

## Company says defects were in pacemakers

AUSTIN (AP) — The Cordis Corp. pleaded guilty in federal court Wednesday to concealing defects in thousands of heart pacemakers, and four former executives were indicted for allegedly trying to cover up the problems.

The battery-powered pacemakers are implanted beneath the skin of heart patients to regulate heartbeat by electrical impulses.

Food and Drug Administration Commissioner Frank E. Young stressed that the defective pacemakers have long since been the subject of notifications to physicians, and are no longer on the market.

"Basically the defects were the sudden loss of the ability to control the heartbeat — the pacemakers were not pacing," said Diane Cossin, spokesman for the U.S. Attorney's office.

The problems affected "thousands" of pacemakers sold from 1980 to 1985, according to the indictment, which gave no precise figures.

A statement released by Assistant Attorney General John R. Bolton, head of the Justice Department's civil division in Washington, and by interim Miami U.S. Attorney Dexter Lehtinen, called the case "the most significant felony prosecution to date" under the 1976 Medical Device Amendments to the FDA law.

# Man fights lender for hotel rights

SAN ANTONIO (AP) — It was a cold November day in 1966 when attorney and expectant-father Patrick Kennedy looked out a downtown hospital window toward the vacant grounds of his alma mater, St. Mary's University School of Law.

The international exposition HemisFair was two years away and Kennedy knew the city needed hotel rooms in the tourist area. So as his daughter was being delivered, Kennedy devised a plan to turn the Colonial Spanish-style campus into a luxury hotel with a view of the River Walk.

Kennedy's gamble in what became La Mansion del Rio paid off. Tourists crowded into the hotel when it

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opened in April 1968 and have kept coming since then.

Today, Kennedy is fighting for survival and claiming that one of his lenders, Metropolitan Life Insurance Co., backed him into a financial corner to steal his hotels for its own

hotel management subsidiary.

It's a lawsuit the hotel industry is watching carefully.

Kennedy's attorneys say his \$7 billion lawsuit against Metropolitan could be a test case because it

charges that a lender, in calculated moves, conspired to become a direct competitor with its borrower.

"My biggest problem with this case is trying to understand why a company with over \$100 billion worth of assets and 100 years of reputable business dealings would stoop to this practice, and that is the reason I am willing to go through with this lawsuit," Kennedy said recently.

Metropolitan officials deny any wrongdoing and say the case is a simple contractual agreement that Kennedy broke by not paying his bills on time.

"I think you are seeing an absolute desperation move," said Metropolitan's San Antonio attorney, Sea-

gal V. Wheatley. "I think he was to try to put the blame where other than where it belonged."

"What you have is a straight ward loan met breach agreement with Mr. Kennedy," Wheatley said. "He's through bankruptcy and this suit was way to try to avoid that, but he's pushed way too far against any reputable company."

Kennedy's lawsuit charges Metropolitan with fraud, duress, breach of confidential relationship, unfair dealing and conspiracy, what he claims was a nationwide effort.

# Dallas hospital handles crash victims

BEDFORD (AP) — They arrived in cars, vans and ambulances — and this time, the modest-sized hospital in suburban Dallas was ready.

Harris Methodist H.E.B. hospital, the nearest to Dallas-Fort Worth International Airport, received most of the injured when Delta Flight 1141 crashed Wednesday, killing 13.

And hospital officials said the grim lessons from another Delta crash helped them prepare better for this one.

On Aug. 2, 1985, a Delta jumbo jet crashed at the airport in a driving thunderstorm, killing 137 people.

Following an investigation of that crash, the National Transportation Safety Board criticized the disaster response, saying no coordinated effort was in place to handle the victims.

"There was a lot of preparation done because of the last one," said Michael Muncy, a lab technician at the 314-bed Harris Methodist. "Everyone was right in place. There was no wasted motion. We knew just what to do."

"The patients were great, too. They were in incredibly good shape. I guess the shock will come later for them. They went through a lot."

Other hospitals also reported the handling

of the injured went smoother.

Parkland Memorial Hospital reported having beefed its staff up to between 75 and 80 doctors by the time the first crash victims arrived.

Esther Bauer, a Parkland spokeswoman, said during the Delta 191 crash, too many people were getting in the way. Since that crash, the hospital conducts at least two emergency drills each year.

"It (the emergency plan) just needed a little fine tuning in terms of getting the right people informed and knowing where to be and so forth," she said.

Joe Dealey Jr., a spokesman for the airport,

said the weather had much to do with the chaos that persisted when Delta 191 crashed Wednesday's crash occurred amid weather conditions.

"We're dealing with a different weather crash," he said.

"There's no comparison," added Capt. Taylor, of the Texas Department of Transportation safety station at the airport. "Everything goes so smoothly."

Dan Walker, 40, a veterinarian in Dallas, thought he was going on a fishing trip in Montana, but instead, he nursed a broken leg as he left the emergency room.

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