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**DOI AND DOB ANNOUNCE THE SUSPENSION OF TWO HOIST MACHINE OPERATORS' LICENSES
IN INVESTIGATION OF SEPTEMBER 4th FATALITY AT WEST 42ND STREET CONSTRUCTION SITE**

The New York City Departments of Investigation ("DOI") and Buildings ("DOB") announce that as a result of their ongoing investigation into the death of a construction worker on September 4, 2008 at the construction site at 600 West 42nd Street in Manhattan two individuals' Hoist Machine Operators' ("HMOs") licenses were suspended today.

The class B HMO licenses of JAMES VAN DUYNE, 52, of Woodmere, N.Y., and CHRISTOPHER VAN DUYNE, 47, of Manhattan, were suspended, based on administrative charges that they endangered public safety and violated the City's Construction Codes by cutting the guardrail of a platform attached to a tower crane that was being dismantled, 40 floors above the ground. The charges allege that cutting the guardrail compromised the rigging and structural integrity of the platform from which the worker, Anthony Esposito, later fell to his death. JAMES VAN DUYNE and his brother CHRISTOPHER VAN DUYNE were members of the eight-person crew dismantling the crane on the day Mr. Esposito died. Today's charges and license suspensions are the latest actions stemming from the investigation.

DOI and DOB previously found that unsafe conditions existed during the crane-dismantling operation, including the failure to secure the deceased worker's safety harness and the missing safety railing on the platform. On September 5, 2008, one day after the incident, DOB suspended the Master Rigger's license of GENE ALTOBELLI, 56, of Yorktown Heights, N.Y., on administrative charges of failing to supervise the operation, and ALTOBELLI surrendered his license ten days later, on September 15, 2008.

DOI Commissioner Rose Gill Hearn said, "Despite months and months of public pleas for construction safety, our investigators found glaring violations at a high-rise work site where a construction worker fell to his death. Today's charges serve notice that licensed tradesmen who flout the rules and put lives at risk are also risking their own livelihoods. Their fitness to work in the City's construction industry will be challenged."

DOB Commissioner-designate Robert LiMandri said, "The irresponsible removal of a safety railing played a critical role in the death of a member of this rigging crew. It was a shortcut gone terribly wrong that compromised rigging operations and put the lives of fellow workers in jeopardy. Everyone on a construction site has a duty to keep the site safe for the workers and the public, and anyone who fails to do so will face serious consequences."

The charges against JAMES VAN DUYNE and CHRISTOPHER VAN DUYNE, which were filed today with the City's Office of Administrative Trials and Hearings, each allege four violations of the New York City Construction Codes, all relating to cutting the guardrail. The penalties that the DOB Commissioner may impose for each violation substantiated after a hearing include a fine of up to \$25,000 and revocation of the individual's license. These administrative charges are accusations and respondents are presumed innocent.