

New York attorney enters Kresge case

New York attorney Victor Yannacone Jr., will defend a motion to dismiss a \$6.7 million suit filed by Donald Myers, 8821 15th Ave., against S.S. Kresge Inc. (K-Mart Corp.) before Circuit Judge Michael Fisher at 1:30 p.m. Friday.

Yannacone, of Long Island, N.Y.,

is chief attorney of a multi-billion dollar lawsuit filed against 10 chemical companies, in Westbury, N.Y.

Myers filed the Kenosha suit June 13 against S.S. Kresge Corp. and nine chemical companies. He is seeking \$6.7 million in damages for production and sale of a herbicide which he alleges contained 2,4,5-T, a chemical banned by the U.S. Agricultural Department 10 years ago.

Defense attorneys have filed a motion to dismiss the case.

Yannacone was told of the Kenosha case through Sullivan and Associates, a Chicago law firm. Kenosha attorney Walter Stern had contacted the Chicago firm, according to Susan Salerno of Vietnam Veterans Still Suffering.

"He feels this case is going to set a precedent for Vietnam veterans," said Salerno of Yannacone's decision to defend the case.

Yannacone is defending the case for the cost of lodging and transportation to and from Kenosha, Salerno said. She said the Kenosha Racine County Vietnam veterans' group is "trying to help Don (Myers) scrape together the money."

Myers has alleged that he has suffered irreparable kidney, liver and biological tissue damage from use of K-Gro Weed and Feed Lawn Weed Killer Fertilizer, purchased from K-mart in 1974.

The Westbury, N.Y. class action lawsuit was filed on behalf Vietnam veterans who were exposed to the defoliant Agent Orange.