

Ailing 9/11 Workers Sue WTC Insurance Fund for Sick Pay

NEW YORK (AP) - Ailing Ground Zero workers went to court yesterday to demand that the company overseeing a \$1-billion Sept. 11 insurance fund spend the money to pay for their health care.

The workers have already filed a class-action lawsuit claiming the toxic dust from the World Trade Center site gave them serious, sometimes fatal diseases. Yesterday, they sought compensation from the WTC Captive Insurance Co., the company in charge of money appropriated by Congress to deal with Sept. 11 health-related claims.

"The WTC Captive has consistently refused to pay any of the Ground Zero workers who have become ill on the work site, including any compensation" for lost salaries, pain and suffering, medical treatment, medical monitoring or burial expenses, said the lawsuit, filed in Manhattan's state Supreme Court.

It was filed by attorneys representing thousands who became ill after working to clean up the site and breathing in toxic trade center dust, including more than 100 who have died.

"She hasn't paid a penny to one of my 10,000 people," David Worby, an attorney representing the workers, said of the company's CEO, Christine LaSala. "It

was their mandate."

Mayor Michael Bloomberg, who was named in the suit along with LaSala and board members, said yesterday that attorneys are wrong about the company's structure.

"They just don't know the facts. The truth of the matter is, Congress didn't set up a victims' compensation fund," the mayor said. "We'd like them to do that, we've asked for that. They set up a captive insurance company. And the insurance company can only pay out monies if somebody sues us in court and wins a judgment against us."

Congress directed the Federal Emergency Management Agency to set up the fund, appropriating up to \$1 billion "to establish a captive insurance company or other appropriate insurance mechanism for claims arising from debris removal, which may include claims made by city employees," according to the 2003 resolution.

The lawsuit, relying on testimony from federal officials over the years about the fund's purpose, said officials meant for the money to be used to compensate ailing workers. Federal and state governments never said "that a captive insurance company be established solely to defend the city of New York and its contrac-

tors from all rescue, recovery and debris removal-related claims, at all costs," the lawsuit said.

In this case, the term "captive" refers to an entity created specifically to cover 9/11-related claims for the New York City government.

Since it began operating in 2004, the company has spent more than \$73 million of the insurance money in legal fees and other expenses, the lawsuit says.

Worby and other attorneys plan to go to Washington later this week to lobby congressional leaders to urge the company to make the \$1 billion available immediately for sick workers.

The largest study conducted of about 20,000 Ground Zero workers reported last year that 70 percent of patients suffer respiratory disease years after the clean-up. The city earlier this year added to its Sept. 11 death toll a woman who died in 2002 of lung disease, five months after being caught in the dust cloud of the collapsing Twin Towers.

Bloomberg and other city officials have estimated the cost of caring for the workers who are sick or who could become sick at \$393 million a year and urged the federal government to pay for their treatment and monitoring.



(L-R:) Ezra Friedlander, CEO of The Friedlander Group, Councilman Bill de Blasio, Mr. Peter Rebenwurz, Vice President of Shema Kolainu, Mr. Joshua Weinstein, president and founder of Shema Kolainu, Bronx Borough President Adolfo Carrion Jr. (accepting the award), and Mr. Menachem Lubinsky, president and CEO of Lubicom Marketing Consulting.

Autism Group Honors Legislative Leaders

Shema Kolainu-Hear Our Voices, a school and center for children with autism, yesterday hosted its Fifth Annual Legislative Breakfast in the Renaissance Ballroom in Brooklyn.

A primary goal of this event was to educate legislators about the urgency of autism care and research, raise support and awareness, and share ideas about working to combat autism through effective public policy and legislation. The other purpose was to honor several public officials and community leaders.

The breakfast was sponsored by Affinity Health Plan and

coordinated by The Friedlander Group.

Menachem Lubinsky, president and CEO of Lubicom Marketing Consulting, was the master of ceremonies. Mr. Lubinsky noted that this event recognized those people who have transformed the grammatical tense of Shema Kolainu from "Hear Our Voices" to "Our Voices Have Been Heard."

Shema Kolainu, which opened in 1998 and is located in Brooklyn, N.Y., is a nonprofit, non-denominational organization dedicated to enhancing the quality of life for children with autism in New York City.

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