

FILED  
11/14/2022 5:24 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
2022L010187  
Calendar, H  
20297308

ATTORNEY CODE # 04771  
STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

GLORIA CENTILLE, )  
 )  
Plaintiff, ) 2022L010187  
 )  
v. ) NO.  
 )  
UNION PACIFIC RAILROAD, )  
 )  
Defendant. )  
 )

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, GLORIA CENTILLE, by her attorneys HORWITZ,  
HORWITZ AND ASSOCIATES, LTD., and complaining of the Defendant Union Pacific  
Railroad, alleges as follows:

**NATURE OF THE CASE**

1. This suit arises out of the negligence of the above-named Defendant, a railroad,  
that, in whole or in part, caused and resulted in the above-named Plaintiff, contracting the virus  
formally referred to as SARS-CoV-2 virus, and developing the disease formally referred to as  
COVID-19.

FILED DATE: 11/14/2022 5:24 PM 2022L010187

2. At all relevant times, the Plaintiff was employed by Defendant as a ticket agent, and the injuries and damages suffered by the Plaintiff was sustained while engaged in the course of her duties, and in the furtherance of interstate commerce.

3. In the course of the Plaintiff's employment, she was exposed to the SARS-CoV-2 virus, which caused, or contributed to, the development of the COVID-19 disease.

### **JURISDICTION**

4. The Federal Employers' Liability Act (the "FELA"), 45 U.S.C. § 51 et seq., governs this suit and grants this Court concurrent jurisdiction over it under 45 U.S.C. § 56.

### **PARTIES AND VENUE**

5. Plaintiff, Gloria Centille, resides in Cook County, Illinois.

6. The Plaintiff, at all times relevant, resided in Cook County, Illinois, and did so during the majority of the time relevant to this Complaint.

7. At all relevant times, the Defendant, Union Pacific Railroad, was and is a foreign railroad corporation authorized to and doing business in the State of Illinois.

8. Venue is proper under Section 2-101 of the Code of Civil Procedure, 735 ILCS 5/2-101.

### **GENERAL ALLEGATIONS**

9. At all relevant times, Defendant, Union Pacific Railroad, operated a railroad system as a common carrier by railroad engaged in interstate and/or foreign commerce.

10. At all relevant times, Defendant owned and operated as a part of its railroad system Ogilvie Transportation Center 500 W. Madison St. Chicago, Cook County, Illinois.

11. At all relevant times, the Plaintiff was an employee of Defendant and worked for Defendant in Cook County, Illinois, at the Ogilvie Transportation Center.

12. At all relevant times, the Plaintiff was performing work for Defendant in connection with or in furtherance of Defendant's business of interstate commerce and transportation.

13. At all relevant times, the Plaintiff while working for Defendant, was exposed to the SARS-CoV-2 virus resulting in her developing the COVID-19 disease.

**COUNT I – GLORIA CENTILLE**

**FELA ACTION AGAINST UNION PACIFIC RAILROAD**

NOW COMES the Plaintiff, GLORIA CENTILLE, by her attorneys HORWITZ, HORWITZ AND ASSOCIATES, LTD., and complaining of the Defendant Union Pacific Railroad, alleges as follows:

1-13. Plaintiff incorporates paragraphs 1 through 13 as if fully set forth herein.

14. This action arises under, and the rights and liabilities of the parties to this cause are governed by the Federal Employers Liability Act, 45 U.S.C., § 51, et seq.

15. In the course of her duties as an employee of Defendant, the Plaintiff, Gloria Centille, was assigned as a ticket agent at the Ogilvie Transportation Center 500 W. Madison St. Chicago, Cook County, Illinois.

16. In March 2020, Plaintiff reported for work as a ticket agent at the Ogilvie Transportation Center.

17. While in the process of her job as a ticket agent supervisor, Plaintiff was exposed to the SARS-CoV-2 virus.

18. It was the continuing duty of the Defendant, as employer, at the time and place in question, to use ordinary care in furnishing the Plaintiff with a reasonably safe place to work.

19. In violation of its duties, Defendant negligently and carelessly failed to provide Plaintiff with a reasonably safe place to work, by committing one or more of the following negligent acts or omissions:

- a. Failed to provide reasonably adequate safe working environment;
- b. Failed to develop social distancing rules to protect its employees;
- c. Allowed employees to work while infected with the virus;
- d. Allowed its employees to work among infected employees;
- e. Failed to develop adequate work procedures to prevent the infection of the virus;
- f. Failed to prohibit employees who were exhibiting signs and symptoms of the virus from working or otherwise entering the premises;
- g. Ordered its employees to work while infected with the virus;
- h. Failed to adequately address and otherwise ignored other employees who communicated to management that they were experiencing signs and symptoms of the virus;
- i. Failed to warn the Plaintiff and other employees that various individuals, including other employees who were present and active at work, were experiencing symptoms or may have been infected with the virus;
- j. Failed to provide personal protective equipment, such as masks, latex gloves and other devices designed to prevent the infection of the virus;
- k. Failed to protect its employees, including the Plaintiff, from the virus;
- l. Failed to have a rule relating to working with social distancing rule;
- m. Failed to follow the recommendations and descriptions of mandatory safety and health standards promulgated by the United States Department of Labor and the

Occupational Health and Safety Administration as set out in *Guidance on Preparing Workplaces for COVID-19*;

- n. Failed to follow the guidelines promulgated by the Center for Disease Control and Prevention (“CDC”) to keep its workplace in a safe and healthy condition and to prevent employees, like Plaintiff, and others from contracting the virus;
- o. Failed to prepare or implement basic infection prevention measures as is recommended by the CDC;
- p. Failed to conduct periodic inspections of the condition and cleanliness of the work area to prevent and/or minimize the risk of employees, like Plaintiff, and others from contracting the virus as is recommended by the CDC;
- q. Failed to provide employees, like Plaintiff, with antibacterial soaps, antibacterial wipes, and other cleaning agents as is recommended by the CDC;
- r. Failed to develop policies and procedures for prompt identification and isolation of sick people as is recommended by the CDC;
- s. Failed to develop, implement, and communicate to its employees about workplace flexibilities and protections as is recommended by the CDC;
- t. Failed to implement engineering controls designed to prevent infection including, but not limited to, installing high-efficiency air filters, increasing ventilation rates in the work environment and installing physical barriers such as clear plastic sneeze guards, as is recommended by the CDC;
- u. Failed to properly train its personnel to implement and follow procedures designed to minimize the risk of contracting the virus;

- v. Failed to periodically interview and/or evaluate its employees for signs and symptoms of the virus;
- w. Failed to have adequate rules, policies and/or procedures to prevent a) - v);
- x. Failed to adequately preplan to prevent a) - v); and/or
- y. Was otherwise careless and/or negligent.

20. The aforesaid occurrences were caused in whole or in part by the negligent acts of Defendant and/or the negligence of Defendant's agents, servants, and/or employees.

21. As a direct result of one or more of the foregoing negligent acts of Defendant, in addition to others not specifically mentioned but that may be discovered during litigation, Plaintiff became infected with the SARS-CoV-2 virus, developed the COVID-19 disease, and incurred injuries.

22. Defendant's failure to provide the Plaintiff with a reasonably safe place to work, by one or more of the foregoing negligent acts or omissions, caused, in whole or in part, the Plaintiff's injuries.

23. As a consequence, Plaintiff has suffered great losses both personal and pecuniary in nature, subjecting the Defendant to liability pursuant to the Federal Employers Liability Act, 45 U.S.C., § 51, et seq. And Plaintiff seeks all damages recoverable pursuant to FELA, 45 U.S.C. § 51 et seq.

24. Plaintiff requests trial by jury.

WHEREFORE, it is respectfully requested that judgment be entered in favor of the Plaintiff, Gloria Centille, in an amount in excess of the minimum jurisdiction amount of \$50,000.00, plus the costs of this action, and such additional amounts as the Court shall deem proper.

*Clifford Horwitz*

---

Clifford W. Horwitz  
**Horwitz, Horwitz, and Associates, LTD.**  
25 E. Washington, Suite 900  
Chicago, IL 60602  
Office: (312) 372-8822  
Email: [clmail@horwitzlaw.com](mailto:clmail@horwitzlaw.com)

ATTORNEY CODE # 04771  
STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

GLORIA CENTILLE, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 UNION PACIFIC RAILROAD, )  
 )  
 )  
 Defendant. )  
 )

NO.  
2022L010187

**JURY DEMAND**

The undersigned demands a jury trial.

*Clifford Horwitz*

\_\_\_\_\_  
Clifford W. Horwitz  
**Horwitz, Horwitz, and Associates, LTD.**  
25 E. Washington, Suite 900  
Chicago, IL 60602  
Office: (312) 372-8822  
email: [clmail@horwitzlaw.com](mailto:clmail@horwitzlaw.com)