

Justice Dept. ripped on 9/11 benefit case

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A federal judge slammed as "arbitrary" the government's denial of survivor benefits to a longtime Jericho volunteer firefighter killed at the World Trade Center on 9/11.

Federal Claims Court Judge Marian Blank Horn said the federal government should have recognized the volunteer firefighter status of Glenn Winuk. Her decision cleared the way for his family to receive \$250,000.

"It's not about the money. It's never been about the money. It's about recognizing the sacrifice this man made," said attorney Andrew Maloney, who worked pro bono for Winuk's parents.

Winuk, 40, was not married and had no children.

Winuk, a successful lawyer and volunteer firefighter for the Jericho Fire Department for 19 years, ran from his office at the Holland and Knight Law firm at John St. and Broadway with medic bag in hand when the first jet struck the twin towers on 9/11.

His body was found in March 2002 with the bag by his side.

The Justice Department refused to acknowledge his public safety officer status because technically Winuk had "associate" status, as opposed to active status as a volunteer firefighter.

Winuk's case was bolstered by strong letters of support from Sen. Hillary Clinton, former Mayor Rudolph Giuliani, Rep. Peter King (R-Seaford) and former FDNY Commissioner Thomas Von Essen, said Maloney.

Former Gov. George Pataki signed a bill in 2005 stating that Winuk "was an active member of the Jericho Fire Department," and saying his family "shall be eligible for all benefits."

The Justice Department was not swayed by the legislation, thus forcing the lawsuit.

"It's pathetic. I hope the Justice Department will not appeal this very long awaited, appropriate decision," said Von Essen, adding that Winuk "acted instinctively just like a career firefighter, and ran toward danger when everyone else was running away from it."

King said, "It was tragic enough that [the Winuks] lost their son, but then have his own government deny him is terrible. Justice and decency demand this decision. There should be no appeal."

It is unclear whether the Justice Department will appeal the ruling.

"It's not about winning or losing. It's about justice, and I hope they see this as a just result and not appeal," Maloney said.

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