

EXHIBIT 9

GRAND ILLUSION

**THE UNTOLD STORY
OF RUDY GIULIANI AND 9/11**

**WAYNE BARRETT AND
DAN COLLINS**

**Research Assistance by
ANNA LENZER**

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THE WORLD'S STORY
OF CIVILIZATION AND ART

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nation-state. It is so vast and—by
has, over time, come to assume
that other cities have never thought
us wondered, 'Should we contact
ds? FEMA? The Army Corps?' It
let's fix it.' It was instinctive," said
DDC, which put itself in charge
an excellent job with many of the
n regarded the respirator issue as
ly in the case of firefighters and
orders from their own brass.

into four segments, each assigned
Holden's staff gave the contractors
should take precautions against
were expected to follow through.
direction. The contractors were
quickly and were promised by
ed against any legal claims from
n harmed at the site. While the
this extraordinary exemption, it
financial incentive—as they or-
orkers. So, on October 15, even
ggestion of a health threat at the
ecommending indemnification
the letter said that the city and
osure years after the Project is
s claims." It predicted that the
ld "bankrupt" the city or the

so aggressively pursuing fed-
y. As early as October 4, City

Comptroller Alan Hevesi had issued a report on the impact of 9/11 on the city's budget and cited its potential liability for workers' respiratory illnesses. Even as every public pronouncement from the mayor and his men was filled with reassurance, an internal memo to Deputy Mayor Robert Harding reported that the Law Department was estimating that there were 35,000 potential 9/11 plaintiffs against the city. Two of the prime potential claims cited in the memo—just weeks into the cleanup—were that rescue workers had been "provided with faulty equipment or no equipment (i.e., respirators)" and that Ground Zero was an "unsafe workplace" under various federal safety and labor laws. The memo urged the city to push Congress to create a fund to cover the city's liability similar to the 9/11 Victim Compensation Fund it had just created for the airline industry.¹³ On November 1, Giuliani wrote a letter to Congress supporting an amendment to the Victim Compensation Fund legislation that would extend its benefits to those working at the site, as well as fix a \$350 million cap on city liability. In late November, an amendment passed achieving both purposes. Those who could make a provable case of injury at the site were added to the list of eligible fund recipients, if they, like the families of the dead, surrendered their right to sue.

For all the tragedy the terrorists had created in Lower Manhattan, everyone involved with the recovery was aware that things could have been far worse. There were no "dirty" bombs on the planes and therefore no radiation. The huge tanks of Freon stored below the towers for air-conditioning did not explode. And the so-called "bathtub"—a massive concrete wall that surrounded the World Trade Center's seven-story basement and prevented the complex from being inundated by the Hudson River—did not rupture. After the towers collapsed, support for some parts of the wall was provided only by the tons of debris that had fallen into the basement. Careless removal of the debris could have caused part of the wall to collapse inward and, in the worst-case scenario, send in torrents of gushing water that would have drowned the workers in the basement, flooding the railroad tunnels, the subway system, and even part of the city.

8 Million Survivors in Need of Affection,"

ew Press, 2002.

Ground: *Unbuilding the World Trade Center*
e to life at Ground Zero.

blems Plague Ground Zero Workers,"

uggested that the rescue phase of the op-
ide in the actual management of the site.
ne city no longer "expected to find any-
ould "conduct the operation in the same
thing we would do to recover someone

Fire Department remained the incident
ation. It wasn't until October 31 that the
e (DDC) was nominally named the coin-
testimony in the pending Ground Zero

ment did not change site management.
ne FDNY with separate NYPD and Port
operations, was in effect a continuation of
e, "It really doesn't matter if you describe

rk, he indicates that the conversion to a
ction phase never happened, and, in an
olden agreed. Holden also testified in a
ne ever told me I was an incident com-
ident commander is." Holden's deputy

osition in 2005 that a deputy mayor
-incident commander. He said that all it
oint daily meetings rather than sending
hey previously hosted.

its Hardhat Holiday Gripe," *New York*
icle in the *American Journal of Industrial*
Health and Safety Since September 11,

ment in October 2003 that he jointly
vid Prezant for the Congressional Sub-
g Threats and International Relations.
and Prezant and Weiden are top assis-
n Services.
on at the World Trade Center: Lessons
Clearinghouse for Worker Safety and
/Respiratoruse.pdf

10. Juan Gonzalez, "A Toxic Nightmare at Disaster Site," *New York Daily News*, October 26, 2001.

11. Francesca Lyman, "Messages in the Dust: What Are the Lessons of the Environmental Health Response to the Terrorist Attacks of September 11?," National Environmental Health Association publication, September 2003.

12. In a January 2004 interview with EPA regional communications director Bonnie Bellow, she said that Whitman "felt so strongly about the need for the use of respirators" that she made these midnight calls "while watching CNN covering Ground Zero workers without respirators on."

13. Michelle Goldstein memo to Deputy Mayor Robert Harding, re: "Legislative Alternatives to Limit the City's Liability relating to 9/11/01," undated.

14. Bruce Lippy, "Cleaning Up After 9/11: Respirators, Power and Politics," *Occupational Hazards*, May 29, 2002.

15. William Langewiesche, "American Ground."

16. As quoted in *Never the Same*, a documentary by Jonathon Levin.

17. Ginger Adams Otis, "Assembly Seeks to Help Those Injured on 9/11," *The Chief*, September 2, 2005.

18. Final Report of the Special Master for the September 11 Victim Compensation Fund, undated.

19. Gary Shaffer, New York City assistant corporation counsel, supplied these numbers, as the city prepared papers to file in these cases.

20. Anthony DePalma, "Many Who Served on 9/11 Press Fight for Compensation," *New York Times*, May 13, 2004.

21. Ridgely Ochs, "Ailments, Struggles of 9/11 EMT Who Died Not Unique," *Newsday*, September 4, 2005.

CHAPTER 9

1. *Late Show with David Letterman*, CBS transcript, September 17, 2001.

2. Sam Smith, "Furor over WTC Lies," *New York Post*, July 18, 2004. The *Post* article relied on the findings of the New York Law and Justice Project, which posted its full freedom of information response from the New York State Department of Environmental Conservation on its website between January 22, 2002 and June 4, 2004. This posting revealed the unreleased results of the New York City Department of Environmental Protection's tests. These findings are now frequently cited in the litigation against the city and the EPA, the federal agency that coordinated the DEP and all other air and dust sampling.

3. "EPA's Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement," Office of Inspector General, Report No. 2003-P-00012, August 21, 2003.

4. Andrew Schneider, "NY Officials Underestimate Danger," *St. Louis Post-Dispatch*, January 13, 2002.

5. The EPA Inspector General's report is the primary source for much of the asbestos and toxin data here.