

SEPTA to probe conduct

Panel named to look at document handling



By Chris Brennan
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Septa created a "Blue Ribbon Panel" of politically powerful attorneys yesterday to probe the agency's actions in defending a lawsuit filed after a 4-year-old boy lost his foot in a 1996 Broad Street Subway escalator accident.

Today, a Common Pleas judge may rule if the agency is in contempt of court, with a possible \$1 million fine, for those actions.

Documents detailing Septa's knowledge of escalator problems before and after the Nov. 27, 1996 accident at the Cecil B. Moore station started appearing last week during the lawsuit trial. A jury on Tuesday hit Septa with a \$51 million verdict.

Septa vowed to appeal, saying it could not afford to pay, and started an internal investigation.

"They will look into this issue, of the files and everything, regarding this lawsuit and the chips will fall where they may," Septa Chairman Pasquale "Pat" Deon said, naming the panel yesterday at the board's last meeting of 1999.

"Absolutely nothing is sacred."

The panel, which will oversee Septa's investigation, includes:

Carl E. Singley - a close associate of Mayor-elect John Street, he was one of five people chosen to head Street's transition team. Singley, a former Temple University Law School dean, has worked for Septa on bond issues and other legal matters.

D. Donald Jamieson - a former Republican Party boss, Common Pleas Court president judge and Superior Court judge. Jamieson represented Septa in a 1995 federal case - also involving a contempt charge - filed by disabled passengers.

Edward N. Cahn - A federal judge for 23 years, Cahn retired as chief judge. Cahn sentenced former Septa board member Francis P. Desmond in 1982 to four months in a Delaware County Prison work-release program for tax evasion.

Deon said politics played no role in selecting panel members.

"I think these people are above reproach," he said. "Their credibility is out there for everyone to see. I have not contacted or been contacted by any political people in this issue."

Septa was short on details about how the panel will work. They will be paid, but it is not clear how much.

They will hold meetings, but will they be open to the public?

Singley yesterday said the details are still being worked out. No one at Septa has spoken to him about payment.

"I would assume we did this as a public service," he said.

Singley said he has been following the escalator lawsuit "as most lawyers have in town." He called the \$51 million verdict at "shocking amount."

"It is an important case for Septa and the riders and taxpayers," Singley said.

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The panel members were picked from about 15 names during a closed Septa board meeting yesterday, Deon said.

The panel will meet for the first time next week.

"I don't want to limit them to a time frame," Deon said. "We'd like to get this resolved as quickly as possible."

Deon would not comment on the lawsuit filed by Deneen Hall for her son, Shareif, now 7.

Tuesday's verdict gave Shareif \$50 million of the loss of his right foot. His mother was awarded \$1 million, plus \$65 for the sneakers he wore that day.

Thomas Kline, attorney for the family, called the panel "an important first step."

"I remain hopeful that Septa will seize the opportunity to immediately address the terrible and dangerous conditions that exist every day for every Septa subway rider," Kline said.

The contempt case against Septa continues today. Documents are still being delivered and Judge Frederica Massiah-Jackson has ordered Septa to produce at least a dozen memos today.

Septa's deputy general counsel, Eileen Katz, denied a coverup Tuesday after testifying in the contempt case that many documents were not turned over to Shareif's attorneys because she did not know they existed.

"We want to find out, in depth, what happened," Deon said in Septa's boardroom. "Why the files weren't there. What occurred from beginning to end in this place and how it was handled. Who knew about it, when they knew. I would like this process to run itself."

Deon and Septa board members Linda Caracappa, James Rohn, James Schwartzman, Jettle Newkirk and Robert Wooten will also serve on the panel.

Septa's legal and financial trouble from this lawsuit evolved into political trouble when state Sen. Anthony Williams, a former Septa board member, mentioned the verdict in yesterday's meeting.

"We've sent a man to the moon and we've landed on Mars, yet we cannot repair and maintain our escalators, despite years of trying," Williams said. "And now we know for certain that the culture promotes cover-up rather than the common good."