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Relatives of 2 Wendy's Victims May File Suit

By Herbert Lowe
STAFF WRITER

Relatives of two of the Wendy's massacre victims have hired attorneys to pursue a lawsuit against the fast-food restaurant.

"We're looking at a lot of avenues," Joan Truman-Smith, mother of slain worker Anita Smith, said yesterday. "They are negligent, trust me."

She and other relatives spoke outside a courtroom in State Supreme Court in Kew Gardens, where Justice Steven Fisher began a pretrial hearing for John Taylor, the alleged mastermind of the plan to rob the restaurant, which took the lives of five restaurant workers and wounded two others.

Truman-Smith said Wendy's should be compelled to better compensate the families of the employees killed and wounded, as well as to offer better protection to its late-night employees.

"These fast-food restaurants tend to have lax security and hiring practices that lead to these tragedies," said attorney Andrew Jones of Queens. "Throughout the country, this is quite a significant problem," Jones said. "They could easily do better, but they are more focused on the bottom line."

Prosecutors say Taylor, 37, shot two employees and commanded accomplice Craig Godineaux to shoot the other five soon after the Flushing restaurant closed on May 24, 2000.

Godineaux, 31, pleaded guilty to his role in the slayings in January and has been sentenced to life in prison with no chance of parole.

A Wendy's spokesman insisted the company had more than supported the families by paying for funeral expenses, offering grief counseling and — along with the mayor's office — creating a relief fund that provided nearly $300,000 for the families to share.

"We do believe we have done the right things," Denny Lynch, Wendy's vice president of communications, said from Dublin, Ohio.

Lynch said it's hard to keep criminals from walking in during business hours. Godineaux has said he and Taylor waited for customers to leave before rounding up the manager and workers and shooting them.

Truman-Smith and Benjamin Nazario, whose brother, Ramon Nazario, died in the attack, have already hired Jones's firm, the attorney said. Meanwhile, Jacqueline Hall, mother of slain worker Jeremy Mele, also complained about a Police Department recruitment radio ad that touted its solving the Wendy's case in 36 hours.

She said the department should not have patted itself on the back given that Taylor had outstanding bench warrants against him when the massacre happened.

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