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Top Firm Joins Deceased Firefighter's Legal Team - Beddia Estate Files Suit Against Twelve Defendants

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February 13, 2008, New York City, NY– The battle to secure justice for deceased firefighter Robert (“Bobby”) Beddia gained momentum today with the announcement that attorneys from Barasch McGarry Salzman & Penson, who have decades of experience representing NYC firefighters and their families, have joined forces with Crowell and Moring LLP to represent the Beddia estate in legal actions against the parties responsible for his death.

The expanded legal team filed suit today in New York Supreme Court on behalf of the Beddia family and his estate against twelve public and private parties for their role in Beddia’s death. The firefighter’s sister, Barbara Beddia Crocco, is the plaintiff in the matter as administrator of Beddia’s estate. Beddia also is survived by his siblings Ed Carman, James Beddia, and Susan Beddia Olson.

“We intend to send a clear message that we’re committed to doing whatever it takes to see that this never happens to another firefighter and that the Beddia family receives justice in the face of their devastating loss,” said Aryeh Portnoy of Crowell & Moring. “No one has more experience than Barasch McGarry in ensuring that those responsible for putting the lives of New York City’s heroes in danger are held accountable. Their expertise combined with our expertise and knowledge of this case creates a legal team with every resource needed to see this matter to a successful and just conclusion.”

Beddia, a member of the New York Fire Department’s Engine Company 24, died August 18, 2007, in a 7-alarm blaze at the Deutsche Bank Building in New York City, which was undergoing demolition to become part of the World Trade Center Memorial site. In the ensuing firefighting action, the 53-year old firefighter encountered a series of unanticipated – and illegal – obstacles in the building, including piles of combustible debris, dismantled fire connections, compromised stairwell walls, and barricaded exits, which resulted in his death.

“We’re honored at the opportunity to join with Crowell & Moring in taking up Bobby’s cause,” said Ed Marcowitz of Barasch McGarry. “This was a completely preventable tragedy. We know the Beddia family, the citizens of our city, as well as the UFA and UFOA are looking for answers. Hopefully, we will get answers to all of our questions. Only then can the appropriate action be taken in order to ensure that nothing like this ever happens again.”

The Lower Manhattan Development Corporation, Lower Manhattan Construction Command Center, Bovis Lend Lease, Inc., Bovis Lend Lease LMB, Inc., The John Galt Corporation, TRC Environmental Corporation, URS Corporation, URS Corporation – New York, Gilbane Building Company, Safeway Environmental Corporation, Regional Scaffolding and Hoisting Co., Inc. and Regional Scaffolding/Safeway Environmental, NY Joint Venture, LLC are named as defendants in the matter. According to the suit, the conditions leading to Beddia’s untimely death were foreseeable, preventable, and known to all twelve parties.

The list of deadly conditions cited in the complaint includes numerous violations of New York City law, including creating and maintaining unreasonable obstacles to the building’s emergency egress routes; permitting workers to smoke routinely at the site and to create safety hazards; dismantling and obstructing required fire connections; and failing to ensure that firefighters had clear and safe access to and from the building in the event of an emergency, including clearly marked, well-lit, and unobstructed escape routes that were in good working order. Other violations included hiring contractors and workers without sufficient

experience to conduct the demolition project safely; ignoring warnings from officials regarding the integrity and safety records of contractors hired; ignoring specific concerns regarding the safety of the site for firefighters; providing inaccurate information and documents to emergency personnel; failing to notify emergency personnel about obstacles to building egress and lack of functioning fire connections with which to fight the fire; failing to provide adequate signage, lighting and warnings in the building for emergency personnel; failing to investigate and remediate safety violations and other hazards; failing to remove combustible and other debris; dismantling exterior walls of enclosed stairwells and egress routes, creating exposure to toxic and deadly smoke; and developing and implementing illegal building escape protocols that placed firefighters in grave danger.

"Those responsible for this building had the duty to keep it safe for firefighters like Bobby; they did not, and Bobby paid the ultimate price." said Mr. Portnoy.

Crowell & Moring has substantial experience litigating wrongful death suits against public and private entities. In mid-January, the firm won a high-profile federal suit against the Government of Libya on behalf of the estates and family members of seven American passengers on a French-operated jet blown apart mid-air by a suitcase bomb in September, 1989. One hundred-seventy passengers and crew perished in one of the deadliest terrorist events in commercial aviation history. The firm secured a judgment of more than \$6 billion on behalf of the families and the owner of the aircraft in the case.

Barasch McGarry Salzman & Penson has a long history of serving the needs of the Firefighter community. The firm has represented thousands of New York's Bravest over the past fifteen years. They were lead counsel in the landmark Court of Appeal decision *Giuffrida v CitiBank* in 2003 which greatly expanded the rights of New York City Firefighters who are injured in the line of duty. The firm contributes significant pro bono work on behalf of firefighters as well. Recently the firm scored a major victory on behalf of disabled Firefighters injured at Ground Zero who were being denied pension benefits.

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