

M.T.A. Official Who Was Fired Is Given Chance to Clear Name

By **BRUCE LAMBERT**

A state judge has granted an unusual "name-clearing hearing" to the former deputy security director of the Metropolitan Transportation Authority, who was fired after accusing the agency of covering up corruption.

The judge, Sherry Klein Heitler of State Supreme Court in Manhattan, ordered the proceeding in response to a lawsuit filed by the former deputy, Nicholas B. Casale. He was dismissed two years ago along with his boss, Louis R. Anemone, the authority's security director, after both men accused the authority of thwarting their investigations.

In removing them, the authority accused the men of concocting an informer as the source of an investigation into a contractor suspected of "wining and dining" the Long Island Rail Road's president, an ethics violation. They denied having fabricated their source.

In ordering the hearing, the judge said she "took particular note" that despite the authority's accusation, it announced several months later that the contractor, Plasser American, had entertained the railroad president, Kenneth J. Bauer, in violation of the agency's ethics code, and that five other managers had also violated the code.

"Casale has not yet had a meaning-

ful opportunity to defend himself against these allegations of dishonesty through M.T.A. channels and is, therefore, entitled to a name-clearing hearing," the judge wrote in a decision dated Thursday and released yesterday.

Mr. Casale's lawyer, Norman Siegel, said that in the few name-clearing cases he knows of, the courts have ordered the agencies involved to hold the hearings. The authority claimed that its internal review amounted to such a hearing, but the judge said the case must be heard in open court.

"It's an important win for government employees in general and whistle-blowers in particular," Mr. Siegel said.

The suit claims that Mr. Casale's reputation was tarnished and his employment prospects damaged. He is seeking reinstatement, back pay and other damages. Mr. Anemone is contesting his firing in federal court.

Justice Heitler said the authority's internal review hampered Mr. Casale's defense by withholding depositions given by Mr. Anemone and the authority's labor relations director, Gary J. Dellaverson.

Mr. Dellaverson was a central figure in the dispute. Mr. Casale and Mr. Anemone identified him as their source for the railroad investigation, which he has denied.