

Outbreak victims hire top lawyer

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Fla. man says salmonella led to 'one of the worst weeks of my life.'

A Seattle personal injury law firm that specializes in food-borne illnesses has been retained by four victims of a June outbreak of salmonellosis at a Gates country club.

The people - three from a Rochester family and one man from Florida - have retained Marler Clark, the firm that in 1993 won a \$15.6 million settlement in a fatal E. coli food poisoning case traced to Jack in the Box, a West Coast fast-food chain.

All four - who attended the same party on June 9 at Brook-Lea Country Club - have culture-confirmed cases of the bacterial illness.

The Monroe County Health Department has confirmed 55 other cases so far - not all of them linked to the Pixley Road country club.

Getting sick led to "one of the worst weeks of my life," said Peter Tomassetti of Pompano Beach, Fla., who was at the June 9 party. "I just hope (the health authorities) clean up this mess so it never happens again."

The Rochester native endured intense abdominal cramping, a week of bloody diarrhea, dehydration and a fever that sparked hallucinations.

Tomassetti, a 38-year-old vice president for a Florida sportswear company, and a friend learned about Marler Clark by chance when they saw lawyer William Marler on a BBC-produced documentary on food-borne illnesses.

Others have been in touch with him, Tomassetti said, and plan to retain the firm soon.

If there is a lawsuit, he said, it will be to make a point. "There needs to be a message sent," he said of restaurants linked to food-borne illness. "They need to do better. They literally took a week of my life away."

Monroe County health officials on Tuesday put the number of salmonellosis cases at 59 - 32 linked so far to the country club.

Other investigations - which may push the total beyond 100 - are "incomplete," said Health Department spokesman John Ricci.

County records show two significant earlier outbreaks of salmonellosis - one in 1987 and the other in 1995. Both sickened more than 100 people.

Salmonellosis is caused by the salmonella bacterium, found in the feces of animals or humans.

Marler Clark has filed Freedom of Information Law requests for state and Monroe County documents about the incident.

"I try not to interfere with Health Department investigations," said Marler, who has an epidemiologist on staff. "But I monitor what they do."

Since the Jack in the Box case, Marler's firm has represented victims of food poisoning outbreaks in 10 states. It also sponsors a nonprofit company - Outbreakinc.com - to educate businesses about safe food handling.

At Brook-Lea, the kitchen facilities - closed since June 18 - will remain closed until the health investigation is complete.

Club manager Seth Roberts said this week that some kitchen staff members have not returned to work yet.

He could not be reached for comment regarding the Seattle law firm's investigation.

County Health Department investigators will conduct more interviews today, Ricci said.

Eight of the about 50 kitchen staff members had traces of salmonella in their stool - but all or some "might just be victims" and not the originator of the illness, said Ricci.

A list of foods potentially linked to the illness has been compiled, said Ricci, who declined to disclose it.

At the June 9 party at Brook-Lea - a 2:30 p.m. affair to celebrate a friend's son's baptism - "I thought the food was quite good, to be honest with you," said Tomassetti.

On his plate that day were chicken French, pork tenderloins, lasagna Alfredo, roast beef served by a carver, green beans and sliced fresh fruit.

By the next day, Tomassetti felt "a little weak," and had no other symptoms. "But a lot of my friends were calling me up to say they had cramps and diarrhea. I thought there was some bug going around."

On June 12, "I woke up in intense pain," said Tomassetti. Over the next few days, he lost 19 pounds, ending up at Park Ridge Hospital on Saturday.

He went home June 20. On Tuesday - 16 days after sitting down to a fateful buffet luncheon - "I'm starting to feel pretty good," said Tomasselli.

"But the strange thing is, I can't bring myself to eat out," he said. "I can't bring myself to eat in a restaurant."

Salmonellosis

Every year, about 40,000 cases of salmonellosis - the most common U.S. food-borne illness - are reported; 1,000 are fatal. Salmonella bacteria incubate six to 72 hours after infection. They also:

Can cause fever, diarrhea, dehydration and abdominal cramping for up to seven days.

May be in contaminated food, or uncooked eggs, poultry and beef.

Can be prevented by handwashing and cleaning kitchen surfaces.