

# TOXIC TRIAL: THE AFTERMATH

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## 'A clear message to suffering America'

By LAUREL LUCAS

WOBURN — For the families, the ordeal has lasted seven years or more. The illnesses and deaths of their children was followed by their push to gain some measure of retribution from the companies they are convinced are the cause of their suffering and loss.

Now that the trial is over, there is a great deal of relief, some happiness, some disappointment, and some numbness. It is just beginning to sink in that they can get on with their lives.

Robert Aufiero, now of Winchester, whose daughter Jessica, 10, survived her fight with leukemia, says, "I'm glad the trial is over, although we are appealing the Beatrice decision. I feel we've sent a clear message to corporate America, to all businesses, that they have to be held accountable for their actions."

When asked if he was satisfied with the settlement, he said, "I feel more at peace, but I don't feel satisfied." He does, however, give high marks to lawyer Jan Schlichtmann.

"The whole thing is because of his (Schlichtmann's) tremen-

dous perseverance. I don't think we could have gotten a better result with any other lawyer. He was top notch. He had great faith and trust and belief in us."

He and other parents share the same thoughts about W.R. Grace and Co.'s refusal to admit guilt. "In any settlement, they don't admit guilt. But there is not a judge, corporate official, lawyer, scientist that could tell me my daughter was not harmed by the water. It was clear cut to me that it caused her leukemia. It's my firm belief."

Richard Aufiero, whose son Jarrod died four years ago Saturday, includes the Riley Leather Co. in his condemnation. "They are as guilty, if not more, than anyone else," he says. (Beatrice is the former owner of the tannery.)

Says Anne Anderson, "I never expected them to admit guilt. If the jury had found them guilty they would not have admitted it. But they were guilty."

Donna Robbins was disappointed with the verdict in phase one, but is happy with the settlement. "I would be happier if

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Grace were put out of business all over the country, but I know that's not realistic," she says.

The fact that the parents will not be called up to the witness stand to testify about the illnesses is a big relief to all of them.

"The second phase would have been too much emotional strain," says Joan Zona, whose son Michael died at age 8.

Richard Toomey exhales sharply and shakes his head when asked about the prospect of testifying. "We're definitely relieved. Each time, you relive it, like it's happening again."

"I was dreading it," adds Robbins. "I might not have shown up."

Richard Aufiero says of his wife, "It would have killed her to be up on the stand. It's something I wouldn't ask her to do."

But Lauren Aufiero believes she would have gone through with it. "I don't think I could have gone through the whole ordeal. But I think I was ready to let the world know that we've got a lot of medical problems."

### City's efforts

The fact that the city might pursue a suit with Grace does not inspire enthusiasm among some of the parents.

Robert Aufiero had "no comment" about the prospect.

Richard Toomey's remarks reveal some bitterness.

Back in the late 1970s, he says, "We thought the water was fine, and we were betrayed. We were told by a city official that there was absolutely nothing wrong with the water."

"Where was the city back in 1979? Even they knew (the water was not healthy) and we got no cooperation at that time. We like Mayor (John) Rabbitt. He's fair and trying to do what's right. But we could get no information from the city (back then) and now that it's proven, they're going in. It's like jumping on the bandwagon after the horses have gone by."

He pauses and adds, "Everybody has a right to do what they deem proper. And I'm not going to keep anyone off Grace's back if it'll make them stay in line. And that's what it takes, constant pressure."

Family members say they would encourage others to pur-

sue the course of action they took, with reservations.

"It's a lot on somebody, meeting all the time. Even without the illness. Every couple of weeks you're doing something. It's a lot of time. But the parents had to do it, and I guess they would have to," says Richard Aufiero.

Lauren Aufiero would tell other parents to pursue it, "but I would warn them that they have to be emotionally sound to go through something like this. I think we were the guinea pigs."

Robbins is much less hesitant about encouraging others. "Absolutely. I might go and find someone and be an instigator. More people should do it. It's the only way to clean up the world," she says.

Anderson believes it is a moral action: "There is a sense of satisfaction to right a wrong. If you feel strongly and do nothing, there's no point in thinking or feeling."

### Picking up the pieces

Getting back to a life of "normalcy" is something the family members want, but it may not be so easy to attain.

Says Anderson, thinking of her son Jimmy, who died at age 12, "They could give us the world but we've lost too much. Their (Grace) life goes on, ours is shattered."

One thing that pushes the parents to get it all behind them now, are the needs of their other children.

Mary and Richard Toomey watch their fair-haired little girl playing on the floor. Mary recalls that she found out four months after their son Patrick's death that she was pregnant.

"A month or so before he died, Pat said we should have another child. I remember saying, 'Oh, Pat how do you think we could have another like you?' I was frightened. I didn't want to lose him and I was still hoping he would go into remission."

They brought the little girl, Sheila, home from the hospital a year to the day after Patrick died. "She has different coloring but she reminds us of him in certain ways," says Mary.

They have no plans to move out of Woburn, having lived there for 23 years.

But Lauren and Richard



ANNE ANDERSON, whose son, Jimmy, died of leukemia in 1981: "Citizens aren't going to sit back and take what they've taken in the past. Now corporate America has to

be responsible for its actions." At left is Donna Robbins, and at right is Richard Toomey.

(Barbara Kennedy photo)

Aufiero are thinking of moving to New Hampshire after eight years in Woburn, to regain some sense of peace.

"I would like to go on with life," says Lauren. "I think I need to let go of the memories."

"I think we're moving. The only reason why is that the memories in the house are overwhelming."

Her husband says, "The neighborhood we're looking in is quiet and peaceful. Just like the one we thought we were moving to here. We've already checked the water."

He says one of the things they miss after pursuing the lawsuit is time with their son.

"Our other son, now five, has been through a lot. He was in the car when his brother died. He has no brothers and sisters. We're always going to meetings. So in a way I'm glad it's over. We keep leaving him."

Anderson is staying put, but stepping back. "I have strong ties here, lots of good friends who've seen me through an awful lot."

She knows there is more to do to convince people that the environment plays a major role in their health and well being, she says, but, "I'm confident FACE



MEET THE PRESS — Plaintiffs in the toxic waste trial at news conference Monday. Front row from left are Lauren Aufiero, Joan Zona, Anne Anderson, Mary Toomey, Richard Toomey and Donna Robbins, all of Woburn. In back row from left are Robert Aufiero of Winchester, Richard Aufiero of Woburn (partially obscured) and Kathryn Gamache of Woburn.

(Barbara Kennedy photo)

(For a Cleaner Environment) will carry the banner. I need a little rest."

Robbins, who lost her son, Robbie, intends to carry on. "For now I'll stick around and fight harder. I'll be there with my innoculars, standing over companies. They need it. You

can't go away, you don't know what they'll do again."

The biggest hope the families still harbor is that their fight has made a difference, and will inspire others to fight, research to continue and companies to change.

Says Richard Toomey, "I hope every time anyone looks in a barrel of hazardous waste they'll think of us in Woburn and say to themselves, 'It's cheaper to take care of this properly now, rather than later.' I hope we pop into their heads every time."