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## CITY WRONG TO \$TIFF SICK 9/11 BIG: MIKE

By MAGGIE HABERMAN and CARL CAMPANILE



**VICTORY:** Rudy Giuliani's deputy mayor Rudy Washington won his benefits fight, as we reported yesterday.

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May 19, 2006 – The city's bid to deny a former Rudy Giuliani aide medical benefits for a suspected Ground Zero-related respiratory illness was "wrong," Mayor Bloomberg said yesterday.

Bloomberg said that as soon as he learned of the effort, he directed the city's lawyers to fix the matter with former Deputy Mayor Rudy Washington.

But Washington's lawyer responded that the only acceptable settlement will be if the city withdraws its appeal of a favorable state Workers' Compensation Board ruling providing him with lifetime medical coverage.

"Our claim was won on the merits," Robert Grey said of the initial ruling for Washington.

"As of today, the city is still appealing our case. I have nothing from the city indicating they have withdrawn the appeal."

Earlier in the day, Bloomberg explained why he asked city lawyers to take care of the situation.

"Rudy Washington is a really stand-up guy," Bloomberg said.

"The next thing I know was one of our lawyers, on a technicality, I thought to appeal his court decision and when I heard it was wrong," Bloomberg added.

"When I heard about it I just thought it was changed it overnight."

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Hours later, city Law Department official Jo said, "The mayor has asked that there be a... to Mr. Washington's claim" - but said nothing withdrawing the appeal.

His statement said the city's lawyers would... Washington's counsel to look at additional

Bloomberg spokesman Stu Loeser said, "I directed the city's lawyers to reach a fair settlement with Mr. Washington and, just like any case, approved as part of a settlement agreement

Washington - the highest ranking black official in the Giuliani administration who was nearby when the tower collapsed and helped supervise the cleanup response - is being treated for asthma.

Giuliani said yesterday he was pleased when he heard the city had backed off.

Advocates for thousands of ailing 9/11 emergency responders and laborers said Bloomberg announced the city should fight to help these workers in compensation cases.

"The city's policy has been to deny, contest and delay workers' claims in ways that have caused hardship," said Joel Shuffron, executive director of the New York Committee on Occupational Safety and Health.

State AFL-CIO chief Denis Hughes said, "Rudy Washington puts a public face on a very inefficient system. What about the thousands of men and women who don't know the mayor?"

Lawyer David Worby, who represents 8,000 Ground Zero workers in a class-action suit, agreed to a settlement.

"Why isn't Giuliani fighting for these people? The city is fighting them tooth and nail," he said.

Giuliani said it's impossible for him to judge other claims without knowing the specifics. "I know what I know," he said.

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