

On the law John O'Brien, Bill Crawford,

Rostenkowski trial a lift for Winston

ocked recently by some stunningly bad disclosures—a top partner alleged-ly ripped off the firm. Winner allegedly ripped off the firm—Winston & Strawn's PR fortunes have taken a turn for the better with the news that U.S. Rep. Dan Rostenkowski hired Dan K. Webb to fight felony charges against him.

Webb, one of Winston's top-billing partners, said his biggest concern in taking the case was his schedule, which already is filled with big clients. For one, he's defending General Electric in a huge criminal antitrust case set for trial in October in Columbus, Ohio.

"I came to the conclusion my schedule could handle it," said Webb, a former U.S. attorney who's been known to bill 3,000 hours a year. "For the last several years I've always had a very busy trial schedule. You can only try one case at a time."

And, as Webb noted, "this case will not go to trial for some time." To that end, he can turn to other lawyers for work on pretrial matters, some of which are appealable before trial. He also said he may turn to a lawyer outside Winston, probably one from Washington, D.C., to serve as co-counsel.

One Winston lawyer expected to play a role is Howard Pearl, 39, who, like Webb, has distinguished himself on both sides of the table. While an assistant U.S. attorney, Pearl triumphed over Webb in one showdown a few years ago in a case against sports agent Lloyd Bloom, whom Webb defended.

Webb turned around and hired Pearl, who then served as his associate independent counsel in the government's case against former National Security Adviser John Poindexter. As an assistant U.S. attorney under Anton Valukas. Pearl also prosecuted the corruption cases against the late Judge Reginald Holzer and sports agent Norby Walters.

Office tiff tossed

Squabbles happen, and the U.S. attorney's office, it seems, is not immune to them, even when they get physical.

If there's a lesson to be learned from the Dirksen Building dustup that involved Assistant U.S. Atty. Eddie Stephens and his former secretary, Lori Gibbs, it may be this: Try mediation if tempers flare.

According to Circuit Court records, Gibbs took out a battery complaint against Stephens, accusing him of striking and shoving her during an argument over paperwork revisions.

He claimed she grabbed his shirt, ripping a sleeve. This happened, said defense lawyer Gay-Lloyd Lott, after his client left notes on her desk that encouraged her to spend less time chatting on the telephone and more time doing office work.

Last week, as the March 15 incident neared trial in Circuit Court, another prosecution agency opted to send Gibbs and Stephens on their way. The misdeameanor charge was dismissed without comment by Assistant State's Atty. Martin F. Moore Jr.

Kudos

The Securities Department of Illinois Secretary of State George Ryan's office is on a roll. According to chief counsel Roger Bickel, the department's conviction record of 29-0, in the last 31/2 years, is the result of a beefed-up securities audit and enforcement wit. Jeffrey Strang already knows that. The Springfield investor, found guilty of mail fraud and converting \$250,000 to his own use, was exposed for wrongdoing by the unit.... The City of Chicago's Law Department has improved dramatically in the last decade—from an office in disarray that farmed out millions of dollars a year in legal work to one of the finest municipal law offices in the country, according to a study by the Chicago Council of Lawyers, a group known for being frugal with its compliments.

■ The Chicago Crime Commission's revival of two oft-suggested proposals for judicial reform-merit selection of judges and appointment of an inspector general to watch themstems in part from the current crop of judicial candidates. Keck Mahin & Cate's Donald Mulack, chair of the commission's courts committee, said the number of unqualified candidates on the November ballot again spotlights the selection process.

After more than seven years as an assistant U.S. attorney in Chicago, James P. Fleissner, 37, is joining the law school faculty of Mercer University, a century-old institution in Macon, Ga. Fleissner was one of the earliest participants in the FBI's undercover probe of Chicago's futures markets in the late 1980s.

Chicago stock scoreboard

Monday, June 6, 1994 15 most active stocks

By percent of outstanding shares traded				By number of shares traded					
Stock		Pct.	Close	Net	Stock			Close	Net
CDW Computer	Q	1.6	221/4	+ 1/8	Sara Lee	N	23108	23% +	- 7/8
Zebra Tech	Q	1.4	34	- 416	The second secon	N	22201	281/2 -	· 1/2
Tellabs	Q	1.4	331/4	- 2	Motorola	N	14942	465/8 -	- 1
Advance Ross	Q	1.2	26	+ 23/4	Abbott Labs	N	9020	30% -	- 7/8
USG	N	1.1	225/8	- 1/8	Sears, Roebuck	N	9003	50 -	. 1
Andrew	Q	1.1	39	+ 2	Baxter Int'l	N	8378	251/4 -	3/4
Antec Corp.	Q	1.0	251/4	+ 1/8	Tellabs	Q	6207	331/4 -	. 2
Corcom	Q	1.0	31/2		McDonald's	N	5669	61% +	- 1/4
First Alert	Q	1.0	251/4		Fruit Of The Loom	N	4955	27% -	. 3/4
Enviropur Was			1200		Santa Fe Pacific	N	4489	225/8 +	- 1/8
Refining And Tech	Q	1.0	23/8		USG	N	4394	225/8	· 1/8
Outboard Marine	N	0.9	22		Amoco	N	4302	5734 +	
Cobra Electrn.	Q	0.9	35%	+ 1/8	Whitman	N	4246	161/8 +	
Wis. Central	Q	0.7	691/2	- VB	Safety-Kleen	N	3498	16% -	- 36
TNT Freightways	Q	0.7	213/8	+ 1/4	Mercury Finance	N	3329	18% +	- 11/8

Leading pct. gainers	Leading pct. losers

Excludes stocks under \$5				Excludes stocks under \$5					
Stock		Close	Net	SUPERIOR STATE OF	Stock		Close	Net	Pct.
Teluiar Mercury Finance II. Superconductor MMI Cos. Andrew AM Int'I Comm. Clear. A Whitman Stimsonite Revell Monogram	OGZGZG4GZG4	26 + 15 + 18% + 13 + 13% + 10½ + 16% + 16% + 11 + 5% +	23/4 1 1/8 3/4 2 1/2 3/4 1/2 1/4	+ 11.8 + 7.1 + 6.3 + 6.1 + 5.9 + 5.4 + 5.0 + 4.9 + 4.8 + 4.7	Sundance Homes TRO Learning Inc. Tellabs First Oak Brook Zenith Elec. United Stationers Autofinance Alberto Culver Liberty Banc. Elek—tek Inc. Baxter Int'l	GGGGGGGGGG	5½ - 6¾ - 33¼ - 28½ - 10½ - 10¾ - 19½ - 23¾ - 12¾ -	1/2 1/4 2 1/4 3/4 3/4 3/4 3/4 3/4	- 8.3 - 6.9 - 5.7 - 3.8 - 3.5 - 3.1 - 2.9 - 2.9
General Binding CDW Computer Chemical Waste	GOZ	171/4 + 221/4 + 93/4 +	3/4 7/8 3/8	+ 4.6 + 4.1 + 4.0	Abbott Labs Fruit Of The Loom Ero Inc	ZZG	30% — 27% — 9½ —	7/8 3/4 1/4	- 2.8 - 2.6 - 2.6

Note: N—New York Stock Exchange; A—American Stock Exchange; Q—traded on NASDAQ. 1—365-day high; 4—365-day low.

High court bars some Superfund legal-fee claims

FROM TRIBUNE WIRES

WASHINGTON—The federal Superfund law does not allow those who clean up their environmental contamination to recover legal fees they incur in getting other polluters to help pay for the cleanup, the Supreme Court ruled Monday.

The justices, by a 6-3 vote in a case from Washington state, said such legal fees are not included under a Superfund law provision allowing private parties to recover "necessary costs of response ... or remedial action."

But by a separate 9-0 vote, the court ruled that other costs incurred in such cases can be recovered from other polluters. Those costs are tied to identifying other potentially responsible parties, the court said.

At stake was millions of dollars, and federal appeals courts had split on the

The Superfund law, passed in 1980, requires polluters to contribute to the costs of cleaning up hazardous-waste sites across the country.

One such site is Colbert Landfill in Spokane County, Wash. When contamination was discovered there, Key Tronic Corp. disclosed its prior use of the landfill and voluntarily took measures to help with the cleanup. Key Tronic agreed to pay \$4.2 million toward the cleanup.

The corporation also sought other polluters that could share the costsincluding lawyers' fees incurred in a suit aimed at getting the U.S. Air Force to pay some of the costs.

Key Tronic and the Air Force disposed of liquid chemicals at the landfill in the 1970s. State testing of nearby drinking water in 1980 discovered significant contamination traced to hazardous materials leaking from the county-run landfill.

The Air Force eventually agreed to pay \$1.45 million to help pay for the cleanup. But Key Tronic sued the Air Force, seeking \$1.2 million for the legal fees and investigative costs it incurred in seeking out other polluters.

A federal judge ruled that the Superfund law entitled Key Tronic to recover such fees and costs under a provision covering "private cost recov-

The 9th U.S. Circuit Court of Ap-

peals, however, ruled that the Superfund law does not provide for such

monetary recoveries. Other appeals courts have allowed such recoveries. The Supreme Court said the 9th Cir-

cuit Court was correct about legal fees. The Superfund law "does not provide for the award of private litigants' attorneys' fees associated with bringing a cost-recovery action," Justice John Paul Stevens wrote for the court.

But he said the law does provide for reimbursement of costs for lawyers and others, such as engineers, chemists and private investigators, who help identify other polluters.

Justices Antonin Scalia, Harry A. Blackmun and Clarence Thomas said they believe the Superfund law allows recovery of lawyers' fees in such cases.

Scooter CONTINUED FROM PAGE 1

designed the machine called the "Spark" for GE Plastics, a division of General Electric Co. The Spark, which weighs about

180 pounds, or 30 percent less than conventional motor scooters, might be able to travel up to 100 miles between charges using existing battery technology, said Taffin. It is capable of speeds of 25 to 30 miles an hour.

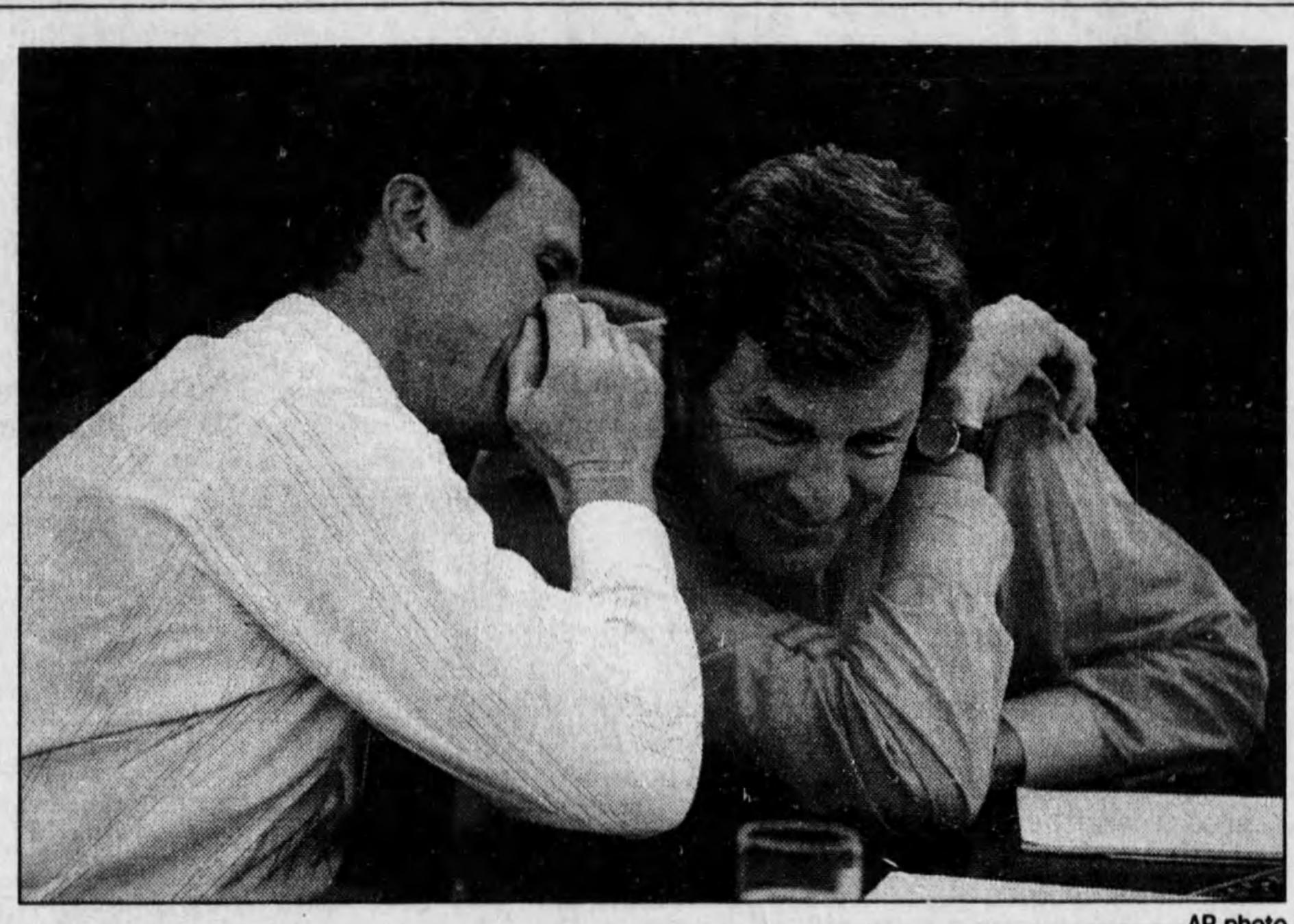
The major reason the electric plastic scooter is so far in the future, despite the fact the prototype has been around for two years, is because GE has no plans to manufacture it.

It was designed and built by GE to demonstrate the technology to other companies. GE sells a variety of resins used in the manufacture of plastic.

Closer to reality is the recyclable plastic car, or more properly, the advanced polymer car. Polymers are molecular blocks in plastic.

The Ethos II, a two-seat sports car designed by the Turin, Italy, design house of Pinninfarina and built with GE-supplied advanced polymers is scheduled to debut at the Geneva Motor Show this year. It has an aluminum frame supporting plastic body panels.

A recurring theme in the plastic's show, held every third year in Chicago, is the material's recyclability. And GE officials point out that the body panels when no longer needed can be removed, shredded, melted down and molded into something else.



Communications: Cox Enterprises chief James Kennedy (left) whispers Monday to Cox Cable President James Robbins during an Atlanta-based teleconference on Cox's agreement to buy the cable units of Times Mirror Co. in a \$2.3 billion deal.

CONTINUED FROM PAGE 1 aggressive in its merchandising and distribution efforts.

Bryan said what has him most concerned about the restructuring is its effect on em-

"Sara Lee has a long history of dealing sensitively with dislocation.... With this many people, we've really got a lot of effort to do to make sure we deal with it so there

is as little disruption as possible."

Analyst Ellen J. Baras at Duff & Phelps in Chicago said the main problem the company faces is changing buying habits among women in the U.S., as well as the sluggish economy in Europe.

"Women in the U.S. are dressing more casually, they're not wearing sheer hose, which had been [the] highest profit margin for them," Baras said.

And, she said, the sluggish European economy has resulted in lower sales. "Women there don't perceive hosiery to be an essential," she said.

Van Kampen Merritt buys Skyline fund

By Marianne Taylor TRIBUNE STAFF WRITER

Van Kampen Merritt Cos., the Oakbrook Terrace-based mutual fund company, has expanded its family of funds, acquiring the Skyline Monthly Income Portfolio.

Skyline shareholders approved the acquisition last Friday, according to a Monday announcement of the friendly transaction.

In the arrangement, shareholders in the \$18 million Skyline Portfolio will become shareholders in the \$275 million Van Kampen Merritt High Yield Fund, whose assets are invested by portfolio manager Kevin Mathews.

The Van Kampen Merritt fund, which invests in high-yield, highrisk corporate bonds, has netted its investors an average return for its class, according to Morningstar, the Chicago-based publisher that tracks mutual fund perform-

The Skyline fund, part of Chicago-based Mesirow Financial, had been without a portfolio manager since December, and was something of an oddity as the only bond fund in the Skyline family of stock funds, said Stephen Gaber, president of the Skyline funds.

Van Kampen Merritt has \$22.5 billion in assets under management, mostly in bond funds.

U.S. open to partial Japan trade deal

REUTERS

PARIS—Reflecting a new pragmatism in American economic policy, U.S. Trade Representative Mickey Kantor said Monday that it would be "immature" to reject a partial trade deal with Japan.

Kantor—who had insisted on an all-or-nothing trans-Pacific trade package in advance of a failed February summit—said he would now accept a scaled-back version when the two nations' leaders meet at a Naples summit in July.

"You want to make progress where you can. This is a long-term situation and you won't resolve all the problems overnight," Kantor said on his way to a Paris meeting of the Organization for Economic Cooperation and Development.

"It would be immature to become so impatient that we rejected market-opening advances under the guise of wanting a number of deals at any one time," Kantor said.

The two sides want to strike a broad new deal that cuts Japan's \$131 billion trade surplus and boosts foreign access to three key sectors of the Japanese economy: cars, insurance and public procurement. Officials say the latter two are not insurmountable

problems but that Tokyo and Washington remain sharply at odds over cars, which make up two-thirds of the \$60 billion U.S. deficit with Japan. Kantor declined to discuss chances for a deal in any of the three sectors, but in a departure from his

earlier rhetoric, conceded that a partial deal would be better than no deal at all. "We need to take advantage of opportunities when they present themselves," he said, rejecting "slavish

adherence" to do-or-die deals. That was a far cry from the Clinton administra-

tion's earlier position.

When President Clinton took office, a top-to-bottom overhaul in trade relations with Japan became a central tenet of U.S. foreign policy, and Clinton insisted on a "results-oriented" approach to ensure Japan's promises of change were finally matched by open markets.

Merger

CONTINUED FROM PAGE 1 communications.

Aside from the Bell Atlantic/TCI deal, Cox Communications' plan to merge its cable-TV operations in a \$4.9 billion partnership with telephone company Southwestern Bell Corp. came unglued in April.

One problem is that future services on the information superhighway are so far off that it has been tough for companies to come up with an agreeable value for their assets.

"Valuation is a big issue," said Charles Schelke of Smith Barney, Harris Upham & Co.

Sprint stock closed down 75 cents, at \$38, on the New York Stock Exchange. GM Class E stock, which gives shareholders dividend rights based on EDS' performance, fell 25 cents, to \$35. General Motors stock was down 87 cents, at \$51.12.

Chicago Tribune Online **INSTRUCTIONS ON PAGE 2, SECTION 1** Text of statements from GM, EDS, and Sprint. B312

The most impressive box score isn't in the sports section. The Ultimate Money Market Account

Current APY* Current Earns Rate Account 4.49% Balance 4.40% 91-Day T-Bill Rate \$25,000+ +.25% 4.15% 4.23% 91-Day T-Bill Rate \$1 to \$24,999

With the Ultimate Money Market Account, you can match or beat the 91-Day Treasury Bill rate.

As market conditions change, the Ultimate Money Market Account will always earn you a competitive rate. Another advantage is that you'll

always know exactly how your interest rate is set.

Additionally, you can make withdrawals at any time and use your ATM card to access the Ultimate Money Market Account throughout Chicagoland.

To open your account, call or visit any of our locations:

Aetna Bank 2401 N. Halsted St., Chicago, IL 312-935-6000

Belmont National Bank 3179 N. Clark St., Chicago, IL 312-880-7900

Commercial National Bank 4800 N. Western Ave., Chicago, IL 312-989-5100

Lincoln National Bank 3959 N. Lincoln Ave., Chicago, IL 312-549-7100

Madison Bank and Trust Company Madison & Canal Sts., Chicago, IL

312-454-1200 First State Bank of

Calumet City 925 Burnham Ave., Calumet City, IL 708-862-1000

First National Bank of Wheeling 125 McHenry Rd., Wheeling, IL 708-459-4000

Madison National Bank of Niles 9190 West Golf Rd., Niles, IL

708-299-2900

Members FDIC

*Annual percentage yields are based on monthly compounding under the assumption that principal and interest earned remain on deposit for one year. Rates shown are effective through June 13, 1994 and may change weekly. There is no minimum amount required to open this account. However, if the minimum balance falls below \$10,000, a \$25 monthly fee applies unless the average balance is \$20,000 or more. Fees could reduce earnings on the account.