

Santa Monica Daily Press

A newspaper with issues

Customers allege they were taken by local car dealership

DA's office investigating possible fraud charges

BY ANDY FIXMER AND CAROLYN SACKARIASON
Daily Press Staff Writers

When Brett Fung shook hands with a car salesman on the showroom floor to lease a new Honda Civic hybrid, he thought Honda of Santa Monica was giving him a good deal.

That was before he got to the finance department.

It was there that Fung was told the deal he struck couldn't be honored. If he wanted the car, he would have to put down another \$1,000, pay \$50 more each month and extend the life of the loan for another year.

Fung also had to agree to a \$1,600

See DEALERSHIP, page 7



Carolyn Sackariason/Daily Press
Los Angeles County District Attorney's Office officials search Honda of Santa Monica for documents last September.

Car of Max Factor heir found in Santa Monica

By Daily Press staff

The car of Andrew Luster, fugitive and Max Factor heir, was found in Santa Monica on Sunday, which adds further speculation of where the wanted man has taken refuge.

Luster, 39, is facing 87 criminal counts, including rape and poisoning women with gamma hydroxybutyrate, also known as GHB. He jumped his \$1-million bail on Jan. 3. The fugitive's dog was located at his mother's home in Northern California last week, but law enforcement officials still had no leads on Luster's whereabouts.

Luster's green, 1999 Toyota Forerunner was found on the 200 block of 10th Street after an



Andrew Luster

unknown person reported a suspicious vehicle to Santa Monica police. Several parking tickets were placed on the windshield of the car, and it appeared as if the vehicle had been sitting at the location for a couple of weeks.

An official at the Ventura County Sheriff's Department confirmed

the found car was Andrew Luster's, but declined to comment further until more information was gathered. The vehicle is being held in Santa Monica and will be checked for fingerprints.

Luster, who lived in the beach-front community of Mussel Shoals in Ventura County, supported himself with a trust fund and real estate investments while pursuing his hobby of surfing. He is the great-grandson of cosmetics giant Max Factor.

Luster has been charged with slipping the drug GHB into women's drinks and then forcing sex on them while they were either unconscious or too weakened to resist.

Solo on wheels



Bree Clarke/Special to the Daily Press
Venice's most famous musician plays to the crowds this past weekend on the boardwalk.

Sleepless in Santa Monica: Couple can't get satisfaction with exchanged mattress

BY DAVE DANFORTH
Daily Press Staff Writer

A Santa Monica retailer has been ordered to make good on a \$2,133 mattress that was exchanged five times over a year even though it still left a local couple relatively sleepless.

The case of Ortho Sleep, a retail outlet which is one of many in the Los Angeles area, illustrates that a judge may override a shop's insistence that it will go only so far to satisfy a customer. In this case, Ortho insisted that while it would exchange mattresses, its contracts specify that a dissatisfied customer can't get a refund.

Small Claims commissioner Thomas Dunlap ruled Friday that a state mer-

chantability law provides customers with a warranty of protection. Holding that Santa Monica's Charlotte Chemtob had "gone out of her way" to get a good mattress, he ordered Ortho to pay her \$2,700, overriding the "no refund" clause in its contracts.

The case could be a key retail holding because merchants often include boilerplate language in sales contracts limiting what they will do to ensure customer satisfaction. In this case, Dunlap created a sort of lemon law rule for defective mattresses.

Alan and Charlotte Chemtob bought their first \$2,133 mattress from a Santa Monica Ortho store in January 2001. They

See MATTRESS, page 8

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♈ ARIES (March 21-April 19)

★★★ Unusual pressure could veer you off course. The more you weigh and consider an issue, the more likely you are to come up with a volatile response. By the end of the day, you opt to speed out of the office to do something just for yourself—just what the doc ordered. Tonight: Get physical.

♉ TAURUS (April 20-May 20)

★★★★ The way you see a situation might not be the way a boss or someone else who's close to you does. You feel like you're in a pressure cooker. Take the lid off and walk away. Use your ingenuity to pull out of a power play that isn't to your liking. Tonight: You need a nice, hardy romp.

♊ GEMINI (May 21-June 20)

★★★ You watch others plunge off the deep end, wondering how to salvage a difficult and deteriorating situation. The answer might not be in the realm of possibilities for now. In fact, you might want to duck and stay out of the commotion. Remember, this too will pass. Tonight: Whatever makes you smile.

♋ CANCER (June 21-July 22)

★★★ Do what you must to continue on a nice and even track. Others have very different ideas about finances than you do. Don't be surprised if you hit a dead end. You might have to pick up the slack for others at work. Tonight: Stop at a favorite spot on the way home.

♌ LEO (July 23-Aug. 22)

★★ Understand when you're confronted with a problem. Stop, juggle and play with the problem a bit. Through your creativity you'll shake up an issue and provide a new direction. Not everything is as it seems. You can be sure of that fact. Tonight: Pay bills.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ The Moon in your sign gives you a slight edge over others as they ponder the pros and cons of a situation. Though you might not be thrilled by what you hear, you certainly cannot change another's impulsiveness. Recognize an ally. Tonight: Do something you really want to do.

♎ LIBRA (Sept. 23-Oct. 22)

★★ Know when to back down—like now. Right now, finding an amenable solution could be impossible. Every question you ask could be met with a defensive response. You're best off keeping your opinions to yourself. Observe a loved one's behavior more carefully. Tonight: Coccoon.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Keep an eye on your long-term objectives, and you might have less of a problem coming up with an agreeable solution. You don't always see others clearly, especially a family member right now. Stop and analyze what is occurring here. Tonight: Join a friend.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★ A must appearance could be more than irritating, so what are you going to do to change your present fate? Stay in charge of your life while trying to meet a boss's or parent's expectations. Tonight: Split. Do something you really want.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Reach out for someone at a distance. The unexpected runs rampant in your life. Consider your options, especially those involving funds and an unpredictable element. Allow yourself to detach and gain a perspective. Tonight: Try a different approach.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Your unpredictability takes a toll on a close relationship. Consider more of what you want from a child or loved one. What are you doing to make this a possibility? Avoid self-sabotage. Tonight: Be with a favorite person.

♓ PISCES (Feb. 19-March 20)

★★★★ Sometimes you want more from a situation than others are willing to give. As a result, you cause an uproar, often shaking up the status quo. Though this action might work more times than not, it also takes a toll on your relationships. A boss pushes you hard. Tonight: Tell it like it is.



QUOTE of the DAY

**“When I hear the word
‘culture,’ I reach for my gun.”**
—Hans Johst (c. 1939)

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LOCAL



Gavel II Gavel

From the people's court in the Santa Monica Courthouse

By John Wood

Enron cash makes it to Santa Monica

When dealing with big numbers, be sure the contract is clear. That's the message a judge delivered last week to two Santa Monica small businesses who wound up in small claims court over a disputed referral fee.

In April 2001, Sample Digital Inc. got Jetcast.com a job. They set up the dot.com with a \$100,000 deal to supply Enron Corp. broadband content for 10 years. In return, they expected 10 percent of the gross value of the deal.

When the check didn't come through, they sued Jetcast.com for \$5,000, the maximum small claims amount. But they didn't have a contract to back up their claim. Instead, representatives from Sample Digital showed the court copies of e-mails where they said it was clear the two companies had agreed to the deal.

Before Jetcast.com could respond to Sample Digital's case, Judge Pro Tem Douglas Schiffer speculated on the defense's strategy.

"Good old Enron," the judge said to laughter in the court. "Wild guess: Is your argument going to be that you never got any money from Enron?"

But John Williams, owner of Jetcast.com, said he'd gotten the \$100,000 check. Instead, he argued the commission was to be based on adjusted gross profit, which, he claimed, could not be determined until the 10-year contract had run its course.

"That content has licensing and encoding costs," Williams told the court. "At the very most, we're going to end up making \$5,000. The idea of paying Sample Digital \$5,000 is ludicrous."

Williams also showed copies of e-mails where he claimed the two businesses agreed to 10 percent of the gross profit, not the gross value. Each side claimed their e-mails were more recent, though both admitted no traditional contract existed.

Judge Schiffer awarded Sample Digital \$2,000, plus court costs, saying they clearly performed some work for Jetcast.com.

"It's an ambiguous deal is what it is," Schiffer said. "Next time you guys need a better agreement."

Restaurant prevails in breakfast potato dispute

Overcooked bacon bits at Polly's Restaurant on Wilshire Boulevard were to blame for \$1,825 worth of damage to a molar, a Colorado woman told a judge last week.

But the judge didn't bite on that argument since bacon bits are a fact of life in Polly's breakfast potatoes.

"(They) fried the bacon bits so they were stone hard," said Christine Peine. "I took one bite and that was it: Lightning through the roof."

Peine, who stopped in Polly's for a quick meal on the evening of Dec. 10, 2001, sued the restaurant and their insurance carrier for the full \$1,825, saying she would have liked a crown or a root canal, but ultimately the tooth had to be extracted.

"I got assurance from Farmer's (Insurance) that I would get satisfaction," Peine told the court. Peine also argued bacon bits were not meant to be in Polly's breakfast potatoes, though a representative from Polly's disagreed, saying the side dish traditionally comes with spices and bacon bits.

Judge Pro Tem Douglas Schiffer sided with the restaurateur.

"The bacon bits are germane to the product they're serving," he said. "If you didn't want the bacon bits, why didn't you send them back?"

Peine countered that she didn't notice the hardened bits until after her first painful bite. But Judge Schiffer ruled for Polly's. Peine will not be reimbursed for her court costs.

surf report

Information compiled by Jesse Haley

The weak swell left surf on the flat side Sunday, and unfortunately today sees the tail end of the same fading swell. Surfers should expect waist-high waves at the best northern breaks, pretty disappointing. In the south, spots like Venice and Porto were slightly bigger, hitting chest- and shoulder-high at times.

But, while today looks small, a new northwest swell is making its way towards Southern California. It's due to arrive Tuesday, with exposed breaks seeing a good boost in height. Tides are running extreme on both sides, high and low, as we just saw the full moon early Saturday morning. This morning's six-foot high tide hits at ten, so check out dawn patrol or maybe the afternoon if you're paddling out.

Today's Tides:

Low- 3:52 a.m. -1.99'
High- 9:53 a.m. 5.95'
Low- 5:12 p.m. -0.89'
High- 11:39 p.m. 3.97'

Location	Monday	Tuesday	Water Quality
County	1-2'/Poor	2-3'/Fair	A
Zuma	1-2'/Poor	2-3'/Fair	A
Surfrider	Flat	1-3'/Fair	D
Topanga	1-3'/Fair	2-3'/Fair	A
Venice	2-3'/Fair	3-4'/Fair	A
Porto	2-3'/Fair	3-4'/Fair	A

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The Q Line

The build-up in the Persian Gulf last week instigated anti-war protests throughout the world this past weekend. Activists demanding that the United States' government stop its intent on bombing Iraq stretched from as far away as Hong Kong. Marches were held on the nation's capital, in front of the U.S. embassy in Russia, England and several cities across the country.

While you may agree or disagree with whether or not we are justified in going to war, it appears it's more probable now

than ever.

This week's Q-line question wants to know, "If there is enough uprising in this country and around the world, do you think our administration will back off?"

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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OPINION

LETTERS

Bauer should be part of the solution

Editor:

As an endangered species, (an old Vietnam War-era, peace loving hippie seen about town with my handmade key chains) I have trouble with some others' views on the so-called "crisis" of the homeless issues here in Left L.A.; like Bill Bauer's, for example.

His personal attitude seems to border on hatred, rather than being informative or making a point now and again. Shame on you, Billy boy. You appear to be much too intelligent to be down there.

Where it does make sense at times to fight fire with fire, most of the time it makes more sense to use water. I am an unemployed, disadvantaged, handicapped individual who is suffering amidst the condition others so casually categorize as "homelessness." Why? There are a myriad of reasons people wind up like this, but basically it is because of the overwhelming presence of an illegal alien population in this region, which severely impacts any hope for jobs, affordable housing, quality schooling, etc., otherwise available to us. How about exercising your endorphins a bit, Willy, and help your brothers and sisters out here combat this in-your-face problem, eh?

Thom Trybus
Santa Monica

Sex offender has paid his debt to society

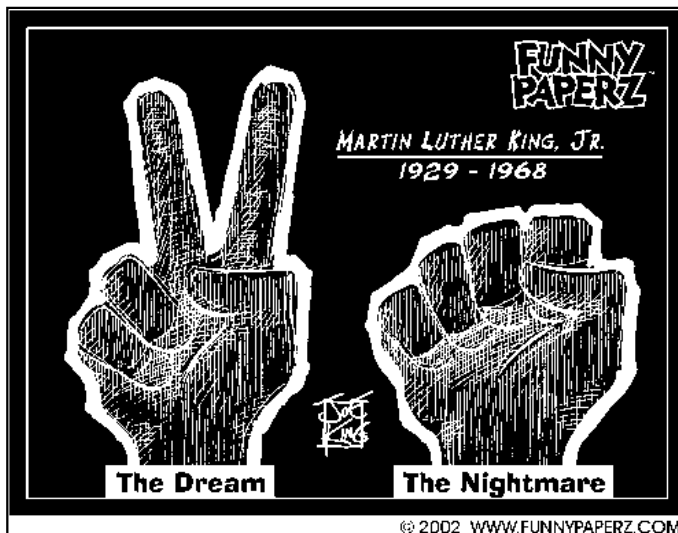
Editor:

In reading the stories concerning the paroled sex-offender, Arthur Akouris, it seems that he has been hounded from his home not for any act of recidivist behavior, nor for any allegations of parole violations, but merely for the heinous act of being in Santa Monica while the police object to his presence. It seems that it took overt activity on the part of the department, not the offender, to have his status changed to that of a high risk offender. The change of status is what appears to have placed this individual within the chief's policy of "maximum exposure through full publicity." Note that the ex-offender is not alleged to have done anything but be here.

I do not know the offender, but I do know his family. Many Santa Monicans also know the family. In fact, the term "pillars of the community" could easily be applied to them. It seems to me that the ex-offender would have a much better opportunity to successfully re-integrate into society if he were permitted to remain within the bosom of a good and supportive family structure. Instead, we have allowed one governmental agency to substitute its whim for the considered judgment of another governmental agency whose specific job is to determine whether or not ex-offenders are eligible for and under what conditions may be eligible for parole.

Personally speaking, I'd rather see our scant police resources deployed in the interdiction of current offenders rather than supposed potential offenders. That's just one opinion. Still, Santa Monica will no doubt sleep easier tonight because our cops are chasing those who might offend instead of those who are offending.

Bob Abernethy
Santa Monica



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Marvels of China and its culture depict the good life



I have been in Shanghai for about 10 days now, and there has not come a day when I am not amazed by Chinese culture and architecture.

They seem to build to last forever, and there is mass development here, which combines the old and the new. They have a tendency to work with the natural surrounding instead of exploiting it as most

of the Western civilizations do.

Here in Shanghai the buildings both old and new are marvels of architectural beauty. They rise like delicate towers of crystal to greet the sun and have vastly different shapes — not just the square or rectangle shapes we see in America. Their use of glass, color and shapes is extensive. And they tend to not bring these beautiful structures all the way to the street, nor are all the streets squared off. There are wonderfully huge plaza spaces and actual round blocks on which some of these building sit. They believe that spirits travel only in straight lines and the curving paths confuse them.

This is the modern part of Shanghai. Old Shanghai is different.

The streets are narrow and lined with outdoor shops, restaurants and market

places. Color seems to be the theme of both, however. Their use of color is exquisite. Each one seems to be in its place and looks like it belongs there for a purpose. The people, as I mentioned before, are quite friendly and are more than willing to help or hold a conversation. Smiles and greetings are the order of the day here.

Their gardens are another story. They have birds in cages, who seem quite content to sing for passersby, within beautiful flowers, trees and bamboo. And there are old and young alike taking their morning exercise, which consists of Tia Chi Chuen or actual sword practice or martial arts. As I mentioned in another column, their children respect their elders and parents here, and the mother is doting throughout their lives. The family structure is tighter than in America, and

that is the reason homelessness is virtually nonexistent. The homeless that I have met are, with a few exceptions, working for their meals, not begging.

I honestly feel we as Americans have much to learn about and from this ancient culture. These people, though they live under the shadow of Communism, seem to go through life stress free and happy. Their workplaces are virtually stress free, this is because it's more like hanging out with friends than work. They laugh and play while they work, yet their work is done in a very timely and professional manner.

(Charles Springer is homeless in Santa Monica, but not in Shanghai.)

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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COMMENTARY



Focus on content of character, not skin color

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, made before King became an advocate of "black power," 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. Color blindness 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 redheaded 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, a professor of management at the University of Maryland at College Park, is a senior writer for the Ayn Rand Institute (www.aynrand.org/medialink) in Irvine, California. The Institute promotes the philosophy of Ayn Rand, author of *Atlas Shrugged* and *The Fountainhead*. Send comments to reaction@aynrand.org.)

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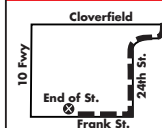
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LOCAL

A short, brief course on community property



LEGAL VIEWS AND NEWS

By David Pissarra

The basics of what you need to know if you are planning on marriage, or if you are considering divorce.

Frequently when a person comes in to meet an attorney regarding a pre-nuptial agreement, or if they are considering divorce, the first thing they say is, "I know California is a community property state, but what does that mean?" The short answer is all property, income or assets which a couple acquires during marriage is to be shared equally upon divorce, with few exceptions.

COMMUNITY PROPERTY

The practical meaning of community property is that if you are a legally married couple, all your income and all your assets are to be divided if you divorce. If you buy a house, and that house goes up in value, you are entitled to 50 percent of the value of the home, less its mortgage.

If you are married and you have a pension plan, whether it is a traditional plan or a 401(k), and you are putting money away for your retirement, your spouse is entitled to 50 percent of the money you contributed during marriage.

The account in which money and assets is held is not the determining factor of ownership. If you take your paycheck, and you put it into a checking account in your name only, your spouse is still entitled to 50 percent of the value of the money that you deposit. The value of the

money is what the attorneys will look for when they are dividing up the assets of a marriage. The fact that your spouse is not allowed to withdraw funds from the checking account does not mean that all that money is yours. This rule is not absolute, but in general this is the law.

SEPARATE PROPERTY

There are exceptions to the general rule that all income and assets acquired during marriage are to be shared. If you inherit money from your father, that is not community property. It is separate property and yours alone. You need to make sure that if you wish to keep it separate, that you do not mix the money with funds that are community, because that can cause problems.

The other exception to the general rule is that, if you have an asset that you owned before you got married, and there is income from that asset, like an apartment house, the income is considered to be separate property, so long as you don't put it into a joint checking or savings account.

Community property is a simple concept, any money earned is to be shared. For most people this makes dividing the assets they acquire during marriage easy. Only rarely does the need really exist for a big fight over community property. Separate property can be tricky, but again, it doesn't need to be.

If you have been married for any length of time, you will have community property, and if you have questions about whether something is or is not community property, you should always seek the review of a competent attorney in the area of Family Law.

(David Pissarra is a partner in the Santa Monica law firm of Pissarra & Grist. He can be reached via e-mail at dpissarra@pissarra.com.)

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LOCAL



Local dealership rated on Better Business Bureau site

DEALERSHIP, from page 1

extended service contract, which he didn't want, in order to get favorable financing, he said.

"They said to me, 'You have to trust us because this is the way it has to be done,'" Fung said. "They always said the right thing and did the right thing to make you think everything was fine."

Honda of Santa Monica is being investigated by the Los Angeles County District Attorney's Office for allegedly cheating customers like Fung out of thousands of dollars over a span of about four years.

Dozens of investigators with the Los Angeles County District Attorney's Consumer Protection Division seized boxes of files at Honda of Santa Monica's finance and sales departments in a surprise raid on Sept. 25, 2002.

"I don't know what happened, and I don't want to know. I can't believe what they did here. But the people I have here now are very good. It's by the law, by the book."

— **NASSER NOURI**
New sales manager

On the same day of the raid, a class-action lawsuit was filed against the dealership in downtown Los Angeles Superior Court alleging several customers were ripped off by the dealership, located at 1720 Santa Monica Blvd.

District attorney spokeswoman Sandi Gibbons said the investigation is ongoing. Since the raid, many of those involved have been fired. The dealership's general manager, its finance department manager and sales manager have been replaced, according to Honda of Santa Monica officials. Some of them are named in the lawsuit. Gibbons wouldn't say if criminal charges would be filed against them because the investigation isn't finished.

"I don't know what happened, and I don't want to know," said Nasser Nouri, the dealership's new sales manager who started in November. "I can't believe what they did here. But the people I have here now are very good. It's by the law, by the book."

Representatives from Sonic Automotive Inc., a North Carolina-based company that owns car dealerships across the country including Honda of Santa Monica, didn't return phone calls Friday.

The lawsuit alleges the dealership defrauded its customers by adding false state taxes and fees, lying to customers about interest rates and tricking customers into making extra payments on vehicles they wanted to buy or lease.

One scam added a fictitious state tax called "VT Registration." Customers were told the fee was for Department of Motor Vehicles registration, the suit alleges. However, the state has no such fee.

Those customers, like Fung, had allegedly been given favorable deals in the showroom only to have the dealership's finance department renegotiate the deals afterwards. Such a practice is forbidden by

state law, according to the lawsuit.

Fung, an Encino resident who has leased four vehicles from the dealership over the past year, said each deal changed every time it went from the showroom floor to the finance department.

Fung said he was told he would have to agree to an extended service contract in order to be approved for the loan because he had "shaky credit." In total, the service contracts added more than \$4,000 to the sales price of the vehicles. Extended service contracts and additional accessories directly benefit Honda of Santa Monica and its employees through commissions and revenue for the company.

Fung said he was told by Ali Hussain, former head of the finance department, that the contracts would be refunded to him after the dealership received approval from the bank. But on each deal, there were no refunds.

That was until the district attorney's office launched the investigation. About a month after the raid, Fung met with Sonic Automotive representative Melanie Colton, who flew from her offices in Florida to Los Angeles in November to meet with Honda of Santa Monica customers. She spent five hours with Fung going over his contracts in the computer because the dealership documents were seized by the DA, Fung said. She ended up giving him about \$5,000 in settlements for "extras" and bogus fees billed by the dealership. She also apologized profusely, Fung said.

"She showed me too much," Fung said. "When I went there, I didn't know I was being ripped off."

When Fung asked for the refunds from Hussain he said he was told the dealership was still working out the details on the service contracts with Honda. Hussain, who is named in the lawsuit, would throw in a few free oil changes to help make up for the inconvenience, Fung said.

"He always did the right thing, said the right things," Fung said, adding there was never any paperwork on the extras. "I was beginning to believe the guy."

Still, Fung believed everything was on the level. That is until he received an anonymous call at home. His caller ID indicated it was Honda of Santa Monica calling. A man who wouldn't give his name told Fung he was being "royally ripped off."

"I shrugged it off a little bit," he said.

But then the dealership was raided. Fung began looking closer at his contracts and he started noticing the discrepancies. There were two separate contracts for the same vehicle with different figures. The price of the extended service contract would be lower on one contract than on the other. But on the second contract with the lower price, the interest rate on the loan would be higher so the bottom line would remain the same.

Fung was charged 7.75 percent interest on one deal, but for another vehicle he purchased months later, he was charged over 11 percent. Fung said his credit rating, which might cause the interest rate to rise, hadn't changed.

About two months after the raid, Fung got about \$4,000 in refunds for the extended contracts from the dealership. However, other extra charges and refunds on another service contract haven't been repaid, he said.

Fung is now talking to an attorney about involvement in a class-action lawsuit.

See DEALERSHIP, page 8

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- 610 California Avenue
- Venice

Saturday, February 1

- 10:30 am – 12:00 noon
- Ken Edwards Center
- 1527 4th Street
- Santa Monica

Tuesday, February 4

- 5:00 – 6:30 pm
- Tom Bradley Youth & Family Center
- 5213 W. Pico Blvd.
- Los Angeles

Wednesday, February 5

- 5:00 – 6:30 pm
- Virginia Park
- (Thelma Terry Center)
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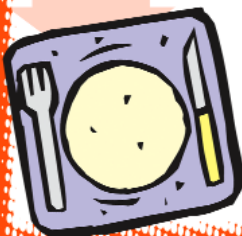
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LOCAL

Manager says service has improved since raid

DEALERSHIP, from page 7

"I've since talked to everyone and found out what they were doing," Fung said. "And I'm not so nice anymore."

Other customers allege fraud

Holly Ciampi of Pacific Palisades experienced similar treatment by the Santa Monica dealership over a 2001 Honda Passport she leased from the dealership in July 2001. The saleswoman worked it out so that with a certain down payment Ciampi could have the vehicle for \$300 a month — the highest she said she was willing to pay, she claimed.

But the finance department allegedly increased the down payment and jacked up the monthly payments \$50 because she was told her vehicle required LoJack, a silent alarm that gives law enforcement officers the location of a stolen car.

Ciampi said she was told by finance department employee Hamid Khaki that without the system, she would have to pay \$50 a month more to her car insurance provider. Khaki is named in the lawsuit.

But two days later she found no insurers would give a LoJack discount, and the dealership refused to take the device off her lease. They told her it couldn't be done because of the interest rate on her loan.

Ciampi said the dealership repeatedly sent a LoJack installation technician to her workplace and home after she refused to have the device installed. She also said bank representatives said there was no reason the lease amount couldn't be decreased. They told her the interest rates wouldn't prevent the dealership from lowering the lease amount, she said.

Eventually, the dealership gave Ciampi \$945 of the \$2,200 she had spent on the

LoJack system that was never installed on her vehicle.

"I need to bring 20 people with me when I go to buy a car," she said. "I'm a salesman's dream."

Better Business Bureau rates dealership

The Better Business Bureau of the Southland gave Honda of Santa Monica an unsatisfactory rating for failing to settle eight of the 13 complaints against it.

An unsatisfactory rating indicates a pattern in which customer complaints cause concern.

"The company has simply chosen to ignore us," said Lana Luckett, a senior trade analyst with the bureau. "And we have advised the consumers that they should pursue it by other means."

Honda of Santa Monica applied for membership to the bureau in November, and their application is still pending. Luckett said that's good news for consumers.

"One of the requirements to becoming a new member is that you cannot have any unanswered complaints against you," she said. "So all of these people's complaints will have to be settled before their membership will be approved."

Nouri, the dealership's new sales manager, assures customers that whatever happened with the prior management team is history.

"We are the best dealership now because of what happened," he said. "We go the extra mile to make sure they are OK. Now, customers clearly understand the agreement."

"When I fall asleep, I want to sleep comfortably," he added.

Judge rules local retailer liable for faulty mattress

MATTRESS, from page 1

soon found the mattress developed "body impressions," failing to re-shape after use.

"They were dents," Commissioner Dunlap observed.

In March, they got a replacement mattress of the same type, but it developed the same problem, Chemtob said. Ortho had a "process" for testing mattresses which involved stretching a rope across the mattress. If the "dents" were an inch and a half or more, the shop would replace them, for a delivery fee.

By the fifth mattress, the Chemtobs were sleepless and out of patience. They stashed the last Ortho mattress in their garage and bought another brand. But they couldn't get a refund from Ortho, which cited its no-refund policy. And, Chemtob said they weren't allowed to even see the "warranty reports" that arose each time a rope test was done on their mattresses.

"We all know the value of a good night's sleep," Chemtob said in court. "This has been a nightmare." She observed that sleeping on the Ortho mat-

tresses was like "sitting in a sinkhole."

Chemtob hasn't been the only one who has had difficulty getting satisfaction from the mattress chain. The Southland Better Business Bureau gave the parent W.E. Bedding Corp. an "unsatisfactory" rating after noting complaints that the company failed to honor money-back guarantees.

The complaints were similar to the Chemtobs: "Customers allege mattresses sink or sag in the middle within the first year of ownership," although some carried 10 to 15 year warranties.

Dunlap ordered the \$2,700 refund (the higher amount included some upgrades the Chemtobs had tried). He also allowed Ortho to fetch its dimpled mattress out of the Chemtob garage in the next 30 days.

When an Ortho representative tried to tack on a fee for the removal, Dunlap would have none of it.

"You're a mattress company. You have trucks and things of that sort," he noted.

**SANTA MONICA SCENE °CALENDAR EDITION
NEED SOMETHING FUN TO DO? CHECK PAGE 15!**

NATIONAL



Protesters cap a weekend of action with defiance

BY SAM HANANEL
Associated Press Writer

WASHINGTON — Dancing in a conga line and shouting calls for peace, demonstrators on Sunday pressed as close to the White House grounds as they could get to demand that President Bush back off Iraq. Police swiftly arrested those who breached barricades.

A crowd of about 1,000 rallied in view of the Executive Mansion, capping a weekend of demonstrations that featured a huge and peaceful rally Saturday and protests around the world.

At one point Sunday, protesters flooded into a street to block traffic; police pushed and dragged them back. In the scuffle, an older woman who was part of the demonstration was pushed over. Ambulance officials said she was one of two people transported to hospitals with minor injuries suffered during the demonstrations. The hospital where the woman was taken declined to release information on her injuries, saying it had not received permission from the patient to do so.

Protesters were not sure they could stop America from going to war. But Donya Cope, 18, a Georgetown University freshman, wanted history to note that they tried.

"Historically, it's important to show that there was such an outcry, that people just didn't go along with it," she said.

On a weekend of remembrance for Martin Luther King Jr., many invoked the civil rights leader's legacy of nonviolent resistance. Said Heather Williams, 30, of Alexandria, Va.: "We still have a dream."

Close to 500 protesters assembled first near the Justice Department and FBI headquarters to denounce "racist witch hunts" by U.S. authorities following the Sept. 11 attacks.

During a mile-long march in the cold, that crowd met another of a similar size, waiting by Lafayette Park across Pennsylvania Avenue from the White House. That set off a surge of enthusiasm and some began running toward, and over, chest-high barricades blocking the park boundaries.

Police forced them face down on snowy grass, bound their wrists with plastic handcuffs and made 16 arrests. They were processed on misdemeanor charges and released.



Pablo Martinez Monsivais/Associated Press
Rev. Jesse Jackson, center, stands with anti-war protesters as they gather in front of the U.S. Capitol during the start of an anti war rally and march in Washington Saturday. Protesters rallied by the thousands in the bitter cold of Washington and in capitals worldwide in a show of dissent against war with Iraq.

Despite that, the mood was largely festive. Scores formed a conga line that snaked along the packed section of H Street — on the other side of the park from the White House — that was set aside for the protest. Others tied themselves together with yarn.

But organizers had pledged nonviolent civil disobedience, making the tone tenser than Saturday, when tens of thousands rallied and only a few people were taken into custody. About 100 tried to block traffic and were moved forcefully by police.

Bush was at Camp David, Md., for the weekend. Protesters wanted to get as close as possible to the White House to protest his Iraq policy.

"Bush is asking for a weapons inspection everywhere else and it's only fair that his place is inspected too," said Jodi Hiland, 32, of Minneapolis.

Secretary of State Colin Powell said on CBS' "Face the Nation" that the president "is trying every means not to go to war, but the decision to go to war is in the hands of Saddam Hussein," the Iraqi president.

Condoleezza Rice, Bush's national security adviser, welcomed the protests as an expression of American

freedoms.

"And it contrasts so greatly with the situation that people in Iraq find themselves in, where your tongue can be ripped out for criticizing the regime," she said on NBC's "Meet the Press."

At the opening rally between the Justice and FBI buildings, demonstrators expressed outrage over what they see as overreaching law enforcement tactics since Sept. 11, 2001.

"This is the center of all the racist attacks on people of color that have been happening for so long," said Peta Lindsay, an 18-year-old freshman at Howard University.

Shouting from a megaphone, Lindsay told the crowd that the FBI and Immigration and Naturalization Service are going to universities and demanding files on certain students.

"We will defend ourselves and our brothers from these racist witch hunts," Lindsay said.

Richard Csonotos, 50, a carpenter from Scranton, Pa., bicycled to Washington on a frigid five-day trip as part of his protest. "It's the people of both countries who die," he said.

Protesters moved on to another park, linked arms to the beat of African drums, and dispersed. "Let us be clear, we will be back," said Lisa Fithian, 41, of Austin Texas. "We will do everything we can to stop this war."

On Saturday, a great throng stretched from the grounds of the U.S. Capitol and along the National Mall back to the Smithsonian Institution for a rally in bitter cold. The U.S. Park Police no longer gives estimates of rally attendance.

In the past, crowds taking up similar space were thought to be 70,000 strong or higher, but any parallels with other events were highly inexact. A much smaller group from the rally, but still numbering over 30,000 by city police estimates, went on to march to the Washington Navy Yard.

Rally speakers offered varying estimates of the crowd size, with one telling the crowd that 500,000 had come, but even some supporters of the event thought that was wildly exaggerated.

"I heard that from the stage and I sort of laughed out loud," said Brendan McCarthy, a publicist for Artists United to Win Without War who helped arrange celebrities for Saturday's rally. But he said the 30,000 estimate for the march seemed far too low.

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DID YOU KNOW?: The names of all the continents end with the letter they start with.



INTERNATIONAL

Will Iraqi president give inspectors what they want?

BY CHARLES J. HANLEY

AP Special Correspondent

BAGHDAD, Iraq — “Keep your eyes on your enemy,” advises the man who calls himself the Light of the Arabs. “Be ahead of him, but do not let him be far

behind your back.”

That man, Saddam Hussein, has yet another chance in the coming days to stay a step ahead of his pursuers. With peace in the balance, Iraq’s resourceful president can give U.N. arms inspectors some of what they want.

Chief inspectors Hans Blix and Mohamed ElBaradei arrived Sunday for two days of talks with Baghdad officials, bearing a long list of demands for greater Iraqi cooperation in the effort to verify that Iraq has no chemical, biological or nuclear arms.

For Saddam and his aides, it’s a list of opportunities to hold war at bay: by offering more weapons scientists for U.N. interviews, by handing over more documents, by agreeing to write a ban on weapons of mass destruction into Iraqi law.

Time seems short. American naval flotillas and army divisions are converging on the seas and deserts of the Middle East, and Washington threatens war to disarm Iraq. Secretary of State Colin Powell says he expects a definitive case of noncooperation to be laid against Iraq by month’s end, when Blix and ElBaradei formally report to the U.N. Security Council.

But Iraq’s resilient president, in three decades of power, has shown a knack for last-minute reversals, for the kind of surprises that, in this case, would give some at the United Nations enough to argue for peace. In a sign of such concessions, Blix reported the Iraqis on Sunday did offer some of the documents sought by the inspectors.

In their meetings here, the inspectors’ top priority is to fill in gaps in the 12,000 pages of “declaration” Iraq submitted in December detailing its chemical, biological and nuclear programs. Washington has rejected it as grossly inadequate.

“We are going to need a lot of additional information,” ElBaradei, chief nuclear inspector, said after landing in Baghdad.

Because of discrepancies in accounts of weapons produced and destroyed, the declaration leaves questions unanswered

about Iraqi chemical and biological arms programs, supposedly shut down under U.N. mandate after Iraq’s defeat in the 1991 Gulf War.

Those discrepancies took concrete form last week when U.N. inspectors found a dozen empty chemical warheads, left over from the 1980s. On Sunday, the Iraqis told the U.N. delegation they had found four more elsewhere.

Earlier inspectors had certified the destruction of more than 100,000 such Iraqi aerial and artillery munitions in the 1990s, but the paper evidence was sparse for some 20,000 others, including those dozen, and that feeds suspicions Iraq is holding caches of forbidden arms.

Blix says inspectors want more “solid evidence” to close the books: production and destruction records, budget documents, transportation manifests, interviews with knowledgeable scientists, engineers and others.

The Iraqis submitted a list of 500 such potential witnesses in late December, a list that Blix dismissed as not a “serious effort.” The arms monitors want the names of many more Iraqi specialists associated with old weapons making or with current programs that could be diverted to making weapons of mass destruction.

The inspectors also, among other demands, want Iraq to facilitate overflights by U.S. reconnaissance aircraft to aid the U.N. weapons hunt. The Security Council authorized such flights, but the Iraqis are bickering over arrangements. With U.S. combat forces on their doorstep, “they’re nervous,” a U.N. official said privately.

Anti-war protest in Tokyo



Katsumi Kasahara/Associated Press

A Japanese protester wearing a mask resembling President George Bush, center, brandishes a toy gun decorated with flowers, as he and other protesters sing anti-war songs during a demonstration in central Tokyo on Saturday. The Tokyo rally, part of demonstrations planned around the world this weekend, drew more than 5,000 people who urged the United States and its allies to find a peaceful end to the crisis in Iraq.

Russia reportedly submits nuclear plan to North Korea

BY HANS GREIMEL

Associated Press Writer

SEOUL, South Korea — Russia presented a settlement plan to North Korean leaders Sunday and U.S. diplomats broadened offers of aid to the impoverished North, speeding the pace of diplomacy to resolve the nuclear crisis on the Korean peninsula.

Also, South Korea’s president-elect declared he didn’t mean to suggest the United States considered a military strike on the North, saying his comments Saturday were misinterpreted by the media.

Washington for weeks has insisted on a peaceful solution to the dispute, and on Sunday U.S. envoys were in Japan and China to seek regional advice and cooperation on ending the standoff over North Korea’s nuclear ambitions.

China and Russia, among the communist North’s only remaining allies, are seen as key in pressuring it to back down or in acting as intermediaries for the United States.

French President Jacques Chirac said in an interview published Sunday that the escalating crisis was a matter for the U.N. Security Council.

France has no confidence in the North Korean regime “whether it comes to human rights or guaranteeing it will not become a nuclear power,” Chirac told Le Figaro newspaper.

If the issue goes before the Council, France would propose forming an ad hoc group to address it. As well as the five permanent members of the Council — United States, Britain, France, Russia and China — the group would include Japan and South Korea, he said.

France currently holds the rotating Security Council presidency and could raise the issue any time this month.

China and Russia, among the communist North’s only remaining allies, are seen as key in pressuring it to back down or in acting as intermediaries for the United States.

What Russia called its “package plan,” presented Sunday by Deputy Foreign Minister Alexander Losyukov in Pyongyang, envisions security guarantees for North Korea and the resumption of humanitarian aid and economic help in exchange for abandoning its

nuclear programs.

Russia expected a reply Monday, according to the Itar-Tass news agency.

In Seoul, U.S. Ambassador Thomas Hubbard said the United States intends to take the lead in defusing the crisis but wants other nations to play a large role.

“We don’t see North Korea as exclusively a U.S. problem,” Hubbard told South Korea’s largest broadcaster, KBS. “Its nuclear threat is not just a threat to the United States, it’s a challenge to the entire international system.”

Hubbard also extended the possibility of broad aid for the North.

“If they satisfy our concerns about the nuclear programs, we are prepared to consider a broad approach that would entail, in the final analysis, some economic cooperation, perhaps in the power field,” he said. “We are prepared to go beyond food aid.”

His comments on a Sunday morning talk show came amid mounting international pressure for Washington to engage North Korea in direct talks.

Roh has urged Washington to “actively” take part in dialogue, and Losyukov characterized the crisis as mainly a problem between North Korea and the United States.

Complicating diplomatic efforts, Roh — who was elected Dec. 19 — said Saturday that U.S. officials last month discussed attacking North Korea.

“In fact, the time I was campaigning and getting elected, U.S. hard-liners, people in very responsible positions in the U.S. administration, were talking about the possibility of attacking North Korea and the possibility of war,” Roh told a panel of university professors on KBS-TV, according to a transcript.

But a spokesman, Lee Nak-yeon, said foreign media misinterpreted the remarks. He said Roh referred generally to media reports about a possible attack on North Korea, and was not saying that U.S. officials seriously considered a military option.

“The misunderstanding was created because some foreign media and U.S. press, using this material, reported as if Roh said the possibility of attacking North Korea

had been discussed, considered or planned within the U.S. administration,” Lee said. “This is an imprecise quotation and can distort his intentions.”

Lee said Roh, who takes office next month, was “well aware” that President Bush had no intention of invading North Korea and was willing to resolve the nuclear crisis peacefully.

Washington, under President Clinton, drew up plans to bomb North Korea’s nuclear site at Yongbyon in 1994 over its possible weapons activities. The two sides defused that crisis with an energy deal, which collapsed when the new dispute erupted.

In October, the United States said North Korea had admitted developing nuclear weapons in violation of the 1994 agreement. In response, Washington suspended fuel shipments guaranteed under the pact.

North Korea in turn expelled U.N. inspectors, reactivated nuclear facilities and announced its withdrawal from a global anti-nuclear pact Jan. 10. It has threatened to drop a moratorium on missile tests and reopen a lab that could be used to reprocess spent fuel rods, a step toward making nuclear arms.

Pyongyang rejected calls to have the U.N. Security Council intervene in the current dispute, saying Sunday the nuclear crisis a decade ago was solved through direct talks with the United States and this one can be settled the same way.

A U.S. envoy on Friday said the United States would be willing to give North Korea a written guarantee it would to invade — a step forward though short of the formal nonaggression treaty the North wants.

Deputy Secretary of State Richard Armitage said Congress would never approve such a pact, because the North backed out of the 1994 agreement.

Furthering U.S. diplomatic moves, Assistant Secretary of State James A. Kelly met Sunday with Japan’s foreign minister in Tokyo, and Undersecretary of State John Bolton arrived in Beijing for talks expected to focus on the nuclear standoff.

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SPORTS

Raiders trounce Titans, head to the Super Bowl

BY EDDIE PELLIS

AP Sports Writer

OAKLAND — The Oakland Raiders did more than “Just win, baby!”

They did it their way, blending a renegade past with a pass-happy present to defeat the Tennessee Titans 41-24 on Sunday in the AFC Championship game.

Rich Gannon, the 37-year-old league MVP, led the way with three touchdown passes and another score he ran in himself.

His thirtysomething teammates — Bill Romanowski, Rod Woodson and Tim Brown — along with 40-year-old Jerry

Rice, sent the Raiders and maverick owner Al Davis to the Super Bowl for the first time since 1984.

“I’ve been looking at this game for 14 years and watching other people go,” Brown said. “Now, I’m finally on my way. It’s a great feeling.”

It will be a Silver and Black championship game, tinged with more than just a touch of gray.

The veteran Raiders — the team built to win right now — will go for their fourth Super Bowl title next Sunday in San Diego. They’ll play the Tampa Bay Buccaneers, who beat the Philadelphia Eagles 27-10 in the NFC Championship

game earlier in the day.

Oakland’s oft-touted “Commitment to Excellence” will be tested by a coach who knows it well — Jon Gruden, who left the Raiders for the Bucs after last season.

“How ya doing, Coach?,” Raiders receiver Jerry Porter quipped. “I’ll see ya later.”

Gruden looked forward to the reunion, too.

“I’ve got a lot of respect for where I come from,” he said. “I do have some close relationships with some of those players.”

Gruden’s last game with the Raiders ended with a spirit-sapping loss in the snow in New England. It came after an apparent fumble the Raiders recovered late in the game was ruled an incomplete pass, and it provided these Raiders even more motivation.

Sunday was a clear, perfect day at a stadium known as the Black Hole, and the Raiders looked as much like the swash-buckling bad boys they once were as the new high-tech team they have become.

The old: 14 penalties for 127 yards, a handful of cheap shots and a bevy of vicious hits on Steve McNair, who paid a huge price for his 194 yards passing and two rushing touchdowns.

The new: Unbelievably, Oakland called exactly one running play over the first three quarters, leaving the work to Gannon, who threw 41 times for 286 yards and scrambled for 41 more, including a fourth-quarter touchdown.

“We were making a lot of dumb mistakes out there,” Oakland linebacker Eric Barton said. “Fortunately, we sucked it up and stopped it. That shows the character of this team.”

The Raiders took the lead for good late in the second quarter, when Barton stripped Tennessee’s Robert Holcombe, giving Oakland the ball at the Tennessee 16. Two plays later, Gannon hit tight end Doug Jolley for a score and a 21-17 lead.

On the next play, special teams got into

the act, forcing a fumble by John Simon and setting up a field goal for a seven-point lead at the half.

Oakland tackled punter Craig Hentrich to set up a field goal for a 10-point lead in the third.

McNair was then at his gutty, gritty best, leading the Titans on a 67-yard touchdown drive to make it 27-24.

Tennessee appeared to be stopped on that drive, but Terrance Shaw got called for a personal foul, Oakland’s fourth of the game. On the next play, McNair ran in from 13 yards for his second score.

“McNair played like a true warrior today,” said Oakland’s first-year coach, Bill Callahan. “He had no quit in him, no die in him.”

But the Raiders kept picking on Tennessee’s pass defense, rated 25th in the regular season. Gannon led Oakland on a 66-yard drive and ran in for a 34-24 lead.

That drive, like this game, was nothing pretty, but then again, Davis has never demanded perfection.

The unspoken message in “Just win, baby!” has always been Davis’ desire to field a team that could pull out even the ugly games.

In that vein, he signed a group of veterans who had endured a lot in this league. Mere penalties and a hot quarterback weren’t going to be enough to halt this Super Bowl run.

“We fought all year long,” Rice said. “When we lost four straight games, this team stuck together and now we’re going to the Super Bowl.”

The Raiders weren’t alone with a four-game losing streak this season.

The Titans also endured one, and this was just their second loss since Oct. 6, when they fell to Washington and dropped to 1-4.

Hewitt advances in Aussie Open



David Callow/Associated Press

Radek Stepanek of the Czech Republic hits a return against Australian Lleyton Hewitt at the Australian Open tennis tournament, Saturday, in Melbourne. Hewitt won 6-3, 6-2, 6-0.

Tampa Bay Buccaneers take down Eagles on the road

BY DAVE GOLDBERG

AP Football Writer

PHILADELPHIA — The Tampa Bay Buccaneers can forget about the cold.

They’re going to San Diego for the Super Bowl.

After being stunned by a Philadelphia touchdown in the first minute of the NFC Championship game Sunday, the Bucs’ league-leading defense shut down Donovan McNabb and company to beat the Eagles 27-10.

Tampa Bay advanced to its first NFL title game by overcoming all sorts of history — three consecutive losses at Veterans Stadium without an offensive touchdown; only one victory ever in temperatures under 40; and the hostile fans and slippery turf in the Vet’s final NFL game.

After the Eagles’ early flurry, sparked by Brian Mitchell’s 70-yard return of the opening kickoff, it was all Tampa Bay. The Bucs led 17-10 at halftime and stifled Philadelphia after intermission.

“We had a lot of confidence,” said Tampa Bay coach Jon Gruden, in his first season with the team. “We won 13 games. We didn’t feel we played our best earlier in Philadelphia. We just have to win one more game.”

Gruden and the Bucs will play his old team, the Oakland Raiders, or the Tennessee Titans next Sunday.

“One more to go,” said Warren Sapp, the talkative Tampa Bay defensive tackle. “We ain’t going for no vacation.”

Mike Alstott was one of several Bucs wearing short sleeves, almost in defiance of the 26-degree cold at kickoff. The wind chill was 16.

Alstott scored on a 1-yard run at the end of a 96-yard drive in the first quarter that was highlighted by Joe

Jurevicius’s 71-yard catch-and-run.

Brad Johnson threw a 9-yard TD pass to Keyshawn Johnson in the second quarter, and Ronde Barber’s 92-yard interception return with 3:12 left in the game clinched it after the Eagles had driven 73 yards to the Bucs 10. Martin Gramatica kicked two field goals.

“They were the better team,” Eagles coach Andy Reid said. “They got after us. We didn’t answer the bell on a few things.”

“It’s very disappointing. You come this far, 20-some odd weeks of football. You put yourself in position to strike for the Super Bowl and you lose.”

Brad Johnson finished 20-of-33 for 259 yards against a Philadelphia secondary with three Pro Bowl selections, allowing the Bucs to control the ball and the clock, especially in the first half.

The defense, meanwhile, totally controlled McNabb, who finished 26-of-49 for 243 yards in just his second game back after missing six games with a broken right ankle. Simeon Rice and Barber had sacks that ended potential rallies.

That was enough to send a franchise with one of the NFL’s most dismal histories to pro football’s ultimate game. From 1983-96, the Bucs did not have a winning season and lost 10 or more games in 13 of those 14 seasons.

Until Dec. 29, when they beat the woeful Chicago Bears in temperatures in the 30s in Champaign, Ill., the Bucs were 0-21 when it was colder than 40.

The chill didn’t bother them Sunday, nor did the surroundings.

Tampa Bay silenced the Vet crowd with that long first-

quarter drive. By game’s end, the notoriously rowdy, fickle Philly fans were booing every incomplete pass by McNabb.

Mitchell’s return of the opening kickoff and Duce Staley’s 20-yard touchdown run two plays later gave the Eagles a 7-0 lead 52 seconds into the game. But that was the high point for Philadelphia.

Tampa Bay got three points back on its first possession on Gramatica’s 48-yard field goal.

Then, after Lee Johnson’s punt pushed them back to their own 4-yard line, the Bucs went on their 96-yard drive to take a 10-7 lead. It was their first offensive touchdown in four games in Philadelphia in the past three seasons.

The key play came on third-and-2 from the 24, when Brad Johnson found Jurevicius on a crossing route 15 yards downfield.

Jurevicius, who rejoined the team Saturday after going home for the premature birth of his son, broke away from Barry Gardner and ran to the Eagles 5-yard line.

Two plays later, Alstott went in from a yard out.

“I’m sitting on top of the world right now,” Jurevicius said. “It’s been a roller coaster of emotions all week, but my family needed me to do this. The way things are going, I think my son might be up walking now.”

David Akers’ 30-yard field goal midway through the second quarter tied the game at 10.

But the Bucs took the ensuing kickoff and went 80 yards in 12 plays, scoring from 9 yards out when Johnson (Brad) found Johnson (Keyshawn) just over the goal line on a third-down play.

COMICS



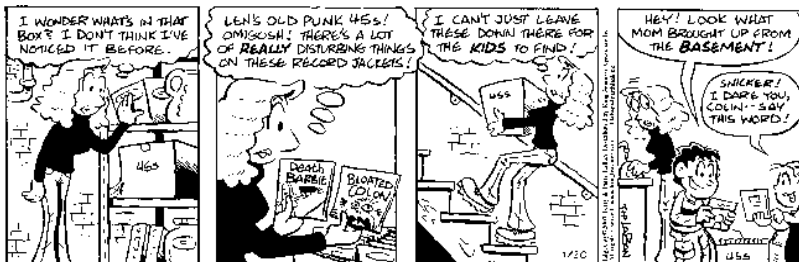
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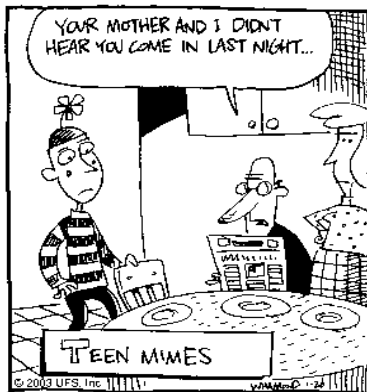
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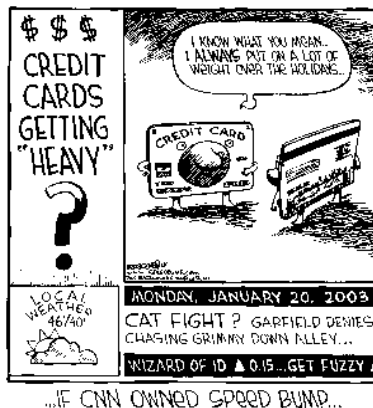
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 - 29 Mom's man
 - 30 Pipe worker
 - 35 Rascal
 - 36 Do something
 - 37 "... man — mouse?"
 - 38 Theater units
 - 40 Egypt's Sadat
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- 24 Oppose
- 25 Breakfast choice
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NEWS OF THE WEIRD

by Chuck Shepard

Inmates fight over 'Pinky,' a pet spider

Punta Gorda, Fla., inmate James "Happy" Borland, 41, suffered a near-fatal concussion in December from being roughed up by inmates Lemuel "K-Money" Ware, 32, and Corey Andrews, 32, because Borland had accused Ware of stealing his pet spider and renaming it "Pinky." According to a Florida Department of Law Enforcement report, Borland had demanded his spider back, but Andrews intervened. Ware, who said he had purchased the spider fair and square, felt he had to go after Borland because Pinky (in a small box in Ware's shirt pocket) "told" him to.

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Toddler Time, 10 a.m. Barnes & Noble at the Promenade and Wilshire. (310)260-9110.

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Harvelle's Blues Club present Sports Happy Hour, 5pm to 8pm. 100 inch movie screen with high definition LCD projector, JBL surround sound, drink specials, \$3.00 Happy Hour Buffet. 1432

4th Street. Between Broadway and Santa Monica Blvd. (310)395-1676

Unurban Coffee House presents Hot Topics Night hosted by Ali every Monday evening. Signup is at 8pm. Open panel discussion and open forum. 3301 Pico Blvd. (310)315-0056

TUESDAY

Ongoing support groups for people 55 and older. Current openings in, So, What Are You Going to Do With the Rest of your Life? Tuesdays, 10:00 to 11:30am. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

Crossroads Schools in Santa Monica invites local musicians (grades 3-7) to join orchestra rehearsals. Rehearsals are ongoing and are held each Tuesday of the school year, from 3:15 to 4:15. Students may join at anytime. Cost is free, students must bring their own instruments. 1714 21st Street, SM. For more information please call (310)829-7391

Santa Monica College Emeritus College Band invites adult musicians who play a band instrument to join the band. Rehearsals are held each Tuesday evening in the Band room at Lincoln Middle School, 14th and California Streets from 7pm to 9:15pm, Concerts are given during the year. For more information call (310)474-5271.

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
About Schmidt (R) 12:30, 3:30, 6:45, 9:45. **Two Weeks Notice (PG-13)** 11:00, 1:45, 4:30, 7:15, 10:00. **The Hours (PG-13)** 11:15, 1:00, 2:00, 3:45, 4:45, 6:30, 7:30, 9:15, 10:15.

MANN CRITERION

1313 Third St.
Adaptation (R) 12:30, 3:45, 7:30, 10:35. **Confessions of a Dangerous Mind (R)** 1:00, 4:00, 7:05, 10:00. **Gangs of New York (R)** 11:30, 3:15, 7:00, 10:30. **Harry Potter and the Chamber of Secrets (PG)** 11:00am. **Main in Manhattan (PG-13)** 2:30, 7:45. **Narc (R)** 11:45, 2:25, 5:15, 8:00, 10:40. **National Security (PG-13)** 11:15, 1:45, 4:15, 5:10, 7:15, 9:45, 10:25.

AMC THEATRE SM 7

1310 3rd Street
Just Married (PG-13) 12:00, 2:30, 5:00, 7:30, 9:55. **The Lord of the Rings: The Two Towers (PG-13)** 12:30, 4:30, 8:20. **Catch Me If You Can (PG-13)** 12:45, 4:00, 7:20, 10:25. **Chicago (PG-13)** 11:45, 2:25, 5:10, 7:55, 10:30. **25th Hour (R)** 12:40, 3:50, 7:00, 10:10. **A Guy Thing (PG-13)** 12:10, 2:40, 5:05, 7:45, 10:20. **Kangaroo Jack (PG)** 11:45, 2:15, 4:45, 7:10, 9:30.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
Antwone Fisher (PG-13) 1:00, 4:00, 7:30, 10:30. **The Pianist (R)** 12:30, 3:45, 7:00, 10:15.

LAEMMLE MONICA

1332 2nd St.
City of God (R) 1:00, 4:00, 7:00, 10:00. **Far From Heaven (PG-13)** 1:30, 4:15, 7:10, 9:55. **Frida (R)** 1:45, 4:30, 7:15, 10:05. **The Quiet American (R)** 1:45, 4:20, 7:00, 9:40.

AERO THEATER

1328 Montana Ave.
My Big Fat Greek Wedding (PG) 5:30, 7:30, 9:30.

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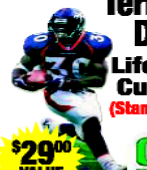
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NEW VENICE STORE ONLY

January 23 NEW VENICE STORE ONLY Next 199 Customers NFL Team Sports Watches  \$29.99 VALUE 99¢ only Limit one per family and/or household	Thursday <td> January 23 NEW VENICE STORE ONLY Next 999 Customers Giant 3' x 5' American Flag  \$19 VALUE 99¢ only Limit one per family and/or household </td> <td> Thursday <td> January 24 NEW VENICE STORE ONLY First 99 Customers Quarters of the USA Collectors Map  \$19.95 VALUE 99¢ only Limit one per family and/or household </td><td> Friday <td> January 25 NEW VENICE STORE ONLY First 99 Customers Day Runner Organizers Genuine Leather  \$49 VALUE 99¢ only Limit one per family and/or household </td><td> Saturday </td></td></td>	January 23 NEW VENICE STORE ONLY Next 999 Customers Giant 3' x 5' American Flag  \$19 VALUE 99¢ only Limit one per family and/or household	Thursday <td> January 24 NEW VENICE STORE ONLY First 99 Customers Quarters of the USA Collectors Map  \$19.95 VALUE 99¢ only Limit one per family and/or household </td> <td> Friday <td> January 25 NEW VENICE STORE ONLY First 99 Customers Day Runner Organizers Genuine Leather  \$49 VALUE 99¢ only Limit one per family and/or household </td><td> Saturday </td></td>	January 24 NEW VENICE STORE ONLY First 99 Customers Quarters of the USA Collectors Map  \$19.95 VALUE 99¢ only Limit one per family and/or household	Friday <td> January 25 NEW VENICE STORE ONLY First 99 Customers Day Runner Organizers Genuine Leather  \$49 VALUE 99¢ only Limit one per family and/or household </td> <td> Saturday </td>	January 25 NEW VENICE STORE ONLY First 99 Customers Day Runner Organizers Genuine Leather  \$49 VALUE 99¢ only Limit one per family and/or household	Saturday		
January 26 NEW VENICE STORE ONLY First 99 Customers Terrell Davis Life Size Cut-Out (Stands 6' 4")  \$29.00 VALUE 99¢ only Limit one per family and/or household	Sunday <td> January 27 NEW VENICE STORE ONLY First 99 Customers Healthy Cooking Cook Book  ORIGINALLY SOLD FOR \$29 99¢ only Limit one per family and/or household </td> <td> Monday <td> January 28 NEW VENICE STORE ONLY First 99 Customers Whole Cheesecake  \$11.99 VALUE 99¢ only Limit one per family and/or household </td><td> Tuesday <td> January 29 NEW VENICE STORE ONLY First 99 Customers Enormous 5 Lb. Bag of Planters Peanuts  \$9.99 VALUE 99¢ only Limit one per family and/or household </td><td> Wednesday <td> January 30 NEW VENICE STORE ONLY First 99 Customers Clip Art Pen  \$19.99 VALUE 99¢ only Limit one per family and/or household </td><td> Thursday </td></td></td></td>	January 27 NEW VENICE STORE ONLY First 99 Customers Healthy Cooking Cook Book  ORIGINALLY SOLD FOR \$29 99¢ only Limit one per family and/or household	Monday <td> January 28 NEW VENICE STORE ONLY First 99 Customers Whole Cheesecake  \$11.99 VALUE 99¢ only Limit one per family and/or household </td> <td> Tuesday <td> January 29 NEW VENICE STORE ONLY First 99 Customers Enormous 5 Lb. Bag of Planters Peanuts  \$9.99 VALUE 99¢ only Limit one per family and/or household </td><td> Wednesday <td> January 30 NEW VENICE STORE ONLY First 99 Customers Clip Art Pen  \$19.99 VALUE 99¢ only Limit one per family and/or household </td><td> Thursday </td></td></td>	January 28 NEW VENICE STORE ONLY First 99 Customers Whole Cheesecake  \$11.99 VALUE 99¢ only Limit one per family and/or household	Tuesday <td> January 29 NEW VENICE STORE ONLY First 99 Customers Enormous 5 Lb. Bag of Planters Peanuts  \$9.99 VALUE 99¢ only Limit one per family and/or household </td> <td> Wednesday <td> January 30 NEW VENICE STORE ONLY First 99 Customers Clip Art Pen  \$19.99 VALUE 99¢ only Limit one per family and/or household </td><td> Thursday </td></td>	January 29 NEW VENICE STORE ONLY First 99 Customers Enormous 5 Lb. Bag of Planters Peanuts  \$9.99 VALUE 99¢ only Limit one per family and/or household	Wednesday <td> January 30 NEW VENICE STORE ONLY First 99 Customers Clip Art Pen  \$19.99 VALUE 99¢ only Limit one per family and/or household </td> <td> Thursday </td>	January 30 NEW VENICE STORE ONLY First 99 Customers Clip Art Pen  \$19.99 VALUE 99¢ only Limit one per family and/or household	Thursday

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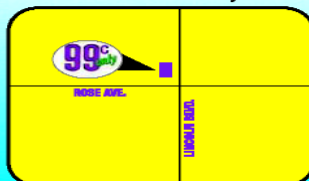
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