy*, 593 F.3d 610, 616 (7th Cir. 2010)
- *Siemers v. BNSF Railway Co.*, 2018 WL 6421728, at *2 (D. Neb. Dec. 6, 2018)
- *Prescott v. CSX Transportation, Inc.*, 2013 WL 1338430 (S.D. Ga. Mar. 28, 2013)
- *Andrews v. BNSF Railway Co.*, 2018 WL 4701871, at *9 (S.D. Iowa Feb. 7, 2018)
- *Cooper v. Carl A. Nelson & Co.*, 211 F.3d 1008, 1021 (7th Cir. 2000)
- *CSX Transportation, Inc. v. McBride*, 564 U.S. 685, 698 (2011)
- *Crane v. Cedar Rapids & Iowa City Railway Co.*, 395 U.S. 164, 166 (1969)
- *McGinn v. Burlington Northern R. Co.*, 102 F.3d 295, 298 (7th Cir. 1996)
- *Urie v. Thompson*, 337 U.S. 163, 189 (1949)
- *DeBiasio v. Illinois Central Railroad*, 52 F.3d 678, 683 (7th Cir. 1995)
- *O'Donnell v. Elgin J. & E. Railway Co.*, 338 U.S. 384, 390 (1949)
- *Lusher v. Norfolk Southern Railway Company*, 2014 WL 3894347, at *2, *5, *9 (N.D. Ind. 2014)
- *Keane v. Northeast Illinois Commuter Railroad Corp.*, 2002 WL 1806919, at *3 (N.D. Ill. 2002)
- *Richards v. Consolidated Rail Corp.*, 330 F.3d 428, 433 (6th Cir. 2003)
- *Gilreath v. CSX Transportation, Inc.*, 2018 WL 737607, at *4 (E.D. Ky. Feb. 6, 2018)
- *Holbrook v. Norfolk Southern Railway Co.*, 414 F.3d 739, 741 (7th Cir. 2005)
- *McBride v. CSX Transportation, Inc.*, 598 F.3d 388, 403 (7th Cir. 2010)
- *Rogers v. Missouri Pacific Railroad Co.*, 352 U.S. 500, 506 (1957)

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