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## Settlement over train crash death grows

By Jean Ortiz, [jortiz@VenturaCountyStar.com](mailto:jortiz@VenturaCountyStar.com)

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Three sources are contributing to a nearly \$1.5 million settlement -- \$175,000 higher than previously disclosed -- for the family of a Moorpark man killed in a November 2003 train crash, the family's attorney said Tuesday.

Meanwhile, a memorial is being planned to honor the longtime Simi Valley city employee who lost his life in the crash.

Charles Ozal Shere, 64, was involved in a head-on collision along Los Angeles Avenue just east of Collins Drive in Moorpark on that fall afternoon with a driver who was on the wrong side of the road, police say.

Shere, an electrician with the city of Simi Valley, survived the collision -- which left his work truck on the train tracks -- but he did not survive the impact as a Metrolink train passed through the accident site minutes after the first collision.

Shere's family sued in Ventura County Superior Court in July, listing among the defendants the city of Moorpark, alleging the roadway was in poor condition and lacked a safe design. The suit called it a "concealed trap" that contributed to the collision between Shere and Arturo Bacilio of Sunland.

Moorpark officials have contended the city was not responsible in the matter.

The city's Joint Powers Insurance Authority will give the family \$1.35 million, a figure more accurate than the \$1.3 million city officials reported Sunday, said [Andrew Shapiro](#), who

represents the Shere family.

The family also will get \$100,000 from Bacilio and \$25,000 from Michael Flannery of Agoura Hills, he said.

Flannery rear-ended Shere after the initial collision, Shapiro said. Although it was the collision with Bacilio that caused Shere's truck to become stuck on the tracks, the second collision added to the situation's confusion, he said.

Simi Valley city officials are planning a memorial to honor Shere, who marked seven years with the city's Public Works Department just weeks before his death.

The tribute could come as a memorial tree with a plaque, Assistant City Manager Laura Behjan said. Plans are being finalized.

The family's driving force in the litigation was to ensure roadway improvements so that others wouldn't have to go through a similar loss, Shapiro said.

