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## FELA Suit Not Timely Where Employee Knew Of Repetitive Trauma Problems More Than Three Years Before Filing

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Plaintiff began working for the railroad doing heavy manual labor in 2006. On November 19, 2009, he saw a nurse for bilateral hand pain. Suit was filed November 30, 2012. The trial court dismissed the Complaint based upon the three-year limitation applicable to **FELA** claims.

The *Seventh* Circuit affirmed. It rejected plaintiff's argument that intermittent pain should be insufficient to trigger accrual of the claim and that he thought his problems was nothing more than muscle soreness. He knew or through the exercise of reasonable diligence should have known, that his problems were caused by his work more than three years prior to the time he filed suit. **Sweatt v. Union Pacific Railroad Co.**, No. 14-2451, 2015 U.S. App. LEXIS 13706 (7th Cir. Aug. 6, 2015).

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