

Kumo faces at least 12 lawsuits

BY JOHN ASBURY

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The owners of a shuttered Stony Brook steakhouse and sushi restaurant where food poisoned 28 diners are facing at least a dozen lawsuits from customers who fell ill, according to plaintiff lawyers.

At least nine lawsuits were filed Tuesday and Wednesday against Kumo Sushi & Steakhouse and its parent company, MDBL Corp, on behalf of a teenage dance team of about 10 girls who all became ill earlier this month after eating at the restaurant, said Joseph Dell, a Garden City attorney for the plaintiffs.

The attorneys are each seeking damages to be determined to cover medical costs and pain and suffering, Dell said.

"They have an obvious case when the Department of Health calls it a mass casualty event, and there were prior complaints about the food and the reaction to it," Dell said of the plaintiffs.

The Suffolk County Health Department said the foodborne illness that sickened customers Sept. 9 was likely caused by mishandled and improperly stored rice, the Suffolk County Health Department has said. At least a dozen people required emergency treatment.

The restaurant announced its permanent closure Saturday following the initial lawsuits and reports of more than two dozen customers falling ill.

"Before closing . . . Kumo proudly catered to members of the Long Island community for more than 12 years, serving more than one million meals. The health, safety and well-being of our customers has always been our top priority," the restaurant said in a statement Wednesday.

The statement continued: "The entire team at Kumo expresses our deepest regret and we apologize to those impacted by the recent situation at our restaurant. We are aware of legal actions that have been taken and we are working with our legal counsel to address them. We have full faith in the courts and the legal system."

Lauren Hespos, 47, of Holtsville, said she dropped off her 15-year-old daughter at the



MORGAN CAMPBELL

The Stony Brook restaurant closed after 28 people fell ill eating there earlier this month.

restaurant for a friend's 13th birthday party Sept. 9. The girls on the dance team, who go to Sachem schools, ate hibachi and then reported stomach pain, with some suffering from persistent vomiting, according to Hespos.

She said her daughter had to be taken by ambulance to a hospital after feeling lethargic and experiencing stomach and chest pain as well as chills.

The girls were all treated with anti-nausea medication.

"Even the most benign food choices can be dangerous and we're less likely to go out to eat. She's still bothered and won't go near rice or any food associated with it," Hespos said. "This can't happen again. The restaurant needs to be fined and I don't want to see them open under a new name again. They need to make sure their food is safe."

Three other lawsuits were filed Sept. 13 on behalf of a Setauket mother and daughter who experienced projectile vomiting and another man who got sick after ordering takeout from Kumo.

The restaurant's owners also face 15 health code violations related to the illnesses, including eight for foodborne illness risk factors, according to the health department.

Plaintiff attorneys said the lawsuits would continue despite the restaurant closing down for good, and they would seek damages from the parent company and liability insurance.

"The cases don't get dismissed because the restaurant closes," said attorney Scott Harford, representing three people who have filed suit. "There are plenty of food poisoning cases where the restaurant closes. These people only got sick less than two weeks ago. We don't know the long-term effects of what's happening."

WHAT A FEDERAL

Airport delays, workers left in financial limbo

BY LAURA FIGUEROA HERNANDEZ

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WASHINGTON — If Congress does not pass a spending bill by midnight Saturday, the federal government will be forced to shut down, leaving about 46,000 federal workers on Long Island in financial limbo and causing widespread disruptions in federal services.

Longer wait times at airports, shuttered facilities at national parks such as Sagamore Hill in Oyster Bay and a halt to assistance for pregnant and postpartum mothers are among the possibilities, according to federal officials.

House Speaker Kevin McCarthy (R-Calif.) negotiated a spending deal with President Joe Biden over the summer that averted a shutdown. But a faction of hard-line House conservatives have refused to vote on a short-term spending bill to keep the government open, arguing for more spending cuts including dropping military aid for Ukraine.

On Tuesday, the Senate advanced a measure negotiated by Senate Majority Leader Chuck Schumer (D-N.Y.) and Minority Leader Mitch McConnell (R-Ky.) to keep the government open through mid-November under current spending levels. But McCarthy told reporters Wednesday there was little support among House Republicans for that bill.

McCarthy, who is fighting to remain as speaker amid threats by some hard-line conservatives to vote to oust him, has opted to push for votes on four long-term appropriations bills to fund the departments of Defense, Homeland Security, State and Agriculture.

Rep. Andrew Garbarino (R-Bayport) in a statement said shutdown talks were continuing "and we looking at several different avenues to fund the government. We must do everything possible to avoid a shutdown."

Rep. Anthony D'Esposito (R-Island Park) said in a statement he was "wholeheartedly opposed to



AUDREY C. TIERNAN

In the event of a federal shutdown, services could be curtailed at National Park Service sites such as Sagamore Hill in Oyster Bay.

WHAT TO KNOW

■ **On Long Island**, federal workers, federal contractors and social service agencies were bracing Wednesday for a government shutdown that could occur this weekend.

■ **A federal shutdown** would leave about 46,000 federal workers on Long Island in financial limbo and cause disruptions to a range of federal services.

■ **Longer wait times at airports**, shuttered facilities at national parks such as Sagamore Hill in Oyster Bay and a halt to assistance for pregnant and postpartum mothers could be in store, according to federal officials.

shutting down the government," and as a member of the bipartisan Problem Solvers Caucus, was "exploring all options to keep the government open."

Rep. Nick LaLota (R-Amityville) in a statement called a shutdown "completely unnecessary and totally avoidable. Washington should reduce spending, secure the border, and keep the government open while doing so."

Rep. George Santos (R-Queens/Nassau) did not respond to a request for comment Wednesday.

On Long Island, federal workers, federal contractors and social service agencies were bracing Wednesday for a possible shutdown. The last shutdown stretched from Dec. 22, 2018 to Jan. 25, 2019 during the administration of former President Donald Trump.

"When we talk about a government shutdown, there's a lot of talk about Washington, but it affects real people here on Long Is-

land," said Matt Cohen, president and chief executive of the Long Island Association, the region's largest business group. "It really shouldn't come to that ... Everyone has to get in the room and figure this out, because, again, real people get hurt by it."

Following are some federal functions and services on Long Island that could be affected by a government shutdown:

Food assistance

More than 418,000 women and children in New York benefit from the federal Special Supplemental Nutrition Program for Women, Infants, and Children, known as WIC, that provides financial assistance to low-income mothers to buy baby formula and other food staples. Funding for the program could be halted if a shutdown were to last longer than a few days, U.S. Department of Agriculture officials said Monday.

Both WIC and the Supplemental Nutritional Assistance Program, or SNAP, which provides low-income enrollees with monthly stipends to purchase groceries, have contingency funds for use during a shutdown. But Agriculture Secretary Tom Vilsack told reporters Monday the WIC contingency funds likely would run out if a shutdown lasts more than a few days.

After that, "the vast majority of WIC participants would see an immediate reduction and elimination of those benefits, which means the nutrition assistance that's provided would not be available," Vilsack said.

Paule Pachter, president and chief executive officer of Long Island Cares — The Harry Chapin Regional Food Bank, said the nonprofit has begun to inventory baby formula and baby food stock in its network of food pantries, to prepare for a possible

SHUTDOWN COULD MEAN ON LI



AP / J. SCOTT APPLEWHITE

Speaker Kevin McCarthy is scrambling to get House conservatives to approve a new budget before the government shuts down Oct. 1.

increase in WIC recipients seeking.

"We're very concerned about the status of the moms and the babies that are going to need infant formula and baby food and other support," Pachter told Newsday.

Pachter recalled during the 2018-2019 shutdown, the agency saw an increase in demand from furloughed federal workers.

"If we go back to the last government shutdown, it did impact families on Long Island," Pachter said. "There were also a number of TSA employees, Homeland Security employees and Coast Guard members who were being affected by this, and we did our best to support them with food assistance."

Vilsack said SNAP funding should last through the end of October, but warned if a shutdown runs longer, "there would be some serious consequences to SNAP."

Military services

Veterans services, including at the Northport VA Medical Center, are expected to continue without disruption, but active-duty military such as U.S. Coast Guard members stationed on Long Island may have to work without pay and wait for back pay, officials said.

Veterans Affairs Secretary Denis McDonough told reporters last week that in the event of a

shutdown "there would be no impact on Veteran health care."

McDonough said burials would continue at VA national cemeteries and the VA would "continue to process and deliver benefits to veterans, including compensation, pension, education, and housing benefits."

McDonough said services such as career counseling likely would be halted and maintenance of cemetery grounds would be suspended.

There are more than 18,000 active-duty military personnel in New York who would be forced to work without pay until the shutdown is resolved, according to the White House.

White House officials on Tuesday warned that 1.3 million U.S. service members could face financial hardship during a shutdown.

"Nobody joins the military to get rich. You join because you love your country," said John Kirby, spokesman for the White House National Security Council. "But you have every expectation that the government is going to be able to pay a decent wage and take care of your family."

Possible travel delays

A federal shutdown would force more than 3,400 air traffic controllers and more than 760 Transportation Security Administration officers in New York to

work without pay until Congress passes a spending bill.

White House officials warned a shutdown could lead to widespread delays at airports, as occurred during the last government shutdown when large numbers of workers called off from work, leaving TSA checkpoints and air traffic control centers understaffed.

The State Department says in its shutdown contingency plan it would process passport applications "as the situation permits." The department already is grappling with a backlog of applications spurred by a surge in post-pandemic travel abroad.

National parks

A spokesman for the National Park Service declined to comment on the impact of a shutdown on Long Island's national parks. But during past shutdowns, both President Theodore Roosevelt's home at Sagamore Hill in Oyster Bay and the Fire Island National Seashore experienced partial closures.

The Park Service's shutdown contingency plan allows for parks, roads and trails to "remain accessible to visitors." But the agency will not provide "visitor services, including restrooms, trash collection, facilities and roads maintenance (including plowing), and public information."

Internal Revenue Service

The IRS as of Wednesday had not released a shutdown plan, but during the 2018-19 shutdown the agency shuttered its offices on Long Island, including sites in Holtsville, Hauppauge, Westbury and Bethpage.

Officials of the union representing IRS workers, the National Treasury Employees Union, said they anticipate furloughs for some agency workers during a shutdown.

An IRS spokesman did not immediately return a request for comment on the status of Long Island offices.

Unaffected services

Recipients of Social Security, Medicare and Medicaid are expected to continue receiving payments on time, according to the Social Security Administration.

The U.S. Postal Service would continue regular operations.

McCarthy looking for a solution

The Associated Press

WASHINGTON — As the Senate marches ahead with a bipartisan approach to prevent a government shutdown, House Speaker Kevin McCarthy is back to square one — asking his hard-right Republicans to do what they have said they would never do: approve their own temporary House measure to keep the government open.

The Republican speaker laid out his strategy Wednesday behind closed doors, urging his unruly Republican majority to work together. He set up a test vote Friday, one day before Saturday's shutdown deadline, on a far-right bill. It would slash federal spending by 8% from many agencies and toughen border security but has been rejected by President Joe Biden, Democrats and his own right-flank Republicans.

"I want to solve the problem," McCarthy told reporters afterward at the Capitol.

But pressed on how he would pass a partisan Republican spending plan that even his own right flank doesn't want, McCarthy had few answers. He rejected outright the Senate's bipartisan bill, which would fund the government to Nov. 17, adding \$6 billion for Ukraine and \$6 billion for U.S. disaster relief while talks continue. Instead, he insisted, as he often does, that he would never quit trying.

Congress is at a crossroads days before a disruptive federal shutdown that would halt payments for millions of federal workers and the military, close down many federal offices, and leave Americans who rely on

the government in ways large and small in the lurch.

As the Senate pushes ahead in bipartisan fashion, McCarthy is demanding that Biden meet to discuss border security measures. But the beleaguered speaker has little leverage left with the White House without the power of his House majority behind him and after he walked away from the debt deal he and Biden reached earlier this year that is now law.

On the other side of the Capitol, Senate Majority Leader Chuck Schumer opened the chamber warning of the right-wing extremes that "seem to exult in shutting down government."

Schumer said: "A reckless shutdown will serve no purpose."

Senate Republican leader Mitch McConnell was in rare agreement with the Democratic leader, urging his House colleagues to consider the Senate's stopgap approach that keeps funding at current levels, along with bolstered money for Ukraine and U.S. disaster relief, and move off the shutdown strategy.

"We can take the standard approach and fund the government for six weeks at the current rate of operations or we can shut the government down in exchange for zero meaningful progress on policy," McConnell said.

McConnell said he, too, would like to do something about the "Democrats' reckless spending" and boost border security. But "these important discussions cannot progress" if the functions of government "end up being taken hostage."