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**FIRST MAJOR CLASS ACTION LAWSUIT FILED FOR GROUND ZERO CLEANUP
WORKERS AFFLICTED WITH “WTC TOXIC DISEASES”**

***Complaint Filed Against Property Owners & Others on Behalf of 800-Plus Existing Plaintiffs;
Thousands of Plaintiffs Expected to Join Class; \$ Billion-Plus Sought for Medical Testing of Victims
New York City, Port Authority, EPA and OSHA Named in Separate Lawsuits and Filings***

New York, NY – September 13, 2004 - Worby, Groner, Edelman, & Napoli, Bern, LLP announced today the September 10th filing of the first major class action lawsuit on behalf of Ground Zero cleanup workers and others against managers, owners, controllers and lessors of the World Trade Center (WTC) complex. The unprecedented combination of lethal toxins present at the World Trade Center site during search and rescue, demolition and cleanup efforts in the months following September 11, 2001 affected not only the cleanup workers but potentially hundreds of thousands of people living and working in the area with “WTC Toxic Diseases”.

“The tragic reality is that so many of the brave heroes who worked so tirelessly and unselfishly are becoming a second wave of casualties of this horrific attack, and we are only seeing the tip of the iceberg three years later in terms of the number of victims as well as the variety and severity of their illnesses,” said David E. Worby, a senior partner of the law firm. “In this action, as well as several others in development, we are seeking compensation for victims and to establish funding for a massive, decades-long protocol of medical testing for all those exposed to these poisons, so that the variety of diseases they may contract over the next 20 years or more can be diagnosed and potentially treated as quickly as possible to minimize their effects.”

There are currently more than 800 plaintiffs participating in this suit, with the firm fielding hundreds of new inquiries from potential plaintiffs every day. The firm has already been approached by groups representing thousands of potential plaintiffs in this and other related actions, and the total number of people who may eventually experience adverse health effects from exposure to the toxins emanating from the site and the Fresh Kills Landfill could be as many as 400,000. Worby, Groner, Edelman, & Napoli, Bern is initiating thousands of individual lawsuits, notices of claims and other filings against a variety of governmental entities and agencies including New York City, The Port Authority of New York and New Jersey, The Environmental Protection Agency (EPA) and The Occupational Safety and Health Administration (OSHA) on behalf of their individual clients.

Worby added that the firm will also spearhead initiatives with legislators at all appropriate levels of government to facilitate the creation and funding of such medical testing programs for current and future victims. The firm is working with leading, expert medical and toxicological consultants to create the proposed protocol for such testing, and expects to announce these recommendations within the next 30 days. The firm estimates the likely long-term cost of such testing could be more than one billion dollars.

“The defendants in this case were aware that extreme safety precautions and unusual care were necessary to protect the rescue and cleanup workers from airborne contamination, toxins and other harmful substances throughout the nine-month cleanup. Thousands of brave people are now suffering the consequences of this irresponsible behavior and potentially many thousands more will,” said Worby. “Other actions that we are undertaking will focus on local and federal governmental entities that are responsible for allowing rescue, recovery and cleanup workers to be exposed to these lethal poisons without adequate testing or protection,” Worby added. “The bottom line is that there was an unnecessary rush by elected officials to declare the area safe for habitation and cleanup that exposed 400,000 people or more to toxins that leave them vulnerable to serious, if not fatal illnesses in the decades to come.”

William R. Sawyer, Chief Toxicologist, Toxicology Consultants & Assessment Specialists, Inc., is a leading national expert on WTC site toxicity who conducted toxicological assessments on WTC workers. “The initial collapse of the buildings and smoldering fires released a dust and vapor cloud that hovered over the immediate and surrounding areas,” said Sawyer. “Building materials continued to smolder, releasing a toxic mixture of chemicals measured by EPA subcontractors in the air at levels in great excess of those considered hazardous to human health.” These toxins included particulate matter composed of cement dust, glass fibers, asbestos, lead, polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), organochlorine pesticides, and polychlorinated furans and dioxins, which were released into the air for weeks and months following September 11, 2001.

“I have conducted direct testing of the paper dust masks and clothing worn by these workers during their first few weeks of exposure,” said Sawyer. “Certified analyses of the particulate matter removed from this gear revealed high levels of several different carcinogens which were far beyond the EPA-recommended levels. The variety and seriousness of the likely resultant illnesses are as unique and unprecedented as the combination of deadly poisons to which these workers were exposed.”

One plaintiff who participated in Monday’s press conference is John R. Walcott, a former New York City Police Detective who now suffers from benzene-induced leukemia. He was among several plaintiffs present representing employees of the New York City Fire, Police, Transit and Sanitation Departments, Con Edison, Verizon, construction and iron workers and a

number of private contractors who are currently suffering some form of illness as a result of their onsite exposure. Walcott was diagnosed with acute myeloid leukemia (AML) on May 20th, 2003. Not having a suitable transplant donor, Mr. Walcott was approved for stem cell transplant post cycle four chemotherapy. The firm is currently representing him in a separate, individual suit, the first such action it filed.

Walcott, 39, was a detective when assigned duty at the WTC site on September 11, 2001. He said that he and other workers were provided with simple paper masks, and that he wore the mask for only a short period of time as it "just became too clogged to breathe in or out". He added that he did not receive another mask on 9/11 despite breathing difficulty, constant cough and gagging, and that there was no post-duty decontamination available that day or throughout the duration of the cleanup. Walcott was assigned to various clean-up tasks over the next several months, including to the pile and sifter at the Fresh Kills Landfill on Staten Island

Among those publishing studies or reports within the last week that analyze current and potential illnesses resulting from exposure to the WTC site are the U.S. Centers for Disease Control and Prevention, The Government Accountability Office and the journal *Environmental Health Perspectives*. The Sierra Club has also released a recent, comprehensive report on these subjects.

WTC search, rescue and cleanup workers with any questions about this or other pending suits can receive more information by calling Worby, Groner, Edelman, & Napoli, Bern, LLP at 877-WTC-HERO.

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(For more information, including a copy of the full complaint, please go to www.877wtchero.com)