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# Injured Cologne volunteer firefighter denied benefits

**Keith Leuci is still seeking compensation for injuries sustained three years ago while rescuing a man from a burning car in EHT.**

By **MICHELLE LEE**  
Staff Writer, 609-272-7256

More than three years passed since volunteer firefighter Keith Leuci risked his own life to save a man from a burning car in an Egg Harbor Township accident. Since that time, the former Hamilton Township resident said he still is seeking compensation for the injuries he sustained

during the rescue.

Leuci and his family were traveling on the Black Horse Pike on Aug. 20, 2004, when he noticed smoke coming from three cars on fire. Although Leuci, a fire lieutenant, was off-duty and still recovering from a prior car accident, he stopped to help despite danger warnings from other bystanders.

Wearing only a T-shirt and

shorts, Leuci pried open a car door and pulled James Barnes, then 26, of Pleasantville, to safety before the vehicle exploded. The accident killed Barnes' cousin, Donald Wilson II, 25, of Somers Point, who was still trapped inside the car. During the rescue, Leuci and Barnes fell. Leuci later



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## Benefits

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found out that he tore ligaments in both knees.

After the incident, Leuci said he had to give up his remodeling business because of his ongoing health problems, and he found it difficult to obtain steady work. His family could no longer afford to keep their New Jersey home, and they relocated to Tennessee in March 2006.

Leuci, 41, estimated that he spent about \$6,000 for two knee-ligament surgeries on August 2005 and November 2007 and physical therapy. He still needs another reconstructive procedure on his right knee, which he said he is postponing because he is still paying medical bills.

What frustrates Leuci the most is the lack of assistance he received from government officials. Leuci said he petitioned for workers' compensation from Hamilton Township in September 2004, and it was denied. Leuci applied again with the Cologne Volunteer Fire Company in October 2005. The second case is still pending.

Leuci said he does not seek special treatment; he just wants the same coverage any other firefighter would get when hurt on the job. "I'm looking for workman's compensation to fix me, do what it's supposed to do, repair my knees, do what they have to do and pay me for my lost wages," Leuci said in a telephone interview Monday from Paris, Tennessee.

Leuci's attorney, Christopher Day, said that while his client received accolades for his heroic rescue — a valor award from the Atlantic County Firefighters' Association and a medal from the Carnegie Hero Fund — Leuci continues to pay a high personal price for his deed. "The irony is everyone honors him, shakes his hands, takes photo ops," Day said. "But they deny him benefits."

Jim Pietras, the attorney representing the Cologne Volunteer Fire Company, said that while Leuci's actions were laudable, they cannot be compensated because Egg Harbor Township authorities did not request assistance from Hamilton Township during the accident. "He's a volunteer and he needed the authorization of his superior to respond to emergencies, and he had none in this case," Pietras said.

Day said Leuci did not have time to contact the Cologne fire company because of the seriousness of the accident.

Both parties presented their arguments at a November hearing before state Workers' Compensation Judge Cosmo Giovinazzi III, who is expected to make a decision soon.

In the meantime, Leuci is in the process of creating a new life in Tennessee.

Leuci said he is fortunate his wife, Susan, has been the primary supporter of the family through her Internet party-favor company. Leuci said jobs were difficult to find in their new home, and he even tried out for the local fire department, without success. Leuci said he worked at a state park, then a plumbing company, when he found out last summer his knees had more extensive damage.

While Leuci said he is still recovering from the November surgery, he started a new job this month teaching residential wiring at the Tennessee Technology Center at Paris.

When asked if he would have done anything differently the night of the car accident in 2004, Leuci said no.

"If the same thing presented itself again tomorrow, I wouldn't even think twice about it," Leuci said. "I was never obligated to stop and help. I was a volunteer fireman. ... It doesn't matter what it was, what the reason. If it happened again, I would stop in a heartbeat."

To e-mail Michelle Lee at The Press:

[MLee@pressofac.com](mailto:MLee@pressofac.com)

# Firefighter wins compensation in off-duty rescue

BY ELAINE ROSE  
Staff Writer, 609-272-7215

A state workers' compensation judge ruled Thursday that a former Hamilton Township firefighter who rescued a man from a burning car in Egg Harbor Township while off-duty is entitled to receive benefits, his attorney said.

Keith Leuci — formerly of Hamilton Township and now living in Tennessee — was driving home with his family Aug. 20, 2004, when he saw



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a burning car stopped on the Black Horse Pike. Leuci told his wife to pull over, raced to the car, pried the door open and pulled James Barnes, then 26 and of Pleasantville, to safety. Barnes'

## Leuci

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cousin was killed in the accident.

Leuci, then a member of the Cologne Fire Company, was injured in the rescue, and Hamilton Township denied his claim for workers' compensation benefits. He then applied through the Cologne Volunteer Fire Company. The fire company also denied his claim, saying he was not on duty, and Egg Harbor Township did not request mutual aid from Hamilton Township, meaning he was not officially on duty at the site of the accident.

Judge Cosmo Giovinnazzi III ruled in Leuci's favor Thursday, said his attorney, Christopher Day.

The Cologne Fire Company and its insurer "took the position that instead of rescuing the person who was in the car, he should have gotten approval from the chief or somebody," said Day, who also represents The Press of Atlantic City. "There was about a 30- to 60-second window to save the individual, so his choice was to rescue the person or let him die."

"It's totally amazing we need a court to tell them the right thing to do," Day said. "I hope their family is never trapped in a vehicle when they need help."

Leuci, who lives in Tennessee, said he was driving to the airport Thursday afternoon for a trip back to New Jersey when Day called him with the news.

"I broke down in tears, I had to pull over," he said. "I'm hop-

ing that, out of the kindness of their heart and, without being rude, common sense, prevails and (the insurance company) won't appeal it, so I can get back on my feet."

Jim Pietras, the lawyer representing the Cologne Fire Company, said Thursday evening he was unaware of Giovinnazzi's ruling. After he receives a copy of the judge's decision, he will meet with his client and decide whether to appeal.

Day said an appeal is unlikely to succeed, as Giovinnazzi is one of the most respected judges in the state.

"To the best of my knowledge, he's never been overturned," Day said. "So I feel pretty confident his decision will stand."

Leuci received a valor award from the Atlantic County Firefighters Association and a medal from the Carnegie Hero Fund for his role in the rescue. But his injuries forced him to give up his remodeling business, and his family moved to Tennessee because they could no longer afford to live in New Jersey.

Leuci estimated he paid \$6,000 out of pocket for two

surgeries to repair knee ligaments and for the physical therapy he needed as follow-up.

He had scheduled 30 therapy visits to follow up his last surgery in November, but his insurance company told him Jan. 1 they would not pay for the last 15 sessions, Leuci said Thursday.

"Now it means I get to continue my therapy," he said.

The insurance company offered to settle the court case two weeks before Christmas, Leuci said. It was tempting, but he declined on principle.

"It's about more than me now," Leuci said. "How many

other people have they done this to?"

Asked if he would stop again to perform a similar rescue, Leuci said he carries a fire extinguisher, work gloves, a medical-grade first-aid kit, two flashlights and a tow strap in both of his vehicles. In other words, yes.

Meanwhile, Day said Leuci's move out of state was New Jersey's loss and Tennessee's gain.

"We have one less person who would do (a rescue like) this in New Jersey," Day said.

To e-mail Elaine Rose at The Press:

ERose@pressofac.com

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