

Santa Monica Daily Press

A newspaper with issues

Monkey business



'Jo Jo' the monkey earns his keep this past weekend on the Third Street Promenade by licking a lollipop and collecting money from his admirers.

Carolyn Sackarison/Daily Press

MGM shares slump as Kerkorian plans to sell

BY GARY GENTILE

AP Business Writer

LOS ANGELES — Shares of Santa Monica-based film studio Metro-Goldwyn-Mayer plunged more than 17 percent Tuesday after its principal owner, billionaire Kirk Kerkorian, said he intends to sell 28.75 million of his MGM shares to generate a tax loss.

Kerkorian's Tracinda Corp., the holding company that owns both MGM and casino and hotel operator MGM Mirage, filed the registration Tuesday with the Securities and Exchange Commission to sell 25 million shares to the public. The registration also includes a provision for the underwriter, Bear, Stearns & Co. Inc., to buy 3.75 million shares.

Kerkorian's stake in MGM will drop from 77.3 percent to 67.3 percent after the sale.

Tracinda said the sale is intended to generate an investment loss before the end of the company's fiscal year, Jan. 31. The loss will generate enough of a tax deduction to result in a tax refund for Tracinda, the company said.

The sale is an about-face for Kerkorian, who just last July said he

would repurchase up to 10 million shares because they were undervalued.

Kerkorian has also been trying to sell the company for more than a year.

"What I think is hurting the stock is Mr. Kerkorian's choice to sell at this time coupled with 2003 guidance which is a little confusing."

— DAVID MILLER

Sander Morris Harris analyst

After the announcement Tuesday, MGM shares dropped \$2.47, or 17.63 percent, to \$11.54 in early afternoon trading on the New York Stock Exchange.

A drop in the share price was expected because of the dilutive effect of adding another 28 million shares to the public float.

See MGM, page 8

Poll: Marginal support for school tax proposal

BY ANDY FIXMER

Daily Press Staff Writer

School officials will likely face the same challenges as they did last fall when they attempt to convince voters to increase their taxes this June.

That's the feeling school supporters got from a recent poll taken of more than 400 residents last week.

The poll asked registered voters in Malibu and Santa Monica which of three proposals they would approve at a special election on June 3.

Each proposal would generate about \$6.5 million for the school district, which is facing a loss of nearly \$19 million in state funding during the current year and next year.

In November, the Santa Monica-Malibu School District suffered a defeat when it asked voters to approve a \$300 parcel tax annually for 12 years.

"I think some people thought the school district is crying wolf again, but I think those people understand now that there are going to be real cuts," said Neil Carrey, chair of the committee investigating a possible parcel tax.

"This is not just talk to scare the city or the voters," he said. "If the parcel tax

doesn't pass, there are going to be great, devastating cuts."

"It was interesting to see that the things people thought would be a major impact actually wouldn't be."

— NEIL CARREY

Parcel tax committee chair

Nearly 60 percent expressed support for a flat \$225 parcel tax and another proposal that would institute a \$60 flat amount with a 7 cent tax for every square foot of development on the property.

Under the latter proposal, a renter or an owner of a 1,500-square-foot condo or apartment would pay \$165 annually. Meanwhile, the owner of a 10,000-square-foot retail store would pay \$765 annually.

Barely 50 percent said they would approve a third proposal that calls for a

See PROPOSAL, page 8

Man must pay for tree falling on neighbor's car

BY ANDY FIXMER

Daily Press Staff Writer

When a tree in your yard falls over, you could end up paying for whatever damage it causes, a recent court ruling suggests.

A judge ruled last week that Santa Monica resident Harry Guirguis must pay more than \$1,500 to his neighbor, James A. Tullius, after a tree fell on his car.

Tullius sued Guirguis in Santa Monica Small Claims Court after he refused to pay for the damage his tree allegedly inflicted on Tullius' 1989 BMW. While the tree didn't break any of the car's windows, Tullius said he paid \$2,400 to have the vehicle repainted.

But Guirguis argued that \$2,400 to fix a 1989 BMW seemed excessive.

Tullius and Guirguis both live in a north of Montana Avenue neighborhood along the 400 block of Lincoln Boulevard.

Judge Pro Tem Alan Freedman ruled Guirguis was liable for the damage, but Tullius shouldn't get reimbursed for the full amount because he didn't choose the least expensive repair estimate. Freedman ruled that Guirguis only has to pay \$1,582 — the amount of the lowest estimate.

"You chose the middle estimate and I don't see why," Freedman said. "This other guy had the lowest bid for the same amount of work."

Guirguis said he contested the charge on principle because no one witnessed the tree falling on Tullius' car. Indeed, the fallen tree was found lying next to the car, not on top of it.

Tullius admitted his homeowner's insurance would cover the claim, but he felt the damage was so small it wasn't worth filing.

"Based on the limited damage and the \$1,000 deductible (on the policy), I didn't

See TREE, page 8

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

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

♈ ARIES (March 21-April 19)

★★★★ You get to clear out what has been a long, nagging problem. The planet Mercury goes direct, creating a window for conversations. Don't feel as if you need to negotiate or start up talks. Trust. Others will be seeking you out. All you need to do is respond. Tonight: Play the night away.

♉ TAURUS (April 20-May 20)

★★★ Realize what makes a child or loved one tick. You might feel badly that you cannot always say "yes." You do have several choices, but the best approach for now is to do nothing. Concentrate on your work and getting the job done. You accomplish a lot with the help of a key associate. Tonight: Run errands on the way home.

♊ GEMINI (May 21-June 20)

★★★★ You might wonder what to do with a friend or loved one who might be attempting to make inroads into your life right now. The real problem has yet to be discussed. Discussions will be forthcoming in the next few weeks. Please be as open as possible. Tonight: Put on your dancing shoes.

♋ CANCER (June 21-July 22)

★★★★ Speak your mind, though your message might take more than one attempt to sink in. Realize more of what you need through a discussion with a family member. Sometimes you sell yourself short, perhaps undermining yourself. Take a suggestion. Tonight: Happy at home.

♌ LEO (July 23-Aug. 22)

★★★ Handle your finances with kid gloves. Sometimes you might not be dealing with all the facts. Ask questions until you feel satisfied. You really don't need to walk on eggshells with others. You can only creatively problem-solve if you get the needed information. Tonight: Out and about.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Your smile, though intended to help someone close relax, actually might add an element of tension to a professional situation. You cannot read into someone's actions. Your strong drive mixed with the willingness to work long and hard hours adds to your success. Tonight: Balance your budget.

♎ LIBRA (Sept. 23-Oct. 22)

★★★ Lay back this morning. Consider what someone might not be disclosing. You actually do need all the facts if you're to succeed. Review a personal matter carefully, especially if you want to instrument change. You need to open up a conversation, letting others know where you're coming from. Tonight: As you like it.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★ Use the early hours to forge ahead with a key project. You might not be comfortable with all that you hear. A partner's reversal could be disconcerting, but you won't change this person. Slow down later in the day and take your time with work and another touchy matter. Tonight: Head on home. Get some extra zzz's.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Deal with bosses, parents and authority figures first thing in the morning. Don't put off these matters if you want to maximize your success. A partner might finally be ready to clear the air. You still might need to make the first move. Do just that. Tonight: Find your pals.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Reach out for those at a distance. You might not be totally comfortable with another's work or attitude. Do you really think you can change this person? Events will have an interesting way of clearing the air. Trust yourself on a money matter. Tonight: Work late.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Others knock on your door looking for answers ASAP. You might not want to reveal all that is on your mind right now. By holding back, you create an aura of suspicion. Later on, as a result, you opt to play your cards straight. Others will respond. Tonight: Find your friends.

♓ PISCES (Feb. 19-March 20)

★★★★ Deal with others as they drop requests in your lap. You might feel a bit overwhelmed, though you have a lot of turf to cover. Carefully realize your limits with a boss. You cannot push someone. You know better. Listen to that little voice in your head. Tonight: Dinner for two.



QUOTE of the DAY

"Even though a number of people have tried, no one has yet found a way to drink for a living."

— Jean Kerr

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LOCAL

Former MCA TV Group chairman dies at 76

By The Associated Press

Al Rush, former president and chairman of MCA Television Group and the man who negotiated rights to televise major league sports for NBC, has died. He was 76.

Rush died of lung cancer on Jan. 14 at his Santa Monica home. Family and friends gathered Tuesday for a funeral at First United Methodist Church.

During a career spanning more than 45 years in the entertainment industry, Rush served as chairman of the MCA Television Group from 1986-91 and was president of the group when it was formed in 1981. The group included Universal Television, MCA TV, MCA TV International, MCA Family Entertainment and MCA Family Entertainment.

Most recently, he was executive of special projects for the Paramount Television Group under former chair Kerry McCluggage.

A native of New York, Rush graduated from Columbia Law School before join-

ing MCA in 1956 as a vice president of MCA Artists. At MCA, he was in television packaging, selling such TV series as "Wagon Train."

In 1968, he left MCA for NBC, where he served as executive vice president of talent and program negotiations and executive vice president of NBC Sports. He also purchased theatrical motion pictures for the network.

He worked with the Creative Management Associates talent agency and returned to MCA in 1978 as president of MCA TV Enterprises.

"Al Rush is one of the creators of the television industry as we know it today," Mitch Gutkowski, president of Select Media Communications, said in 1995 when Rush was elected to the company's board. "His contributions in the development, packaging and delivery of programming, both nationally and internationally over a 40-year career, are legendary."

Rush is survived by his partner of six years, Dale Ann Engelson; three sons; seven grandchildren; and a sister.

Cash for social services being prioritized through program

By Daily Press staff

City officials now have a clearer picture of where they should spend money on social service programs this year.

More than 250 Santa Monica residents participated in the city-sponsored Community Voices Gathering — the culmination of a citywide planning effort that gauges citizen's thoughts on where social service funds should be spent.

Participants heard a presentation from city staff summarizing newly released data from a RAND profile of the Santa Monica community, along with the results from surveys of more than 2,000 local residents. The presentation highlighted the project goals, current social service programs in operation citywide, the findings from the various surveys conducted, as well as the division's plans to fund social service programs.

Community Voices survey data shows that the services most widely used by residents are: Transportation, health care, emergency food, shelter and clothing,

affordable housing, drug and alcohol services, counseling and transitional housing and shelters. Priority community needs include affordable housing (42%), health care (22%), emergency food, clothing and shelter (19%), and employment services and job training (16%).

Residents identified the following funding priorities: Childcare services, services for seniors, teens, the disabled and homeless, affordable housing units, access to health care for children and families, and diversion programs for at-risk youth. Of the 377 youth and young adults surveyed, school and grades, as well as family and money emerge as major concerns. Youth also report that they need assistance with education and the transition to college, access to health services, planned social and recreational activities and a permanent youth center. Youth identified working with children and tutoring young people as opportunities for volunteerism.

See SURVEY, page 7

surf report

Information compiled by Jesse Haley

A good west swell is hitting beaches today. We saw a little of the new northwester Tuesday, but not as much as we'll be getting as the swell peaks. Unfortunately, winds have been a problem lately, strong onshores in the South Bay especially, so the more protected spots should have much cleaner waves again today.

Early morning looks promising, a fun, clean dawn patrol thanks to the well timed low tide.

As long as El Porto isn't blown out, it will be sick, head high on average.

Thursday gets the same treatment, although forecasts say the swell will shift more to the west, which looks positive for north county surf. Expect chest- to head-high surf.



Today's Tides:

High- 12:19 a.m. 4.14'
Low- 5:42 a.m. 1.92'
High- 11:27 a.m. 4.89'
Low- 6:29 p.m. -0.03'

Location	Tuesday	Wednesday	Water Quality
County Line	3-4'/Fair	3-4'/Fair	A
Zuma	3-4'/Fair	3-4'/Fair	A
Surfrider	1-3'/Fair	2-3'/Fair	D
Topanga	2-3'/Fair	2-4'/Fair	A
Breakwater	3-4'/Fair	3-4'/Fair	A
El Porto	4-5'/Fair	4-5'/Fair	A

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The QLine

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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LETTERS

Low income housing contributes to traffic

Editor:

Recent comments by Santa Monica Council members attributed our unbearable traffic congestion to the inability of the Santa Monica For Renters' Rights party to out vote the opposition minority from approving large commercial developments during the 1980s. Without making any attempt to describe the imaginary enemy that prevented the majority party of the last 20 plus years to squash large commercial developments, I want to focus on huge increases that are being implemented right now by our City Council.

At the southeast corner of Main and Pacific streets, our city has approved a 44 unit low-income apartment building by busting the existing zoning. Instead of 13 units (2,000 square feet of land per unit) with 26 parking spaces, the city has approved an additional 31 units with 82 parking spaces that will inject at least 56 extra cars (200 percent or more) into our daily traffic.

Huge traffic increases due to low income housing are not unique to the Main and Pacific project. In fact, it happens every time our city allows the construction of low income housing or contributes our tax money to the construction of low income housing.

George Balanis
Santa Monica

Try employing the homeless

Editor:

Of the three major issues of concern to most of your readers, (i.e. homeless individuals, voters deciding to not authorize a local parcel tax/state school budget cuts, and the optional historical status of not so old residential homes), I believe that there can be found some solutions to at least the first issue: Homeless individuals (The most naturally diverse mix of individuals on the planet) and their situations, by the proposal to, and the enacting of by city council, long overdue local ordinances and laws similar to, (but better than) what we used to know as "affirmative action." To be sure, the following suggestions are far from perfect, and are in no way absolute, though they can be expounded upon, and/or added to.

A.) Require all businesses contracting with the city which provide services that include, but are not limited to laborers who landscape and garden, laborers who engage in various construction work and janitorial services. They should employ (from a pool of readily available "registered" unemployed homeless individuals) at least five percent all of their contracted workforce, or face stiff fines and penalties.

B.) That all other licensed businesses within the city of Santa Monica with a permanent labor workforce 30 or more individuals; i.e. car washes, hotels, fast food restaurants, construction companies, seafood industries, etc., newly hire, and continually employ at least 2 percent of any available individuals from the current pool of "registered" homeless unemployed individuals.

C.) That all of the aforementioned city contracted and licensed businesses be bound by agreement with the city, as a condition of such contracting and licensing, (or such continued contracting and licensing) to be in compliance with at least a minimally

determined standard of "diversity" in all of their hiring and continued employment practices. Where no single ethnic or racial group (such as whites, blacks, Latino or Asians) dominates their workforce to the exclusion of all others, that there be as close to an even diverse mix of racial/ethnic talent as can be had or obtained from the available homeless population, in addition to their agreeing to preferential hiring of citizens first. And continued employment of only those individuals who are proven to be legally documented and not in any way in violation of any work permits, visas, or U.S. laws.

Diversity and homeless to work independence is really possible. Santa Monica would surely benefit from it.

Thom Trybus
Santa Monica

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There will be no baby on board in my big, bad SUV



INCITES
By Ed Silverstein

I am considering buying a new SUV, one of those big, bad, gas-guzzling models. I know, I know, I'm a terrible person. And there's even a chance that a zealot who feels his opinion needs to be forced on the rest of us through criminal acts will vandalize my SUV, which, when you think about it, is the same justification used by terrorists.

It's not that I don't appreciate being made aware of the damage caused by vehicles with poor gas mileage, but to associate all of us with terrorism, without any knowledge of our reasons or needs for such a purchase, well that's just going a little too far. But I have a solution, one that will be a hundred times better for the environment. Let's demonize people who

have children.

I know it sounds radical. But think about it. For every child you decide not to bring into the world, assuming the child starts driving at 16 and drives a fuel efficient vehicle 12,000 miles a year, we would conserve about 35,000 gallons of gas, not to mention all the pollution that goes with it. If they grew up to be SUV drivers, the total gas savings would be more like 70,000 gallons. But that's just the beginning.

Since there would be fewer drivers, we wouldn't be sitting around in traffic emitting greenhouse gasses. Better yet, we wouldn't need as many roads so that big oak tree that everybody's been so worried about wouldn't have to be cut down. In fact, there would probably be no need to build that development. This in turn would save millions of trees and keep those forests pristine for all the endangered species. Less housing also means that wetlands would be saved. We would have no need to drill in the Arctic wilderness. And do you know how much garbage each person in America pro-

duces? If we could cut child production by just 10 percent we could turn thousands of landfills into nature preserves.

I don't want to seem unreasonable. There are some good reasons for having kids. Without children, our social security system would collapse. Kids also are extremely cute when they're asleep. But rather than every couple having kids, maybe we could "child pool" and have one or two children for each seven couples. Not only would this save a fortune in baby-sitting costs, but also it would be a boon for restaurants and the entertainment industry.

But to get back to my SUV purchase. I'm buying this vehicle for my vacation home in Montana. I need towing capacity and space to haul various materials. But the main reason I'm buying this SUV is because it holds up to eight passengers. This will eliminate the need for my frequent guests to rent a car, which in turn will actually save gas and cut down on pollutants. When you add this to the fact that my wife and I decided not to have children, I think you'll agree we've done

more than our part for the environment.

I have no problem educating people. In fact, the campaign against SUV's will probably influence my future car buying decisions. But this group crossed the line and played right into the hands of the true culprits. Politicians and their big money donors, such as oil, mining, chemical, and even the car companies love campaigns like this. It takes the spotlight off of them and ignores true long-term solutions. Rather than running ads that make SUV drivers into terrorists, why not pressure politicians into tougher emission standards, or get them to put serious resources into the research and development of renewable energy sources? Or how about just demanding car companies offer a hybrid SUV? On the other hand, you can just stop having kids.

(Ed Silverstein is an emotionally unstable freelance writer and a resident of Santa Monica. Comments and death threats can be e-mailed to: incites@aol.com.)

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.

OPINION



Measure A would keep power with homeowner

Reading the attacks made by its opponents, one would think Measure A — the Homeowners Freedom of Choice Initiative — would lead to the destruction of Santa Monica as we know it and mysterious and greedy land speculators are licking their chops (not to mention envelopes containing huge donations).

Of course, this is all sheer nonsense. Measure A, which will be in front of voters next month, is a simple change to the city's Landmarks Ordinance sponsored by existing homeowners in single-family neighborhoods. It will do nothing more than give those owners the right to decide whether their homes should be subject to the severe restrictions contained in that law.

There are some irrefutable truths which caused hundreds of homeowners to actively support Measure A through donations of time and money:

1. The landmarks ordinance permits the city, through the Landmarks Commission and City Council, to designate homes as landmarks or structures of merit or include them in historic districts, over the objection of those owners. And this is not simply theoretical. Measure A grew out of a designation by the commission, upheld by the council on appeal, of a home on 18th Street as a structure of merit over the owner's vehement protests.

2. The landmarks ordinance is not a zoning law, such as those which restrict the building of "monster mansions." This is because it does not apply to everyone, only to those unfortunate souls who own homes selected by the Landmarks Commission.

3. Once a home is designated in one of these categories, virtually any changes to its exterior will be subject to review by the Landmarks Commission, an expensive and time-consuming procedure at best with no assurance of success.

The possibility of frustration was demonstrated last year when the commission and the council denied a homeowner in an existing historic district to add a garage to her home in a manner

similar to those in surrounding neighborhoods and supported by the opinion of a well-respected preservation consultant.

4. Last April, the commission received a report from another consultant listing hundreds of homes north of Montana Avenue that could qualify as potential contributors to one of several recommended historic districts. The city has lists of other homes in single-family neighborhoods which also are considered potentially historic, although the owners have never been notified by the city of this dubious honor.

Measure A simply restores control over these important decisions to individual homeowners.

One's home is a matter of intense and emotional personal choice. So long as I comply with all generally applicable zoning and building laws, why

should four or five individuals sitting on the Landmarks Commission have the right to tell me I can't make the changes to my home that I desire?

One's position on Measure A depends upon how one views the place of single-family homes. Do they belong to the current owner who should have the right to make changes he or she finds suitable within the confines of zoning laws that apply to everyone? Or should we give a small body of commissioners the power to prevent changes by some that could be made by others?

Measure A restores fairness to the process by preventing some homes from being singled out for special, and extensive, restrictions without the consent of the owner. It is simply a matter of allowing a homeowner the freedom to make his or her own decision in an area of great personal importance.

In this 30th anniversary of *Roe v. Wade*, when many of us rightly celebrate a woman's power of choice, it seems incongruous to deny homeowners the power to decide for themselves the type of home suitable for their families.

(Tom Larmore is a local property rights attorney and a Santa Monica resident.)

Guest Commentary By Tom Larmore

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LOCAL

Marchers send message to Washington: Peace, not war

BY KATHLEEN HERD MASSER
Special to the Daily Press

For a brief moment, it was like being 19 again ... sprawled on a slightly damp lawn on a sunny Saturday afternoon ... Joan Baez singing songs of peace, her words floating on patchouli-scented air.

But it was not 1968. It was Jan. 18, 2003, and depending on who's counting, between 50,000 and 200,000 demonstrators had taken to the streets of San Francisco. Muslims walked with Jews, Baptists alongside Buddhists. The Older Women's League (OWL) of San Francisco strode in step with a kilted, spiky-haired bagpipe and drum troupe.

All had come to send a message to Washington: No war in Iraq.

Marchers challenged a Bush administration policy that is certain to further inflame anti-American sentiment among Muslim nations. How, they wonder, will waging war against Iraq make the U.S. safe from terrorist attacks?

"If you don't want to get stung," cautioned 34-year-old David Armstrong of Eugene, Oregon, "don't poke a stick in the hornet's nest. By attacking Iraq, we're guaranteeing that they'll seek revenge. We should be waging a campaign of understanding, not empire building."

Few of those present gave credence to Bush's insistence that oil has nothing to do with it, and the "Go Solar, Not Ballistic" banners borne by Environmentalists Against the War emphasized their misgivings. The environmental alliance was convened by Michael Kieschnick, president of Working Assets, and comprises organizations such as the Sierra Club, Physicians for Social Responsibility, and Rainforest Action Network.

"We want to underscore the connection between this country's dependence on foreign oil and U.S. plans for a preemptive attack on Iraq," Kieschnick explained.

Surprising to some was the number of Republican protesters, including a 50-something couple from Redding.



Kathleen Masser/Special to the Daily Press
A young marcher bears a message of hope at a recent anti-war protest in San Francisco.

"I was a little nervous at first," confessed Eva, who asked that her last name not be used. "I mean, these (marches) are usually such all our thoughts, words and deeds be a nonviolent resistance to all violence. Let my country awake." The crowd roared back.

In a sea of bobbing banners, the one begetting the most buzz was a hand-lettered placard that read, "Somewhere in Texas, a village is missing its idiot."

a liberal thing. But this issue goes way beyond party lines. We've been made to feel very welcome, and I'm glad we came."

Still, in a sea of bobbing banners, the one begetting the most buzz was a hand-lettered placard that read, "Somewhere in Texas, a village is missing its idiot."

In a speech befitting the most articulate of statesmen, presidential portrayer Martin Sheen galvanized the crowd. With indisputable emotion, Sheen roared, "We want to end our long and shameful silence here today and say 'no' to death and war. From this time forth, may

Some marchers personalized their message, many invoking the spirit of Martin Luther King, others carrying signs advocating establishment of a Palestinian state. One, identified only as Naya, counseled, "Yes, we have a difference of opinion," indicating a group of Jewish activists a few feet away.

"But the fact that we are here together today proves we also have something in common, and we don't have to kill each other to make our point. If we put away the guns, we can find a peaceful solution."

(Kathleen Masser is a Santa Monica resident.)

DID YOU KNOW?:
On every continent there is a city called Rome.



LOCAL □ STATE



Jury convicts fugitive cosmetics heir of rapes

By The Associated Press

VENTURA — Fugitive cosmetics heir Andrew Luster, the great-grandson of makeup legend Max Factor, was convicted Tuesday in absentia on charges of raping three women and drugging two of them at his beach house.

Luster, who fled in midtrial while under house arrest, was found guilty of 86 counts including rape, sodomy, drug and weapons possession and poisoning.

The seven-woman, five-man Ventura County Superior Court jury deliberated two days. The panel deadlocked on a count alleging the poisoning of one of the victims.

The conviction could put Luster, 39, in prison for life if he is captured.

Superior Court Judge Ken Riley commented that Luster's flight was well planned and he expressed regret for allowing the defendant to leave his home at times despite the objections of the prosecutor.

"I made a mistake," the judge said.

Outside court, defense attorney Roger Diamond urged Luster to come back.

"I would tell Andrew Luster now please return. It does not do any good to be away. He has a very good case on appeal, but as a fugitive he has no right to appeal."

Luster allegedly jumped his \$1 million bail on Jan. 3 during a two-week recess in the trial 60 miles northwest of Los Angeles. Authorities said he took his German shepherd and collection of Chumash Indian artifacts and fled in his sport utility vehicle.

The dog later was found at his mother's home in Sonoma, north of San Francisco, and his vehicle was found Sunday in Santa Monica near the corner of San Vicente and 10th Street. Authorities said they had no clue to Luster's whereabouts. Luster's 1999 Toyota 4 Runner is still being held in Santa Monica.

The three-week trial continued without Luster, and in closing arguments prosecutor Tony Wold said the disappearance pointed to guilt, telling jurors: "Innocent people don't run."

Luster was an avid surfer and had an oceanfront home in Mussel Shoals.

It was there, authorities said, that he took three women in 1996, 1997 and 2000

and raped them after rendering them compliant or unconscious by doping them with gamma hydroxybutyrate, also known as GHB and liquid Ecstasy.

Luster was arrested in July 2000 after a 21-year-old University of California, Santa Barbara, student told police he had drugged and assaulted her.

Luster ... was found guilty of 86 counts including rape, sodomy, drug and weapons possession and poisoning.

Prosecutors said Luster spiked a glass of water with GHB and that the woman became dizzy. At trial, the woman testified that she and a male friend went to Luster's home, where he raped her in a shower and a bedroom while she was too groggy to resist.

During a search of the home, authorities found other videotapes of Luster apparently having sex with sleeping or unconscious women.

In one videotape shown to the jury, a 17-year-old girl appeared to be asleep and snoring on a bed. Luster, sitting next to her, stated: "Some people dream about Christmas, Thanksgiving. I dream about this. A strawberry blond, beautiful girl passed out on my bed and basically there for me to do with whatever I chose." He then is seen performing various sex acts with the girl, who remains limp.

Two of the women in the videotapes testified at trial that they willingly took drinks laced with GHB from Luster but never consented to sex.

The defense argued that the women were party girls and disgruntled ex-girlfriends who had consented to sex. Luster also was depicted as a would-be pornography producer and the women in the videotapes as actresses pretending to be asleep.

The prosecutor scoffed at the contention, noting that the defense never produced any contracts with actors or advertisements for the videotapes.

Citizens speak out on where to spend city money

SURVEY, from page 3

The City of Santa Monica's Human Services Division works in partnership with community members and organizations to improve the quality of life for all Santa Monica residents through the provision of services, including counseling, after-school programs, parent education, health services, emergency shelter, among other things.

In 1999-2000, the Human Services Division first engaged in Community Voices. Through Community Voices, the city developed a profile of the Santa Monica community; determined the range of human service needs; and, with the participation of residents, service providers and the business community, determined the priorities for a three-year

cycle of grant funding. Today, with an economic decline and shrinking resources, determining the city's funding priorities for the next three years will require thoughtful choices.

The goal of Community Voices 2002 is to update information and identify new human service needs and trends, especially the needs of young people. The project has conducted 40 different discussion groups and five public hearings between October and December 2002, and a complete client survey delivered to more than 50 local social service agencies.

To date, more than 580 surveys have been completed and returned.

For more information on Community Voices, call Human Services Division at (310) 458-8701, or (310) 458-8696, or e-mail human-services@santa-monica.org.

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LOCAL □ STATE



For tax to succeed, district can't leave anyone out

PROPOSAL, from page 1

\$110 flat rate and a 5 cent tax for every square foot of developed space. Officials said that proposal is now dead.

School district officials hope the new proposals — which exempt residents over 65 and shortens the tax's lifespan from 12 to six years — will gain the support needed to pass.

The poll found that those who voted against the previous parcel tax said they did so because it was either too much money; it overburdened property owners or they said they never vote for new taxes. Some suggested that there's already enough taxes to support the schools or that

the district isn't using its money wisely.

Officials said the impact on the business community has to be considered when choosing which option to place on the ballot. Some fear business interests would fight any measure because the burden would fall far heavier on merchants than residents.

Also, the exemption for residents 65 and older — a demographic that usually votes more often — is key to a parcel tax's success, poll results indicate. The exemption would not be automatic and eligible residents would have to apply for the exemption.

"It seems like one of those significant

things that can make a difference in the outcome of the election," Carrey said. "It's one of those things seniors want for security ... They want the security of knowing it's there even though they may not want to use it right now."

Of the 402 respondents of the poll, the majority were between 35 and 59 — with an almost equal number of males and females. More than 90 percent of the respondents said they voted in the November election.

Nearly 55 percent identified themselves as Democrats; 25 percent as Republicans and another 20 percent said

they vote for a third party.

Fifty-seven percent said they owned their property, while 41 percent said they were renters. The majority said they lived in residences with between 1,000 to 2,499 square feet of space.

One lesson school officials said what they took away from their previous loss, as well as the poll results, is that for a new tax to succeed, it cannot ignore the concerns of any group.

"In an election where you need two-thirds of the vote, every group is significant," said Ralph Mechur, a parcel tax committee member.

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Tree owner argues it's not his fault it fell on car

TREE, from page 1

think it was worth taking to the insurance company," he said.

Guirguis argued whomever removed the tree from the car caused the scratches and that person should have to pay the damages.

"The damage he is claiming is from removal of the tree from the car and not the actual tree falling on the car," he said.

Tullius produced two neighbors who testified they heard a loud snap and when they went to the window they saw the tree lying on top of his car. However, they did not see who moved the tree.

Neighbors testified that Tullius loved his car and is known for taking good care of it.

"He was always outside washing that car and polishing it to a shine," said Nancy Sharpe. "That car was pristine."

MGM movies experience lackluster box office results

MGM, from page 1

But investors may also be reacting to conflicting guidance issued by the company Tuesday, including revenue and earnings estimates far above what analysts had been expecting.

MGM said it expects a 65 percent hike in fourth quarter revenue to between \$615 million to \$620 million. Net income should be between \$55 million to \$60 million, or 22 cents per share to 24 cents per share.

Analysts surveyed by Thomson First Call had been expecting earnings of 7 cents per share for the quarter ending Dec. 31. Analysts surveyed by Miltex had been expecting revenue of only \$486 million for the quarter.

For 2003, MGM said it expected rev-

enue to increase between 3 percent and 5 percent to over \$1.7 billion, but forecast a loss of between 28 cents to 38 cents per share.

"What I think is hurting the stock is Mr. Kerkorian's choice to sell at this time coupled with 2003 guidance which is a little confusing," said David Miller, an analyst with Sander Morris Harris.

MGM is set to release its fourth quarter results Feb. 5.

Shares have dropped 45 percent since Jan. 22, 2002, as MGM has had lackluster results at the box office. One notable exception is the James Bond thriller "Die Another Day," which has earned more than \$150 million domestically since it opened in November.

Marijuana columnist goes on trial for illegally growing pot

BY DAVID KRAVETS

Associated Press Writer

SAN FRANCISCO — An author of how-to books and columns on growing marijuana and evading the law went on trial Tuesday on federal charges of illegally cultivating pot.

The case against Ed Rosenthal represents the latest clash between federal agents and state and local authorities over the medical use of marijuana.

Rosenthal, a former columnist for the pro-marijuana magazine High Times, has said he was growing pot to help the sick, which is legal under California law. But marijuana is still illegal under federal law.

Prosecutor George Bevan told the jury that agents seized some 3,000 plants growing in Rosenthal's warehouse in

Oakland.

"It's a federal offense," Bevan said.

Rosenthal, 58, could receive a life sentence if convicted.

California and eight other states — Alaska, Arizona, California, Colorado, Hawaii, Maine, Oregon and Washington — allow the sick to receive, possess, grow or smoke marijuana for medical purposes without fear of state prosecution.

Nearly two years ago, the U.S. Supreme Court said it was a violation of federal drug laws for medical marijuana clubs to dispense pot.

Armed with that ruling, the government has raided several marijuana clubs and growing operations in California over the objection of marijuana advocates and local prosecutors and politicians.

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The next team captain's meeting for Relay For Life will be held at the Ken Edwards Center, 1527 4th Street, Room 100B, Santa Monica. The meeting will be on Wednesday, February 5, 2003, beginning at 6:00 p.m. Parking is free.

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NATIONAL



Kennedy says Democrats should stand up to president

BY NEDRA PICKLER

Associated Press Writer

WASHINGTON — Sen. Edward M. Kennedy on Tuesday blamed Democratic losses in last year's election to a failure to stand up to a popular president, accusing the Bush administration of promoting policies that divide America and its allies.

"The lesson of 2002 is clear," the Massachusetts senator said in a speech to the National Press Club. "We will not succeed if we fail to stand up and speak out."

Kennedy accused President Bush of pursuing war in Iraq while a more imminent threat exists in North Korea, violating rights of immigrants in the name of homeland security and failing to prepare

for future terrorist attacks.

Bush's tax cut plan only benefits the wealthy, he said, while accusing the administration of failing to respond to spending needed to improve health care and education for all Americans.

"The last thing we need is policies that divide us at home by race or riches," Kennedy said. "The ideals of America are not realized but denied by a relentless ideology of tax giveaways for the few — and then even more tax giveaways for the few."

Kennedy suggested a compromise with Bush on tax cuts, however.

Congress should use 10-year budget estimates to determine how much America can afford to spend, then give

half to Bush's priorities — including cuts already passed into law — and half to education, health care, and other Democratic priorities, the senator said.

"Let me say plainly to my fellow Democrats — if we cannot achieve a fair and fiscally responsible compromise, there is no assured political safety in just going along with President Bush," Kennedy argued. "Not a single Senate Democrat who voted against the Bush 2001 tax cut was defeated."

Kennedy called for spending on more teacher training, smaller class size, increased college financial aid and a Medicare prescription drug benefit. He said Congress should require employers to provide health care for all workers and

pass hate-crimes legislation and laws protecting gays from discrimination in the workplace.

Kennedy said Bush deserved credit for his leadership after the Sept. 11 attacks and in the early months of the fight against al-Qaida. He said since then "we squandered too much of the good will of the world community because we seemed so intent on immediate, unilateral war with Iraq."

"I continue to be convinced that this is the wrong war at the wrong time," he said. "The threat from Iraq is not imminent, and it will distract America from the two more immediate threats to our security — the clear and present danger of terrorism and the crisis with North Korea."

Order signed formalizing Office of Global Communications

BY SCOTT LINDLAW

Associated Press Writer

WASHINGTON — President Bush signed an executive order Tuesday formalizing the role of the White House Office of Global Communications, which works to improve America's image abroad by better conveying U.S. policies.

The office played a central role in a generating a document released Tuesday that catalogues administration charges on how Iraq has long tried to deceive the international community.

The Office of Global Communications has been up and running for at least six months, quietly working with foreign news media outlets to get the American message out. It was an outgrowth of an earlier administration effort to build public support overseas for the war on terrorism.

Bush's signature on the executive order Tuesday will make the office more effective, said Tucker Eskew, who oversees the office of about a dozen people.

"Having the president's formal stamp of approval on our creation strengthens our ability to coordinate across agencies and integrate his needs," Eskew said.

The order reflects the importance that Bush "places on conveying America's message to the world," White House spokesman Ari Fleischer said.

"The president believes that better coordination of our international communications will help convey the truth about America and the goals we share with people everywhere," Fleischer said. "He knows that we need to communicate our policies and values to the world with greater clarity and through dialogue with emerging voices around the globe."

"Having the president's formal stamp of approval on our creation strengthens our ability to coordinate across agencies and integrate his needs."

— TUCKER ESKEW

House Office of Global Communications

Bush's executive order says the office will "ensure consistency in messages that will promote the interests of the United States abroad, prevent misunderstanding, build support for and among coalition partners of the

United States and inform international audiences."

In February 2002, the Pentagon shut down a new office meant to influence global opinion, particularly about opponents such as the Taliban and al-Qaida. The office proposed internally to use the Internet and other media to spread false information.

Eskew said the White House Office of Global Communications will not use disinformation, and the executive order explicitly calls for "truthful, accurate" messages.

"In part, our mission is to shine a light on others' disinformation, such as that of the Iraqi regime," Eskew said. "We are here to use accurate, truthful and overt communications to advance American and coalition interests."

The administration's effort comes at a time when sentiment against a possible U.S.-led war in Iraq is running high abroad.

Thousands of people marched in Europe, Asia and the Middle East to protest a war.

The Office of Global Communications sometimes sends teams of "communicators" to "areas of high global interest and media attention," the executive order says.

The office produces a one-page fact sheet and sends it worldwide to "disseminate key points and daily activities on global issues." It is studying new ways to reach Muslim audiences directly through radio and TV.

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DID YOU KNOW?: The US flag displays 13 stripes - for the original 13 states.



INTERNATIONAL

Iraq pledges U.N. cooperation, but attack still feared

BY CHARLES J. HANLEY
AP Special Correspondent

BAGHDAD, Iraq — The Baghdad government will work more closely with arms monitors under a new U.N. accord, but the U.S. military will probably attack Iraq anyway, a senior Iraqi official said Tuesday.

"It is possible any minute, any second that while the inspectors are still here, the aggression takes place, because the U.S. administration doesn't care," Vice President Taha Yassin Ramadan said.

The comments came as President Bush chided allies for their reluctance to wage war against Saddam Hussein's regime, and the White House underlined it was willing to attack without backing from the United Nations.

Saddam has "been given ample time to disarm," Bush said in Washington. "This business about more time. How much time do we need to see clearly that he's not disarming?"

White House spokesman Ari Fleischer reiterated that the Bush administration believes it doesn't need U.N. Security Council support for an attack. America would lead a "coalition of the willing" against Iraq if, in its view, the Baghdad government fails to surrender weapons of mass destruction, Fleischer said.

Security Council backing looked unlikely, after foreign ministers meeting in New York made clear their opposition to early military action. France's stand suggested it might veto any U.S. bid for a council resolution authorizing an invasion.

Another U.S. ally, Turkey, announced it

"It is possible any minute, any second that while the inspectors are still here, the aggression takes place, because the U.S. administration doesn't care."

— TAHA YASSIN RAMADAN
Vice president of Iraq

would host key Middle East foreign ministers in talks Thursday to try to find ways to ease the U.S.-Iraqi standoff. "All decision-makers should give an ear to calls for peace rising in the world," said Recep Tayyip Erdogan, leader of Turkey's ruling party. "It's possible to achieve it, especially if the United States contributes."

Only British Prime Minister Tony Blair spoke in support of the Bush administration, telling British lawmakers "the intelligence has grown over the last couple of months" that Iraq is concealing chemical and biological weapons.

Saddam, meanwhile, struck a confident note, telling army commanders Tuesday that he has good reason to be happy these days. In the latest of a series of morale-boosting meetings with the military, the Iraqi president said: "I want you to know that even when I am not smiling, I am in fact smiling ... it reflects my joy at the path we chose ... and because I am happy to be the leader of men of your caliber."

U.N. arms inspectors dropped in unannounced Tuesday on a chemical plant south of Baghdad flagged by British intelligence as a "facility of concern." It was

their eighth visit to the Qa Qa Company since early December, and they have reported no sign of chemical weapons-making there.

In fact, after some 400 site visits across Iraq since Nov. 27, the chief U.N. inspectors have reported finding no "smoking guns."

On Monday, those top arms monitors — Hans Blix and Mohamed ElBaradei, head of the U.N. nuclear agency — concluded a 10-point agreement in talks with Iraqi officials to clear obstacles to more effective inspections.

Washington wants to "create the idea that Iraq isn't cooperating," Ramadan told reporters Tuesday. "We hope to increase this cooperation (with inspectors) and overcome any obstacles, so we don't give the U.S. administration any pretext."

The U.S. military is likely to attack anyway, he said, but without international cover, "the aggression would be seen as only an American-Zionist (Israeli) one."

Following its invasion of Kuwait and its defeat in the 1991 Gulf War, Iraq was forbidden by the Security Council to possess any chemical, biological or nuclear weapons. A council resolution adopted

Nov. 8 sent inspectors back after a four-year absence.

The new U.N.-Iraqi accord stipulates, among other things, that the Baghdad government will encourage Iraqi scientists, engineers and other weapons specialists to submit to private interviews with U.N. inspectors, who believe interview subjects will be more candid without Iraqi government officials sitting in.

On Tuesday, U.N. inspectors also visited the Al-Mutasim missile plant, 55 miles west of the capital. A comprehensive CIA report last October said the size of new facilities at the plant indicated it was building larger missiles, violating a U.N. prohibition on Iraqi missiles with ranges greater than 90 miles.

After repeated visits to Qa Qa, Al-Mutasim and 11 other installations cited as "facilities of concern" in British and U.S. intelligence reports, the arms monitors have reported no violations of U.N. bans.

Thousands of women rallied in Baghdad on Tuesday in an anti-American and pro-Saddam demonstration sponsored by a national women's organization. As American flags burned, groups of angry women chanted, "Kill Bush and we'll dig his grave!"

Beyond Iraq's borders, thousands of U.S. troops continued to assemble in the Persian Gulf region. The U.S. Army announced Monday that 37,000 more, including the 4th Infantry Division, had been ordered to the Gulf. Blair's government announced it was sending 26,000 soldiers to the region — one-quarter of the British army.

Israeli forces demolish 62 shops in Palestinian village

BY MOHAMMED DARAGHMEH
Associated Press Writer

NABLUS, West Bank — Israeli forces staged the biggest demolition in the West Bank in years on Tuesday, destroying 62 shops in a Palestinian village.

Also Tuesday, Israel's Supreme Court relaxed a ban on soldiers using Palestinians as "human shields" or ordering Palestinians to knock on doors of Islamic militants' houses. Human rights advocates denounced the decision.

In Gaza, Palestinians fired rockets at two Jewish settlements, damaging buildings but causing no casualties, settlers and the military said.

In the village of Nazlat Issa, next to the West Bank border with Israel, seven bulldozers guarded by 300 soldiers destroyed shops and market stalls.

Dozens of protesters threw stones at troops, who fired tear gas and rubber-coated steel pellets. Other demonstrators chanted "Down with the occupation."

Israel says the shops were built illegally. The mayor of the village accused Israel of waging war on the Palestinian economy.

The 170-shop market in Nazlat Issa drew many Israeli customers before the outbreak of fighting in September 2000. The market is a main source of income for the village's 2,500 residents, said the mayor, Ziad Salem, adding that Israeli officials informed shop owners the market would be bulldozed.

Israeli troops have demolished hundreds of Palestinian homes, many in the Gaza Strip, in the past 28 months of fighting. In Gaza alone, more than 5,700 Palestinians have been made homeless, according to Palestinian officials. Many of the buildings were razed in military offen-

sives, with Israel saying the structures provided cover for Palestinian gunmen.

Since July, Israel has also demolished dozens of homes of Palestinians involved in bombing and shooting attacks on Israelis. Human rights groups say the demolitions constitute collective punishment, while Israel says they are an important deterrent.

In August, human rights groups had praised a Supreme Court injunction against Israeli soldiers using Palestinians as protection in raids on suspected Islamic militants.

The court on Tuesday amended the ruling to say soldiers could use Palestinians if the Palestinians agree.

There have been numerous Palestinian complaints about Israeli practices that endanger them, and while the military denies using Palestinians as human shields, journalists have documented the practice.

Marwan Dalal, a lawyer for the human rights group Adalah, which argued for continuing the ban, condemned the decision.

"International law prohibits the use of civilians by an occupying power," he said, "and no Palestinian would want to help an occupying power." He also said the judgment of Israeli commanders was not to be trusted.

Meanwhile, two Palestinian photographers were beaten up Tuesday by Israeli border police in the West Bank city of Nablus when they tried to photograph an Israeli jeep with two Palestinian teens clinging to the hood. One of the photographers, Nasser Ishtayeh of The Associated Press, who was not seriously hurt, said it appeared the youths were being used as human shields against rock-throwing youths. The AP complained to the military about the beating. The military said it would check.

In other developments, Israeli police discovered a car carrying a large amount of explosives in the Israeli Arab city of Um el-Fahm, near the line with the West Bank. Three people escaped from the car, which police blew up.

Israeli forces have stepped up patrols and roadblocks in the area, which has been hit frequently by Palestinian bombers.

In Gaza, Palestinians fired several rockets at the Jewish settlement of Kfar Darom, damaging buildings but causing no casualties, settlers said.

Meanwhile, an Egyptian effort to bring rival Palestinian factions together in Cairo on Wednesday to negotiate a yearlong end

to attacks on Israeli civilians appeared to run aground.

Hamas and Islamic Jihad, responsible for dozens of suicide bomb attacks in Israel, said Tuesday they would not attend the talks. Officials from Palestinian leader Yasser Arafat's Fatah movement said they were waiting further information. Earlier conferences have ended without agreement.

Egypt hopes a cease-fire declaration would weaken Prime Minister Ariel Sharon's popularity and boost the election chances of opposition leader Amram Mitzna in Jan. 28 elections. Mitzna wants an immediate resumption of peace talks with the Palestinians.

Californians shot in Kuwait



Laura Rauch/Associated Press

Kuwaiti and American officials investigate the area near an intersection where two American civilians, who were contacted by the U.S. military, were shot near the entrance of Camp Doha on Tuesday in Kuwait City. One victim is dead and the other is in critical condition at a nearby hospital. The men worked for a company in San Diego.

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SPORTS

Raiders' thoughts turn to Gruden for Super Bowl

BY GREG BEACHAM
AP Sports Writer

SAN DIEGO — Charlie Garner insists the Oakland Raiders haven't thought much about Jon Gruden since their former coach abandoned them last February.

The Raiders won't get a chance to forget Gruden this week, though. When they arrived in San Diego on Monday for a week of Super Bowl preparations, their first interview session was filled with questions about Gruden, who will lead Tampa Bay against Oakland on Sunday.

"It's an interesting thing that he's here and we're here, but it's sort of just a coincidence," Garner said. "It's a pretty amazing coincidence, but that's really it. We don't sit around thinking about him."

Oakland coach Bill Callahan, Gruden's former assistant, skipped the session to work on game plans, but his players did the talking for their taciturn coach.

"The main reason I went to the Raiders was Jon Gruden," receiver Jerry Rice said. "I felt like I needed someone with a little intensity, and he challenged me every day. ... I can't say the players are really hostile toward him or anything like that, but when the ball is kicked off, it's time to focus on why the Raiders are here."

Gruden wanted a bigger say in personnel decisions than Raiders owner Al Davis would give any coach, so Davis essentially traded him to Tampa Bay for four high



Lenny Ignelzi/Associated Press

Tampa Bay Buccaneers wide receiver Keyshawn Johnson fields questions from reporters during media day festivities in Qualcomm Stadium in San Diego, Calif. on Tuesday. The Bucs are scheduled to face the Oakland Raiders in Super Bowl XXXVII on Sunday.

draft picks and \$8 million. Davis then promoted Callahan, who has since taken the three-time AFC West champions to a place they haven't been to in nearly two decades — the NFL title game.

Though Garner gave Gruden his due, he saved his highest compliments for the

team's current coaching staff.

"He helped us develop professionally, but if you look at our numbers, we've taken that offense to an even different level this year with Coach Callahan and Trestman," Garner said, referring to offensive coordinator Marc Trestman.

"Trestman's done a great job of getting people out on the field."

Oakland's silver-tinged roster was built to reach this game. After all, the focus has been on San Diego since training camp, when many of the thirtysomething players realized they might have only one shot left at winning the big one.

"I looked at who had the best chance to win now, and I felt that was the Raiders," said linebacker Bill Romanowski, who is looking for a fifth Super Bowl ring to tie the record held by Charles Haley. "I knew Al Davis was committed to winning a championship."

Romanowski, who won two titles with San Francisco and two with Denver, signed with Oakland in the offseason. He was joined by Pro Bowl safety Rod Woodson, who will try to add another ring to the one he won with Baltimore two seasons earlier.

"You can't look at anything that happens this week as a negative," Woodson said. "You've got to remember that 30 other teams would love to be here this week and doing this stuff. It's a privilege."

Still, there are some irritants.

When Garner sat down behind a bank of microphones, he realized the most difficult part of Super Bowl week comes well before game day.

"Do I have to talk to you guys every day?" he asked with a slow shake of his head.

Aaron Baddeley is just buying more time on Buy.com

BY DOUG FERGUSON
AP Golf Writer

HONOLULU — Aaron Baddeley is called "dot-com" by some of his peers, a mocking reference to the brash kid who had big dreams, limited success and the audacity to wear the name of his Web site — Badds.com — on his hat and golf bag.

There might be a better reason to tag him with that nickname: his success on the Buy.com Tour.

The PGA Tour's developmental circuit is on its fourth name (Nationwide Tour) since 1990. But it was known as the Buy.com Tour last year, when Baddeley bombed out at Q-school and needed a place to keep chasing his goals.

He was eligible to play on the European Tour. Instead, he chose the PGA Tour's minor leagues.

"I had the best year of my life," Baddeley gushed.

Skill was never a problem for the 21-year-old Aussie.

Baddeley showed he had loads of talent by winning the Australian Open in back-to-back years as a teenager, then taking out Sergio Garcia in a playoff at the Holden International.

He never lacked a swagger, either.

Baddeley talks openly about wanting to topple Tiger Woods as No. 1 in the world. He relished his final-round pairing with Ernie Els at the Sony Open, and probably offended some by saying after his playoff loss, "I didn't have my A-game ... and I still had a chance to win."

What he needed was an education.

Instead of showing up on the PGA Tour a half-dozen times a year, Baddeley spent a full season on the Nationwide Tour, playing a 17-event schedule.

He learned how to practice during the week, how much to work out. He gained a better appreciation for scoring — when a par isn't great, when a bogey isn't all that

bad.

"Things you only get through playing," he said.

Baddeley was a runner-up three times, and with a PGA Tour card dangling in front of him, he closed out the year with four finishes in the top 15. He was 10th on the money list.

Equally important, the Boy Wonder from Down Under made friends.

Lots of them.

He hung out with Arron Oberholser and Jeff Klauk, spending time with them in the gym, in the sushi bars and on the practice range.

"We had dinner quite a bit," Klauk said. "He loves sushi. He'll go to the same restaurant every night if he finds something he likes."

A fitness freak who can lift 310 pounds, Baddeley used to ham it up for rules officials. Whenever they would ask directions, he would flex his muscles to point the way.

"There was a huge process that we got to watch evolve, where he came from a guy who enjoyed worldwide success but still wasn't on his own," said Joe Chemycz, a media official on the Nationwide Tour.

"He learned how to play, how to travel, how to make decisions, how to be disciplined. It was fun to see. It was like his freshman year in college, only he didn't put on 15 pounds."

College was never a consideration.

Baddeley announced his career plans at age 14 when he told his father that he was giving up cricket and wanted to play on the PGA Tour. After winning the Australian Open, his father set aside \$30,000 for him to play whatever tour events he could.

Baddeley rarely made the cut and was never in contention. His confidence starting to wane, Baddeley dumped Aussie

swing coach Dale Lynch and hooked up with David Leadbetter, with whom he has spent the last 18 months.

They worked on getting the clubface more square, making his swing more shallow.

Woods won just twice on tour over an 18-month span when he reshaped his swing. Then again, Baddeley didn't have the luxury of a PGA Tour card, not to mention a 12-stroke victory in the Masters.

"It was probably a blessing in disguise playing the Nationwide Tour," he said. "I could work on my game and still play. There's a bit of pressure out there trying to change your swing and still try to get your card."

Give him a choice, and Baddeley says he would have preferred to be on the tour

a few years ago. Kids are always in a hurry.

"But would I change the last two years? No," he said. "What I learned the last two years will hold me in good stead for the rest of my life."

It led him to Waialae Country Club for the Sony Open, and a performance that suggests it won't be long before he becomes the 60th Nationwide Tour grad to win in the big leagues.

He caught Els with a birdie on the 14th hole, and never flinched the rest of the way, putting enormous pressure on the No. 2 player in the world. It ended on a miracle putt by Els from 55 feet off the fringe for birdie on the second playoff hole.

"I thought the kid was going to go away, but he kept at me," Els said. "... He's going to win a lot of titles."

Report: News Corp. hires firm to look into sale of Dodgers

By The Associated Press

LOS ANGELES — News Corp. has hired an investment banking firm to search for a buyer for the Los Angeles Dodgers and has held preliminary negotiations with several potential bidders, the Los Angeles Times reported Tuesday.

The company is seeking more than \$400 million for the Dodgers and the team's stadium at Chavez Ravine, according to the newspaper, which quoted anonymous sources familiar with the situation.

News Corp., which is owned by Rupert Murdoch, declined a request for comment by the Times.

Earlier this month, the company denied any active plans to sell the Dodgers after speculation surfaced in Australia, where News Corp. is based. Major league baseball, which must be notified of any seri-

ous offers, has said it has no knowledge of a possible sale.

But the Times said the company has retained Allen & Co. to locate a buyer.

The most promising candidate to purchase the Dodgers is a group headed by Dave Checketts, the former chairman of New York's Madison Square Garden, the newspaper said.

News Corp. bought the team from the O'Malley family in 1997 for a then-record \$310 million. It has poured in an additional \$200 million trying to build a successful team and renovate Dodger Stadium.

Attendance improved last season as the Dodgers finished third in the National League West. But the team has lost nearly \$100 million over the last two years as its payroll swelled to become one of the league's highest.

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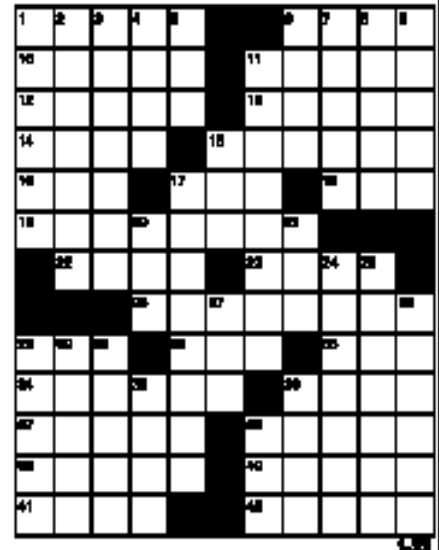
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 - 30 Banish
 - 31 Dorian Gray's creator
 - 35 Individuals
 - 36 Skin opening
 - 38 Attained



Yesterday's answer

- 17 Kitchen aid
- 20 Balloon fill
- 21 Droop
- 24 Spanish city
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NEWS OF THE WEIRD by Chuck Shepard

Tracking pedophiles with an eye in the sky

London's Observer reported in November that the British government is exploring whether to require convicted pedophiles to receive microchip implants that would allow them to be tracked by satellite after their release from prison. The government would know not only whether pedophiles visited schools or parks but, based on a proposal by one company whose software monitors astronauts' bodily functions in space, whether the pedophiles are feeling nervous or excited (but so far, sexual arousal cannot be tracked by the software).

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TODAY

Farmer's Market every Wednesday. 9am to 2pm, Arizona between Second
and Fourth Streets. Come and enjoy one of the largest and best farmer's
markets in California!

Santa Monica Public Library presents Preschool Story Time, every
Wednesday at 11:15am, 1343 Sixth Street. Stories for children between the
ages of three and five who are ready to participate on their own. (310)458-
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Question & Answer Seminar with author, speaker and minister John
Morton presented by The Movement of Spiritual Inner Awareness. 2101
Wilshire Blvd., Santa Monica. 7:30pm to 9:30pm. Admission is FREE!
www.msia.org or (323)737-4055.

Ongoing support groups for people 55 and older. Current openings in
Parents of Adult Children. Wednesdays 2:00 to 3:30. **Center for Healthy
Aging**, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone
interview required. Call Information and Referral. (310)576-2550.

Unurban Coffee House presents Poetry and Spoken Word every
Wednesday evening. Hosted by Tony Perez. 8pm, 3301 Pico Blvd.
(310)315-0056

Santa Monica Public Library presents Preschool Story Time, every
Wednesday at 11:15am, 1343 Sixth Street. Stories for children between the
ages of three and five who are ready to participate on their own. (310)458-
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THURSDAY

Artful Science: The Social-Cultural Relationship Between Built and
Natural Environments. Sam Francis Gallery at Crossroads School in Santa
Monica presents an exhibition of drawings, paintings, photographs, and
sculpture. Mon-Fri, 10am to 4pm through February 14. 1714 Twenty-First
St., 2nd Floor, Peter Boxenbaum Arts Building. For more information
please call (310)829-7391 ext. 425.

Dharma at the Clubhouse. A weekly book and multi-media study group,
no fee. Applying studies of Buddhism-Dharma into our daily lives. Every
Thursday night at the Clubhouse at Douglas Park, 25th & Wilshire. 7:30
to 9pm. Dan (310) 451-4368 www.santamonickksg.org

O'Briens Irish Pub, 2941 Main St., Santa Monica, pours A Pint of Funny,
every Thurs., 8 p.m. FREE! (310)396-4725.

Gotham Comedy Night! Standup at Gotham Hall, 1431 3rd St.
Promenade, Santa Monica; every Thursday, 7:30 pm, \$5.00 + 2 item min.
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Unurban Coffee House presents Comedy Crunch every Thursday
evening. Showtime is 7pm. 3301 Pico Blvd. (310)315-0056

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.

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, 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) 2:00, 4:35, 7:05, 9:35. The
Lord of the Rings: The Two Towers (PG-13)
1:20, 5:00, 8:45. Catch Me If You Can (PG-13)
1:05, 4:05, 7:10, 10:10. Chicago (PG-13) 1:45,
4:45, 7:40, 10:15. 25th Hour (R) 1:15, 4:15, 7:15,
10:10. A Guy Thing (PG-13) 2:15, 4:55, 7:30,
10:00. Kangaroo Jack (PG) 1:00, 3:10, 5:20, 7:35,
9:45.

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.



BACK PAGE

You can clone a cat, but it won't act, look like original

BY KRISTEN HAYS
Associated Press Writer

COLLEGE STATION, Texas — Rainbow the cat is a typical calico with splotches of brown, tan and gold on white. Cc, her clone, has a striped gray coat over white.

Rainbow is reserved. Cc is curious and playful.

Rainbow is chunky. Cc is sleek.

Wayne Paccelle of the Humane Society might be inclined to say: I told you so. But then, so would cc's creators at Texas A&M University.

Sure, you can clone your favorite cat. But the copy will not necessarily act or even look like the original.

Cc (for carbon copy) is just over a year old. Her birth Dec. 22, 2001, was big news when it was announced last February because it was the first time a household pet had been cloned. Previous mammal clones were barnyard animals like cows and goats.

Cc's creation was funded by Genetic Savings & Clone, a company that hopes to make money from people's desires to duplicate their favorite pets. Last February, in the journal *Nature*, the A&M researchers published details of the project and DNA test results that showed cc was a clone.

People who hope cloning will resurrect a pet will be disappointed, said Duane Kraemer, one of A&M's animal cloning experts.

Experts say environment is as important as genes in determining a cat's per-

sonality. And as far as appearance, having the same DNA as another calico cat doesn't always produce the same coat pattern.

"This vindicates the opposition we espoused from the beginning, that cloning does not lead to duplication," said Paccelle, senior vice president of the Humane Society of the United States.

"Not only does cloning not produce a physical duplicate, but it can never reproduce the behavior or personality of a cat that you want to keep around. There are millions of cats in shelters and with rescue groups that need homes, and the last thing we need is a new production strategy for cats."

Before the birth of cc, Genetic Savings & Clone had hundreds of pet DNA samples stored at a cost of \$895 for healthy animals and \$1,395 for sick or dead animals.

Lou Hawthorne, Genetic Savings & Clone chief executive, has estimated that the cost to create a clone will initially be in the low five figures and later drop to the low four figures.

Though cc's arrival sparked a deluge of calls from pet owners, more research is needed to figure out how to produce consistently healthy clones before the company can start doing it commercially, said Ben Carlson, the company's spokesman.

"A year ago, we said we'd start commercial services in a year, and here we are a year later," Carlson said. "It's really impossible for us to make a certain prediction as to how long it's going to take to develop the technology to get successful results."

There is a demand from dog lovers, but scientists so far have been unable to clone a canine.

In fact, cc's creation was the result of a dog lover, not a cat lover. University of Phoenix founder John Sperling wanted a duplicate of his collie mix, Missy. With his \$3.7 million, Texas A&M launched the "Missyplicity" project over four years ago.

Now, Missy is dead, euthanized last year because of an inoperable growth on her esophagus. Sperling has redirected his funding to the Sausalito, Calif.-based Genetic Savings & Clone, which he hopes will one day deliver a clone of Missy.

Carlson said the company tells pet owners that cloning won't resurrect their pet and that the company has turned away some customers clearly interested in getting the same animal.

"In the short term, it's easy to exploit that misperception," he said. "But in the long term, it's unethical, and the pet owner will quickly find that, 'Hey, this isn't Fluffy, this puppy doesn't recognize me or know all the old tricks.'"

He said cloning could reproduce what a pet owner considers to be exceptional genes, particularly from an animal with unknown parentage or one that has been spayed or neutered.

"A small percentage of the population know exactly what they want and they want to stick with it — another animal as similar as possible," Carlson said. "That's the motive we've encountered among our clients."

Disclaimers could go unheard by pet owners desperate to duplicate an animal, said University of Pennsylvania bioethicist Arthur Caplan, a critic of cloning and companies that purport to sell it.

He said animal lovers bond with pets because of their personalities and behaviors, not the genetic material that defines the immune system or blood type.

"The new cloned dog won't know the old tricks — you have to teach them," Caplan said. "It doesn't matter how many genes they have in common."

With the Missyplicity funding gone, Texas A&M will continue trying to break new ground in cloning farm animals, wildlife and dogs, but it is finished with cats and any commercial pet venture.

As for cc, the Texas scientists say she has shown no signs of genetic defects.

"She's been perfectly healthy and perfectly a cat ever since her birth," Kraemer said. "That's true of all our clones. You'd have to be told they were cloned in order to know" they weren't conceived the natural way.

Even so, cc has been protected by a sterile environment, a precaution to make sure she is healthy; visitors are not allowed to pet her.

That will change gradually when she moves into her new home with Kraemer and his wife, Shirley. The Kraemers will introduce her slowly, first exposing her to people who have cats before letting her cavort with their other two felines.

In time, they plan to breed cc and let her produce some carbon copies of her own. They are looking for just the right tom.

"Our geneticists haven't gotten back with that information," Kraemer said.



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