

Flight Attendants Sue Over Illness They Link to Passengers' Smoking

By MILT FREUDENHEIM

Declaring that they had contracted cancer, heart disease and respiratory illnesses because they had been exposed to smoke from passengers' cigarettes, seven current and former flight attendants sued a number of tobacco companies yesterday.

The suit, in Dade County Circuit Court in Miami, where several of the plaintiffs live, seeks an unspecified sum in actual damages and \$5 billion in punitive damages on behalf of the plaintiffs as well as 60,000 airline employees.

The plaintiffs said that they did not smoke and that all had contracted their ailments during years of working for the airlines before Congress outlawed smoking on flights in the 48 contiguous states in 1989.

Other Companies to Be Added

Those named as defendants are the Philip Morris Companies, the R.J.R. Nabisco Holdings Corporation, the Loews Corporation and its Lorillard subsidiary, American Brands, the Brooke Group Ltd. and its Liggett unit, and Dosal Tobacco, a Florida corporation. Stanley M. Rosenblatt, a lawyer for the plaintiffs, said other tobacco companies would be added to the suit.

Lawyers for the companies said they had not studied the suit and therefore could not comment. But spokesmen for the tobacco industry said this was the first class-action suit against tobacco companies involving exposure to second-hand smoke.

Victor Schwartz, a product liability lawyer for the industry, said it would be difficult for the plaintiffs to win.

Mr. Schwartz said tobacco companies had already successfully defended themselves against class-action suits by smokers, with courts ruling that there was no pattern among a group of individuals to show similar links between smoking and their illnesses. It will be even more difficult, he said, to prove that passive smoking is

responsible for a group's illnesses, since "the causation link between smoking and bad health is not as strong with passive smoking as active smoking."

'Hypersensitive' to Smoke

One of the plaintiffs, Marilyn Mittan, a 43-year-old resident of Barberville, Fla., said she began flying for Eastern Airlines in 1972 and "started getting sick in 1983." After consulting five doctors, she said, she was found to be "hypersensitive" to smoke.

"I couldn't breathe through my nose," she said. "I had to sleep sitting up." She said she had taken six months off to recover and had been "fired because of my condition" after returning to work. "I was completely healthy before this happened," Ms. Mittan said. "Now I am a handicapped person. I cannot be around smoke in any way, shape or form."

Mr. Rosenblatt, the plaintiffs' lawyer, said that another of the flight attendants, Norma Broin, began flying for American Airlines in 1976 and was found in 1988 to be suffering from lung cancer. Ms. Broin and her husband, a Marine Corps major stationed on Okinawa, are Mormons and, as such, do not smoke or associate with smokers, Mr. Rosenblatt said.

The other plaintiffs are Patricia Young, who works for American Airlines; Nancy Fossey Strickland, with Pan American World Airways, and Patricia Crittenden, Donna O'Neil and Joyce Newman Scott, who worked for Eastern Airlines, which has gone out of business. The suit does not hold any of the airlines responsible.