

Supreme Court approves Dalkon Shield settlement

By CHUCK WILLIAMS
Staff Writer

In a busy day Monday, the U.S. Supreme Court cleared the way for a \$2.4 billion payment in damages to 100,000 women injured by defective birth control devices.

The ruling culminated a 15-year battle over settlement claims stemming from the use of the Dalkon Shield intra-uterine birth control device (IUD).

A federal appeals court reached a settlement last year that required A.H. Robins Co. Inc. of Richmond, Va., the manufacturers of the Dalkon Shield IUD, to set up a \$2.4 billion trust fund to pay patients injured by the device.

The device allegedly caused infertility, pelvic and uterine infections and spontaneous abortions in more than 100,000 women in the United States, with some cases resulting in death.

A.H. Robins sold the IUD from 1971 to 1974, and disputes over the amount of settlement caused by the damage have continued since.

Under the settlement agreement,

senior officials of the company are protected from further lawsuits in the case. The argument before the Supreme Court Monday involved two cases, Rosemary Menard-Sanford vs. A.H. Robins Co. Inc. and Alexia Anderson vs. Aetna Casualty and Surety Co.

The case involved 500 seriously injured victims represented by Washington attorney Alan Morrison. The women challenged the trust fund ruling, charging that the fund was not enough money and that company executives should be held accountable for their negligence.

The Court ruled without comment in declining to consider the challenge to the settlement.

A.H. Robins, now involved in a corporate acquisition, expressed pleasure with the decision because it can now proceed with a deal to sell the company.

"We are pleased," said Roscoe Puckett Jr., director of corporate communications for A.H. Robins. "The road has been longer than we anticipated. The

acquisition couldn't go forward without this ruling."

The Dalkon Shield IUD was introduced in 1971 and was manufactured for three years. It worked like other IUD devices by preventing sperm from reaching the female egg. However, the Dalkon Shield had an undetected flaw that caused medical problems.

"This device was significantly different," said Jaroslav Hulka of the UNC Medical Center. "The Dalkon Shield was a good IUD."

"It was made with a multifilament string. Because it was multifilament, bacteria would get up in the thread. This was just a chance decision to use a multifilament string. All the other devices used a monofilament string like a fishing line," he said.

"These bacteria caused infections and in some cases death due to the infections. The device itself was not a bad design, just the string."

IUD birth-control devices on the market today do not pose the same threat today, said Hulka.

Settlements end decade of Beatles lawsuits

From Associated Press reports

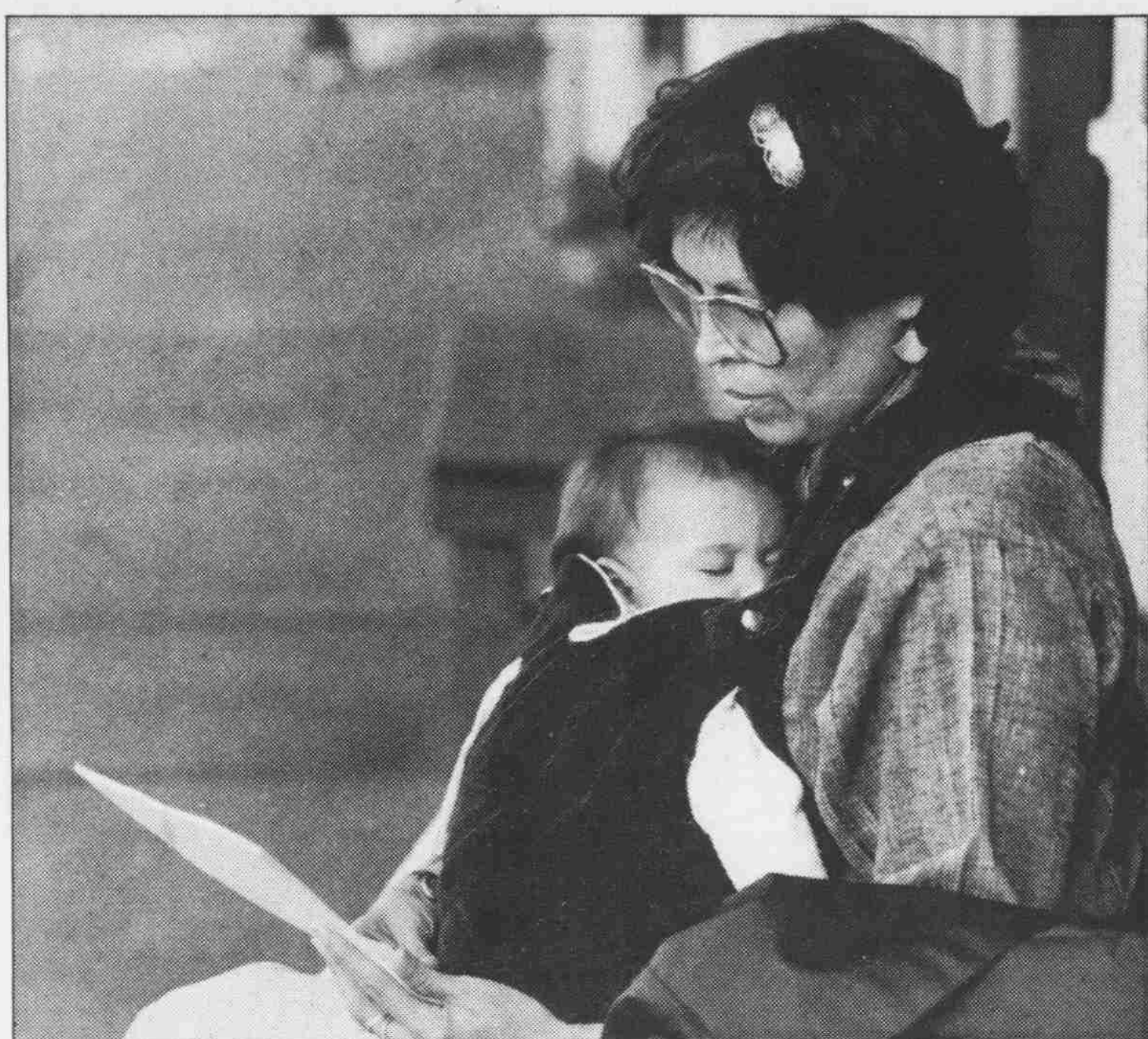
LOS ANGELES — Former Beatles Paul McCartney, George Harrison, Ringo Starr, and John Lennon's widow, Yoko Ono, have settled a series of lawsuits among themselves and their record companies, ending a decade of legal fights.

The settlements involving Apple Records, EMI Records and its American subsidiary, Capitol Records, were announced Wednesday by Bhaskar Menon, chairman of EMI Music Worldwide and Capitol-EMI Music Inc.

As part of the agreement, terms were not disclosed and none of the parties

commented beyond a statement in which Menon praised the Beatles' "unique legacy in the history of popular music."

The rock 'n' roll group disbanded in 1970. Nine years later, the Beatles' recording company, Apple, sued EMI and Capitol Records.



Study buddies

Alma Guerrero-Miller, a graduate student in Latin American history from Mexico, studies Thursday

afternoon while waiting for the bus with her 9-month-old daughter Rosina.

DTH/Tracey Langhorne

Spotlight

Dylan concert both encouraging and disappointing

Fans of Bob Dylan come to his concerts to take part in the mystique. Lately, Dylan's ragged shows have not been pulling in the crowds of past years. Cameron Indoor Stadium was only two-thirds full for Dylan's show Wednesday night.

Certainly, Wednesday's show was far above the Dean Dome fiasco of his last tour. But still, touring behind a strong new album, *Oh Mercy*, Dylan's show should have been much better.

Dylan had several major problems.

Number one: his voice sounded terrible. OK, we've heard the Traveling Wilburys, we've heard *Oh Mercy*, we know the guy can still sing. Why didn't he try? Too often Dylan fell into self-parody, with tuneless croaking. This really hurt the quieter, more melodic

Brian Springer

Concert

songs, such as "Lay, Lady, Lay."

Number two: The sound was sub-par. But what else is new?

Number three: Dylan and company felt the compulsion to try to turn everything into garage-band guitar grunge. This approach did work for some songs, though.

Number four: Dylan's not known for being chatty, but don't we deserve more than eight spoken words all evening? In a show lasting an hour and 45 minutes, we heard only three "thank

you"'s and a "good night."

Number five: What happened to the enthusiasm? Dylan seemed to be detached and workmanlike.

But, lest you get the impression that the show was all bad, let's enumerate the good points.

Number one: Dylan's backing band was excellent. Guitarist and professional sideman G. E. Smith did a good job of filling out many of the songs. The rhythm section of bassist Tony Garnier and drummer Christopher Parker held up the bottom end admirably. Even if Dylan's voice was bad, his guitar work was solid. The best moments came when Dylan and Smith dueted on acoustic guitar, putting aside their overly noisy electric.

Number two: Dylan had a good mix of material. The new songs, including "Most of the Time," "Man in the Long Black Coat" and "Everything is Broken," made the best transition to the stage. "Disease of Conceit" featured Dylan on piano. Some classics, such as "I Want You" and "It's All Over Now, Baby Blue," sounded worn-out. But a noisy, slashing rework of "Like a Rolling Stone" and a Hendrix-style "All Along the Watchtower" were vital.

Number three: Dylan played longer, more fully realized songs than on his last tour, which was a rapid-fire barrage of lackluster readings of his classics. The arrangements allowed time for Smith, Dylan and Garnier to jam a little bit. Sure, "Mr. Tambourine Man" was a little long, but it left time for the sound

to break apart and rebuild. We've all got the records, so hearing something a bit different was wonderful.

Number four: The set on *this* tour was long enough to merit the ticket price.

Number five: This show was so much better than his recent shows that it brightens the future a bit. Surely if Dylan can make records like *Oh Mercy* again, he'll regain the ability to play live.

Number six: The opening band, Jason and the Scorchers, was outstanding. Emphasizing material from their most recent LP, *Thunder and Fire*, the band played a no-frills extravaganza of driving rock. Lead singer Jason Ringenberg, unlike Dylan, had a rapport with the audience. Borrowing Sir Bob's

bench for a seated jam with his guitarists, Ringenberg offered, "You know, it's not every day you get to jam on Bob Dylan's piano bench."

A sense of humor and definite enthusiasm were qualities that separated Jason and the Scorchers from the headliner. On *Oh Mercy* it seems Bob had some fun, but he seemed burdened by having to perform.

By and large, the show was reasonably good. Certainly, everyone there only for the legend was satisfied. With Dylan back on the upswing, it wouldn't be fair to condemn the show. He has corrected several of the last tour's problems. We just have to see whether he gets completely back to form next time. Grade: B-/C+

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Age cannot wither Benson's fine jazz

By TIM LITTLE
Staff Writer

Jazz/pop/soul performer George Benson is like fine wine. He just gets better as time goes on.

Hailed by many critics as a "modern-day Renaissance man," Benson is widely known for his broad spectrum of styles and his pioneer work in guitar playing. He will bring his electrifying guitar style to Memorial Hall tonight at 8 p.m.

Born and raised in Pittsburgh, Benson began his musical career at age 4 by winning an amateur singing contest. As time went on, he developed a strong passion for jazz, listening to legendary artists such as saxophone player Charlie Parker. He began playing on a number of albums for various artists, ranging from Herbie Hancock to Miles Davis.

Breezin' was Benson's debut album on Warner Brothers Records that elevated him to superstar status across America. "This Masquerade," the only vocal on the instrumental album, became the first song in music history to hold the No. 1 spots on the jazz, pop and soul charts.

From 1978 to 1980, Benson racked up four Grammy awards for his dazzling performances of such smash hits as "On Broadway," "Love X Love" and "Give Me The Night." After achieving such huge success, Benson produced a compilation album, *The George Benson Collection*, which featured the number one single "Turn Your Love Around."

This was the "golden age" of Benson. Whether artists admitted it, several were influenced by Benson's trademark of "magically" matching guitar notes with his own vocals. This artistry symbolized the bonding of the man and his instrument.

But probably the best aspect of Benson is that he and his music are inspirational. His performances entertain any audience; his love ballads attract young and old; and in the case of Whitney Houston and "The Greatest Love Of All," his decade-old songs inspire other musicians to make their own versions of his work.

Although some of his most commercially successful work was in the early '80s, Benson's most critically acclaimed music has come out in the last two years. Every song from Benson's vocal and guitar collections has prepared his already huge listen-



George Benson

ing audience for the new age of jazz in the '90s.

Collaboration, featuring "the great jazz guitar line-up of the decade" of Benson and fellow guitar great Earl Klugh, and 1988's *Twice the Love* established Benson internationally and resulted in six sold-out shows at London's Wembley Arena.

Another admirable quality of Benson is his ability to shape previously recorded material into a masterpiece. Such talent is best shown in his live version of the Drifters' classic, "On Broadway."

His latest album, *Tenderly*, is probably classic jazz at its best. With Benson's innovation and suaveness, the album's music is destined to be a hit on the road. Many critics believe the album is one of the most noteworthy jazz records in memory and will present some of Benson's best live performances ever.

And the best part is that the music will not only move the listener, but that it will also move Benson. Like a jazz-playing B.B. King, the swaying, deep-voiced Benson will delight audiences everywhere on tour and will continue to progress in the years to come — just like a fine wine.

George Benson will perform tonight at 8 p.m. in Memorial Hall. Tickets are \$13.50 for students and are available at the Carolina Box Office. For more information, call 962-1449.

Forum

money has to be where the action is. It seems to make much more sense to put the money with the people in control (of the University). We are not asking for more dollars, but only to arrange how we spend it and when we spend it."

N.C. Rep. James Crawford explained that the legislature often assigned money it knew wouldn't be spent and planned on getting that money back. "North Carolina never has a budget surplus. We give you money that you can't spend so that if there is a crisis, money will come back to the state, and we can use it to deal with that crisis."

"If we're going to give the University flexibility, we're going to give them less money because there has to be a surplus in case something goes wrong," Crawford added. "When funds are

reverted to the state, we often reallocate them to capital expenditures. That's what pays for the new buildings on campus."

Panel member Earl "Phil" Phillips, chairman of the UNC Board of Trustees (BOT), said the legislative process of budgeting University expenditures was impractically slow. "Under the current process you have to go to the legislature two years in advance to get funding, and a lot can happen in two years."

Lewis added that from the student's perspective, change could not be effected because of the time required. "We tend to have a tough time being loud enough and getting a timely response. By the time our issue is addressed, we've graduated two years ago."

Crawford said that he realized the response from the state level is often too slow. "It's... a process that depends on who gets the legislator's ear and who doesn't."

"We realize that the University needs more flexibility. Right now the spending limit (for purchases not authorized by the state legislature) is \$5,000. You can't buy one computer (or) you're

already over the limit."

One question from the audience addressed how to stop tuition increases. Crenshaw said that as long as there is inflation there will be tuition increases. "Maybe what we should do is raise the tuition 3 or 4 percent every year so that people would get used to it. That way tuition would increase with the cost of your books and everything else."

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