

Santa Monica Daily Press

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Race Time: 1:45.84



NEWS OF THE WEIRD

by Chuck Shepard

The parents of a teenage girl, who had inhaled nitrous oxide from "whippet" propulsion cartridges just before a car crash that left her with permanent brain damage, filed a lawsuit in Boca Raton, Fla., in December against the store that sold her the canisters. However, a store manager claimed that, even though his is a video store whose whippets are sold from an "adult" room, he believes that his customers are not inhalant-abusers but just people who want to make their own whipped cream.

QUOTE OF THE DAY

"See, free nations are peaceful nations. Free nations don't attack each other. Free nations don't develop weapons of mass destruction."

— George W. Bush
Milwaukee, Wis., Oct. 3, 2003

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A mannequin mystery



John Wood/Daily Press

This mannequin doesn't know that Christmas has passed. As part of a weekly contest, the Daily Press will give away a free prize to the first reader who can accurately describe where the photo was taken. E-mail answers to sack@smdp.com.

Drawing a line in the sand: Resident spikes the courts

BY JOHN WOOD

Daily Press Staff Writer

SM BEACH — For those who live on the beach, the sport of volleyball isn't usually considered evil.

But it's turned out that way for Stephen Meadows. When he bought a house here last March, he thought he'd moved into a paradise. But as the weather warmed up, Meadows and his family quickly realized their

See VOLLEYBALL, page 5

Councilman goes for seat despite lawsuit

BY JOHN WOOD

Daily Press Staff Writer

EAST SM — City Councilman Mike Feinstein is running for a leadership position within the Green Party, which is suing him for allegedly depositing a \$10,000 donation into a private account.

Feinstein is one of seven Green Party members vying for six open seats on the County Council of the Green Party of Los Angeles County, third district. Though Feinstein was instrumental in bringing the Green Party to the westside, his relationship with party leaders recently has been unstable.

The upcoming Mar. 2 election comes less than a week after Feinstein is scheduled to appear in Santa Monica Small Claims Court. The County

See FEINSTEIN, page 4

Vince Muselli fueled from gas pump to the 'sold sign'

Community profiles is a weekly series that appears each Monday and delves into the people who live, work and play in Santa Monica.



BY JOHN WOOD

Daily Press Staff Writer

Vince Muselli — one of the city's most prominent realtors — never went to college.

Instead, he joined the Marine Corps after graduating from Venice High School in 1969 and later followed a friend into the real estate business.

Today, Muselli, 52, is one of the largest commercial realtors in Santa Monica. He sells and leases buildings throughout the city, and the rest of the westside.

A father of three who lives in Malibu, Muselli has served on many different

See PROFILES, page 8



In America, like Lake Wobegon, no one is average

BY CALVIN WOODWARD

Associated Press Writer

WASHINGTON — The editor of the Old Farmer's Almanac once explained why he has no use for averages. If you've got one foot in a bucket of boiling water and the other in a bucket of ice, he said, on average you should be feeling fine.

Judson Hale was talking about weather averages. In the Democratic presidential campaign, averages may be just as pointless as the public tries to figure out whose goose is cooked and who makes out like gravy under the multitude of tax plans and other proposals

being offered by the candidates.

The problem with averages is that practically no one is.

"You will look long and hard before finding anyone so aptly described," the writer Fran Lebowitz dryly noted.

They exist, if to everyone's bewilderment, in the platforms of the campaign.

The candidates juggle percentages with one hand and averages with the other to put their proposals in the best possible light.

Howard Dean's average taxpayer is a big loser under President Bush's tax cuts. Rival Joe Lieberman's average taxpayer is a big

winner under the very same package. Dick Gephardt's is somewhere between fire and ice.

No one is making up numbers. But everyone is using them to their own ends.

And not very effectively, says Bob Lichter, president of the Statistical Assessment Service, which monitors the misuse of numbers.

"On average, politicians are below average in using averages," he said.

Dean, who wants to eliminate all of Bush's tax cuts, says repeatedly that "60 percent of

See AVERAGE, page 10



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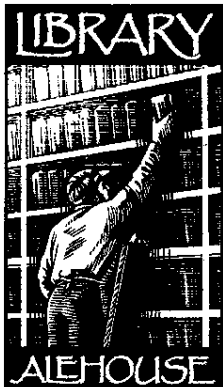
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JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★★ Take off for the day or plan a special excursion, if that is what you want to do. You might be hard to keep up with right now. Be considerate of someone in your life who is just not as bouncy as you. Flow with changes. Tonight: Read between the lines.

TAURUS (April 20-May 20)

★★★★★ Work with a partner. You might need to take a strong stand even if you don't want to. You might feel very strongly about someone or some issue in your life. Express yourself carefully. Let good feelings flow. Tonight: Be a duo.

GEMINI (May 21-June 20)

★★★★★ Let others approach you, even among friends. Someone might ask you for assistance. Be happy to pitch in. If you see a shortcut, politely let the other person know. You might need an adjustment vis-a-vis someone close. Tonight: The more people, the more fun.

CANCER (June 21-July 22)

★★★ Make it OK to take your time and curl up with a good book. Do what makes you happy. Let go of your need to cater to others so much. You might find that you need to screen your calls. Remember yourself. Tonight: What would you find most relaxing?

LEO (July 23-Aug. 22)

★★★★★ You delight others with your playful attitude. Whether you invite others to join you at the movies or to hang out listening to music, it makes no difference. You also might like something totally different. Tonight: Follow your instincts.

VIRGO (Aug. 23-Sept. 22)

★★★ Right now, those close to you need some of your time. Make it your pleasure. In fact, let a loved one choose the outing that would most please him or her. Together you have a ball. A statement that might feel harsh really isn't. Tonight: Order in.

LIBRA (Sept. 23-Oct. 22)

HHHHH You could find it a little difficult to see what is going on around you. Lighten up about a problem involving a partnership. A talk could be most revealing and informative. You might be amazed by how someone else sees a situation. Tonight: Breeze through some of your favorite stores.

SCORPIO (Oct. 23-Nov. 21)

★★★ Go for that long-awaited major purchase. You probably have done as much pricing as you want to do, but still check again. You could be thrilled. A new relationship will blossom with your nurturing and sensuality. Tonight: Act like a Scorp.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Do what comes naturally. If attached, go off together and do something that the two of you consider fun. You need some special private time together. If single, you meet people easily; in fact, someone might turn your head. Tonight: Whatever makes you happy.

CAPRICORN (Dec. 22-Jan. 19)

★★★ Knowing when to let others do their thing might be instrumental to the well-being of a relationship. Kick back and do some thinking or reading, or watch a movie. You and your views could be in the process of changing. Tonight: Lie back.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ You do what comes naturally, which involves your friends and loved ones. Others follow you like you are the Pied Piper. Don't forget an important call; someone might be waiting to hear from you. Tonight: You are the party.

PISCES (Feb. 19-March 20)

★★★ You might want to catch up on news that involves an older friend or family member. Treat this person to a late brunch or early dinner. You could be surprised by how much the two of you have to share. Tonight: Don't let time restrict you.

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LOCAL



COMMUNITY BRIEFS

SM robotics team heads for the stars

By Daily Press staff

As NASA's Jet Propulsion Laboratory scientists maneuver their Mars Rover robot on the surface of Mars, a group of Santa Monica students, also sponsored and funded by NASA and Raytheon, is building a robot to compete in the upcoming FIRST Robotics Competition.

The kick-off for the competition began on Jan. 10, when more than 20,000 students on 1,000 FIRST teams throughout the country were given the rules for this year's game, called "FIRST Frenzy: Raising the Bar."

All the teams have only six weeks to design and build a robot that will climb stairs, herd balls and "chin" itself on a raised bar, among other tasks, in order to compete in the game.

The Santa Monica Community Robotics Team will compete against other student teams at the Los Angeles Regional Competition March 25-27. Last year — their first in competition — the team placed sixth out of 58 teams in the competition.

The Santa Monica Community Robotics Team is one of only 10 teams in California awarded a \$6,000 NASA grant to support their participation in the competition this season. This is the second year the team has received the grant, designed to help rookie teams build a sustainable team in their communities. Next year the team is expected to be entirely self-sufficient. This year, the team also received a \$1,000 grant from Raytheon and a \$300 grant from First Federal Bank, and raised additional monies from private individuals to pay their team's expenses.

The team, which includes 11 students from Santa Monica High School, John Adams Middle School, Lincoln Middle School and Los Angeles High School, is working out of cramped quarters in the garage and driveway of team captain David Litwak's home. They are appealing to the community for a larger work space, as well as access to a machine shop, so they can do the fabrication and machining required in the process of building the robot. The team welcomes the involvement of all students in the Santa Monica area.

The Santa Monica students are supported by five professional mentors from The Aerospace Corp. and Raytheon, three parent mentors and by Beach Cities Robotics Team #294, their mentor team for the second year. Earlier this month, Santa Monica team members worked 20 hours to formulate the design for their robot. A team of seven mechanical engineers, grad students and students from the CalTech Robotics Outreach Group, traveled to Santa Monica, where they critiqued the Santa Monica team's robot design, and brainstormed with team members on how to improve the design.

One of the CalTech Robotics Outreach Group Team members is Fabien Nicaise, a CalTech mechanical engineering grad student and JPL roboticist who also is working on NASA's Mars Rover project.

"It was heartening to see a NASA engineer at the drawing board helping NASA-sponsored high school students design their robot," said team manager Tiui Lukk. "Perhaps some of these young team members will be among the next generation of scientists and engineers involved in space exploration. FIRST gives them an unparalleled opportunity to solve real-life engineering problems, to work side by side with professional mentors, and to consider whether a career in science or engineering might be for them. These hard-working, motivated students have received a vote of confidence from NASA and Raytheon. Now we would like to appeal to the community for workspace to support and sustain the team and their work, this year and in the future."

Lukk said she welcomes calls from students interested in participating, and from supporters who could provide the team with work space, access to a machine shop, and/or sponsorship and financial support.

She can be reached at (310) 450-8208, or Tiui@marklitwak.com.



Another solid W swell filled in on Sunday with overhead surf for many spots by the early afternoon and double overhead sets at the standout breaks. This swell will be on the way down today, although many spots will still see overhead surf. Look for the waves to get smaller into Tuesday, before a new WNW swell fills in slowly by Wednesday and looks strongest through the second half of the work week.

Today expect 4-7 foot, shoulder high to two feet, and occasional overhead at 10 feet, and fair to good conditions.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

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	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
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SUNDAY	4:32 AM	5:48 PM	12:04 AM	10:35 AM
MONDAY	5:32 AM	6:23 PM	12:43 AM	11:21 AM
TUESDAY	6:49 AM	7:06 PM	1:24 AM	12:15 PM
WEDNESDAY	8:31 AM	7:48 PM	2:07 AM	1:41 PM
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The Q-Line

Resident complaints have been trickling in to the Daily Press newsroom for months about dog owners' blatant disregard for their neighborhood and the environment. The crime they are apparently committing is that they fail to pick up their pet's poop.

The problem is especially foul smelling for resident north of Wilshire Boulevard, where people are tip toeing around piles while taking their afternoon strolls.

So this week, Q-Line wants to know, "What can be done about the poop problem here? If pet owners aren't going to pick it up how should City Hall deal with it?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.



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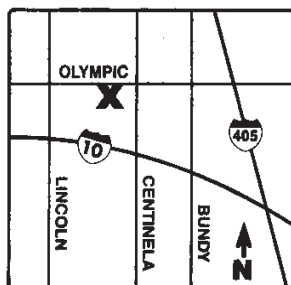
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LOCAL

Local Greens hold caucus for March 2 election

FEINSTEIN, from page 1

Council of the LA Greens is suing Feinstein in an attempt to recoup a portion of a \$10,000 donation that was given to the Green Party in January of 2001. But the check was taken by Feinstein and put into a personal bank account, officials say.

Feinstein has maintained he used the money to pay rent on an unsanctioned office for the Westside Greens on Pico Boulevard. Party officials agreed some money is due Feinstein for rent, but said they are owed a balance of at least \$6,800. They are seeking \$5,000, the limit in small claims court.

Feinstein declined to discuss the lawsuit. "I've made my decisions to keep quiet and I'm sticking to it," Feinstein said last week. "I made a choice a long time ago that this is the way I'm going to deal with it."

That decision has caused a lot of discomfort within the party. LA Greens have expressed dismay that Feinstein hasn't opened up his books or said where the money went. State Green Party officials stepped in earlier this year, urging Feinstein to bow out of party business until the dispute was resolved. He didn't.

A former treasurer of the LA Greens sparked a police investigation of Feinstein last year. The Los Angeles District Attorney's Office dropped the case.

During an LA County Green Party caucus on Thursday at the Pico Boulevard



MIKE FEINSTEIN

City Councilman Kevin McKeown, also a Green Party member, said the party decided to file the lawsuit only after repeatedly asking Feinstein to return the money.

"We are a party that strives for transparency," he said.

Candidate Genevieve Marcus said the issue was handled as well as it could have been at the time.

"I don't think it's so much the money, as the press," she said.

Another candidate, Denise Robb, wondered why media outlets covered the alleged scandal but not other aspects of the Green Party. The sixth candidate, Danielle Mead, didn't have knowledge of the dispute.

While LA Green Party prepares for the upcoming local and national elections, Bill Pietz, the man who wrote the \$10,000 check as a gesture of goodwill to the party, said last week he hopes Feinstein will give the money back.

In the meantime, the grassroots party — which is committed to 10 key principles geared towards protecting the environment and electing progressive, liberal thinkers — is working on fundraising and organizing its members, candidates said. In order to bring the Green Party in front of a wider audience, a long-term plan needs to be prepared and diligently worked on by party members, they added.

"Let's face it, in 2004 we're not going to take the White House and we're probably not going to get 5 percent of the vote this time for future federal matching funds," said McKeown, who added there are more than 200 Green Party members in office nationwide. "We need to use this cycle to promote the anti-war Green platform, organize our volunteers, and get more Greens elected to local office around the country."

**"I've made my decisions
to keep quiet and I'm
sticking to it."**

— MIKE FEINSTEIN
Santa Monica City Councilman

office, Feinstein replied "no comment" when asked what happened to the \$10,000. He also declined to answer how he would work effectively with a governing body that's suing him.

Feinstein most recently served on the LA Greens County Council for a term that ended in March of 2002 — but fellow Greens said he stopped showing up at most meetings shortly after the dispute over the \$10,000 check came up in 2001.

Though Feinstein didn't answer questions about the check on Thursday, other candidates expressed frustration at the dispute and said they're hoping for a resolution.

"I would very much like to see the result of the small claims case be the end of this matter," said Joe Crompton, LA County Green Party co-coordinator.

DID YOU KNOW?: If a statue in the park of a person on a horse has both front legs in the air, the person died in battle; if the horse has one front leg in the air, the person died as a result of wounds received in battle; if the horse has all four legs on the ground, the person died of natural causes.

LOCAL



Volleyball courts to be monitored by City Hall



Photo courtesy of Kevin McKeown

Stephen Meadows' home, which is directly behind the beach chairs on the left, is just feet away from volleyball courts on Santa Monica Beach. Meadows is lobbying City Hall to move the courts onto the west side of the bike path because the players are disrupting his home life.

VOLLEYBALL, from page 1

new home came with a nuisance — volleyball players.

They played as late as 11 p.m., capitalizing on Meadows' security lights at his home, located 30 feet away. What really bothered Meadows was the heated words the players had with each other, which often were rife with obscenities.

"Last summer it was a bit of a challenge to kind of define proper social behavior (for our children) when their overall exposure, on a daily basis, (was) to this kind of language," Meadows told City Council members last week.

Meadows ended up in front of the City Council after spending several months lobbying staffers at City Hall to have the courts moved farther away from his house just north of Montana Avenue off of the Pacific Coast Highway. He gathered signatures from his neighbors, made calls and wrote letters. But in the end, he was denied.

That's because the courts have been in that area for 40 years, staffers said, adding that many of the current players have been using them for 20 years. Moving the courts to the other side of the bike path would mean disrupting history — and losing important wind protection, players said.

The debate turned into a volley of comments amongst City Council members on the dais. Meadows offered to draft plans to have the courts moved and to pay for the work. Under that scenario, four volleyball courts on the west side of the bike path near his home would join eight on the east side. But opposition was strong.

"There's really a cool vibe of people just hanging out there," said City Councilman Mike Feinstein, who said he's skated through the area on the bike path since 1982. "We've created a little mini environment, in the middle of the great Gobi Desert there."

While Feinstein and some other members of the City Council were against the move, others supported Meadows and said there's no reason to make Meadows suffer.

"I can just imagine how annoying it

"We've created a little mini environment, in the middle of the great Gobi Desert there."

— MIKE FEINSTEIN
Santa Monica City Councilman

would be to be just a few feet away from this thing, on your property and hearing what's going on," City Councilman Bob Holbrook said. "I mean, people get excited when they're playing ball — no matter what the sport is."

In the end, City Councilman Ken Genser, who hoped to move the courts but realized there weren't enough votes, made a motion that City Hall staffers review other locations. In order to compromise with those that opposed any action, Genser agreed to wait another year to let City Hall workers monitor the situation and see if the players improve their behavior.

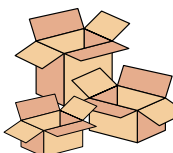
Holbrook took issue with that idea.

"Am I crazy? Do you send people out there to police volleyball games?" he asked staff.

Barbara Stinchfield, director of community and cultural services, said periodic checks during pilot programs, like with new dog parks, are commonplace and effective. Though no volleyball players spoke at the meeting, Stinchfield said workers from her department had met with them and they were adamant about preserving the courts.

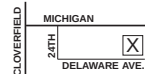
"What they report to us is moving the courts further west gave a lot of winds and really effects their playing conditions," Stinchfield said, later adding, "These are very historical courts that I assume are popular because of their location."

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LETTERS

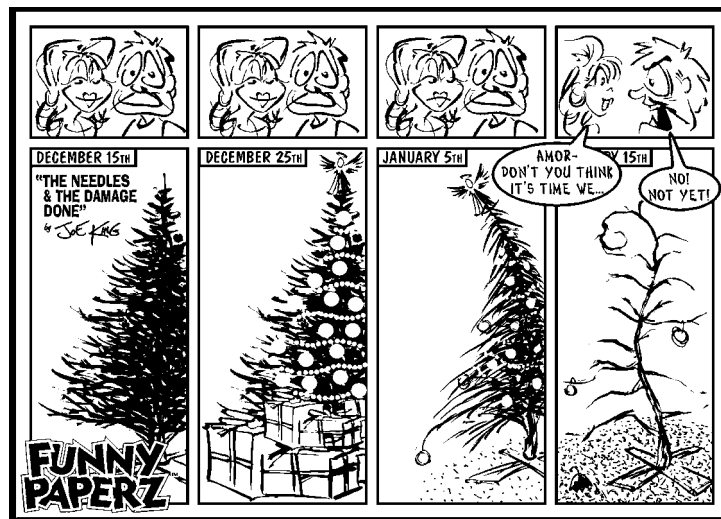
The powers that be

Editor:

Write a book of the present administration and its leader and you become the target of a federal investigation; have a politically active and outspoken wife; have CBS bow to Republicans' pressure to not air your mini series on network television; be a young singer and make the statement that you are ashamed to be from the same state as President Bush and you have your career in jeopardy. Then, of all things, the Baseball Hall of Fame, keeper of the Baseball American Dream, about to honor the 15th anniversary of the film, "Bull Durham" with a screening, cancels the festivities because two of its stars have been outspoken on their stance against the war in Iraq.

Last time I looked, I was living in the United States of America — a country founded by dissidents who were outspoken about British rule. The president himself, when going to England amid great public outcries against him and the war in Iraq, lauded the English people for living in a country where they could speak out in protest. Apparently he does not admire the same trait in his own countrymen. To speak out against the war in Iraq is to be branded a traitor to your country. I would just like to remind us that if we hadn't taken to the streets and publicly demonstrated against the war in Vietnam, we just might still be over there fighting a useless war, being killed and killing others, including women and children. How about the next war, send the president (and the boobs in Congress who enable his cause), over to do combat with the Saddams of the world and bring the 19 and 20 year olds home.

Marilyn Brennan
Santa Monica



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Savoring the taste of unsour grapes not so bitter

BEFORE
BOTOX

By Caroline Bodkin

The girls who moved into the house next door have been friends since kindergarten. Marissa is the brunette, and Dizzy (short for Delilah, a nickname that stuck after she fell down playing tether ball in third grade) is the blonde — at least, she has been since about age 16. They grew up in modest, single-family houses, went to public schools and spent their summer days together working as lifeguards but their nights apart because Dizzy always had boyfriends for nighttime, and Marissa got sick of the pity dates she got stuck with when Dizzy wanted to double.

Though they separated for college — Marissa studied political science at Berkeley and Dizzy became a theater major at ASU — they decided to live together post-college and I've met them now, two years into that.

Dizzy's an actress but doesn't have a day job so I don't know how she covers her \$600 portion of the \$1,800 rent

(they've agreed Marissa can afford more). I know she goes to the gym — well, she gets ready to go, at least. Once when I was sick I heard her from next door, giving herself a pep talk about health and dedication. It went on for 20 minutes but her car never left the driveway.

I can hear pretty much everything they say over there. When Dizzy comes home from an audition (commercials mostly), she gives Marissa a 30-minute play-by-play (auditions take what, five minutes?) and then she sighs, plops onto the couch, and finally asks Marissa how was her day. About 15 seconds into Marissa's response Dizzy remembers the season premiere of Will and Grace is on and cuts her off with a zap of the remote.

Dizzy annoys me. I try not to listen to the annoying things she says or the way she steps all over Marissa, but our windows are close. Besides, I'm a listener by nature and listening to a dynamic that's this nauseating is no less than fascinating. I wonder if Marissa knows she's getting screwed, if she realizes that the second Dizzy can afford to pay all of her share of the rent, she'll just move to a nicer place. I wonder why Marissa keeps this selfish friend around and if their duo's been this lopsided forever. I wonder why Marissa needs Dizzy.

Last week, because Dizzy's little blue

BMW (which, she says, was her dad's old one and not an outright gift) was in the shop, Marissa promised to give Dizzy a ride home from an audition — a commercial for Fruit-of-the-Loom in which Dizzy would play the role of the "grapes."

After waiting at the curb for 30 minutes, at which time she was already five minutes late to her LSAT prep course, Marissa walked into the studio to retrieve Dizzy. Dizzy wasn't in the lobby, so Marissa asked the nearest person if they'd seen an eager blonde, about five foot, nine inches. Turns out the woman had seen Dizzy (Dizzy left crying 20 minutes before), but hadn't liked her for the role nearly as much as she liked her, Marissa. And five minutes after walking into the studio, Marissa walked out with the role of "grapes." Dizzy's role.

There was fighting next door that night. Dizzy listed every acting class she'd had to take during school to graduate with a theater major. She pulled out and ripped up the application she'd been working on for grad school at Tisch in New York. Then she cried, wondering aloud over and over how her best friend could possibly steal something as precious as a dream. There was long silence. And then, from my bedroom next door (where I was trying to read), I could hear Marissa get up and walk to their window.

There was silence, and then Marissa said she'd call the commercial company the next day and tell them she wouldn't take the role of the "grapes." She said she didn't want to take that away from Dizzy if it meant hurting their friendship, and then she said good-night.

I fell asleep, now more annoyed with Marissa for being a wimp than I'd ever been with Dizzy for being selfish. Yes, I was invested at this point.

The next morning I ran into Marissa, dressed to wait tables. She smiled when she saw me, recognizing that I must have heard last night's argument (can they hear us?). I paused and so did she. Finally, I asked her, "Why'd you give up the grapes? Haven't you always wanted some of Dizzy's ... grapes?"

She smiled, and said, "No. I don't need them." I looked for more and she continued, "sometimes with Dizzy, getting the grapes and giving them back to her is better than keeping them. It reminds her of what she needs."

I was satisfied. I think I understood. Marissa never needed the role or the boy or the grapes. Not after having the friend who did.

(Caroline Bodkin lives in Los Angeles and isn't sour about it — yet).

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OPINION



It isn't March, but the madness will begin today

The equivalent to March Madness begins today. And it doesn't involve a basketball. It involves eight candidates, all running for the Democratic presidential nomination.

What makes it like March Madness — the exciting and turbulent month that every basketball fan hangs on to the edge of their sofa waiting for?

■ The tight schedule: Thirty states voting in just over 40 days, beginning today with the Iowa caucus and most likely wrapping up with the 10 states who vote on March 2. In between, there are elections all through February, with three or four states voting nearly every week.

■ Eight candidates whose policies fall all along the progressive spectrum: Can anyone remember having so many options to choose from?

■ The candidates themselves: One favorite (Dean); one contender (Clark); one underdog (Edwards); three storied competitors with long track records (Kerry, Gephardt and Lieberman); and three wildcards (Dennis Kucinich, Al Sharpton and Moseley Braun).

■ The voters: Never before have so many different voters mattered in a primary season. And it isn't just the difference between the electorates in Iowa and New Hampshire, but also the difference

between those individuals voting in South Carolina and those voting in Arizona — both of whom go to the polls on Feb. 3.

■ The opinion polls: The state polls are all tightening because at last the “undecideds” are beginning to make up their minds. In Iowa, two polls conducted between Jan. 5-7, show Dean leading Gephardt, Kerry and Edwards are all tied when one takes into account the margins of error. In New Hampshire, Dean is still the favorite, but Clark is moving up, and the race for third is too close to call between four of the other candidates (Kerry, Edwards, Lieberman and Gephardt).

■ Proportional representation: In 1968, Democrats banned winner-take-all rules for awarding pledged delegates to their convention. Further complicating the delegate count, nearly one-fifth of the delegates are unpledged (mostly elected officials and former party leaders), meaning that they are not bound by the results of their state and may endorse whomever they choose for the presidential nomination. To be awarded pledged delegates, a candidate must receive at least 15 percent

of the vote in a state primary or caucus, but in a year like this, it is possible that as many as three or four candidates could earn that vote share, which would allow them to continue to make the case that they are still “in the running” for the nomination, and not drop out all that early.

■ The media: No one knows how much or how little coverage any one of the candidates or the states will get. Will

the media cover all the states the same? Or will they cover the few states they deem “important” and ignore the rest, either because of time zone inconvenience, state size, or expectations? Will the results from Washington state get as much coverage as those from Michigan on Feb. 7? It's doubtful. Will the media forgo state coverage altogether, in favor of just keeping track of the candidate's delegate count? It's anyone's guess.

■ The sideshows: Lots of other distractions may end up making the entire nomination contest an also-ran in the ratings and in the minds of the public. The Kobe Bryant, the Michael Jackson, the Scott Peterson, the Robert Blake, and the Martha Stewart trials are all going on and from the

television ratings they are garnering, the viewing public seems to be much more interested in what happens to these celebrities than to tuning into who wins the Democratic nomination. Additionally, President Bush is giving his State of the Union Address on Tuesday, so no one knows how much of the momentum will get slowed or stopped entirely by the president's annual message to Congress.

Here's the thing — according to the Associated Press, a candidate needs to capture at least 2,162 delegates out of the total 4,322 to win the nomination.

As of Jan. 10, only 277 (unpledged) delegates have been committed to candidates (all eight candidates have at least one delegate, Dean has the most with 88). Iowa accounts for only 45 pledged delegates and 11 unpledged delegates. New Hampshire, even fewer delegates are at stake: 22 pledged and five unpledged.

What this means is that the race is wide open and like March Madness, there are sure to be dark horses, Cinderella stories, and lay ups. And it's always possible that Xavier University will end up playing Duke in the Final Four.

(Lara Brown is a Los Angeles resident and considers herself a mildly moderate conservative Democrat. She has a Ph.D. in political science.)

Guest Commentary

By Lara M. Brown, Ph.D.

Affirmative action promotes racism, not individualism

What should we remember on Martin Luther King Day? In his “I Have a Dream” speech Dr. King said: “I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.”

This statement means that in judging other men, skin color should be ignored — that it should not be a factor in evaluating their competence or moral stature. It follows that skin color should not be a factor in taking actions toward other people, e.g., hiring and admitting to universities.

What has happened in the years following King's murder is the opposite of the “I Have a Dream” quote above. Colorblindness now has been replaced with color preference in the form of affirmative action.

No amount of rationalizing can disguise the fact that affirmative action involves implicit or explicit racial quotas, i.e., racism.

Consider the realm of work as a case in point. Taking jobs away from one group in order to compensate a second group to correct injustices caused by a third group who mistreated a fourth group at an earlier point in history (e.g.,

1860) is absurd on the face of it and does not promote justice. Rather, it does the opposite. It promotes racism. You cannot cure racism with more racism. Singling out one group for special favors (through affirmative action) ignores the fact that people are individuals — not interchangeable ciphers in an amorphous collective.

Consider a more concrete, though fictional, example. Suppose that since its creation in 1936, the XYZ Corporation refused to hire red-headed men due to a quirky bias on the part of its founder. The founder now dies, and an enlightened board of directors decides that something “positive” needs to be done to compensate for past injustices and announces that, henceforth, redheads will be hired on a preferential basis. Observe that: (1) this does not help the real victims — the previously excluded redheads; (2) the newly favored redheads have not been victims of discrimination in hiring, yet unfairly benefit from it; and (3) the non-redheads who are now excluded from jobs due to the redhead preference did

not cause the previous discrimination and are now unfairly made victims of it. The proper solution, of course, is simply to stop discriminating based on irrelevant factors. Although redheaded bias is not a social problem, the principle remains the same when you replace hair color with skin color.

The traditional solution to the problem of racism is colorblindness, or, from the other side of that coin, individual awareness. For example, in the job sphere there are only three essential things an employer needs to know about an individual applicant: (1) does the person have the relevant ability and knowledge (or the capacity to learn readily)? (2) is the person willing to exert the needed effort? and (3) does the person have good character, e.g., honesty, integrity?

The rational alternative to racial diversity, focusing on the collective, is to focus on the individual and to treat each individual according to his own merits. This principle should apply in every sphere of life — from business, to education, to law enforcement, to politics.

Americans have always abhorred the concept of royalty, that is, granting status and privilege (and, conversely, inferiority and debasement) based on one's hereditary caste, because it contradicts the principle that what counts are the self-made characteristics possessed by each individual. Americans should abhor racism, in any form, for the same reason.

On Martin Luther King Day — and every day — we should focus on the proper antidote to racism and the proper alternative to racial thinking: Individualism. We need to teach our children and all our citizens to look beyond the superficialities of skin color and to judge people on what really matters, namely, “the content of their character.”

(Edwin A. Locke is Dean's Professor Emeritus of Leadership and Motivation at the University of Maryland at College Park and is a senior writer for the Ayn Rand Institute (www.aynrand.org) in Irvine, California. The Institute promotes the philosophy of Ayn Rand, author of “Atlas Shrugged” and “The Fountainhead”).

Guest Commentary

By Edwin A. Locke

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.



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PROFILES, from page 1

boards and commissions in Santa Monica — including as president of the Chamber of Commerce and as an Architectural Review Board member. He is currently on the chamber board and is active with local schools.

Muselli, a native of Los Angeles whose father was a furniture salesman, got into real estate when he was a newlywed. He was working the graveyard shift at a local gas station when he passed the realtor's exam and was almost immediately recruited by the Joe Henry Co.

"Joe Henry had a three-office operation, he was one of the biggest brokers of the time on the westside," Muselli said. "It was my first interview ... I walked into his office, sat down, he interviewed me and offered me a job, which is still the same today — commission only. And I took it."

Muselli said he focused on getting listings rather than working with buyers. He began to make money as the listings sold, eventually turning enough of a profit to open his own business in 1979. Though his company once swelled to 35 brokers, Muselli, whose offices are at 501 Wilshire Blvd., only has four brokers today.

"But I'm more profitable now than I was at 35 people," he laughed.

Here, the Daily Press sat down with Muselli and asked about the business he built.

You've been in Santa Monica for quite some time. What are your three favorite things about the city?

"I like the community spirit that Santa Monica has — and that's on all sides of the table, whether it be with the positions I agree with or the positions I don't agree with. I like the energy the city has, regarding things that bother people or things that people want to see changed.

"I also love Palisades Park, the vistas ... I just think it's a great, you know, one of the nicest walks one can do anywhere in Southern California."

Do you have a third favorite?

"Santa Monica Pier. The idea of having a pier with food and entertainment, and a theme park on it is something I think is very unique to Southern California and one of the things that I think makes Santa Monica a unique environment — not to mention the way it ties in with the beaches, that are also quite beautiful as well.

"I'm a coastal-oriented person. I love the beach, I love the water, I love the sand. If I could figure out a way to do it, I would have my office on the pier."

If you could change three things about Santa Monica, what would they be?

"I would bring back POP, Pacific Ocean Park, and the little trolley car that ran along the beach, that ran up and down the entire boardwalk. You could get on a trolley and ride from Santa Monica down to POP all the way down to the Venice Pier, and back.

"The era I guess is what I would change. The grand ballroom on the pier that used to be here, I would bring that back if I could.

"I don't like some of the changes that have been done in downtown Santa Monica regarding some of the lanes, where they've narrowed streets. The one-way system. And I particularly don't like on Fifth Street in front of the post office, the changes they've made. They made one lane going south, which creates all kinds of traffic jams all over the place ... I'm not convinced that the changes they've made have accomplished anything."

Is there a third thing you'd like to see changed?

"Rent control. How's that for one?"

"I was actually chairman of an organization way back when it first came around that fought the initial round of rent control and we actually prevailed at that time ... Rent control in the form that it's been in I would change.

"I don't think the rent control law has helped the real people it was intended to help when it was put in. It's the whole argument that there's a lot of people hanging out in rent-controlled apartments that are driving BMWs that could afford to be paying a lot more rent than they are.

"Then there are seniors and other low-income people who are struggling and, in a lot of cases, have been forced out by landlords who saw their only choice of getting some type of return on their property was to utilize the Ellis law, vacate their building and tear it down to build something else — or sell it to somebody who would do that.

"I think there are a lot of apartment buildings that have been torn down in Santa Monica that would not have been torn down had there not been rent control, or at least not rent control in the form that it's in."

In the years that you've lived here, what have you done to make Santa Monica a better place?

"This goes back a ways now. In 1980, '81, '82, probably '84, there was a building moratorium put in place in Santa Monica. I was a chamber board member at the time and I was chairman of the Land Use Committee ...

"We had to deal with the process of negotiating with the then city manager ... We had to basically work with the city to come up with a brand-new land use document — which is still the same document that the city currently works under.

How did that change the city?

"Some of the things you see now are a result of that document, particularly the residential development of downtown Santa Monica. Those are things that were not in place during the moratorium and were a result of that, among other things."

You have two kids at Malibu High School and have been involved with the schools. What do you think about the superintendent's gift-sharing proposal? (The proposal would require all donations to the district be distributed equitably — instead of allowing a specific school to reap all the benefits through one contribution).

"I'm in favor of it."

Even though it will almost certainly take money away from Malibu High?

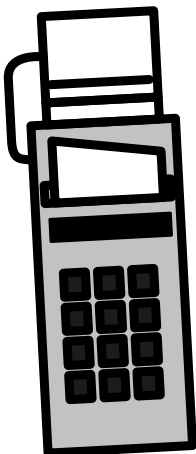
"Yes. Well, I mean, if you're talking about taking 15 percent of whatever

See PROFILES, page 9

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Community Profiles

PROFILES, from page 8

they raise. (15 percent of all cash gifts to individual schools or the district be deposited into an "equity fund," administered by an external organization). I don't see 15 percent as being a substantial impact to Malibu High, for sharing that with other schools across the district, which would conversely mean they're sharing it back with us — even though some of the other schools aren't raising as much.

"If it allows us to retain 85 percent of whatever we raise and keep it in Malibu ... I'm in favor of doing it."

How do you think the commercial real estate market in Santa Monica will evolve over the next five, 10 and 15 years?

"I think it'll stay strong. Santa Monica has always done better than the rest of the westside in the good times and the bad times, and I think the outlook is going to remain good here. The vacancy factor is beginning to creep

down now, which is one of the biggest drags on the market."

What about the issue of the I-10 being more clogged and many companies choosing to rent office space in downtown LA?

"I don't see that, long term, impacting us at all. I think that the profile of the size of tenant here is not the same profile of a tenant who would take a large chunk of office space in downtown Los Angeles. We have a few tenants like that, but most of our tenants are 5,000-square-foot-and-under type of tenants, size wise."

If you weren't in the real estate business, what would you be doing?

"Let's see, what would I be doing ...

"Prior to getting into real estate, I always thought I was going to be a comedian. Not because I was the funniest guy around or because I was cracking jokes all the time ... I just figured I'd do something in the entertainment business or Hollywood ...

"But if I was going to get out of this business now, I would probably get into teaching, probably on the college level — not that I have any credentials."

Vince Muselli

Born: Sept. 10, 1951, in Hollywood.

Business: Muselli and his four brokers oversaw more than \$135 million in business last year, including sales and leases.

Family: Married twice, with three children. First son Charles is 32, daughter Kate is 16 and second son Thomas is 14.

Hobbies: Horseback riding, tennis and basketball.

Judge permits testing of whale sonar off coast

BY TERENCE CHEA

Associated Press Writer

SAN FRANCISCO — A federal judge has allowed a team of marine biologists to keep testing a new sonar system designed to detect whales in the deep sea, rejecting a request by some environmentalists for a permanent injunction against the experiment.

U.S. District Judge Samuel Conti heard arguments earlier this week from the New Hampshire firm that designed the system, the government agency that approved the testing and environmental groups that claimed the sonar system would harm marine mammals.

Scientific Solutions Inc. of Nashua, N.H., began testing the sonar last week off the coast of Central California after receiving a permit from the National Marine Fisheries Service. On Friday, Judge Conti, who blocked testing of the system last year, said the permit was issued properly.

A coalition of environmental groups including Australians for Animals and Sea Sanctuary sought an injunction, claiming the high-frequency sonar could distress and disorient whales, drive them from their habitat and separate calves from their mothers during migration. They said they were disappointed with Friday's decision.

"I'm still deeply concerned for the gray whales — for a population that continues to go down," said Sue Arnold, chief executive of Australians for Animals. "I think the decision today could spell the road to extinction of the gray whale."

Robin Mankey, a board member with San Francisco-based Sea Sanctuary, said: "I don't think this decision proves there

won't be any effects on gray whales and other marine mammals. The problem with the experiment is that no one is tracking the impact down the road."

Scientific Solutions says the system hasn't harmed the whales since testing began, and extensive measures are in place to ensure that research is stopped if the whales display abnormal behavior. It argues the system is designed to protect marine mammals from ship collisions, testing of military equipment and underwater explosions.

"The balance of good in this case far outweighs the probability of harm. ... The likelihood of irreparable harm is so remote," said Peter Stein, president of Scientific Solutions. "Save whales and protect them against harmful activities — that's the ultimate good we hope will come out of this."

Last year, environmentalists successfully blocked research on the system after they filed a lawsuit contending that an environmental assessment should have been conducted before research began.

After obtaining such an assessment, Scientific Solutions received a new permit to test its sonar in late December and began testing in Pacific waters near San Luis Obispo on Jan. 6. The company plans to conduct 20 days of testing each year for five years during the annual winter migration of gray whales.

On Thursday, the environmental groups argued that research should be stopped because the company and the government failed to consider the sonar's impact on a species known as the harbor porpoise, which is particularly sensitive to noise and might be scared away from feeding grounds.

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NATIONAL

Digging up the dead for possible answers into the 'Billy the Kid' legend

BY RICHARD BENKE
Associated Press Writer

ALBUQUERQUE, N.M. — In a sworn statement, a 72-year-old man says Sheriff Pat Garrett's widow told him 63 years ago that her husband didn't kill Billy the Kid — Garrett's friend — but that Garrett and the Kid shot a drunk in his place.

The affidavit of Homer Overton was offered as evidence for exhuming the body of the Kid's mother, Catherine Antrim, to compare her DNA with that of a Texas man who claimed until his death in 1950 that he was William Bonney, known in Western lore as Billy the Kid.

A hearing on the exhumation petition is scheduled Jan. 27 in Silver City, where Antrim is buried. City officials there oppose disturbing the grave.

Lincoln County Sheriff Tom Sullivan, Deputy Steve Sederwall and DeBaca County Sheriff Gary Graves are asking for the exhumation. They want to know if Antrim's DNA shows any relationship to Ollie "Brushy Bill" Roberts, a Hico, Texas, man who long claimed to be the Kid.

A coroner's jury concluded in 1881 that Garrett killed Bonney with a gunshot to the left breast. But according to Overton's affidavit, Apolonaria Garrett — Pat Garrett's widow — told the 9-year-old Overton and his boyhood buddy Bobby

Talbert that Garrett and Bonney shot a drunk lying in a Fort Sumner street, putting the bullet in his face to make him unrecognizable so his body could pass for Bonney's.

Overton lives in Alta Loma, Calif., where he gave the Dec. 27 affidavit that was filed in court in Silver City a week ago. The affidavit says the boys visited Apolonaria Garrett in the summer of 1940, about 32 years after her husband was shot to death in 1908 near Las Cruces.

"I believe what Mrs. Garrett told us that day was the absolute truth. ... It made such an impression on me that I have remembered it in detail these 63 years," Overton's affidavit says.

Sullivan, sheriff in Lincoln County where Bonney was convicted of murdering one of Sullivan's predecessors in the 1870s, has said it is important to determine the truth of such stories.

If Antrim's DNA is consistent or inconsistent with Roberts', that would help corroborate either one story or the other, petitioners contend.

"We are on a quest for the truth," said Sherry Tippet, attorney for the sheriffs and the deputy.

As for whether Garrett and Bonney conspired to kill a stranger, Tippet said "it's a plausible theory," but she declined to draw a conclusion.

Averages make reality fall somewhere in the middle

AVERAGE, from page 1

us" got a mere \$304 out of the deal, on average. And that those meager savings were more than offset by people's rising costs in other areas — college tuition, health care, state and local taxes and fees.

To complete the argument, he says those costs went up because federal taxes went down, forcing schools, local governments and more to go begging.

Lieberman sees things differently. Like several other Democratic candidates, he only wants to get rid of the tax cuts that went to the richest Americans. He'd go even further than Bush in cutting middle-income tax rates.

Lieberman calculated the value of the Bush tax cuts at \$1,800 for an average family of four in Iowa, site of the leadoff presidential caucuses today.

What gives?

Dean comes up with his finding that a majority of taxpayers only got \$304 by looking at the lowest-earning 60 percent. Because many in that group pay little or no federal income tax to begin with, they don't save much from the Bush tax cuts.

The Annenberg Public Policy Center says it would be just as accurate, but misleading, for Bush to look at the highest-earning 60 percent of taxpayers and tell people the majority of Americans are getting almost \$2,000 from his tax cuts.

As for Lieberman, he calculates by looking at a family with two children — each a little cash cow thanks to the child tax credit — and other circumstances that

apply to a lot of Americans, but not necessarily most.

Another problem with averages is that when sensationally high or low numbers are added to the mix, the results tell people nothing.

For example, the average pay of professional baseball players may look lucrative, but that's because superstar salaries are skewing the reality that many other players make the minimum.

"Averages describe populations but not individuals," Lichter said. "People go from a number to an image in their minds of a person, but the number can be made up of all sorts of different people."

Still, politicians and policy-makers reach quickly for averages.

"An average is a statistic people are familiar with," he said. "It doesn't scare them as much as other statistics. Maybe it should scare them more."

The best way for people to calculate the effects of a candidate's plans on them may be the hard way — to get out the calculator, bills and tax forms and see how the campaign proposals would change things.

A single person who faced a steep increase in tuition or health care premiums might have done as poorly under Bush's package as Dean says. A married couple with school-age kids and none attending a university might have as much at stake as Lieberman contends.

The reality probably falls somewhere in between. On average.

NATIONAL

Iowa caucuses could bring cherished momentum, but for which candidate?

BY TOM RAUM
Associated Press Writer

CONCORD, N.H. — Today's Iowa caucuses could help rearrange the Democratic presidential field. But while the first-in-the-nation contest has served as a presidential launching pad, other times it has been a dead end, even for the victorious.

Democratic Rep. Dick Gephardt of Missouri won Iowa in 1988 but soon dropped from sight. Republican George H.W. Bush, in his first presidential race, won Iowa in 1980. But what he hailed as "Big Mo," big momentum, was short-lived, squelched in New Hampshire by Ronald Reagan.

Iowa is being watched with particular interest here in New Hampshire for the impact it might have on this state's Democratic primary election eight days later.

"Voters in New Hampshire have a lot of information and are paying close attention to Iowa," said Linda Fowler, government professor and director of the Nelson Rockefeller Center of public policy at Dartmouth College in Hanover, N.H. "It's still such a crowded field of candidates, and there's a lot of uncertainty among New Hampshire voters."

It is widely accepted that a clear-cut Iowa victory for former Vermont Gov. Howard Dean could pump new air into a campaign that has been losing altitude.

While Dean started the year with commanding leads in polls in both Iowa and New Hampshire, the Iowa race was shaping up as a dead heat among Dean, Gephardt and Sens. John Kerry and John Edwards.

Dean remains the front-runner in New Hampshire, but Wesley Clark — who skipped Iowa — was narrowing Dean's lead and Kerry was also gaining ground.

If Dean loses Iowa, it could fuel concerns of many Democrats about his electability against President Bush.

"Obviously, we'd like to have a strong finish in Iowa," said Karen Hicks, Dean's state director. Still, she said, "New Hampshire voters are an independent lot, and I think they'll make up their own minds."

"Iowa was put on the map in 1976 by Jimmy Carter. His people really figured out that these caucuses could produce media-driven momentum."

— FRED GREENSTEIN

A political science professor at Princeton University

Iowa has always been viewed as a "must-win" for Gephardt, from near-by Missouri. A loss could end his campaign.

Likewise, a win in Iowa by Kerry could help boost the Massachusetts senator's chances in his own backyard of New Hampshire, where he has been trailing both Dean and Clark.

Although Kerry a year ago was the presumed front-runner, his campaign has been plagued by missteps and organizational difficulties. A win in Iowa could put the Kerry effort back on track.

Edwards, from North Carolina, sees his best shot in the Feb. 3 round of primaries when there are contests in seven states: Arizona, Delaware, Missouri, New Mexico, North Dakota, Oklahoma and South Carolina.

But first he must get through Iowa and New Hampshire.

Although a relative unknown, Edwards campaigned extensively in Iowa, managing to come from the back of the pack to a virtual tie for first place.

"I think what happens in Iowa will have some impact on what happens in New Hampshire," Edwards said in an interview. "It always has, and I expect it will this time."

If nothing else, the Iowa caucuses have already begun the process of narrowing the field, with Carol Moseley Braun's pre-caucus withdrawal and support of Dean.

"Iowa was put on the map in 1976 by Jimmy Carter," said Fred

Greenstein, a political science professor at Princeton University. "His people really figured out that these caucuses could produce media-driven momentum."

Carter got a huge boost from capturing 28 percent of the vote, the highest among five candidates. On Sunday, Dean was to travel to Georgia to meet with Carter, although the former president has said it will not be to endorse Dean.

Iowa this year could be a huge momentum machine should either Kerry or Edwards win, Greenstein said. But he said it would likely give less of a boost in a more-predictable Gephardt or Dean victory.

In 2000, Democrat Al Gore won over Bill Bradley while Republican George W. Bush finished first at 41 percent, with Steve Forbes coming in second and John McCain fifth.

"This race is not going to be decided by Iowa and New Hampshire," said Fowler, the Dartmouth government professor. "Any of the candidates who spent money in other states made a smart decision."

Still, she said, the race will quickly narrow to a two-man contest after New Hampshire, and Dean will likely be one of the two.

Everybody in the process agrees that whatever surprises Iowa may hold, New Hampshire is capable of trumping them.

"A week is a lifetime in presidential politics," said Democratic party chief Terry McAuliffe.

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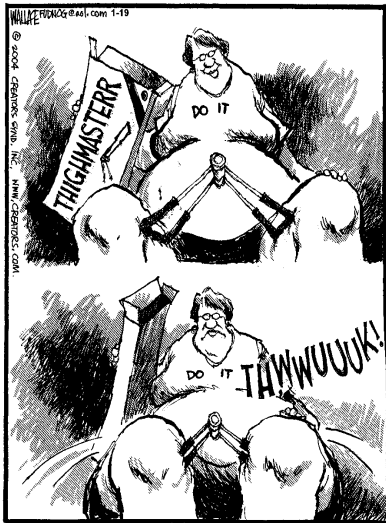
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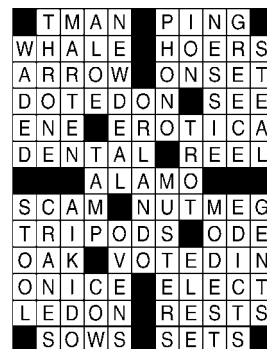


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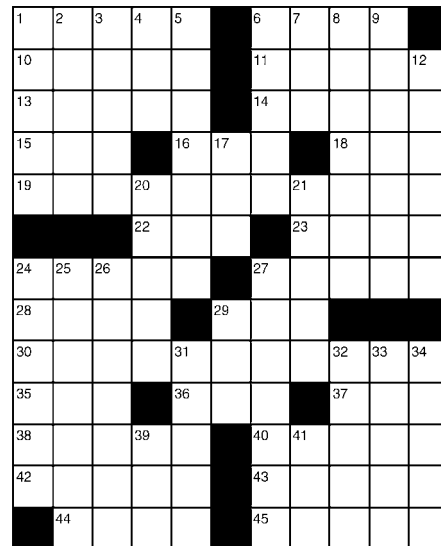
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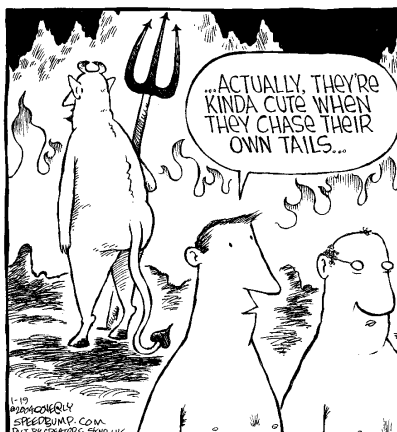
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PEOPLE IN THE NEWS

Bono honored for honoring the 'voice of reason'

By The Associated Press

■ **ATLANTA** — As a teenager in Ireland, when violence and unrest were escalating because of the conflict over Northern Ireland, U2 front man Bono longed for the voice of reason from somebody such as the Rev. Martin Luther King Jr.

Those thoughts and understanding of King's teachings and life led the singer to write a song about the slain civil rights leader, a 1984 hit called "Pride (In the Name of Love)."

"We despaired for the lack of vision of the kind Dr. King gave to people in the South," Bono said this past weekend before accepting one of the highest honors from the King Center, the organization founded by King's widow, Coretta Scott King.

"We are fortunate this year to ... honor Bono for exemplifying many of the qualities that my husband, Martin, indicated were imperative to moving our society into the beloved community of which he so often spoke," Coretta Scott King said.

The Target Corp. received the same award for its charitable work around the country.

Bono was nominated for the Nobel Peace Prize last year for his work to relieve third world debt and promote AIDS awareness. He is the founder of Debt AIDS Trade Africa, which works with religious groups concerned with global disease and hunger issues.

"When Dr. King spoke about having a dream, he wasn't just talking about an American dream. It can be an African dream, an Irish dream," Bono said. "That's why I'm excited to be here."

■ **NASHVILLE, Tenn.** — Country singer Sherrie Austin has lived in Nashville for 10 years, but said she still gets homesick for her native Australia.

"Sometimes it can be a little isolated over here. I mean,

it's really hard to kind of find out what's happening back in Australia," she said in a recent AP Radio interview.

Austin, 32, said she still meets Americans who think Australia is a wild country where people are being eaten by sharks and crocodiles.

"Well, we know it's not really like that," she said. "We do have koalas and kangaroos and we do say 'creeky.' I say it all the time. That's what makes people want to go and visit the place. That really is part of Australia, the wildlife and the people."

But, she adds, "There is a charm about it just like there is a charm to this country that's very individual to America."

Austin's current single is "Streets of Heaven."

■ **LOS ANGELES** — It was a photo finish that will require a match race between two films judged to be the best adaptations from books last year.

"Mystic River" and "Seabiscuit" tied for this year's University of Southern California Scripter Award, an honor bestowed by Friends of the USC Libraries on the best English-language adaptation. It was the first tie in the award's 16-year history.

"It's not surprising that the Scripter voting was close in a year that featured so many great film adaptations," said Academy Award-winning screenwriter Robert Towne, who served as chair of the selection committee.

Final results of a runoff will be announced Thursday, and the award will be presented Feb. 15.

A group of film and literary professionals selected the honorees.

The nominated films were:

"Cold Mountain," screenwriter Anthony Minghella, author Charles Frazier.

"The Lord of the Rings: The Return of the King," screenwriters Frances Walsh, Philippa Boyens, Peter Jackson; author J.R.R. Tolkien.

"Master and Commander: The Far Side of the

World," screenwriters Peter Weir and John Collee, author Patrick O'Brian.

"Mystic River," screenwriter Brian Helgeland, author Dennis Lehane.

"Seabiscuit," screenwriter Gary Ross, author Laura Hillenbrand.

■ **VAIL, Colo.** — A ceremony honoring "Bachelorette" groom Ryan Sutter was temporarily interrupted this weekend when duty called — the firefighter was called out on a medical emergency.

Sutter gained a measure of fame when he won the right to woo "Bachelorette" star Trista Rehn on the popular reality show.

He was honored Saturday with a souvenir town manhole cover. The resort sells them at prices ranging from \$65 to \$295. Previously, the covers have been given only to former President Gerald Ford and the New York Philharmonic.

Rehn stayed for the event, while Sutter answered the call.

■ **LOS ANGELES** — Spending so much time on the cell phone isn't easy for Golden Globe nominee Kiefer Sutherland in Fox's drama, "24."

Viewers have noticed his character's on-camera phone time. Sutherland explains it's easier to talk on the phone while he's on the run than with somebody else.

"It has become a device where my character can internalize a panic, can express a thousand different things while having a conversation with someone else and have a vocal tone that's completely betraying everything else that you can see," he said.

It has its disadvantages, though.

"I'm half-deaf in one ear, and so naturally I put the phone to my good ear," Sutherland said. "I can barely hear any other actors that I'm working with."



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