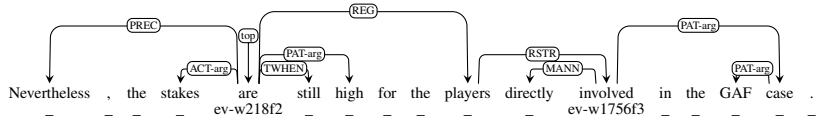
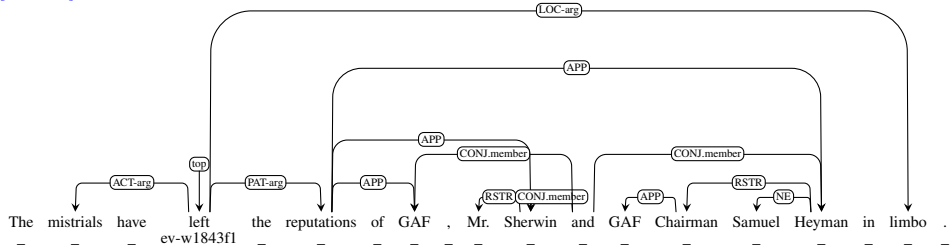


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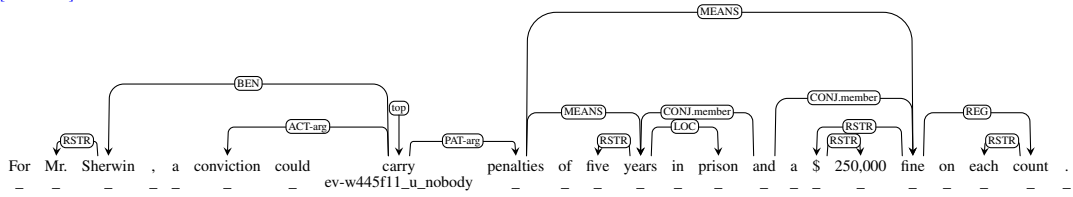




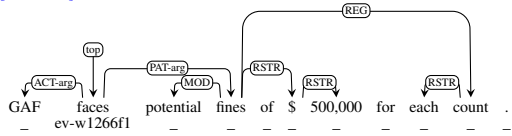
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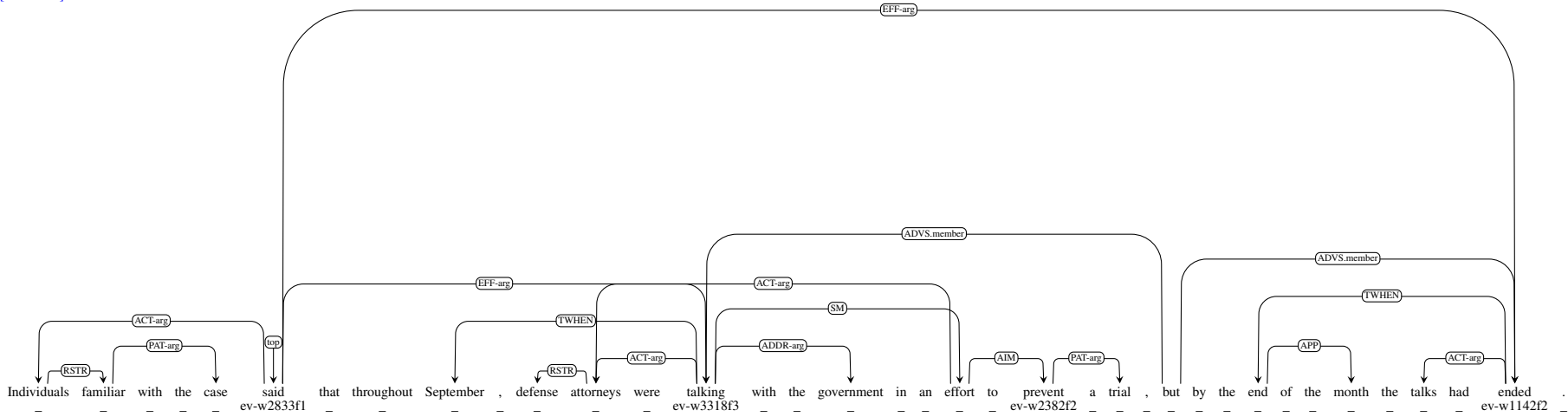
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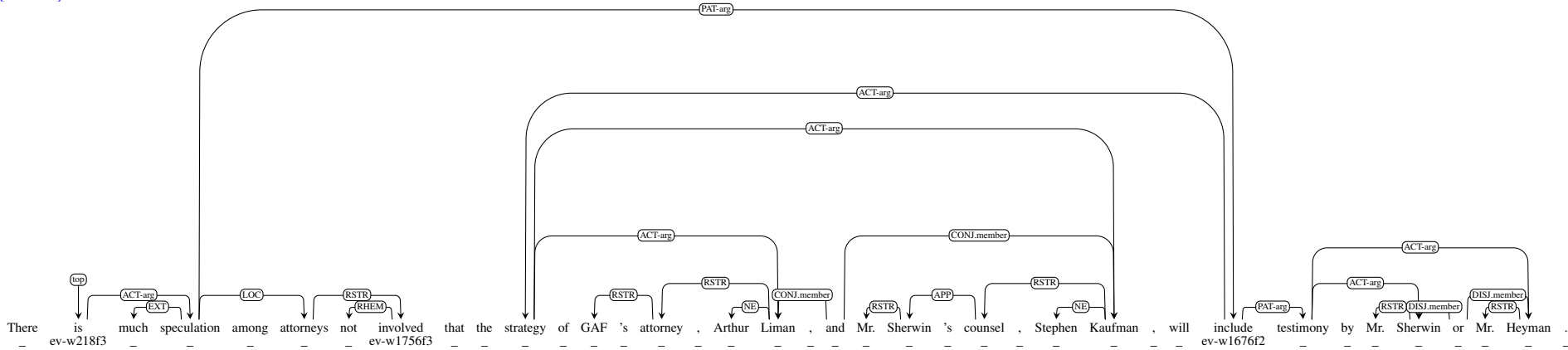
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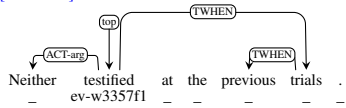
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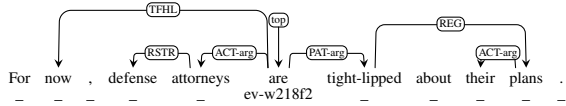
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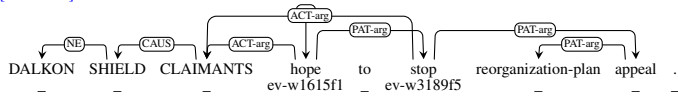
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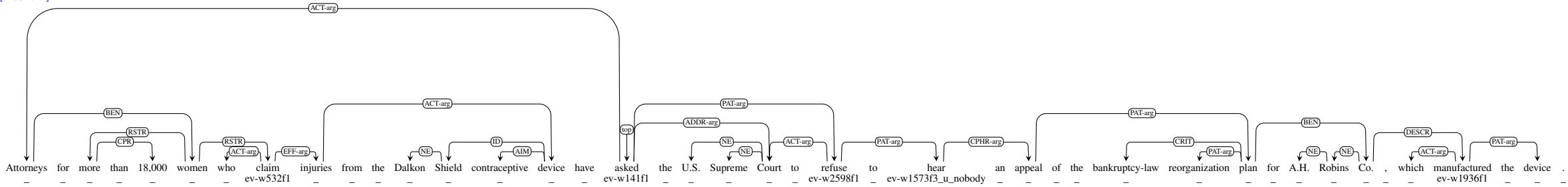
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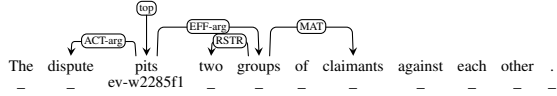
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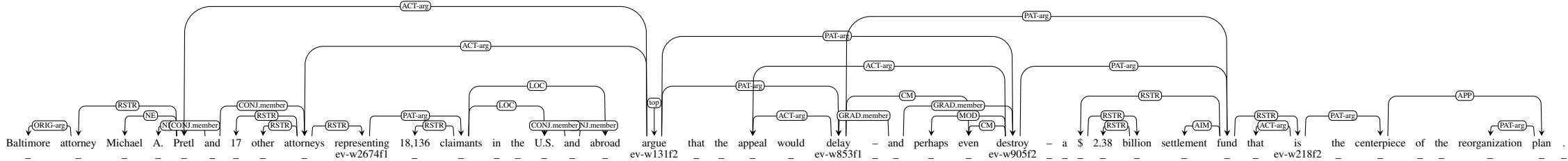
[21331024]



[21331025]



[21331026]



[21331027]

The bankruptcy-court reorganization is being challenged before the Supreme Court by a dissident group of claimants because it places a cap on the total amount of money available to settle claims .

[21331028]

It also bars future suits against Robins company officials , members of the Robins family and Robins 's former insurer , Aetna Life & Casualty Co .

[21331029]

The latter provision is " legally unprecedented , " said Alan B. Morrison , a public interest lawyer in Washington , D.C. , who is challenging the plan on behalf of 900 claimants .

[21331030]

More than 100,000 claims against Robins are pending

[21331031]

The company made and marketed the Dalkon Shield in the early 1970s amid mounting evidence that it could cause serious injuries .

[21331032]

Robins has been in proceedings under Chapter 11 of the U.S. Bankruptcy Code since August 1985 ; such proceedings give it protection from creditor lawsuits while it works out a plan for paying its debts .

[21331034]

In a brief filed with the Supreme Court last week , Mr. Pretl criticizes the appeal for raising " abstract " and " theoretical " legal issues , while jeopardizing the proposed reorganization and the settlement payments to claimants .

[21331035]

The Supreme Court is scheduled to consider the case Nov. 3 and may issue a decision as early as Nov. 6 .

[21331036]

JURY 'S CRIMINAL CONVICTION under Superfund law is a first .

[21331037]

Charles A. Donohoo , sole proprietor of a Louisville , Ky. , demolition company , was found guilty of violating the Superfund law as well as the Clean Air Act .

[21331038]

Criminal convictions under the federal Superfund law are rare , and the decision is the first jury verdict in such a case .

[21331039]

Under Superfund , those who owned , generated or transported hazardous waste are liable for its cleanup , regardless of whether their actions were legal at the time .

[21331040]

Environmental lawyers say virtually all of the Superfund cases to date have involved civil penalties designed to insure cleanup of past polluting activities .

ev-w2833f1 ev-w1756f1 ev-w897f1 ev-w1723f2 ev-w2326f1

[21331041]

But Superfund also contains a criminal provision concerning the release of toxic substances into the environment .

ev-w678f1 ev-w637f1

[21331042]

In 1986 Congress strengthened the penalty by making it a felony .

ev-w3204f1 ev-w1923f2

[21331043]

Mr. Donohoo was convicted in Louisville late last month of violating Superfund by failing to report the release of asbestos into the environment from a building he was demolishing .

ev-w697f1 ev-w3556f1 ev-w1270f2 ev-w2671f1 ev-w867f1

[21331045]

The government sought a criminal penalty because " no cleanup is possible here .

ev-w2878f2 ev-w218f2

[21331047]

Mr. Donohoo is scheduled to be sentenced Dec. 11 .

ev-w2841f1 ev-w2894f1

[21331048]

His lawyer could not be reached for comment .

ev-w2510f2

[21331052]

The law firm has filed a friend-of-the-court brief jointly with the Washington Legal Foundation , a conservative legal group .

ev-w1317f2

[21331053]

The key issue in the case , which the law firm is handling without a fee , or pro bono , is whether a person sentenced to death can voluntarily waive his rights of appellate review .

ev-w1546f1 ev-w218f2 ev-w2894f1 ev-w3578f1

[21331054]

The murderer , Ronald Gene Simmons , was convicted of killing 14 people .

ev-w697f1 ev-w1801f1

[21331055]

Another murderer on death row has appealed Mr. Simmons 's death sentence in a " next friend " capacity .

ev-w114f2

[21331056]

Wilmer Cutler 's brief argues that there is no mandatory appellate review of capital sentences and that the inmate who filed the appeal lacks proper standing .

ev-w131f2 ev-w218f3 ev-w1317f2 ev-w1815f1

[21331057]

