



OFFICE LOCATION

Ankin Law Office
162 W Grand Ave
Chicago, IL 60654

Tel: 312-346-8780
Fax: 312-346-8781

PRACTICE AREAS

Workers Compensation

Personal Injury

Motor Vehicle Accidents

Wrongful Death

Settlement nearly reached in 9/11 rescuer claims

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Earlier this month, it was reported that 9/11 rescuers and cleanup crews finally reached a settlement in regard to their claims against New York City. Over 10,000 plaintiffs sought compensation for injuries, many of which were respiratory-related, alleged to have been incurred while working at ground zero. The settlement amount of up to \$675.5 million was to be apportioned among the plaintiffs based upon the severity of their ailments and their levels of exposure to toxic contaminants while working at ground zero.

However, late last week, as reported in this New York Times [article](#), Judge Hellerstein rejected the proposed settlement on the grounds that it did not provide the plaintiffs with sufficient compensation.

This is a bitterly disputed lawsuit, as explained in a recent New York Times [article](#):

The settlement, which took two years to negotiate, raises the prospect of an end to years of complex and politically charged litigation that has pitted angry victims against city officials, who questioned the validity of some claims and argued that the city should be immune from liability... The city argued that it was immune from damages in cases involving a national emergency or a civil defense disaster. It also questioned the connection between the illnesses and ground zero and cast doubt on many of the claims...

It is undisputed that the unique nature of this disaster resulted in a series of unusual issues and claims not generally encountered. The destruction of the Twin Towers was such an unprecedented event that it's difficult to conceive of actions that the City could have reasonably taken to prepare for it. Many believe that City did the best it could under the circumstances in face of such a disastrous and unfathomable



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tragedy.

However, the heroic emergency responders and clean up crews should certainly receive compensation for their injuries despite the unique circumstances presented by this tragedy.

This settlement attempted to balance these competing considerations, with end goal to allow parties involved to heal and move forward with their lives. However, now the fate of this lawsuit lies in the hands of the judge.