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Kirkland Records Clerk by Day, Hero by Night

By Victor Li [Contact](#) [All Articles](#)

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Kirkland & Ellis' Ramiro Ocasio

When Ramiro Ocasio left work on Friday, he was thinking about what he was going to do over the Martin Luther King weekend, and whether or not his beloved New England Patriots would be able to overcome the Baltimore Ravens on Sunday to get to the Super Bowl.

The last thing on the 33-year-old Kirkland & Ellis records assistant's mind was that he'd have to risk life and limb in order to save an elderly man from being the latest victim in a shocking string of subway fatalities in New York City.

Ordinarily, Ocasio would have still been at work, but the New York office of Kirkland let everyone

leave at 3:00 P.M. that day so they could get a jump on the long weekend. Ocasio, who had previously worked at King & Spalding, joined Kirkland after his friend, attorney Robert Rizzo, lateraled to Kirkland from King & Spalding in 2005.

On Friday, Ocasio was waiting on the platform of the N/R station at 59th Street and Lexington Avenue for the train to take him to his home in Astoria, Queens. The Kirkland staffer was listening to music through earbuds and cranking his head impatiently toward the dark tunnel, when, all of a sudden, he heard a commotion loud enough to divert his attention away from his music. Ocasio looked onto the subway tracks and saw an elderly man struggling to stand up. (The man's name and identify have not been publicly disclosed.)

"He seemed disoriented," says Ocasio, who estimates that the man was between 70 and 75 years of age and weighed about 120 to 130 pounds. "People were yelling at him to get close to the platform, but he seemed out of it."

Ocasio quickly realized that the man was in danger, so he sprung into action without hesitation. He took out his earbuds, dropped his backpack, placed his wallet containing more than \$300 on the platform's edge, and jumped into the dark, dank, river of sewage water and garbage that serves as home to a large number of New York City's rats. "All I know is that it's really dark down there," says Ocasio. "You feel like you're in a dungeon."

Because of the way the tunnel is shaped in that particular station, Ocasio couldn't see exactly where the train was. "The tunnel coming into the station is curved, so you can't see the train coming until it's almost at the station," says Ocasio.

He says that soon after he landed, he felt the ground shake and saw lights reflecting on the tracks. He knew that he didn't have much time to act. In the span of about 10 or 12 seconds, he grabbed the man by his shirt collar and lifted him onto the platform, much to his surprise. "I'm not a strong man and I'm definitely not a tough guy," says Ocasio. "But I guess it was adrenaline."

But when it came time to extricate himself, Ocasio soon realized that he was in serious trouble. The rails are much further away from the platform than they seem, he says. And at 5 feet 10 inches, Ocasio says

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his neck was level with the platform, meaning he would have to have the vertical leaping ability of an NBA star or Spiderman to get out.

"I can feel the ground shaking, I know that the train is coming and that I'm in trouble," he recalls. Luckily for him, Ocasio's brave act seemed to have galvanized the crowd at the subway station. Four or five commuters reached out and pulled him up to the platform. Ocasio banged his knee on the platform as he came back up, but says it's a small price to pay when he considers that just ten seconds later, the train whizzed past Ocasio and his rescuers.

In retrospect, Ocasio says that he was luckier than he initially realized. "Later on, MTA officials told me that if [the elderly man] had touched the third rail, we both would have died."

While Ocasio acknowledges the danger he put himself in to help a stranger, he doesn't classify his efforts as anything out of the ordinary. "I'm no hero," says Ocasio. "I'm not the only one who saved him."

He was, however, the only one who jumped into the path of an incoming train to save a complete stranger. When he looks back on the event, Ocasio says that the first thing that came to his mind was his 16-year-old son, Jose Ramiro Ocasio. When I jumped in, as I was going down, I thought about my son," he says. "I thought maybe I wouldn't see him again." Ocasio called his son immediately afterwards, and his son now has a great story to tell his friends.

And in another, seemingly miraculous turn of events, Ocasio says that despite leaving more than \$300, a cell phone, and other goodies on the platform, not one thing was missing when he came back up onto the platform. "New Yorkers rally around each other," he says. "We pick each other up."

Meanwhile, Ocasio's good deed didn't go unnoticed among the lawyers and partners at Kirkland. Jonathan Henes, a bankruptcy partner at Kirkland, was so impressed that he bought the Boston-born Ocasio two tickets to the Patriots vs. Ravens game last Sunday at Foxborough, Massachusetts. "I really enjoyed myself, even though the Patriots lost," says Ocasio.

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