

Kin of Manhattan Project patients sue hospitals, scientists for \$300 million

By BEN DOBBIN
Associated Press

ROCHESTER — Relatives of six unsuspecting hospital patients injected with plutonium in a Cold War-era experiment half a century ago sued two hospitals and the top scientists Monday for \$300 million.

The lawsuit, filed in U.S. District Court, is the fourth connected with the secret radiation tests conducted on at least 18 patients between 1945 and 1947. The Army's Manhattan Project was seeking to establish safe exposure standards for atomic bomb workers.

"We want the truth surrounding this inhumane experiment to come out, to be sure this doesn't happen again," said Jerry Mousso, whose uncle was injected with plutonium-239 at Strong Memorial Hospital on Feb. 1, 1946.

The lawsuit seeks \$100 million in compensation and \$200 million in punitive damages. It names the University of Rochester, which runs Strong Memorial; the University of Chicago, where follow-up tests were carried out; and the estates of four scientists, two still alive, who were involved in the ex-

periment.

"We will vigorously fight this," said Strong Memorial spokesman Robert Loeb. "To date, we have not seen any evidence of harm to the patients."

The experiment, he added, was carried out in secret by federally sponsored researchers working independently of the University of Rochester.

The lawsuit was brought by the families of six of the 11 patients injected in Rochester: John Mousso, Fred Sours, Eda Schultz Charlton, Paul Galinger, Amedeo Lovечchio and Jean Daigneault.

A notice of claim also was filed against the federal government, which has six months to respond. If the claim is rejected, the government will be included in the lawsuit, said attorney Martin H. Freeman, who filed the 70-page complaint.

The injections had no therapeutic value, were administered without consent and were equal to at least 40 times the amount of radiation an average person absorbs in a lifetime from X-rays and the environment, the lawsuit said.

It alleges the injections caused

ailments, including immune system suppression, genetic damage, increased cancer risk and osteoporosis, and hastened the deaths of Daigneault, Galinger and Sours.

In an autopsy, Daigneault's bones "looked like Swiss cheese," said attorney Raymond J. Heslin.

Seven other patients were injected in hospitals in San Francisco, Chicago and Oak Ridge, Tenn.

The researchers wanted to see how quickly the body rids itself of plutonium, a toxic, radioactive element that fuels the atomic bomb. They apparently believed all 18 people had terminal illnesses and wouldn't survive beyond 10 years.

But six patients lived beyond 10 years, and four survived 30 years or more. Railroad porter Elmer Allen was the last to die, in 1991.

Galinger, who was hospitalized with Lou Gehrig's disease, died five months after the injection of bronchopneumonia.

"They pulled his name out of the hat," said his nephew, 75-year-old Kenneth Pullman. "Who knows? He might have had another 10 years. I didn't see any of the researchers volunteering to take the injections."