

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

2 17 33 41 43

Meganumber: 5

Jackpot: \$7 Million

FANTASY 5

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DAILY 3

Daytime: 8 1 4

Evening: 2 7 4

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1st: 03 Hot Shot

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3rd: 06 Whirl Win

RACE TIME: 1:48.71

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NEWS OF THE WEIRD

BY CHUCK SHEPARD

On the surface, it appeared that Michael Sargent, an unhappy, 29-year veteran postal worker in Anchorage, Alaska, had managed to work out his anger fairly passively by, according to prosecutors, merely accepting bulk mailings into the postal system without bothering to charge the mailers (cheating the Postal Service out of at least \$106,000 in revenue and perhaps as much as \$436,000). However, a search of Sargent's home turned up a federal gun-dealer permit in his name, along with 66 firearms, including silencers and a machine gun. Said the prosecutor, "He is a disgruntled public employee. Access to weapons is of concern."

TODAY IN HISTORY

Today is the 25th day of 2006.
There are 340 days left in the year.

Twenty-five years ago, on Jan. 25, 1981, the 52 Americans held hostage by Iran for 444 days arrived in the United States.

QUOTE OF THE DAY

"Love must be learned, and learned again and again; there is no end to it. Hate needs no instruction, but wants only to be provoked."

KATHERINE ANNE PORTER
AMERICAN AUTHOR (1894-1980)

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Actor Chris Penn dies at SM home



Los Angeles County coroners wheel the body of actor Chris Penn out of his condominium complex in the alley behind Ocean Avenue on Tuesday. Penn, 40, died of unknown causes.

Carolyn Sackariason/Daily Press

BY CAROLYN SACKARIASON

Daily Press Staff Writer



CHRIS PENN

OCEAN AVENUE —

Actor Chris Penn, 40, died at his ocean-side condominium here Tuesday.

Santa Monica

Police responded to 1033 Ocean Ave. at 4:02 p.m. and, upon entering Penn's condo, found him dead in his bed. Penn's body was found inside the four-story condominium complex by a housekeeper.

Preliminary investigation revealed no obvious signs of foul play, and the cause of death will be determined by an autopsy conducted by the Los Angeles County Coroner's Office, said SMPD Lt. Frank Fabrega.

Just as the sun was setting, several neighbors gathered in front of Penn's building in response to police cars parked in front.

Prior to news of his death being

See PENN, page 5

LA to learn from NY's homeless solutions

BY RYAN HYATT

Daily Press Staff Writer

CITYWIDE — A delegation of officials from across Los Angeles County is heading to New York today to learn what that city is doing to fight homelessness effectively.

The delegation — including representatives from Santa Monica — is scheduled to attend more than 10 meetings and tours on Thursday and Friday to glean information on how New York is running its homeless programs. The delegation hopes to return to the Southland with more knowledge and inspiration to address the region's down and out.

The trip was organized by California Sen. Gil Cedillo (D-22) and the Los Angeles Police Department. More than a dozen of the elected officials participating in the trip are having their travel expenses paid by the government bodies they represent. This will include cost of airfare, meals and two nights' stay. The delegation



Fabian Lewkowicz/Daily Press

A homeless woman catches up on her sleep Tuesday at Santa Monica Beach. Local politicians and city staff members leave today for a trip to New York City to see how officials there are addressing its homeless population.

will be staying at the New York Grand Hyatt at a discounted government rate.

Shannon Murphy, spokeswoman for Sen. Cedillo, said the delegation is visiting New York

because it's had great success in combating homelessness.

"Los Angeles has been referred to as the entertainment capital of

See NY TOUR, page 5

Homelessness plan on LA's horizon

BY KEVIN HERRERA

Daily Press Staff Writer

SANTA MONICA — A multi-jurisdictional task force working to end homelessness in Los Angeles County by 2013 is a little more than a month away from revealing its action plan, which has been more than two years in the making.

Bring LA Home, which is comprised of elected officials from more than 80 cities, as well as county supervisors, members of the business community, clergy and social service providers, is expected to unveil the plan sometime in early March, said Bob Erlenbusch, executive director of the Los Angeles Coalition to End Hunger and Homelessness, which is coor-

See PLAN, page 5

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The Sustainable Quality Awards honor businesses and organizations that make Santa Monica a better place to live and work. Awards are given to companies that demonstrate commitment to the community in one or more of the following three areas: economic development, stewardship of the natural environment, and social responsibility. The Award Ceremony honoring the winners will be held on May 2, 2006.

Nominations are quick and easy! Visit www.smsqa.com and click on "SQA Nomination Form" or contact the Santa Monica Chamber of Commerce at 310 393 9825 for more information.



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Santa Monica Daily Press



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Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll Have:
★★★★-Dynamic ★★★★★-Positive ★★★★★-Average ★★-So-so ★-Difficult



ARIES (March 21-April 19)

★★★★★ Your ambition plays a role in what you visualize. By verbalizing some of your dreams, you will make them realities. A meeting gives you a platform on which to speak about these dreams. Learn to flow and speak freely. Tonight: Discuss a new venture.



TAURUS (April 20-May 20)

★★★★ An associate goes out of his or her way to make your life easier, especially with the boss or someone who counts. Do not underestimate a problem. Make the most of this offer of help and good will. Do not take a money risk. Tonight: Go along with another's plans.



GEMINI (May 21-June 20)

★★★★★ Others rule, or that's how you see it. Look at the positives and don't take a lead role. You could be shocked by what others do. You can also be more carefree and creative. Consider a workshop or a trip to revive your spirit. Tonight: So many choices, if you look and listen.



CANCER (June 21-July 22)

★★★★ Plunge into a project and don't back off. Your positive attitude goes far in creating much more of what you want. Use your imagination or a partner's very wild idea. Allow more variation into your life. Tonight: Time for you.



LEO (July 23-Aug. 22)

★★★★★ Your imagination could be the source of amazing energy and enthusiasm, not only to you but also others. You can find the path to success. Just follow it, if possible. You flourish on an unprecedented level. Tonight: The world can be your oyster.



VIRGO (Aug. 23-Sept. 22)

★★★★ A different approach can be most effective, especially if you want more inspiration in your life. The cost could be efficiency — something you admire and desire. Does this situation have to be an either/or one? Tonight: Mellow out at home.



LIBRA (Sept. 23-Oct. 22)

★★★★★ You might want to talk about an imaginative idea before you take the big leap. You get a genuine sense of direction because of a conversation. Incorporate others' feedback more often. You strengthen an idea. Tonight: Visit with favorite people.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ Sometimes you might be inordinately tense when money becomes the main topic. You don't react as you normally do. Now might be the time to have a discussion to clarify what is going on. Timing helps a hot talk become easy — well, nearly! Tonight: Set the stage for your chat.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ You are all smiles right now. A smile can lead to a conversation out of the blue. Others share much more than usual. You might wonder if you want to know so much! Be discreet with information. Tonight: Surround yourself with music.



CAPRICORN (Dec. 22-Jan. 19)

★★ Take your time, and make solid choices. You could easily be unavailable for a while as you ponder the pros and cons of a situation. Follow a monetary hunch. Tonight: Get some extra sleep.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ A meeting could prove to be lucrative as well as inspiring. You could cause yourself a problem when you least expect it. You pull the financial wild card. Use it positively rather than become a spendthrift. Tonight: Follow a suggestion. Friends are full of ideas!



PISCES (Feb. 19-March 20)

★★★ You know which way to go in a professional matter, though you might not want to follow through. Your imagination and intuitive sense are right-on. Take charge and don't walk away from a responsibility. Tonight: Free as can be.



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LOCAL



COMMUNITY BRIEFS

Venice's prized clinic

By Daily Press staff

A local clinic is a big winner. In recognition of its leadership, hospital, community partnerships and its primary health care services, Venice Family Clinic has won the 2005 Foster G. McGaw prize for excellence in community service. Venice Family Clinic serves 22,000 low-income, uninsured and minority community members, including more than 3,000 homeless persons, on the westside of Los Angeles County. Each year, the \$100,000 award is presented to a health care organization that provides innovative programs that help improve the health and well-being of the community.

Named as finalists and receiving \$10,000 each were Franklin Community Health Network in Farmington, Maine; Healthy Communities Initiative of Bartholomew County in Columbus, Ind.; and Pitt County Memorial Hospital in Greenville, N.C. "The Foster G. McGaw Prize recognizes health care organizations that demonstrate a passion and commitment to making their communities healthier and more vital," said Susan Manilow, chair of the Foster G. McGaw prize committee. "The truly inspiring work of the 2005 winner and finalists is a testament to this commitment in improving the health and quality of life of their communities. They provide excellent examples for others to follow."

Launched in 1970 by volunteer physicians Philip Rossman, M.D., founder, and Mayer B. Davidson, M.D., co-founder, Venice Family Clinic first operated at night out of a borrowed dental office.

Today, the Venice Family Clinic is the largest free clinic in the nation, with a staff of 250 and more than 2,300 volunteers who help fund and deliver comprehensive primary health care as well as specialty and supportive services benefiting 22,000 men, women and children at seven community locations during the nearly 106,000 patient visits they receive annually.

"The clinic has responded to and sustained programs that address the real needs of the people it serves, and it works every day to improve the health and quality of life of the most vulnerable members of its community," Manilow said.

The many people served by Venice Family Clinic include uninsured working-class and homeless individuals and families, many of them immigrants with little education. The clinic collaborates with more than 70 health and social service providers, including local hospitals, professional organizations, governmental agencies and community-based organizations across Los Angeles and California.

"The Venice Family Clinic has close to 500 volunteer doctors who provide primary or specialty care at one of the clinic's seven sites or at their private offices," said clinic CEO Elizabeth Benson Forer. "Our community partnerships with the Los Angeles hospital community mean that someone who is gravely ill and might otherwise die can receive treatment — at times even surgery — at no cost."

In addition to its strong leadership and partnerships, Venice Family Clinic was recognized for a wide array of responsive, high quality programs and services, including mental health services, diabetes care management program, community health training programs, public health insurance outreach and enrollment program, and pharmacy access program.

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SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-12"	8:30am - 4:00pm	15	10/12

CONDITIONS: Packed Powder, Machine Made, Machine Groomed

JUNE MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	96" - 120"	8:00am - 4:00pm	35	6/6

CONDITIONS: Powder, Packed Powder, Machine Groomed

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	144" - 168"	8:30 am - 4:00 pm	150	25/28

CONDITIONS: Powder, Packed Powder, Machine Groomed

MOUNTAIN HIGH

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-30"	8:30 am - 10:00 pm	16	8/16

CONDITIONS: Packed Powder, Machine Made, Machine Groomed, Hard Packed

MT. BALDY

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-12"	8:00 am - 4:30 pm	4	2/4

CONDITIONS: Packed Powder, Machine Made

SNOW SUMMIT

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-24"	8:00 am - 4:30 pm	18	14/14

CONDITIONS: Packed Powder, Machine Made, Machine Groomed

SNOW VALLEY

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-18"	8:30 am - 4:00 pm	9	5/11

CONDITIONS: Machine Groomed

CONDITIONS

WATER TEMP: 56°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (2-4 FT)

Today the size backs down with mostly waist high sets around west facing breaks. Winds should relax on Wednesday, but this will be the first day when we really start to see the tide start to swing, possibly putting a slow-down on dawn patrols. Note that with an increasing onshore flow, air temps will likely remain cooler than previous days.

LONG RANGE SYNOPSIS

Shorter period NW late in the week, but rain and wind???

TIDE FORECAST FOR SANTA MONICA

SATURDAY	LOW TIDE: 8:21AM	2.1FT	6:35PM	1.7FT
HIGH TIDE:	1:38AM	4.2FT	1:12PM	2.9FT

SUNDAY	LOW TIDE: 10:09AM	1.7FT	7:24PM	2.1FT
HIGH TIDE:	2:23AM	4.4FT	3:32PM	2.4FT

MONDAY	LOW TIDE: 11:29AM	1FT	8:26PM	2.5FT
HIGH TIDE:	3:18AM	4.6FT	6:24PM	2.5FT

TUESDAY	LOW TIDE: 12:22PM	0.3FT	10:12PM	2.7FT
HIGH TIDE:	4:17AM	5.0FT	7:27PM	2.9FT

WEDNESDAY	LOW TIDE: 1:05AM	-0.4FT	11:31PM	2.6FT
HIGH TIDE:	5:13AM	5.5FT	7:58PM	3.2FT

THURSDAY	LOW TIDE: 1:44PM	-1.1FT	N/A	
HIGH TIDE:	6:06AM	6.0FT	8:27PM	3.5FT

FRIDAY	LOW TIDE: 12:31AM	2.4FT	2:23PM	-1.5FT
HIGH TIDE:	6:55AM	6.5FT	8:57PM	3.7FT

SURF AND SNOW QUESTIONS OR COMMENTS? EMAIL ALEX@SMGP.COM



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The Q Line

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Local officials are critical of a new report, released by the National Coalition for the Homeless, that ranks Santa Monica as the ninth "meanest" U.S. city toward homeless people due to its anti-homeless laws. Pointing to the myriad homeless services offered in Santa Monica, some officials are questioning the methodology behind the report.

So this week, Q-Line wants to know, "How well do you think Santa Monica treats its homeless population relative to other cities?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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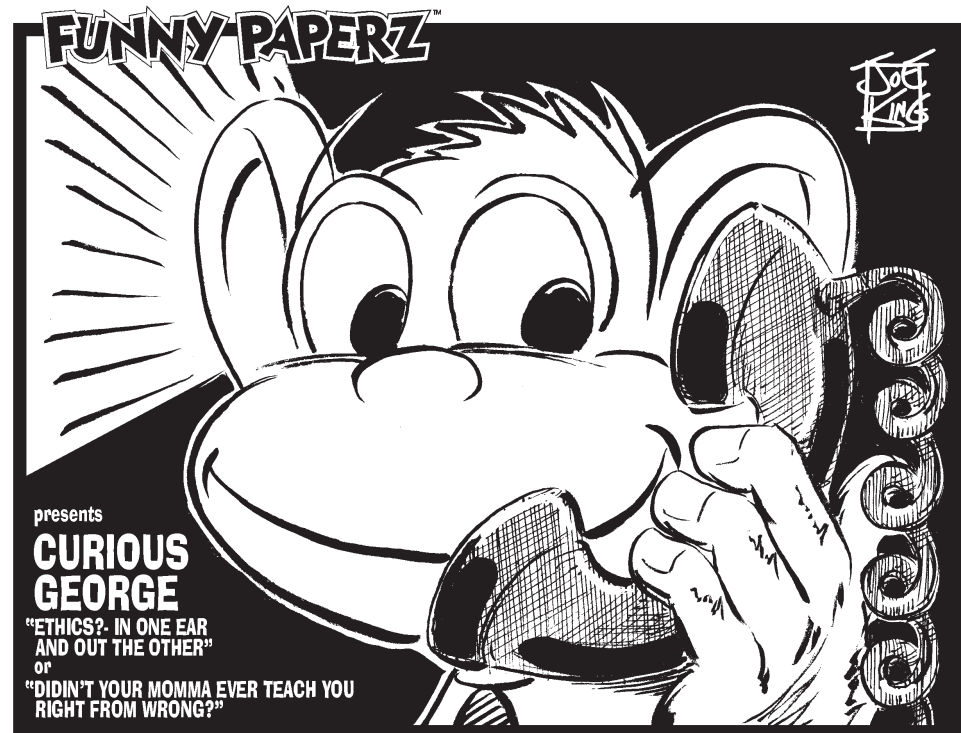
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OPINION



Brokeback: Best or just gayest movie?



**THE
WITNESS
STAND**
BY CLIFF NICHOLS

Did you see the Golden Globe Awards ceremony last week? I did, and must say I found the program not only entertaining, but educational. I guess I never fully appreciated the fact that it is now acceptable to discriminate on the basis of a group's sexual preference. Did you? Well apparently it is. Last week it was obvious that many Globers had selflessly taken it upon themselves to transform what I thought was supposed to be a sexual-orientation-neutral ceremony into a "Hollywood-coming-out-of-the-closet" party. How precious is that?

When I turned it on (excuse the pun), I only expected to watch another semi-boring, run-of-the-mill tribute to narcissism. You know, the typical self-congratulatory ego-fest where — as the camera pans the losers' faces hoping to catch a grimace, if not an actual snarl — winners take the stage to thank, if not their hamsters, their moms, their children and their astrologers. They then proceed to thank a mind-numbing list of industry colleagues known only to them — when in fact we know that what the winner is really thinking is, "Boy, after tonight are the people in this room who didn't help me when I needed them the most going to have to kiss my butt from now on, or what?"

But this year's ceremony was different. Highlights of the evening included one star from Will & Grace boldly informing us that movies and television shows can't possibly be made without gay people — information provided as a subtext of a more general tribute to the series about gay life in which he stars. Then, later, yet another actress seemed to want to dedicate much of her award to the same group, informing the audience how much she admired people who have the courage to remain true to who they are, even when it means their having to put themselves out there on the outer frontiers of what is considered by the mainstream in our culture to be socially acceptable.

Tributes such as these, however, merely served as the foundation of what appeared throughout the program to be an overall desire by many in the room to encourage the unenlightened viewers in "middle America" to accept Hollywood's finding that this was the year a movie about gay sheepherders was really the only obvious choice to win award after award throughout the evening, including those for the year's Best Director, Best Screenplay and Best Drama.

Before we continue, let me be clear about my position. I have no problem with any of this, if that is what the enlightened in Hollywood choose to do, except one. Hollywood's commitment this year to pay tribute to a particular group's sexual orientation and allowing that to appear to be the basis upon which who should win awards was decided seems to set a double standard that is difficult to reconcile, when the rest of us are prohibited by law

from making any of our decisions on that same basis.

To see this point more clearly, suspend your disbelief for a moment and assume that somehow everybody in the world has seen Brokeback Mountain. Further, assume that afterwards they all unanimously agree, by far, that it is not only the best movie to have been released in 2005, but in fact is also clearly the best movie to have been made since the dawn of creation. But, now also further assume that at the Golden Globes it wins no awards in any category, and that when asked, the only reason given by the Globers for their decision was because the sheepherders in the movie were gay, and that was a sexual preference they refused to endorse. Can you imagine the outcry that would ensue? While some Hollywooders would be urging that the Globers be tarred and feathered, others would be found crying, "These Globber bigots can't discriminate like that. The movie's sexual orientation theme should have nothing to do with their decision." And that is my point exactly.

What's the difference between the discrimination of the hypothetical Globers and that of the Globers we witnessed last week? In both instances, their same sexual orientation bias led them to discriminate as to who would — and, perhaps just as importantly, who would not — be awarded Golden Globes. The only distinction I can find appears to be that in the case of the Globers we watched last week, their bias was politically correct, and thus, apparently acceptable.

If our society's goal — as I assume it is for some — is to eventually remove the smear of sexual orientation discrimination from our midst, then would it not have been preferable for the Globers to have shown the world that they had given the Best Movie award to the movie that in fact was the best movie of the year? Instead, they left the unenlightened in "middle America" with the impression that the movie that did get the award was chosen solely on the basis of the very discrimination Hollywood claims to abhor. Rarely does a display of such blatant hypocrisy endear anybody to one's cause. In fact, by the end of the show, many across America probably felt like they had been assaulted.

In their minds, the ceremony was more than just a "Hollywood-coming-out-of-the-closet" party. It was at the same time a "Hollywood-in-your-face" party being hurled at them in complete disregard to their personal feelings, beliefs and morals. Thus, in the end the Globers may have accomplished only further alienating the "middle America" they had hoped to enlighten. In short, if, in fact, Brokeback Mountain deserved the awards it received, I think the Globers went about it in a way that did a disservice to all concerned, and to that, all I can say is, "Good going, Globers."

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com, and you may join his blog at www.thedailystand.com.)

LETTERS TO THE EDITOR

Sometimes it's OK to be mean

Editor:

Regarding Santa Monica being only the ninth meanest to the homeless — "City Hall disputes its mean streak," (SMDP, Jan. 18, page 1). This is one area where my hometown should be proud to shout, "We're number one."

Perhaps when the homeless are finally exiled to Shriver Island at the VA, can tax-paying, law abiding citizens return to a quality of life that has been missing from Santa Monica for decades.

Ron Yukelson
San Luis Obispo

Spying is no joking matter

Editor:

Re: Seth Barnes' "Iconocast Blast" (SMDP, Jan. 19, page 4). Perhaps it's OK to make light of the Bush Administration's unlawful and highly unethical spying and eavesdropping on private citizens like you and me — and of course, the government's real enemies — people like Senator Joe Biden and former President Jimmy Carter. Perhaps. It's only the basic freedoms of the American people that are at stake. So maybe we shouldn't take it lightly, although God knows, a little humor is to be welcomed in this day and age. But I must say, tongue firmly planted in cheek, that if the Bush administration ever did focus on the calls Mr. Barnes listed in glorious detail, I'm sure they'll be glad to find out that there is not much fear from the 20-somethings of America. The dumbing down process they count on seems firmly in place.

Marilyn Brennan
Santa Monica

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 editor@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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Cause of Penn's death undetermined

PENN, from page 1

confirmed, many of them suspected that their neighbor Penn had died and weren't surprised once the news was released.

"I just knew it," said one neighbor, who declined to give her name. "I had a feeling."

Many neighbors said they had been watching Penn's health decline for several months.

"There was a lot of erratic behavior, and I would see him in the middle of the day totally wasted," said a neighbor, who only identified himself as Mike. "He'd get pretty amped up."

The neighbor added that Penn, the younger brother of actor Sean Penn, had gained a lot of weight and was barely recognizable.

"I never saw him healthy," said a neighbor who lives next door. "You knew he was hurting."

An employee at the Fairmont Miramar Hotel, located just a block away from Penn's oceanview condo, said he saw Penn frequently at the hotel in the morning drinking.

Another passerby who heard the news said he was shocked and saddened by Penn's death.

"That sucks, he was fun to watch," he said.

At about 6:30 p.m., Penn's mother, Eileen Ryan, pulled up in front of the building. As she walked to the front door, she covered her face as paparazzi snapped photos of her. An unidentified friend of Penn's immediately came to her aid and pushed a cameraman away, knocking his equipment to the ground.

"You don't stick cameras in a woman's face whose child just died," Penn's friend said. "You're a f--ker."

Sean Penn's publicist, Mara Buxbaum, issued a statement saying that "the Penn

family would appreciate the media's respect of their privacy during this difficult time."

For more than an hour, Ryan and Penn's friends and family were seen sitting in the building's lobby as onlookers and the media watched from the sidewalk. Ryan finally moved to a location where she couldn't be seen. Later the complex's glass doors were shielded with papers that had been taped up.

Sean Penn was not seen at the building on Tuesday night, nor was his other brother, Michael Penn, a musician.

Shortly before 8:30 p.m., the coroner removed Penn's body through the building's back door in the alley between California and Idaho avenues.

Born on June 10, 1962, Penn began acting at 12 years old, according to Wikipedia. In 1983, he made his feature film debut in Francis Ford Coppola's *Rumble Fish*. He also had a small role in the high school football drama *All The Right Moves*, starring Tom Cruise. Penn appeared in the hit dance musical *Footloose* in 1984 and played a villain in the Clint Eastwood western *Pale Rider* in 1985. In 1986, Penn co-starred with Sean Penn and Ryan in *At Close Range*, according to Wikipedia.

Penn had starred in several other films, including the role of Nice Guy Eddie Cabot in the 1992 Quentin Tarantino crime drama *"Reservoir Dogs,"* and roles in *True Romance*, *Starsky & Hutch* and *After the Sunset*. Penn also was featured on the 2004 video game, *Grand Theft Auto: San Andreas*, as the voice of officer Eddie Pulaski, according to Wikipedia.

His late father, Leo Penn, directed television shows. His mother, Ryan, is an actress whose credits include *"I Am Sam," "Magnolia"* and *"Parenthood."*

Chris Penn's latest film, *"The Darwin Awards,"* was scheduled to premiere Wednesday at the Sundance Film Festival.



Carolyn Sackariason/Daily Press

Eileen Ryan, mother of actor Chris Penn, on Tuesday sits in the lobby of an Ocean Avenue condominium complex with friends of the family, mourning the death of her son.



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New legislation will address 'dumping'

NY TOUR, from page 1

the country, but now it's also the homeless capital of the country," Murphy said. "There are more than 83,000 homeless living in Los Angeles County's streets, a significant number on Skid Row.

"Meanwhile, New York has an entirely different story...it's on track to cut its homeless population by two-thirds in five years."

Murphy said Cedillo plans to introduce legislation, called the Community Reunification Act, with several provisions aimed at combating homelessness downtown. The legislation calls for making the Skid Row area a "narcotic zone" in which there will be tougher penalties for drug dealing within 1,000 feet of treatment centers.

At the same time, Sen. Cedillo and the LAPD hope to determine the feasibility of putting into place a "community court," similar to one that New York has, through which certain homeless individuals may be removed from the criminal justice system in exchange for their willingness to undergo treatment.

In addition, the legislation will seek to require that municipalities throughout the state do their fair share to address their homelessness. Murphy said this element

PLAN, from page 1

inating the creation of the action plan.

The initial draft of the plan should be ready for a vote by Bring LA Home's executive committee by Feb 9., and if approved would then go before the blue-ribbon panel for consideration. There is hope that the final plan will be published and released to the public by March 10.

There have been questions as to whether Bring LA Home could represent a coordinated effort, considering the vast number of parties involved, as well as a 2004-2005 mayoral campaign in the city of Los Angeles that seemed to put things on hold. Some members of the task force's blue-ribbon panel have criticized its slow pace at times. These critics include advocate Ted Hayes of the Dome Village homeless center near Downtown Los Angeles.

Referring to the group's name, Hayes said, "They have been doing absolutely nothing. That's what the acronym says, blah, blah, blah, as in nothing getting done. It seems to me that BLAH is dead in the water."

According to the organization's Web site, the blue-ribbon panel has not met since March of last year.



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Delegation to examine NY's community court

NY TOUR, from page 5

of the legislation would aim to limit the homeless "dumping" that goes on in downtown Los Angeles, in which some cities relocate homeless people after they commit infractions within their city limits, she said.

LAPD Capt. Andrew Smith works downtown and deals with homeless issues on Skid Row. One of the top police priorities during the visit will be to gauge the effectiveness of New York's community court, Smith said.

Smith says it may be possible to put such a court in place in downtown Los Angeles, with modifications to suit the region's needs.

"We have an opportunity to have a designated court that offers homeless people alternatives to the knee-jerk reaction of putting them in jail for minor crimes they may have committed," Smith said.

Smith said those traveling with the delegation are influential people in the Southland committed to fighting homelessness. He said he hopes their participation will further regional efforts to fight the growing problem more effectively.

Three representatives will be attending from Santa Monica. They include Edmund D. Edelman, City Hall's new homeless czar; City Councilman Richard Bloom; and Kate Vernez, City Hall's government relations officer.

City Councilman Bobby Shriver, another homeless advocate, is out of town this week and wasn't available for comment. Officials said he wanted to participate with the delegation but couldn't attend.

Edelman has indicated he hopes to review New York programs that may be suited for the Santa Monica area, including its supportive housing and job training.

"I'll be looking at the humane ways New York has been able to get the homeless off the streets and provide them with a roof over their heads and jobs," Edelman said.

He'll also attempt to further understand the "community court" concept and how it may be suited for the LA and Santa Monica area, he said.

City Hall's human services division, which helps coordinate homeless programs in Santa Monica, is currently working with the Santa Monica Police and service providers to use the criminal justice system more effectively. Options include allowing transients guilty of misdemeanors to choose to take part in a service program over jail time.

However, the impact of alternative sentencing — when the judge gives the choice of service over jail time — is limited since Los Angeles County Jail typically doesn't hold persons sentenced for non-violent misdemeanors for more than 72 hours.

According to city staff, that means transients have little incentive to take part in programs because they will be back on the streets shortly after they're arrested.

The city of Santa Monica is investigating the feasibility of paying for beds at the county jail, so that offenders facing longer jail time might find services to be a more attractive option than incarceration.

Bloom said the delegation's trip will be

PLAN, from page 5

However, Santa Monica City Councilman Richard Bloom, a blue-ribbon member, said executive committees studying specific topics have been meeting at least once a week this month in anticipation of the action plan's release. He said that although on the outside it may not look as if much is taking place, behind the scenes there is a lot of activity, with staff putting the finishing touches on the 10-year plan, as well as stakeholders offering their opinions on what should stay and what should be removed.

"In a perfect world, I would hope we were further along," said Bloom, who is heading to New York City today to study the city's homeless plan. "But this is not a perfect world, so my entire focus at this time is to concentrate on the plan so that it is released on its current schedule. That said, I'm pleased with where we are right now, and I look forward to the eventual plan's release in the near future."

On average, 84,000 people in Los Angeles County are homeless on any given night, with more than 236,000 homeless at some point during the course of a single year.

To reduce these numbers, the plan will focus on three areas:

■ **Chronic homeless:** The federal definition of this sub-population is that it consists of single adults over the age of 18 who have been homeless for more than one year, with either substance use issues and/or mental health issues. The Los Angeles Homeless Services Authority (LAHSA) has taken the lead in developing this facet of the plan.

■ **Homeless families:** LAHSA has taken the lead in developing this plan, co-chaired by LA County Department of Social Services and Beyond Shelter.

■ **Homeless prevention and systems integration:** This work group has three subcommittees — income and employment, services and housing.

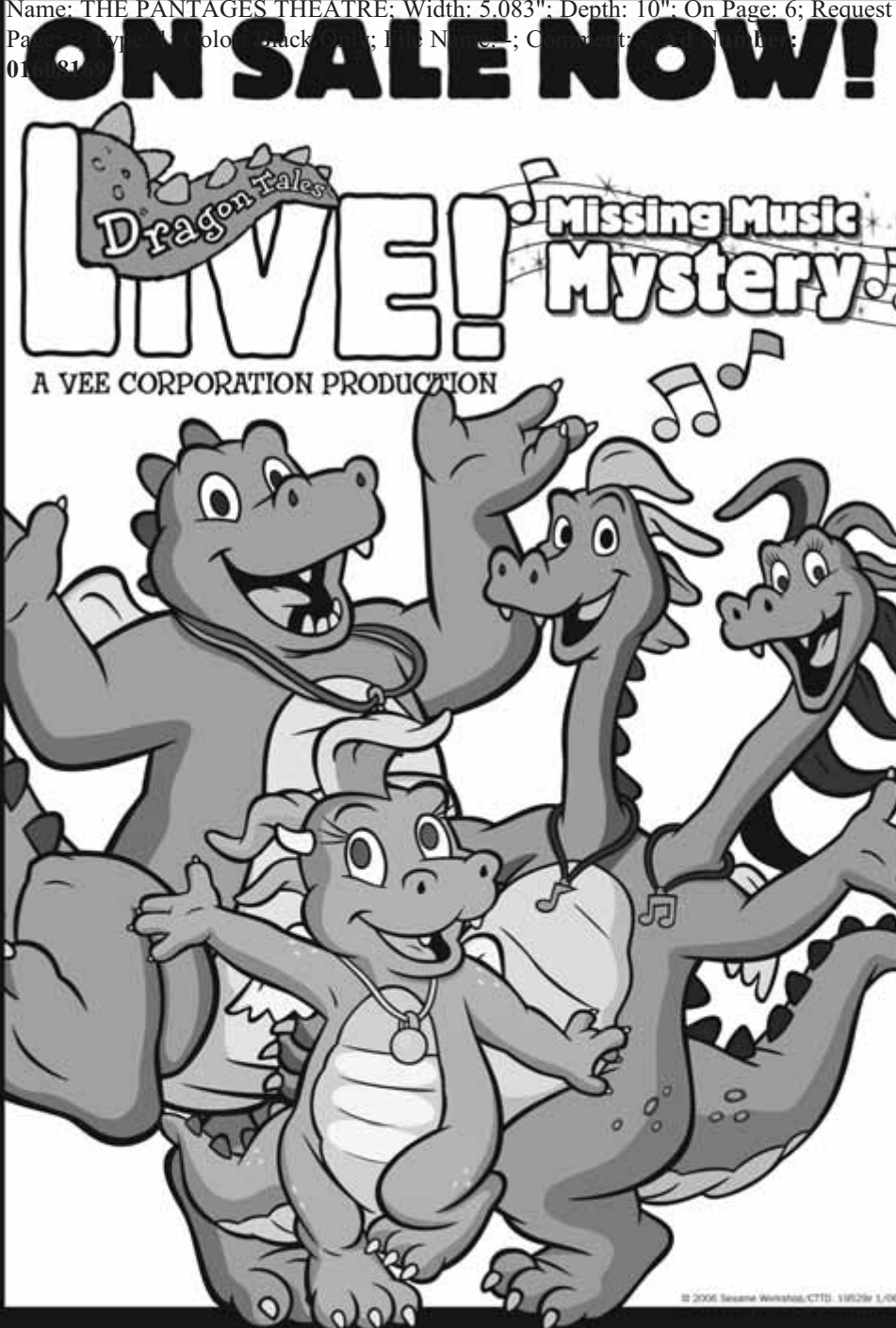
Bloom said Santa Monica residents should pay close attention to the action plan when it is revealed because it will most likely call for a regional approach to ending homelessness and ask cities like Santa Monica, which has been at the forefront of the issue, to lend a greater hand in implementation and execution of the plan.

"A rising tide will carry all boats," he said. "It is very clear to me, and I think it is becoming increasingly clear to everyone in the region as well, as we see more and more leaders begin to focus on homelessness and the great tragedy that it presents to our community, the only way we can solve this problem is if we are working together."

a first for the Southland, an indication that leaders throughout the region are realizing the importance of working together to help the down and out.

"It's an historical sign everyone is realizing we have a common objective and individual agendas are not going to provide long-term solutions to the problem," Bloom said.

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Hacker pleads guilty to renting out attack network

BY DAN GOODIN
AP Technology Writer

SAN FRANCISCO — A 20-year-old hacker admitted Monday to surreptitiously seizing control of hundreds of thousands of Internet-connected computers, using the zombie network to serve pop-up ads and renting it to people who mounted attacks on Web sites and sent out spam.

Jeanson James Ancheta, of Downey, Calif., pleaded guilty in Los Angeles federal court to four felony charges for crimes, including infecting machines at two U.S. military sites, that earned him more than \$61,000, said federal prosecutor James Aquilina.

Under a plea agreement, which still must be approved by a judge, Ancheta faces up to 6 years in prison and must pay the federal government restitution. He also will forfeit his profits and a 1993 BMW. Sentencing is scheduled for May 1.

Prosecutors called the case the first to target profits derived from use of "bot-nets," large numbers of computers that hackers commandeer and marshal for various nefarious deeds. The "zombie" machines' owners are unaware that parasitic programs have been installed on them and are being controlled remotely.

Botnets are being used increasingly to overwhelm Web sites with streams of data, often by extortionists. They feed off of vulnerabilities in computers that run Microsoft Corp.'s Windows operating system, typically machines whose owners haven't bothered to install security patches.

A November indictment charged Ancheta with 17 counts of conspiracy, fraud and other crimes connected to a 14-month hacking spree that started in June 2004 and that authorities say continued even after FBI agents raided his house six months later.

"Part of what's most troubling about those who commit these kinds of offenses is they think they'll never be caught," said Aquilina, who spent more than a year investigating Ancheta and several of Ancheta's online associates who remain uncharged co-conspirators.

Ancheta's attorney, federal public defender Greg Wesley, did not immediately return phone calls seeking comment.

Ancheta, who appeared in court wearing a green jumpsuit and handcuffs, has been in federal custody since his November indictment. He previously

worked at an Internet cafe owned by a relative and had hoped to join the military reserves, according to his aunt, Sharon Gregorio. Court documents suggested he had a taste for expensive goods, spending \$600 a week on new clothes and car parts.

The guilty plea comes less than a week after the FBI released a report that estimates viruses, worms and Trojan horse programs like the ones Ancheta employed cost U.S. organizations \$11.9 billion each year.

November's 52-page indictment, along with papers filed last week, offer an unusually detailed glimpse into a shadowy world where hackers, often not old enough to vote, brag in online chat groups about their prowess in taking over vast numbers of computers and herding them into large armies of junk mail robots and arsenals that flood Web sites with data until they crash.

Ancheta one-upped his hacking peers by advertising his network of "bots," short for robots, in chat groups.

A Web site Ancheta maintained included a schedule of prices he charged people who wanted to rent out the machines, along with guidelines on how many bots were required to bring down a particular type of Web site.

In July 2004, he told one chat partner he had more than 40,000 machines available, "more than I can handle," according to the indictment. A month later, Ancheta told another person he controlled at least 100,000 bots, and that his network had added another 10,000 machines in a week and a half.

In a three-month span starting in June 2004, Ancheta rented out or sold bots to at least 10 "different nefarious computer users," according to the plea agreement. He pocketed \$3,000 in the process by accepting payments through the online PayPal service, prosecutors said.

Starting in August 2004, Ancheta turned to a new, more lucrative method to profit from his botnets, prosecutors said. Working with a juvenile in Boca Raton, Fla., whom prosecutors identified by his Internet nickname "SoBe," Ancheta infected more than 400,000 computers.

Ancheta and SoBe enrolled as affiliates with online advertising companies, an arrangement that allowed them to receive a commission each time ad software was installed on a machine they had referred.

The software from the two companies serves pop-up ads and collects information about the sites a user visits.

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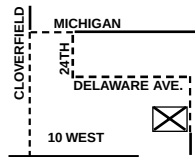


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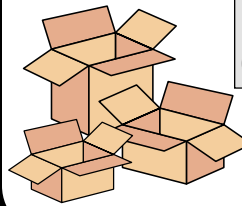
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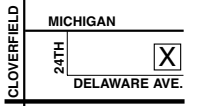


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STATE

Laguna tradition becomes battleground

BY GILLIAN FLACCUS
Associated Press Writer

LAGUNA BEACH, Calif. — For 40 years, this quaint city overlooking the Pacific has united around its annual Patriots' Day Parade, a celebration of school marching bands, charities, civic groups and military personnel.

This year, however, the small-town tradition has become an unlikely battlefield in the national debate over illegal immigration.

The nonprofit group that runs the parade recently rejected a float sponsored by the Minuteman Project, a self-styled border patrol run by illegal immigration opponent Jim Gilchrist. Now, his group is threatening legal action on free-speech and discrimination grounds and has gone

to the airwaves to criticize the liberal city and its parade.

Organizers have had to field a stream of e-mails and phone calls from Minuteman supporters.

The controversy has shaken Laguna Beach, a bohemian town of 24,000 tucked into coastal hills that's best-known for its vibrant arts scene, ocean vistas, laid-back atmosphere and prominent gay population.

Despite the commotion, however, members of the Laguna Beach Patriots' Day Parade Association Inc. voted unanimously Monday to stand their ground.

"This is utter nonsense. It's taken on a life of its own," said Charles J. Quilter II, association vice president and a retired Marine colonel. "We're just trying to do the right thing for a small-town parade."

The issue began when two members of

the Minuteman Project who live in Laguna Beach filled out an application to enter a float in the March 4 parade on behalf of their group.

The parade committee, however, turned down the application because it found the group's participation would violate its bylaws, which ban groups with a religious or political affiliation or message. The association, which isn't affiliated with the city, puts on the show each year for about \$10,000, Quilter said.

The Minuteman Project, co-founded by Gilchrist, uses volunteer civilians to patrol the U.S.-Mexico border for illegal immigrants. Gilchrist ran unsuccessfully for the 48th congressional district last year and has suggested he may challenge Gov. Arnold Schwarzenegger for re-election.

The organization proposed a float bearing dancers who would perform a choreographed act with binoculars and folding chairs to imitate border patrollers and another group of actors in Revolutionary War costumes, Gilchrist said Monday during a telephone interview. About 400 civilian volunteers would follow the float on foot, he said.

Gilchrist maintains that the Minuteman Project isn't political and that many of the parade's past and current entrants violate the same rule, including a gay men's choir, a peace group and a local center that runs a day laborer center on the city's outskirts. Because of these inconsistencies, he said, his group has retained an attorney

Parade organizers say they just want the controversy to end so they can continue planning an annual treat.

and plans to file a lawsuit alleging discrimination and violation of free speech by the end of the week.

"They say the Minuteman Project is controversial, but so is the gay group and so is the vigil for peace. Every time I go down to the Main Beach there, I see them protesting" against the Iraq war, said Gilchrist, who is also a former Marine. "I have no objection to any of these other groups, so why are they discriminating against us?"

Parade organizers say they just want the controversy to end so they can continue planning an annual treat, a parade where "half the town's in it and the other half's watching," Quilter said.

"These hateful calls and e-mails can really wear a person down," Quilter said. "I think the issue that they're trying to raise is an important part of the national debate ... But it's a political dialogue and has nothing to do with a small-town parade."

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NATIONAL



Drug suspects, officials face off in Texas

By The Associated Press

SIERRA BLANCA, Texas — Men dressed as Mexican Army soldiers, apparent drug suspects and Texas law enforcement officers faced off on the U.S. side of the Rio Grande, an FBI spokeswoman said Tuesday.

Andrea Simmons, an agency spokeswoman in El Paso, told The Associated Press that Texas Department of Public Safety troopers chased three SUVs, believing they were carrying drugs, to the banks of the Rio Grande during Monday's incident.

Men dressed in Mexican military uniforms or camouflage were on the U.S. side of the border in Texas, she said.

Simmons said the FBI was not involved and referred requests for further details to U.S. Immigration and Customs Enforcement.

The Inland Valley Daily Bulletin of Ontario, Calif., reported Tuesday that the incident included an armed standoff involving the Mexican military, suspected drug

smugglers and nearly 30 U.S. law enforcement officers. It said Mexican military Humvees were towing what appeared to be thousands of pounds of marijuana across the border into the United States.

The incident follows a story in the Bulletin on Jan. 15 that said the Mexican military had crossed into the United States more than 200 times since 1996.

Chief Deputy Mike Doyal of the Hudspeth County Sheriff's Department told the newspaper that Border Patrol agents called for backup and were joined by Hudspeth County deputies and DPS troopers. Mexican army personnel had several mounted machine guns on the ground more than 200 yards inside the U.S. border, the newspaper said.

Doyal said deputies captured a Cadillac Escalade that had been reported stolen from El Paso, and found 1,477 pounds of marijuana inside. He said Mexican soldiers set fire to one of the Humvees stuck in the river.

The site is near Neely's Crossing, about 50 miles east

of El Paso, it said.

"It's been so bred into everyone not to start an international incident with Mexico that it's been going on for years," Doyal said.

"When you're up against mounted machine guns, what can you do? Who wants to pull the trigger first? Certainly not us."

After the newspaper reported on Mexican military crossings, Homeland Security Secretary Michael Chertoff said the report was overblown and most of the incursions were just mistakes.

In eastern California, Arizona and New Mexico, the U.S.-Mexico border is largely unmarked. But in Texas, the Rio Grande separates the two countries and even when dry, is a riverbed about 200 feet wide.



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People in real estate to watch in 2006 and beyond

**DAYS ON
THE MARKET**
BY JODI SUMMERS

Last week we covered last year's real estate industry movers and shakers. This week, we offer you our list of candidates for people to watch in 2006:

■ Ben Bernanke, incoming Federal Reserve Board Chairman. Bernanke steps in when Alan Greenspan officially leaves the Fed Chief post in late January. Liked by many, stocks soared 160 Dow points in response to his nomination. Most everyone expects he'll keep his pledge to maintain the Fed's stance on monetary policy and keeping the system transparent. Bernanke has said he sees price stability "as monetary policy's greatest contribution to general economic prosperity."

The 51-year-old former Princeton University professor has served as a Fed governor and is considered one of the country's top monetary scholars.

"As far as housing, he (Bernanke) recently made a statement that he doesn't think there's a housing bubble," said Doug Duncan, chief economist for the Mortgage Bankers Association. "That was music to our ears. He's exactly where we are: Some local markets will see adjustment, but nationwide there's not a bubble."

"With respect to monetary policy, I will make continuity with the policies and policy strategies of the Greenspan Fed a top priority," Bernanke noted to the Senate Banking Committee at his confirmation hearing.

■ Dale Stinton, CEO of the 1.2 million-member National Association of Realtors. A changing real estate market, a lawsuit with the U.S. Justice Department and tax reform proposals that could dash the mortgage-interest tax deduction are the primary issues Stinton faces in 2006. Currently the NAR is defending itself against a U.S. Justice Department antitrust lawsuit regarding NAR's policies for the online display of property listings.

In addition, the association is attempting to curb online intermediaries that seek profit from using real estate listings data. Several state realtor groups have backed legislation banning some discount, limited-service real estate business models, prompting opposition from federal antitrust officials. Realtor-owned MLSs in some markets are blocking some types of real estate listings from reaching home-search Web sites such as Realtor.com.

■ Craig W. Conrath, counsel, U.S. Justice Department. Conrath is the lead counsel for the Department of Justice in its civil antitrust lawsuit against the National Association of Realtors. The Justice Department's amended complaint seeks to block the association "from maintaining or enforcing policies that restrain competition from brokers who use the Internet to more efficiently and cost effectively serve home sellers and buyers, and from adopting other related anticompetitive rules."

NAR filed a motion to dismiss the case in early December and the DOJ has 60 days to respond.

■ Jack R. Bierig, Sidley Austin Brown & Wood LLP. As lead counsel for NAR in the case against the Justice Department, Bierig is defending the real estate trade

group's policies, which anti-trust officials claim restrain trade. NAR's inside counsel has publicly stated that NAR is prepared to defend its actions in court. They are currently attempting to toss out portions of a Justice Department antitrust lawsuit that target the trade group's former online listings policy and so-called "opt-out" provisions that allow brokers to withhold the listings from other brokers.

■ Justin McCarthy, head of local sales, Google. Google refers more traffic to real estate Web sites than all other search engines combined. McCarthy gets the credit for leveraging Google's volume of real estate searches and attracting the leading real estate companies as pay-per-click advertising clients.

Google has researched what kind of real estate searches people do on their site, and they discovered more than half of all searches were seeking listings and sales comparables. More than a third are looking for agents.

■ Richard Barton, CEO, Zillow.com. Barton and his partner Lloyd Frink were founders of the travel site Expedia.com. Zillow.com, set to debut this year, is their real estate venture.

"We see in real estate right now customers are beginning to take control and habits will start to change," Barton said. He cites the California Association of Realtors study that concluded that a person using the Internet to research homes averages just under two weeks with a realtor before entering a transaction, while a traditional off-line client spends about seven weeks with an agent.

"Instead of everyone kind of observing the Web, they are contributing to the Web," Barton notes. "Consumer behavior has changed, and the business model has not changed."

■ Craig Newmark, founder and customer service representative for Craigslist — the online community of local want ads — is the quintessential user-generated content Web site. The site includes classifieds and message boards where people can connect with each other, sell property, find an apartment and find a job.

Newmark founded the first Craigslist site in San Francisco in 1995, and now has expanded to include 190 Craigslist sites in 50 states and 35 countries. Craigslist boasts more than 10 million users per month, and receives more than 3 billion page views per month.

■ Real estate bloggers. They show an innovative way of thinking about real estate in the media. They've pushed the envelope beyond traditional "experts" writing real estate articles for consumers, and expanded the editorial view to include our view on property and living.

Alex Stenback created the Minneapolis mortgage broker's blog Behind The Mortgage in 2004 "out of my own frustration," he said. "There was no good spot to find out what local people were talking about regarding local real estate and mortgages."

In 2005, he broke a story about FBI investigation into local mortgage fraud. The blog brought in between \$3 million and \$4 million in mortgage originations in 2005.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call 310-309-4219. Visit her community history Web site at www.santamonicalandmarks.com.)

Protecting all parties in a condominium sale

BY MICHAEL T. CHULAK
Special to the Daily Press

Question: I am a new real estate agent and would like to specialize in selling condominiums. What types of disclosures are required to be made before a condominium can be sold?

Answer: Before a separate interest (unit in a condominium, lot in a planned development, or right to occupy in a stock cooperative) can be sold, the owner is required to provide the following to the prospective buyer:

- (1) CC&Rs, bylaws and association rules.
- (2) A statement from the association's representative as to the amount of the regular and special assessments, fees and, if applicable, the amount of any unpaid assessments and/or other charges.
- (3) Any change in the association's regular and special assessments and fees that have been approved but have not yet become due and payable.
- (4) If applicable, a list of preliminary construction defects.
- (5) If applicable, any settlement agreement between the association and builder regarding construction defects.
- (6) The association's operating budget,

which must include a summary of the association's reserve study.

(7) A review of the association's last financial statement prepared by a licensee of the California State Board of Accountancy, if the annual gross income of the association exceeded \$75,000.

(8) A statement describing the association's policies and practices in enforcing lien rights or other legal remedies for default in payment of its assessments.

(9) A summary of the association's insurance coverages.

In addition, sellers are required to disclose to any prospective purchaser any fact materially affecting the value and desirability of the property, including but not limited to, the physical conditions of the property and previously received reports of physical inspections.

Lastly, real estate agents are required to conduct a reasonably competent and diligent visual inspection of the property offered for sale and to disclose to the prospective purchaser all facts materially affecting the value or desirability of the property that an investigation would reveal.

As you can see, the duty to disclose is extensive. It is recommended that you utilize the applicable standard California

Association of Realtors forms and that you take your duty to disclose seriously.

Question: I am purchasing a condominium. What should I review and approve before I make the decision to commit to a purchase?

Answer: All of the items set forth in the answer above, plus the following:

- (1) An inspection report from a licensed and independent home inspector.
- (2) A structural pest control report.
- (3) Minutes of meetings of the board of directors for the last 12 months.

Question: I am considering running for election to the board of directors of my homeowners' association. What types of protections are available to protect me against legal liability for negligent acts?

Answer: Under the California Civil Code, a director cannot be held personally liable if the director is acting:

- (1) As a volunteer (not paid).
- (2) Within the scope of the director's authority.
- (3) In good faith.
- (4) In the absence of willful, wanton or gross negligence.

(5) The association has both general liability and directors/officers liability insurance coverage (\$500,000 minimum for 100 units or less, or \$1 million minimum if over 100 units).

Notwithstanding the above, the association may be held liable for negligent acts of the board of directors.

In addition, the California Corporations Code also provides immunity if the director is acting:

- (1) In good faith.
- (2) In the best interest of the corporation.
- (3) In accordance with the business judgment rule.
- (4) As a volunteer (not paid).

Immunities are not absolute. You should contact legal counsel for additional information and obtain comprehensive insurance coverage from a knowledgeable insurance broker.

(Michael T. Chulak is a partner with Chulak Shiffman Quisenberry & Drescher LLP, Attorneys at Law. Questions can be sent by e-mail to info@CSQDLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information, visit www.CSQDLaw.com and www.HOAQandA.com.)



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Status: NOT ON MLS - LIMITED TIME

Defining, managing risk



IN YOUR SPACE

BY CHRISTINA S. PORTER

As mentioned in last week's column, investors can significantly lower the risk of a failed 1031 exchange with proper planning and the right resources. Investors need to identify risk tolerance, whether they are looking for appreciation, income or a combination of the two. They need to decide the level of involvement they want with their investments. Do they want an added value property that will take time and energy or one that produces a monthly check with little or no involvement? That is key to a successful exchange.

Any investment has risk. The question is how much and how to most effectively manage that risk. One of the best strategies for managing risk is to diversify. That means spreading the investments out in different locations, different asset classes and different risk categories.

There are three rules for identifying replacement properties when doing a 1031 exchange that need to be considered in the investor's strategy. Which rule the investor chooses to use will be driven by the investment strategy and replacement properties available at the time of the exchange.

The three rules are as follows:

1. The Three Property Rule: More than 90 percent of the exchanges TM 1031 Exchange is involved with each year apply this rule because of its simplicity and flexibility. The disadvantage is that the investor must limit the selection of properties to a maximum of three. The advantage is that the properties can be

of any value and the investor need not close on all them to maintain the eligibility for the exchange. When identifying the three properties, the investor need only clearly identify the properties with their name, address and preferably the assessor's parcel number (APN).

2. The 200 Percent Rule: The investor can identify any number of properties for which the total fair market value (cash and debt) does not exceed more than 200 percent of the relinquished property. When identifying these properties, the name, address, total value (cash and debt) and preferably the APN are used. This rule is far less frequently used because it limits the total value of the replacement properties and many investors would like to increase the amount of debt to increase available depreciation. It should also be noted that this rule does not allow the investor to materially change the

amount of their investment in any one property once identified.

3. The 95 Percent Rule: This rule is seldom used because the investor must close on 95 percent of the total value of all identified properties or the entire exchange will be disqualified. Most investors simply don't want to take the risk that one of their named properties could fail to close and disqualify the entire exchange.

Using this rule, the investor can name any number of properties of any value. When identifying properties, the value (cash and debt), name, address and preferably the APN need to be submitted to the qualified intermediary.

In summary, the first step in the planning process is to determine the investment objectives and that those objectives are realistic in the context of available properties and the desired risk tolerance. During that process, the above rules should be kept in mind to make sure that the strategy decided on can be achieved in the framework of the rules governing 1031 exchanges.

To avoid problems and the possibility of having a failed exchange, investors

are encouraged to start planning prior to the sale of their relinquished properties.

While it is better to pay the taxes than to make a bad investment, with proper planning and resources there is no reason that the investor can't successfully complete their exchange and realize the benefits of diversification (reduced risk), improved cash flow, and eliminate management headaches.

Investors are encouraged to consult their tax advisor and/or legal counsel when contemplating doing a 1031 exchange.



(You can reach Christina Porter at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit. TM 1031 Exchange successfully did over \$100 million of 1031 exchanges in 2005.)

SAMPLE INVESTMENT PROPERTIES

Net Leased (No Management)

Tenant	State	Price	Cap Rate
FedEx Ground	MO	\$2,143,000.00	7.00%
Bally Total Fitness	MI	\$5,250,000.00	8.60%
Coca Cola Distribution Center	LA	\$5,400,000.00	7.40%
Barnes and Nobel	PA	\$9,062,000.00	6.80%
GKN Automotive	MI	\$19,000,000.00	7.10%

Tenant In Common (No Management)

Type	State	Minimum Investment Cash	Year 1 Cash On	Year 5 Cash On
Assisted Living	All	\$100,000.00	10.00%	10.00%
Flex Office Warehouse	CA	\$100,000.00	6.00%	17.00%
Office Warehouse	LA	\$182,000.00	9.16%	12.68%
Food Lion Retail Center	NC	\$400,000.00	7.81%	10.70%
Office	NV	\$750,000.00	7.50%	8.52%

*The above is a sample of the types of properties that are selling across the country.

* The cash on cash amounts quoted are estimated and not guaranteed.

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Documentary delves into border fight

BY DEBBIE HUMMEL

Associated Press Writer

SALT LAKE CITY — After a boisterous 2004 convention aimed at rallying support for an Arizona proposition to combat voter fraud among undocumented immigrants, a Mexico native wheels a cart into the hotel ballroom to clean up.

In meek, broken English he says he has no problem with the people expressing their views, but when they talk about kicking sick immigrant children out of hospitals it bothers him.

Such is the dilemma presented in Joseph Mathew's documentary, "Crossing Arizona," which examines both sides of the immigration debate in Arizona with an eye toward showing the failings of U.S. immigration policy. The film is in the documentary competition of the Sundance Film Festival, which runs through Sunday.

Mathew, a former photojournalist who was an occasional freelance photographer for The Associated Press in Baltimore several years ago, said he was drawn to the issue after hearing about the humanitarian crisis Arizona was facing as it became a major immigration thoroughfare after the mid-1990s.

Two immigration policies — Operation Hold the Line in 1993 and Operation Gatekeeper in 1994 — heightened security near the urban centers of El Paso, Texas, and San Diego, respectively. That, the film shows, left illegal immigrants with only one option, traveling for days through one of the most unforgiving environments on the continent, the Southwest's Sonoran Desert. It is estimated that 4,500 undocumented people try to cross the desert each day. The U.S. Border Patrol tallied a record 253 immigrant deaths in 2005 in Arizona.

It is in that harsh landscape that Mathew found the groups of people who embody the immigration dilemma. They are both the humanitarian organizations that fill water tanks hoping to save lives and the members of the burgeoning "Minuteman" movement made up of citizens taking the fight against illegal immigration into their own hands.

"The initial focus was trying to cover the humanitarian crisis in Arizona," Mathew said. But as he watched the voter-fraud ballot measure, Proposition 200, heat up in the state and saw vigilante border-watcher Chris Simcox's group gain national attention, the political debate became an integral part of the story, he said.

"When we first met Chris Simcox he was really nobody," Mathew said. "Suddenly he's on CNN with Lou Dobbs. It was this incredible story happening right before our eyes. This thing we were covering locally became a huge national story."

The power of the debate continues to follow the film,

Mathew said.

On Mathew's invitation several of the documentary's subjects have traveled to the festival to be part of the question-and-answer sessions that follow each screening. Among them is Mike Wilson, a member of the Tohono O'odham American Indian tribe, who is shown in the film stashing gallons of water around the tribe's reservation which abuts the Arizona-Mexico border. He does this work on behalf of the aid organization Humane Borders, whose workers aren't allowed on the reservation, and against the wishes of his own tribe. Ray Ybarra, who is shown in the film following the Minutemen as a human rights observer for the ACLU, also attended screening.

Simcox attended the first screening of the film Friday and brought some Minutemen with him, Mathew said.

"The Q-and-A was really heated," he said. "Sundance is such a filmmaker's festival, but there wasn't one question about how the film was made."

Mathew said he began filming in February 2004, the last shooting took place in November 2005 and some news clips were being added just weeks ago.

"We wanted to make it as current as possible," he said. "We were taping C-SPAN as we were editing film" in December.

The documentary shows several scenes from the 2004 presidential election; the front lines of the fight against the Arizona proposition, which passed, and from floor debate in the U.S. House of Representatives as it passed a bill to toughen border enforcement in December. The bill is expected to be taken up by the U.S. Senate next month.

But amid the political debate are the scenes of real people dealing with the effects of immigration policy:

■ A man comes out of the brush to flag down Wilson, who is hiding water on the reservation. The immigrant says he's been separated from the rest of his group, doesn't know where he is and has little food or water. As Wilson explains that the best thing for the man to do is head to the highway and go willingly with Border Patrol agents when they spot him, the immigrant breaks down in tears. He tells Wilson and the camera that his wife needs surgery that he can't afford. Then, he heads off, dejected, toward the highway.

■ Ranchers along the border show the impact that illegal immigrants have on their land. One rancher, Phil Krentz, estimates that he's lost more than \$1 million over the years on escaped and lost cattle, rebuilding damaged fences and cleaning up garbage so his cows don't eat it and die.

■ A farmer talks on camera with his face obscured as dozens of illegal immigrants pick peppers behind him. He fears immigration agents will deport his employees. "If we lose these guys we lose a whole week" of harvest-

ing. It's enough to ruin him, he says.

It's these vignettes, on both sides of the debate, that give the documentary its heft.

"It was not our intention to vilify anyone. U.S. border policy is not serving anyone at this point," Mathew said.

IS IT TIME TO ROLL OVER YOUR NEST EGG?

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West LA To Malibu On Line 534

Metro Bus Line 534 (formerly Line 434) offers service from the West LA Transit Center at Fairfax Avenue and Washington Boulevard to Malibu. The line also serves Santa Monica, Venice, Pepperdine University and the J. Paul Getty Museum Getty Villa when it reopens later this month. Check it out at metro.net.

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Mexican commission to give migrants maps showing water stations

BY MARK STEVENSON
Associated Press Writer

MEXICO CITY — A Mexican government commission said Tuesday it will distribute at least 70,000 maps showing highways, rescue beacons and water tanks in the Arizona desert to curb the death toll among illegal border crossers.

The National Human Rights Commission, a government-funded agency with independent powers, denied the maps would encourage illegal immigration. Officials said they would help guide those in trouble to rescue beacons and areas with cell phone reception. The maps will also show the distance a person can walk in the desert in a single day.

“We are not trying in any way to encourage or promote migration,” said Mauricio Farah, one of the commission’s national inspectors. “The only thing we are trying to do is warn them of the risks they face and where to get water, so they don’t die.”

But some advocates of greater immigration control were irritated by the map announcement.

“What’s next, are they going to buy them bus tickets to Chicago?” said Mark Krikorian, executive director of the Center for Immigration Studies, a Washington-based think tank. “It’s clearly a bad thing for Mexico to be encouraging illegal immigration.”

Farah said the maps are not making it easier to cross the border, but are “simply making survival easier.”

He estimated that around 500 Mexicans died tried to cross the border in 2005. Many die in the desert, where

summer temperatures soar above 100 degrees Fahrenheit, and many drown while attempting to cross the Rio Grande river. The Border Patrol has said it counted 415 deaths in the fiscal year ending Sept. 30.

The commission plans to hang the poster-size maps in March in places where migrants will see them, such as migrant-aid groups, the commission’s offices and in Mexican border towns.

They were designed by the Tucson, Ariz.-based rights group Humane Borders, which operates some of the desert water stations. The group previously distributed about 100 posters in the Mexican border town of Sasabe.

The Rev. Robin Hoover, president of Human Borders, said maps are needed in southern Mexico so migrants can weigh the risks before leaving home.

Some of the posters have warnings, such as “Don’t go. There isn’t enough water.”

However, officials conceded many migrants were unlikely to heed the advice.

The posters are similar to a comic-style guide booklet for migrants distributed by the government in early 2005 that warned about the perils of crossing illegally into the United States, while offering tips to stay safe.

The booklet, of which about 1.5 million were printed, enraged some advocates of stricter immigration policies in the United States. They argued that it encouraged illegal migration.

Farah said migration “is a human right” and that “the United States should be grateful” the commission is doing something to curb the death toll, because “hundreds of thousands of Mexicans help maintain their economy.”

Conservatives win in Canadian election

BY BETH DUFF-BROWN
Associated Press Writer

OTTAWA — Stephen Harper pledged to quickly carry out his campaign promises to cut taxes, get tough on crime and repair strained ties with Washington after his Conservative Party won national elections and ended 13 years of Liberal Party rule in Canada.

That may be easier said than done.

The Conservatives’ winning margin was too narrow to rule with a majority, a situation that will make it hard for them to get legislation through the divided House of Commons.

Monday’s vote showed that Canadians are weary of the Liberal Party’s broken promises and corruption scandals. They were willing to give Harper a chance to govern despite concerns that some of his social views are extreme.

“Tonight friends, our great country has voted for change, and Canadians have asked our party to take the lead in delivering that change,” Harper told some 2,000 cheering supporters at his campaign headquarters in Calgary.

He said his new government — not likely to be sworn in for several weeks — would immediately move to cut the unpopular national sales tax from 7 to 6 percent, “reform the justice system to fight against crime and gangs,” and begin to allocate \$1,042 to Canadian families for each child they have needing daycare.

He also wants to introduce a federal accountability act that will monitor government spending in an effort to avoid the corruption scandals that have plagued the Liberals.

“We will do this because shuffling the deck in Ottawa is not good enough,” he said. “We need to do this to make the system more accountable to you, the Canadian taxpayers.”

Relations with the Bush administration will likely improve under Harper as his ideology runs along the same lines of many U.S. Republicans.

Harper has said he would reconsider a U.S. missile defense scheme rejected by the Liberal government of Prime Minister Paul Martin. He also said he wanted to move beyond the Kyoto debate by establishing different environmental controls, spend more on the Canadian military, expand its peacekeeping missions and tighten security along the U.S. border to prevent terrorists and guns from crossing.

Final results for the 308-seat House showed Conservatives with 124 seats; Liberals with 103; the Bloc Quebecois with 51, New Democratic Party with 29; and one seat to an Independent.

The Conservatives also earned 10 seats in Quebec, where they were virtually shut out in the last elections of June 2004.

“Our government will build a new and dynamic voice for federalism in Quebec,” Harper said.

The Conservative victory ended more than a decade of Liberal Party rule and could shift the traditionally liberal country to the right on socio-economic issues such as health care, taxation, abortion and gay marriage. Some Canadians have expressed reservations about Harpers’ views opposing abortion and marriages between gays and lesbians.

Swiss investigator says U.S. ‘outsourced’ torture

BY JAN SLIVA
Associated Press Writer

STRASBOURG, France — The head of a European investigation into alleged CIA secret prisons in Europe said Tuesday that evidence pointed to the existence of a system of “outsourcing” of torture by the United States, and that it was highly likely European governments were aware of it.

Swiss Sen. Dick Marty said there was no tangible proof so far of the existence of clandestine centers in Romania or Poland as alleged by the New York-based Human Rights Watch, and complained of a lack of cooperation by EU governments.

His interim report did not break new ground and largely repeated his previous claims that U.S. policies in the war on terror contravene international law on human rights. Allegations that the CIA hid and interrogated key al-Qaida suspects at Soviet-era compounds in Eastern Europe were first reported Nov. 2 in The Washington Post.

“There is a great deal of coherent, convergent evidence pointing to the existence of a system of ‘relocation’ or ‘outsourcing’ of torture,” Marty said in the report to the Council of Europe, the human rights watchdog on whose behalf he is investigating.

“Acts of torture or severe violation of detainees’ dignity through the administration of inhuman or degrading treatment are carried outside national territory and beyond the authority of national intelligence services,” Marty said. He added that more than 100 suspects may have been transferred to countries where they faced torture or ill treatment in recent years.

“The entire continent is involved,” Marty told the Council of Europe’s parliamentary assembly, a body comprising several hundred national lawmakers. “It is highly unlikely that European governments, or at least their intelligence services, were unaware.”

Marty analyzed the cases of an Egyptian cleric allegedly kidnapped from Milan, Italy, in 2003 by CIA agents and a German captured in Macedonia and taken to Afghanistan in an apparent case of mistaken identity.

Citing an American lawyer, Marty also said six Bosnians were abducted by U.S. agents on Bosnian soil and taken to Guantanamo Bay, despite a Bosnian court ruling ordering their release.

Last week, Italy’s justice minister formally asked the United States to allow Italian prosecutors to question 22 purported CIA operatives they accuse of kidnapping the Egyptian cleric, Osama Moustafa Hassan Nasr, in 2003 from a Milan street.

Nasr, believed to belong to an Islamic terror group, was seized Feb. 17, 2003. Prosecutors claim the cleric, who is also known as Abu Omar, was taken by the CIA to a joint U.S.-Italian air base, flown to Germany and then to Egypt, where he says he was tortured.

Marty also said he would follow up on evidence gathered in the case of Khaled al Masri, a German of Lebanese origin reportedly kidnapped from Germany to Afghanistan, in the next stage of his investigation.

Marty, who is expected to issue another interim report in the next few months, complained there was enormous pressure on him to produce evidence of secret CIA prisons but there was not much help from the Council of Europe or governments.

“Not a single day passes without me being asked, ‘Do you have any hard evidence, is there any proof?’” he said. “I am not a judicial authority, I have no means of investigation, the logistical support available to me is very limited.”

The European Union’s top justice official, Franco Frattini, called on all EU governments Tuesday to “fully cooperate” with the investigators.

The Council of Europe launched its probe after allegations surfaced in November that U.S. agents interrogated key al-Qaida suspects at clandestine prisons in eastern Europe and transported some suspects through Europe to other countries.

Human Rights Watch identified Romania and Poland as possible sites of secret U.S.-run detention facilities. Both countries have denied involvement. Clandestine detention centers would violate European human rights treaties.



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PEOPLE IN THE NEWS

Austrian playboy picks Electra

By The Associated Press

VIENNA, Austria — An Austrian playboy who keeps the Viennese in suspense each winter over his date to the lavish Opera Ball says he’s taking former “Baywatch” star Carmen Electra this year.

Vienna businessman Richard Lugner confirmed Tuesday that Electra, who is married to former Red Hot Chili Peppers guitarist Dave Navarro, will be his guest to the Feb. 23 ball, the most prestigious event on Vienna’s society calendar.

Lugner’s past dates have included another ex-“Baywatch” star, Pamela Anderson, actress Andie MacDowell, former Spice Girl Geri Halliwell, singer-actress-model Grace Jones and the Duchess of York, Sarah Ferguson.

Tickets to the annual ball cost about \$265 and usually sell out months in advance. With extras such as gowns and tuxedos, flowers, limousines, champagne and lavish dinners, the night typically runs \$1,225 or more.

NEW YORK — An actor who appeared in the MTV series “Undressed” has been charged with fatally striking a graduate student with his vehicle and then fleeing the scene.

Wole Parks, who played Brett in the sixth season of the soap opera, pleaded not guilty Monday to charges of operating a motor vehicle while intoxicated, leaving the scene of an accident and third-degree aggravated, unlicensed operation, officials said.

The collision early Sunday killed 25-year-old Hannah Engle, a nonprofit management and Judaic studies student at New York University.

Parks, 23, had a previous drunk-driving conviction and a suspended license, said prosecutor Jonathan Eisenberg. An officer on the scene claimed he smelled alcohol on the driver’s

breath and that Parks had an open can that smelled of alcohol in the car, according to the criminal complaint.

The actor was “in shock” when he fled the crash, defense lawyer Marcia Seckler said at the Manhattan Criminal Court hearing.

He later turned himself in at a police precinct.

PASADENA, Calif. — Jaime Pressly says Joy, her breakout character on NBC’s “My Name Is Earl,” is more than a dozen characters from the South rolled into one.

Specifically, Pressly says she modeled the way Joy talks from three states: a nasally tone she’s heard from women in Virginia, the way she’s seen some Arkansas women talk out of the side of their mouths, and her own fast-talking North Carolina accent.

Pressly’s feisty character, Earl’s ex-wife, has become a hero for women who approach Pressly and say Joy says exactly what they would like to say.

“I’ve thoroughly enjoyed playing her from the day I set foot on that set,” the 28-year-old actress said Sunday.

The range she’s shown with Joy — a gutsy woman who sometimes shows her insecurities — has enabled her to break down stereotypes about her as an actress, she said.

“They’ve never looked at me as someone who could play a vulnerable role,” she said.

LOS ANGELES — “7th Heaven” actor David Gallagher loves cars — as long as they’re made in America.

It’s been nearly a decade since Gallagher landed the role of Simon Camden, evolving from a cute towhead into the troublesome teen on the WB series. Behind the scenes, he’s had a passion for American muscle cars.

The 20-year-old actor has 11 of them.

“I’m way into cars,” Gallagher told duPont Registry’s Celebrity Car magazine, which features a photo spread of his collection in the winter issue of the quarterly, now on newsstands.

“A lot of it has to do with my dad,” Gallagher said. “He was a mechanic my whole life. I grew up with cars. ... I have the utmost respect for American muscle cars.”

His collection includes a 1964 Chevrolet Impala, a 1971 Oldsmobile 442, a 1973 Ford Mustang convertible and a 1967 Pontiac Firebird. He also has a red Dodge Viper and a Plymouth Prowler.

“If you look at my collection, you will notice that all of my cars are American-made,” Gallagher said. “It’s just a personal preference and it’s my way of showing my support for American car manufacturers.”

OWENSBORO, Ky. — A museum dedicated to preserving bluegrass music is planning a week-end camp this summer to teach people how to play the mandolin like Bill Monroe.

The study of Monroe’s style is important because he revolutionized the way the instrument is played, said Justin Holt, a spokesman for the International Bluegrass Music Museum in Owensboro.

A pioneer in bluegrass music, Monroe developed an up-tempo, fiddle-based approach to mandolin while most other mandolin players have used a guitar-based approach, Holt said.

The camp, which will take place Sept. 8-10 to mark the birth and death of Monroe, will be led by five of the top Monroe-style pickers — Frank Wakefield, Mike Compton, Skip Gorman, David Long and Red Henry.

Monroe was born in Rosine, about 35 miles south of Owensboro, on Sept. 13, 1911. He died Sept. 9, 1996.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR JANUARY 24, 2006

Broadway Loews Cineplex

1441 Third St.

(310) 458-1506

King Kong

1pm 4:45pm 8:30pm

Tristan & Isolde

1:15pm 4pm 7pm 9:45pm

Walk the Line

1:45pm 4:30pm 7:30pm 10:30pm

Looking for Comedy in the Muslim World

2:15pm 5pm 7:45pm 10:15pm

Mann's Criterion Theatres

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(310) 395-1599

Hoodwinked

12:20pm 2:30pm 4:40pm 6:50pm

9:00pm

Munich

11:20am 2:50pm 6:30pm 10pm

Memoirs of a Geisha

12:30pm 3:40pm 7pm 10:20pm

The Ringer

12pm 4:50pm 9:30pm

Hostel

12:10pm 2:40pm 5pm 7:40pm

10:10pm

Rumor Has It

2:20pm 7:10pm

Last Holiday

11:10am 1:50pm 4:30pm 7:20pm

10:30pm

AMC 7 Santa Monica

1310 Third St.

(310) 289-4AMC

Cheaper By the Dozen 2

2:15pm 4:40pm

Chronicles of Narnia

1pm 4pm 7pm 10:05pm

The Family Stone

7:10pm 9:40pm

Fun with Dick & Jane

2:30pm 5:10pm 7:40pm 9:50pm

Glory Road

1:40pm 4:30pm 7:20pm 10pm

The New World

1:10pm 4:10pm 7:15pm 10:20pm

Syriana

1:25pm 4:20pm 7:25pm 10:15pm

Underworld: Evolution

2pm 4:50pm 7:30pm 10:10pm

Nuwilshire Theatre

1314 Wilshire Blvd.

(310) 394-8099

Brokeback Mountain

12:15pm 3:45pm 7pm 10pm

Casanova

1pm 4:10pm 7:20pm 9:55pm

Laemmle 4-Plex Theatre

1332 Second St.

(310) 394-9741

Match Point

1:10pm 4:05pm 7pm 9:55pm

Mrs. Henderson Presents

1:45pm 4:30pm 7:10pm 9:45pm

Good Night, and Good Luck

1:15pm 4:30pm 5:45pm 8pm

10:15pm

Why We Fight

1:55pm 4:40pm 7:30pm 9:50pm

Questions or comments? Email calendar@smdp.com

MORE TODAY IN HISTORY

In 1787, Shays’s Rebellion suffered a setback when debt-ridden farmers led by Captain Daniel Shays failed to capture an arsenal at Springfield, Mass.

In 1890, reporter Nellie Bly (Elizabeth Cochrane) of the New York World completed a round-the-world journey in 72 days, six hours and 11 minutes.

In 1890, the United Mine Workers of America was founded.

In 1915, the inventor of the telephone, Alexander Graham Bell, inaugurated U.S. transcontinental telephone service.

In 1947, American gangster Al Capone died in Miami Beach, Fla., at age 48.

In 1959, American Airlines opened the jet age in the United States with the first scheduled transcontinental flight of a Boeing 707.

In 1961, President Kennedy held the first presidential news conference carried live on radio and television.

In 1971, Charles Manson and three women followers were convicted in Los Angeles of murder and conspiracy in the 1969 slayings of seven people, including actress Sharon Tate.

In 1990, actress Ava Gardner died in London at age 67.

Ten years ago: With Republicans bruised by two government shut-downs, the House overwhelmingly approved legislation to keep federal agencies running through March 15, 1996.

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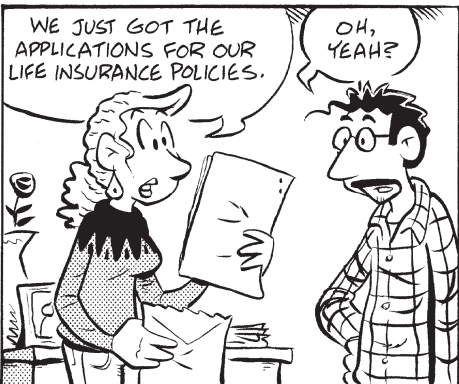


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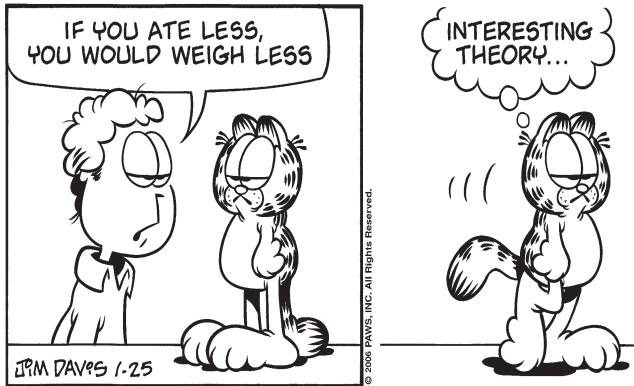
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edge city by Terry & Patty Laban



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ACROSS

- 1 Play parts
- 5 Crowd scene group
- 11 Drench
- 12 Infer
- 13 Black as night
- 14 Top-notch
- 15 Look upon
- 16 Fit for a pinup
- 17 End
- 19 Phone bug
- 22 Stand-in
- 24 Word separator
- 26 Enthusiastic review
- 27 Related
- 28 Toss out
- 30 Winter gliders
- 31 Course number
- 32 Saucer pilot
- 34 Big name
- 35 Have debts
- 38 Offer unwanted advice
- 41 Greedy
- 42 Wise one
- 43 Teen outcast
- 44 Used a lot
- 45 Deuce topper

DOWN

- 1 Auction proviso
- 2 Road crew marker
- 3 Find shelter
- 4 Sun setting
- 5 Periphery
- 6 Persian king
- 7 Waiting aid
- 8 Free (of)
- 9 Blvd. kin
- 10 Marlin's home
- 16 Utter
- 18 Biz bigwig

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Yesterday's answer

- 19 Had assumed control
- 20 Corrosive stuff
- 21 Corrals
- 22 Kind of school
- 23 Eastern prince
- 25 Blanched
- 29 Be a snitch
- 30 Army address
- 33 Took it easy
- 34 Ailing
- 36 Piano part
- 37 Whirlpool
- 38 Keystone character
- 39 1040 entry
- 40 Soap buy
- 41 Kitchen pest

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Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF ELIZABETH RIDGMAN

Case No. SP006576

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of ELIZABETH RIDGMAN

A PETITION FOR PROBATE has been filed by Dorothy Ramsey in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PRO-BATE requests that Dorothy Ram-sey be appointed as personal rep-resentative to administer the estate of the decedent.

THE PETITION requests the decedent's lost will and codicils, if any, be admitted to probate. Copies of the lost will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administra-tion of Estates Act. (This authority will allow the personal representa-tive to take many actions without obtaining court approval. Before taking certain very important ac-tions, however, the personal repre-sentative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on February 17, 2006 at 9:15 AM in Dept. No. WE F located at 1725 Main St., Santa Monica, CA 90401.

IF YOU OBJECT to the grant-ing of the petition, you should ap-pear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your

Notices

claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a per-son interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and ap-praisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
THEODORE WOLFBERG ESQ
2001 WILSHIRE BLVD STE 205
SANTA MONICA CA 90403-5664
Santa Monica Daily Press
CN746461 RIDGMAN Jan 24,25,31, 2006

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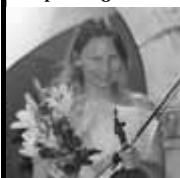
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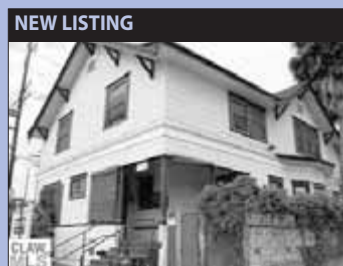
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