

Tremont & Sheldon News
(UPDATED: August 2001)

\$750,000 Settlement Reached by Tremont & Sheldon for Injury at Work

We recently settled a case for a 24 year old woman, who was employed as a machine operator/checker at Pepperidge Farms in Norwalk. In February, 1997, H.G. Steinmetz Machine Works, Inc. of Stamford manufactured and installed an infeeder conveyor system in the shipping and crouton department at Pepperidge Farms. At about the mid-point of the conveyor system, there were two rollers. The rotating parts and pinch points located near the rollers and drive unit of the conveyor system were partially exposed and unguarded.

On April 3, 1997, at approximately 5:00 p.m., as part of her usual duties, our client was sweeping up croutons that had fallen off the conveyor. As she did this work, her right arm got caught in the right roller and it was pulled into the conveyor, almost to her shoulder. In an effort to free it, she braced her left arm on the machinery and, unfortunately, that extremity was caught by the left roller and was similarly pulled into the conveyor.

As manufactured and installed, the conveyor system did not have an emergency shut off mechanism running along its entire length which would have allowed it to be deactivated in the event of an emergency. Moreover, there were no on and off switches in the area where the client was working.

As a result, this young woman was caught in the machine and in incredible pain for some time before fellow employees heard her screams and were able to come to her assistance. Although she was able to free her left arm, it took approximately 25-30 minutes before maintenance personnel could dismantle the system and free her right arm.

She was transported by ambulance to Bridgeport Hospital where she remained for eight days. She was treated there for a displaced shaft fracture of the right humerus, requiring open reduction and internal fixation; a crush injury of the radial nerve of the right arm, with external compression, requiring external neurolysis and surgical release; a laceration of the right axilla, requiring debridement and surgical closure; a compound fracture of the left radius and ulna, requiring external fixation; crushing and degloving injuries of the left upper extremity, requiring debridement and skin grafting; extensive, permanent scarring about both upper extremities; and post-traumatic stress disorder and a major depressive disorder.

In the opinion of her treating orthopedist, this young woman has a residual permanent partial impairment of 15% of the left arm and 5% of the right arm. She also has ongoing psychological problems, including depression, nightmares and a change in her personality, although, with treatment and the passage of time, there has been substantial improvement in her overall symptoms.

We resolved the case by means of a structured settlement, which has a present value of \$750,000. Under the terms of the settlement, our client will receive for the rest of her life monthly payments that are equivalent to what she was earning at the time of her unfortunate injury, with an annual cost-of-living adjustment. In addition, the workers' compensation carrier agreed to waive its lien of approximately \$175,000.

Tremont & Sheldon News
(UPDATED: March 8, 2001)

Tremont & Sheldon Achieves Global Settlement with Diocese of Bridgeport and Cardinal Egan for Over 20 Survivors of Clergy Sex Abuse

BRIDGEPORT, CT, Mar. 8, 2001 - The law firm of *Tremont & Sheldon* achieved a global settlement with the Diocese of Bridgeport and its predecessor bishop, Cardinal Edward Egan in connection with over twenty (20) clergy sex abuse lawsuits, some of which have been pending for over eight (8) years. The settlement was accomplished through a lengthy mediation process in which United States Magistrate Judge William I. Garfinkel in Bridgeport, CT graciously agreed to serve as the mediator. All of these cases involve claims of individuals, who, as children were sexually abused by one of the following six Bridgeport Diocesan priests: Father Raymond Pcolka, Father Martin Federici, Father Charles Carr, Father William Coleman; Father Joseph Gorecki and most recently a claim against Father Joseph Malloy of St. Ann's in Bridgeport, CT. In June of 1999, *Tremont & Sheldon* settled another claim against the Diocese of Bridgeport involving a minor who was sexually abused by Father Martin Federici. Twenty-six (26) survivors of childhood clergy sexual abuse are included in this settlement, which includes abuses beginning in the late 1960's and continuing into the early 1990's, during Cardinal Egan's tenure as Bishop with the Diocese. *Tremont & Sheldon* represents twenty-four (24) of the plaintiffs.

THE SETTLEMENT

The global settlement represents vindication for all of the claimants and has come about due to eight (8) years of legal efforts by *Tremont & Sheldon* in aggressively pursuing these claims, including the depositions of Cardinal Egan and other diocesan officials, forcing the Cardinal and the Diocese to acknowledge the magnitude and validity of the horrific acts of their priests as well as the destructive effects of an ongoing pattern of cover up by the Diocese. The amounts of the global and individual settlements and terms of the settlement will remain confidential. The settlement would not have been accomplished without the assistance of Magistrate Judge Garfinkel who has spent an enormous amount of time and energy meeting with attorneys from both sides as well as privately with the claimants. We are extremely grateful for Magistrate Judge Garfinkel's compassion, sensitivity and accessibility in handling this matter.

HISTORY OF THE CASES

In 1993, *Tremont & Sheldon* brought the first lawsuit on behalf of two individuals who were sexually abused as children by Father Pcolka. Thereafter, an additional lawsuit was brought on behalf of thirteen other survivors, all of who had been sexually abused by Pcolka. All of the children were Catholics and their families had strong ties with the Church. At that time, T. Paul Tremont of *Tremont & Sheldon*, counsel on these cases, stated, "*The astounding fact is that what appeared to be an isolated complaint, now appears to be a sexual epidemic which has run the gauntlet of the Catholic Dioceses from*

Greenwich through Shelton and from Norwalk through New Canaan which is being covered up by Bishop Curtis, Bishop Egan and other leaders of the Church." Paul Tremont passed away during his crusade against clergy sexual abuse.

The Diocese's initial response to the lawsuits was to file gag orders in court preventing public access to information relating to the sexual abuses of its priests. Over the next eight (8) years, additional survivors of childhood clergy sex abuse came forward and were represented by **Tremont & Sheldon**. In August 1999, a claim that occurred in 1993, on Bishop Egan's watch, was brought against the Diocese of Bridgeport and Bishop Egan, once again involving the offenses of Father Federici. Cardinal Egan has already been deposed twice in connection with these claims and at the time of the settlement **Tremont & Sheldon** had scheduled a third session of deposition testimony in accordance with prior court rulings.

From the beginning, **Tremont & Sheldon** has claimed that there has been an ongoing cover up regarding clergy sex abuse in this Diocese - instead of removing the perpetrator from the priesthood, he would be summarily transferred to another parish. **Tremont & Sheldon** believes that the Diocese of Bridgeport, including Cardinal Egan, allowed known sex abusers to continue on as active priests, enabling these offenders to have contact with children.

"Over and over again, we have been made aware of situations where the Diocese was informed of the priest's sexual misconduct and merely transferred him to another parish thereby allowing him to have access to other children - conduct that is not only shocking but reckless", said Attorney Cindy L. Robinson of **Tremont & Sheldon**.

RESPONSE OF THE BISHOP AND DIOCESE OF BRIDGEPORT

Despite the mandates of the National Conference of Catholic Bishops, neither Cardinal Egan nor any member of the Diocese has ever shown any pastoral care or support to the plight of these young people who have survived incredible childhood trauma at the hands of persons in the ultimate position of trust: parish priests. Throughout the course of this litigation, the Diocese has continually stonewalled legal efforts to obtain information regarding its knowledge of priests who have sexually abused children within its parishes. Instead the Diocese cross-examined all the plaintiffs as well their fathers, mothers, brothers and sisters by way of deposition.

Over the last eight (8) years, **Tremont & Sheldon** learned of the sexual abuses of the six priests involved in these claims and also obtained information regarding sexual abuse complaints made against at least seven other Bridgeport Diocesan priests, some of whom are still serving as active priests. The Diocese had previously settled claims against two (2) other priests who are not part of this settlement. **Tremont & Sheldon** has been in contact with over twenty-five (25) additional individuals who claim to have been sexually abused as children by Bridgeport Diocesan priests.

EFFECT OF RESOLUTION

Tremont & Sheldon hopes that these settlements will allow the plaintiffs to get on with their lives. "Sadly, my father Paul Tremont, a fervent advocate for these folks, was unable to see this day; however, I know he would have been incredibly pleased with this settlement and with the effect that these cases have had -clergy sexual abuse can no longer be ignored in the Diocese of Bridgeport", said Jason E. Tremont, another attorney representing the plaintiffs. However, the affects of these abuses have been far-reaching and permanent. For the most part, these events have destroyed the plaintiffs' connection to their religious faith as well as their ability to trust people.

It has been a privilege and honor for *Tremont & Sheldon* to represent the individual claimants who have shown enormous courage and decency throughout the entire process. However, while the civil settlement can only seek monetary compensation and the criminal statute of limitations has long since expired, *Tremont & Sheldon* asks the Diocese to do more. Suspension of Fathers Pcolka, Coleman, Federici and Carr is not enough. Our clients and we believe the perpetrators should be laicized (permanent removal from the priesthood) either voluntarily or by the Church instituting actual court procedures under Canon law. Only then can the Catholic Faithful be assured that these men will never again give mass or minister to child parishioners.

WE ANTICIPATE HOLDING A NEWS CONFERENCE AT THE TRUMBULL MARRIOTT LOCATED IN TRUMBULL, CT ON FRIDAY 3/9/01 AT 11:30 a.m. PLAINTIFFS MAY BE PRESENT TO ANSWER QUESTIONS.

Contact Cindy Robinson or Jason Tremont at 203-335-5145 for further information.

Tremont & Sheldon is a trial litigation firm that for over 40 years has fought to bring justice to Connecticut citizens who have suffered personal injury through the fault of others. Our areas of focus include sexual abuse, medical malpractice, nursing home litigation, defective products, catastrophic injuries and wrongful death. For more information please visit us at our website: www.tremont-sheldon.com.