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9/11 'COMP' CHAMP

By MAGGIE HABERMAN

May 24, 2006 – The Bloomberg administration yesterday officially halted its fight against health benefits for a former Rudy Giuliani deputy suffering from suspected Ground Zero-related ailments - nearly a week after a brouhaha erupted over the case.

The city Law Department decided to withdraw its appeal in the case of Rudy Washington, the highest-ranking official known to have suffered from apparent Ground Zero-related illnesses, after a short meeting with the former deputy mayor and his lawyer.

The Post reported last week that Washington initially had won a claim for health benefits after filing a case with the state Workers' Compensation Board.

He first fell ill right after the Sept. 11, 2001, attacks, with a mysterious ailment. Since then, he's suffered asthma and another respiratory condition, and has lost weight, among other symptoms.

He filed the claim in December 2004, solely to have his health care covered, several people close to him said.

He filed beyond the two-year time limit imposed by law, but argued he was excused from it because the city paid him for missed days in 2001, knowing he was sick from working around Ground Zero.

An administrative law judge agreed and ruled in his favor last March. But the Bloomberg administration appealed.

That prompted a torrent of criticism from Giuliani and several former Giuliani aides, who said Washington had won his case on the merits, and who ripped Bloomberg for pursuing an appeal.

The mayor then told reporters he thought the decision was "wrong" and based on a "technicality" and said he had "changed it overnight."

Washington's lawyer, Robert Grey, said, "We are mindful that there are hundreds of other Sept. 11 victims who are struggling to have their lost wages and medical bills covered under workers' compensation, only to be denied by time limits."

Corporation Counsel Michael Cardozo told a City Council hearing on Monday that there are about 290 other city workers who filed claims beyond the deadline.

One source close to Washington said he has told people that workers fighting those claims "have an advocate in me."

Giuliani was "very pleased" by the resolution, spokeswoman Sunny Mindel said. Bloomberg spokesman Stu Loeser also said his boss was pleased.

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