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Santa Monica Daily Press

A newspaper with issues

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Meganumber: 13
Jackpot: \$10 Million

FANTASY 5

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DAILY 3

Daytime: 3 0 0
Evening: 9 5 8

DAILY DERBY

1st: 07 Eureka!
2nd: 12 Lucky Charms
3rd: 02 Lucky Star

RACE TIME: 1:44.31

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ In November, the mind reader, The Amazing Kreskin, wrote to the acting governor of his home state of New Jersey that he wanted to help the state shed its image of unethical deals and thus volunteered to sit in government meetings and identify which officials are secretly up to no good.

■ Stephen J. Marks, 47, was driving in morning traffic on Nov. 3 near Nashville, Tenn., wearing a ski mask and gloves, though the temperature was in the 60s, and an alarmed citizen called police. However, Marks demonstrated that he has a medical condition that necessitates his wearing a ski mask except when the temperature is above 80.

TODAY IN HISTORY

In 1964, The Beatles made their first live American television appearance on "The Ed Sullivan Show" on CBS.

In 1971, the Apollo 14 spacecraft returned to Earth after man's third landing on the moon.

In 1984, Soviet leader Yuri V. Andropov died at age 69, less than 15 months after succeeding Leonid Brezhnev; he was succeeded by Konstantin U. Chernenko.

In 2002, Britain's Princess Margaret died in London at age 71.

QUOTE OF THE DAY

"Modesty is the conscience of the body."

HONORE DE BALZAC
FRENCH AUTHOR AND DRAMATIST (1799-1850)

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When they build it, they will park

BY JOHN WOOD

Daily Press Staff Writer

DOWNTOWN — The drive to add 900 parking spaces to downtown Santa Monica kicked into high gear Tuesday as officials broke ground on a \$33 million garage to be located at Fourth Street just south of Interstate 10.

Scheduled to open in the fall of 2006, the new structure marks the second major development in an ambitious plan to transform the area surrounding City Hall into a cultural hub for Santa Monica, with more than a dozen acres of new park space and up to 325 new apartments.

The \$66 million police and fire building, which opened behind City Hall in August of 2003, was the first step towards realizing what city officials call the "Civic Center Specific Plan." Next on the docket are three new housing projects along Ocean Avenue and a childcare facility off of Fourth Street.

Further plans include closing off a portion of Main Street to cars, building a broad roundabout in front of the courthouse and extending Second Street south over Interstate 10. New bike and pedestrian paths will tie the area to its residential and commercial neighbors, and to a light rail station planned for Fourth Street and Colorado Avenue. City Hall and



Rendering courtesy

Construction began Tuesday on a new \$33 million parking garage in downtown Santa Monica. The garage, located on Fourth Street south of Interstate 10, will feature five stories above ground, not including roof parking, and one-and-a-half levels underground reserved for emergency personnel.

the Santa Monica Civic Auditorium will remain and be refurbished.

All told, the Civic Center project will cover 62 acres of land and is expected to cost hundreds of millions of dollars to complete. Officials hope to finish the makeover in as little as 10 years.

Dozens of city officials gathered for Tuesday's ground-breaking ceremony, crediting the architecture firm Moore Ruble Yudell with designing an ecologically minded building that will serve as the first point of contact for many future visitors to the Santa Monica Civic Center.

"All of downtown Santa Monica will work together as a whole ... This is an extremely important step."

RICHARD BLOOM
City Councilman

"This is going to be the center of life in downtown Santa Monica," said City Councilman Richard Bloom, referring to the comprehensive Civic Center development project. "All of

downtown Santa Monica will work together as a whole ... This is an extremely important step."

James O'Connor, principal of

See **TWO-STEP**, page 5

Goodbye, Mr. Chips? Not yet

Game inventor's case against toy giant Mattel gets much-needed shot in the arm from panel of judges

BY CORTNEY FIELDING

Special to the Daily Press

FEDERAL COURT — A Santa Monica game inventor stands to be awarded millions of dollars now that a federal panel of judges has ruled that an e-mailed agreement can be considered a legally binding document.

Stuart Lamle, who is suing toy maker Mattel for allegedly backing out of an agreement that would have made him millions of dollars, has convinced the federal circuit court of appeals that the case should be heard by a jury.

Lamle has been battling Mattel in court since 1999, claiming the company owes him \$28 million in lost sales after they backed out of an agreement two years earlier. He's suing for contract and patent infringement.

After five years of legal wrangling, a federal circuit court of appeals in January ruled that an e-mailed summary of the unsigned contract Mattel sent Lamle could be interpreted as a written contract. Mattel never signed a formal written agreement with Lamle.

The federal appeals court

ordered that the case must be heard by a jury in the U.S. District Court.

Lamle invented a game called Farook, which resembles tic-tac-toe and is marketed as "the world's first high-level strategy game since chess."

Lamle said in 1997 he entered into a three-year verbal agreement with Mattel, which would give the company the rights to sell Farook. Shortly after, the toy company paid Lamle a \$25,000 advance and took the game to its pre-toy fair, where it sold Farook as a Mattel product, packaging it in Mattel boxes. Lamle contends those actions demonstrate

See **MR. CHIPS**, page 5



File photo

Stuart Lamle, inventor of the game Farook, displays his creation on the Promenade. Lamle is suing Mattel for \$28 million, claiming they backed out of a multi-million dollar agreement.

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Early to bed, Aries

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

ARIES (March 21-April 19)
★★★ Take your time, and though impulsiveness might push you, your patience will be rewarded. Certainly an awareness illuminates a key relationship in your life. Tonight: Early to bed.

TAURUS (April 20-May 20)
★★★★★ News or perhaps even gossip puts a new slant on a personal matter. You might not have all the answers, but you definitely know what is off or wrong. Adjust directions accordingly. You can and will make good decisions. Tonight: Find your friends.

GEMINI (May 21-June 20)
★★★★ A financial associate or partner could give you quite a kick, if you let him or her. You might have interpreted a money agreement quite differently. Take command and do what is right rather than what you want to do. Tonight: You cannot cancel plans.

CANCER (June 21-July 22)
★★★★ How you view others could change. One person in particular could be belligerent and difficult. You must choose the high road rather than participate in a petty squabble. Don't make it your style to bicker over insignificant details. Tonight: Choose a mind-relaxing activity.

LEO (July 23-Aug. 22)
★★★★ Working with one other person might prove to be an efficient way to clear out additional work. You are driven beyond your normal energy or desire to clear out extra work. You could make a mistake if you're not careful. Tonight: Special time with a loved one.

VIRGO (Aug. 23-Sept. 22)
★★★★★ You find answers that energize you and work creatively. Though others could challenge you at first, they give you another perspective. Open doors and allow more feedback. You'll come up with a tighter plan. Tonight: You cook up the idea; someone else says "yes."

LIBRA (Sept. 23-Oct. 22)
★★★★ All work and no play might not be what the doctor ordered, but it's what you must do. Use your high energy where it counts. Know when to say "enough" to a difficult roommate or family member. Tonight: Loosen up with some kickboxing or jogging.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Just because you see a matter one way and someone else sees it differently doesn't make either of you right or wrong. New insights open doors and help you brainstorm. An answer or solution comes forth that both of you can work with. Tonight: Go with spontaneous.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ What you consider to be a dubious situation could cost you a lot if you are not careful. Not everyone looks at situations as you do. Erratic behavior involving a domestic matter or real estate could land you in trouble. Tonight: Curl up at home.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ Your energy might have greater influence than you thought possible. Be reasonable with an eccentric associate or a plan that keeps changing. Remember, you will be all the better from learning how to flex. Tonight: A neighborhood restaurant for a bite to eat.

AQUARIUS (Jan. 20-Feb. 18)
★★★ You might be dissolving anger through spending. Unless you can afford this newfound extravagance, you would be better off processing your feelings. You will be all the stronger as a result. Tonight: Pay your bills.

PISCES (Feb. 19-March 20)
★★★★★ Your magnetic qualities come forward, but at the same time, you could distance others through erratic behavior. A meeting could become a hassle if you let it. Your attitude can make or break situations. Tonight: Try to be a little more logical. Yes, you.

AUDIT PENDING

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LOCAL



COMMUNITY BRIEFS

Neilson may not be the way to go

By Daily Press staff

Neilson Way will be closed in both directions between Pico Boulevard and Ocean Park Boulevard, from Feb. 7-10, for ongoing street reconstruction work to the water main at Neilson Way and Strand Street.

Closures and detours will remain in place at Pico Boulevard for southbound traffic and at Ocean Park Boulevard for northbound traffic until the work is completed. Access for emergency vehicles will be available except at Strand Street, where the pavement has been removed.

Santa Monica College gets down with diversity

By Daily Press staff

Santa Monica College has become increasingly colorful.

SMC was one of seven community college districts statewide to be named for increasing administrative diversity over the last 10 years, school officials said. The college has nearly doubled its representation of minority groups in its administrative ranks in the past decade.

In 1995, 27.3 percent of SMC’s administrators were members of underrepresented minority groups, officials said. Today, that number is 47.3 percent.

“I think it is very important to have diversity at the highest levels of the administrative ranks of our colleges so that students of color will have role models and mentors at their colleges,” said California Community Colleges Chancellor Mark Drummond.

SMC received an award from the California Community College chancellor’s office for its efforts.

Santa Monica kids reach across the world

By Daily Press staff

Grant Elementary School students dedicated themselves last month to helping global children and families fraught by catastrophe.

The Grant Student Council, PTA, Booster club and community service learning committee worked to put together fundraising events for UNICEF.

Parents on the community service learning committee raised \$1,400 from a used children’s items sale. Students from Santa Monica High School volunteered at the sale.

The student council organized a coin drive at the school, and one third grade class raked in \$70. The student council also made \$200 from a recycling drive.

Local merchants supported Grant’s efforts as well. The Slice and The Counter restaurants donated a portion of “Grant Night” proceeds to UNICEF. The Shampoo Lounge, a hair salon, donated 20 percent of January’s proceeds from Grant families hair cuts, colors, and blow dries done by the owners of the salon. Eco-Coastal Cleaners donated 20 percent of revenue from items dry-cleaned by Grant families in January.

CORRECTION — In the Feb. 8 edition, the front page headline and tagline referring to the story about U.S. Bank being burglarized contained errors. The bank was burglarized, not robbed.



Susan Galloway is this week’s mystery photo winner. Galloway accurately described the photo was taken at Santa Monica Airport. She has won a gift certificate to Izzy’s Deli. Check out Monday’s edition for the next mystery photo.



SURF REPORT

Building NW ground swell and a touch of SW swell hit Tuesday. The NW is expected to fill in further today. Size is expected to run around waist-high at breaks with good westerly exposure. Thursday the NW continues, as activity spawned from the West Pacific disturbance created additional fetch near the Aleutian Chain. Weather and winds are cooperating right now, but some rain is in the forecast for later this week.

Today the water is:

61°

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

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	N/A	N/A	1:22	1.2	5:43	6.0	8:06	3.5
SUNDAY	12:16	2.3	2:04	1.6	6:39	6.5	8:39	3.8
MONDAY	1:12	1.9	2:44	1.9	7:30	6.8	9:12	4.1
TUESDAY	2:03	1.5	3:23	1.8	8:18	6.9	9:46	4.4
WEDNESDAY	2:52	1.2	3:59	1.6	9:04	6.7	10:20	4.6
THURSDAY	3:42	1.0	4:35	1.1	9:49	6.2	10:56	4.8
FRIDAY	3:42	1.0	4:35	1.1	9:49	6.2	10:56	4.8

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The QLine

There’s a movement afoot to create as many as five new high schools in Santa Monica so students can get more personalized instruction.

Each school would serve 200 to 300 students, which is much better than the 3,500 student population at Santa Monica High School, education leaders say.

So this week, Q-Line wants to know, “Is this a good idea? Why or why not?”

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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LETTERS TO THE EDITOR

Parlor problems rub reader the wrong way

Editor:
(Editor's note: This letter was originally addressed to the Santa Monica City Council).

On Jan. 21, Santa Monica police made yet another arrest at one of our local massage parlors. These are the same businesses that year after year are cited/arrested for the same violations, yet they are able to still operate in our city.

My concern is the clientele they bring in to our city and the locations of their businesses — across or down the street from city schools and surrounding the residential neighborhoods. A fair percentage of the clients are registered sex offenders, that is a fact. In addition, their clients usually park away from the business, so as not to be seen, in the residential areas and transit the neighborhoods our children play in. I have seen this almost daily.

I want to know why the city allows the same businesses to exist when they continue to create an unwanted, illegal and dangerous environment for the residents of the city? Shouldn't there be an ordinance we can enact that would prohibit this type of continued practice? Such as maybe revoking the offender's business license and immediately shutting them down for good. I think it would be beneficial to not only the residents but also the area businesses.

I commend the Santa Monica Police Department for their continued checks year after year and subsequent arrests of the violators. However, we as residents need to have something else more permanent in place to eliminate the problem. It's not just my opinion, I speak also for many of my neighbors who are also concerned about the ongoing problem.

We are calling on the City Council to address the problem and bring to us a permanent solution so as to eliminate the problem. I would be more than willing to assist the city in any way asked. Point us in the right direction and let's get the problem handled.

Matt Schwabe
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 sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.



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the DAILY PRESS e-dition is available
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GUEST COMMENTARY **BY ONKAR GHATE**

Hooked and happy:
Phonics works better
than whole language

The educational tragedy in Rockford, Ill., now making national headlines, echoes a larger tragedy. At Lewis Lemon Elementary School, with a student body described by The New York Times as “80 percent non-white and 85 percent poor,” third graders scored near the top in statewide readings tests. Their results were bested only by students at a school for the gifted. How were the results achieved? Teachers used reading lessons “heavy on drilling and repetition, that emphasize phonics — that is, learning words by sounding them out.” This approach, however, is deemed too extreme by the new school superintendent, who is phasing it out.

In discarding success, Rockford is following the demands of the still-dominant voices in the nation's schools of education. They insist that phonics instruction be balanced with its antipode, the whole language “method.” Because “reading is such a complex and multifaceted activity,” explains Dr. Catherine Snow, professor of education at Harvard. “No single method is the answer.” This is like saying that because eating is “such a complex and multifaceted activity,” no single method can guide us, and that a proper diet must therefore contain a mixture of food and poison.

The controversy over how to teach reading is not a narrow, technical dispute. It is a broad, philosophic disagreement, with crucial educational implications. The phonics proponents maintain that human knowledge is gained objectively, by perceiving the facts of reality and by abstracting from those facts. These proponents, therefore, teach the child directly and systematically the basic facts — the sounds that make up every word — from which the abstract knowledge of how to read can be learned.

Supporters of whole language, by contrast, believe that the acquisition of knowledge is a subjective process. Influenced by John Dewey and his philosophy of Progressive education, they believe that the child must be encouraged to follow his feelings irrespective of the facts, and to have his arbitrary “opinions” regarded as valid. On this premise, the child is told to treat the “whole word” as a primary, and to draw his conclusions without the necessity of learning the underlying facts. He is taught this — in spite of the overwhelming evidence, in theory and in practice, that phonics instruction works and whole language does not.

In learning to speak, a child has already performed a tremendous cognitive feat. To read, he must now grasp the connection between the black marks he sees on paper, which to him are like hieroglyphs, and the spoken words he already understands. Systematic phonics instruction teaches a child to break the code of written language.

Spoken language is made up of discrete units of sound, called phonemes, like the b sound in “bat” or “boy.”

Phonics teaches a child to break down spoken words into their phonemes and to symbolize them by written letters. The child learns how to sound out each word through its component letters. Reducing reading to a manageable set of rules quickly enables a child to read almost any word, and to experience reading as something easy and pleasurable and mind-opening.

This is what supporters of whole language condemn as “constraining” and “uncreative.” Analyzing language by abstract rules that connect phonemes to letters, one of them says dismissively, imposes “an uptight, must-be-right model of literacy.”

Instead, they argue that the child ought to focus on an entire written word, like “hospital” or “boomerang,” and learn it as the teacher pronounces it. Having no method to reduce the tens of thousands of written words to a manageable set of rules, however, the child must treat each word as a unique symbol to be memorized — an impossible feat.

What is the child to do when he encounters a word he has not yet memorized? He must guess. Here is what some whole-language advocates suggest the child do: “Look at the pictures” (what if the book does not contain pictures?); “Ask a friend” (is reading not a solitary activity?); “Look for patterns” (why not systematically teach him “patterns,” that is, phonics?); “Substitute another word” (is this teaching?). Conspicuously absent is: “Look in a dictionary” — because the child crippled by whole language cannot read a dictionary.

Whatever twisted mental processes the child is supposed to go through, it is a linguistic corruption to call this a method of reading.

The use of whole language results in nothing but illiteracy. California, for example, which tried this approach in the late '80s, abandoned it after reading scores plummeted. The seeming “successes” of whole language occur only when phonics is smuggled in — that is, when the child, on his own or with the help of teachers or parents — secretly decodes written language by discovering that, say, the words “banana,” “boat” and “box,” which he has memorized, have a similar initial sound and begin with the same letter.

What our schools need is not “moderation,” but phonics instruction. We would consider it child abuse to add contaminated food to a child's diet for the sake of “balance.” We should consider it the same when educators add whole language to reading instruction.

Onkar Ghate, Ph.D. in philosophy, is a resident fellow at the Ayn Rand Institute (www.AynRand.org) in Irvine. The institute promotes the ideas of Ayn Rand, best-selling author of “Atlas Shrugged” and “The Fountainhead” and originator of the philosophy she called “Objectivism.”)



While chips were down for inventor, there is hope

MR. CHIPS, from page 1

Mattel's intent to enter into a written contract with him.

Days after the fair, company officials sent him a facsimile explaining they were no longer interested in purchasing his game. Mattel gave Lamle notice while meeting with his investors.

"It was certainly the most memorable day of my life," Lamle said. "My investors all said good-bye after that."

Company officials said they decided not to go forward with their plans to market Farook because it performed poorly at the fair, according to court documents.

Lamle said Mattel's decision left him broke and without any options.

"They destroyed my reputation in the game industry," he said.

Lamle then turned to the U.S. District Court to settle the matter. A panel of judges in 2001 tossed out the lawsuit, ruling that Mattel didn't violate a contract because one was never formally signed. The court pointed to an agreement Lamle signed before going into negotiations that said the company had no obligation to him unless "expressed in the formal, written contract."

The court also decided Lamle didn't have a case because of the federal Statute of Frauds, which stipulates that any binding legal agreement that goes beyond the scope of one year must be documented in writing. Lamle's contract with Mattel was set for three years with an additional two-year option.

Lamle appealed the decision to the federal circuit court of appeals on the grounds that the e-mail shows that an agreement was made between the two parties. The e-mail, written by a Mattel employee who had handled most of the negotiations, summarized the terms of the contract, pricing and product details, Lamle said.

The higher court remanded the case back to the U.S. District Court for review, stating the lower court hadn't sufficiently articulated its reasons for dismissing the lawsuit. The lower court once again ruled that the lawsuit had no merit, forcing Lamle to appeal the case a second time.

He finally gained a victory on Jan. 5 when the federal circuit court of appeals decided the e-mail could be construed as a contract and met the Statute of Fraud terms. However, a jury must decide if the details of the e-mail are sufficient for it to be a binding contract.

Lamle, who is representing himself, will have to prove that he had an oral contract with Mattel, that the e-mail contained the "material terms" of that oral agreement, and that Mike Bucher, the employee who wrote the e-mail, had authority to do so.

Manhattan Beach patent attorney Robert Lauson agrees with the federal court that Lamle has a case. While Mattel had Lamle sign a standard product disclosure form, the company "proceeded to act otherwise" by selling the game at the fair and sending out the e-mail, Lauson added.

While not a "major groundbreaking patent law case," it has set a precedent for how e-mails are interpreted and whether or not they can be binding in court.

Lauson said with the advent of the Internet and electronic communication, the issue is increasingly being debated in the courts.

"We see things like this happening all the time with the Internet," he said, adding issues surrounding the validity of e-mails are bound to come up. "E-mail is how we communicate now."

Of the \$28 million Lamle is suing Mattel for, \$1.8 million covers the guaranteed sales he said the company promised him.

The terms of Mattel's agreement with Lamle gave it the rights to sell Farook in Europe, while Lamle would have kept sole rights to sell the game in the United States and Japan, said Lamle. But according to the e-mail, Mattel agreed to manufacture Farook for both Mattel and Lamle to sell.

Lamle argues that, based on game industry standards, he would have stood to make more than \$18 million in the United States had Mattel manufactured the game for him. The other \$26.2 million is for lost sales in the United States and Japan, plus interest.

Lauson said Lamle will have "an uphill battle" trying to convince a jury to award him \$28 million simply because it's an enormous amount.

Lamle is confident he can demonstrate the conditions set fourth by the court, but acknowledged he doesn't know if the jury will give him all of what he has asked for.

"You never know what the jury is going to do," he said.

Lamle said after all the time spent in court, he would still enter into an agreement with a toy company, that is "if the conditions were right, and it isn't Mattel."



John Wood/Daily Press

Architect James O'Connor explains on Tuesday how the new Civic Center parking structure at Fourth Street and Olympic Drive will be wrapped in colored panels and generate much of its own electricity through solar technology.

City Hall's bond sales expected to finance new parking garage

TWO-STEP, from page 1

Moore Ruble Yudell, said the new parking structure will stand five-stories tall, with an additional level of parking on the roof, and another one-and-a-half levels of underground parking reserved for police and fire personnel, who will be able to access their offices through a private, underground passageway. The parking structure will have 10,000 square feet of ground-floor space for retail or office use, including a large cafe space with an outdoor patio facing north, toward the police and fire building.

In an effort to save energy, the garage was designed with a canopy of glass, photovoltaic solar panels which will generate much of the building's electricity. The structure will be wrapped in a veil of blue, green and amber panels, a theme borrowed from the "tumbled" look of sea glass. The idea is to make the building stand out, even in coastal fog.

"The colors belong to Santa Monica," said O'Connor, whose firm also designed the new Main Library. "It echoes the place."

One thing that won't be part of the new structure is a community meeting room. Officials in May of 2003 had a long discussion over where in the

garage a public room should be situated. Some council members pushed for a top-floor room with ocean views. Others argued a ground-floor room would be more accessible. Ultimately, the concept was scrapped altogether.

In order to fund the \$32.5 million structure, which will be built by Lake Forest, Calif.-based general contractor ARB Inc., City Hall sold \$39 million in lease-revenue bonds with a 19-year pay-back schedule, according to Steve Stark, City Hall's finance director. Part of the extra money will be held for unforeseen expenses and the rest will be used to pay interest on the bonds, at a rate ranging from 3.35 percent to 5 percent, Stark said.

Other expenses already put forward on the Civic Center plan include the \$66 million spent to build the police and fire building, along with \$53 million City Hall paid to buy the old RAND Corp. property in 1999. Another \$250,000 has been budgeted for Civic Center designs. The remaining costs of the project, certain to reach into the hundreds of millions of dollars, have yet to be financed.

"It could physically be completed in 10 years," said Andy Agle, City Hall's assistant planning director. "The other piece that needs to be there is the funding."

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STATE

Witness: Blake didn’t directly solicit the murder of his wife

BY LINDA DEUTSCH
AP Special Correspondent

LOS ANGELES — A key prosecution witness who was expected to say that Robert Blake solicited the murder of his wife testified Monday that the actor never directly asked him to murder Bonny Lee Bakley.

Gary McLarty, a retired stuntman, also acknowledged he was a heavy user of cocaine and had experienced paranoid delusions that people were tunneling under his house, and that he was being watched by satellites.

Under prosecution questioning, McLarty said Blake complained to him about his wife, showed him where she lived at his home, and pointed out a place where “someone could go up the stairs at night and pop her.”

“What did he say about what he wanted?” asked Deputy District Attorney Shellie Samuels.

“He just stated how it could happen,” McLarty testified.

“Did he say you could do it?” Samuels asked.

“Yes,” said McLarty.

Asked if Blake led him to believe he wanted him to commit the crime, McLarty said, “It was obvious.” But at another point McLarty said, “I insinuated it.”

At the preliminary hearing in the case McLarty had testified Blake solicited the killing of his wife.

During cross-examination, defense attorney M. Gerald Schwartzbach pressed McLarty on what Blake had really said and what the witness assumed.

“Mr. Blake never actually said he wanted you to do something to Bonny Bakley at that time?” asked Schwartzbach.

“Yes, that’s true,” McLarty said.

“You thought he was insinuating he wanted you to do something to Ms. Bakley?” the attorney asked.

“Correct,” said McLarty.

“Although he didn’t say he wanted you to do anything to Ms. Bakley, you assumed it?” Schwartzbach asked.

“Correct,” said the witness.

Blake is charged with murdering his wife on May 4, 2001. Bakley, who had recently had a baby by Blake, was shot twice in a car parked near a restaurant where they had just dined. Blake claims he found her bleeding after leaving her alone to return to the restaurant to retrieve a handgun he carried for protection.

McLarty testified that during their meeting Blake mentioned \$10,000, but there was no discussion of whether that was a fee for murder.

Two or three days later, he said, Blake called him and “he asked me what I thought. I said I didn’t want to have anything to do with it. He asked why and I said, ‘Just your notoriety.’”

McLarty said Blake offered scenarios in which Bakley could meet her demise, including a trip to Laughlin, Nev., and a visit to a restaurant. He said Blake also showed him a small gun and asked if McLarty could get

him a silencer.

During cross-examination, Schwartzbach suggested that when Blake contacted McLarty he was worried because someone had been “bothering” Bakley and Blake was seeking protection.

McLarty said that the subject of protection was one of the reasons he met with Blake, along with his belief that he might be getting a stunt role “doubling him” in a new movie.

The prosecutor, anticipating defense questions, raised the issue of McLarty’s cocaine use and hospitalization last September for mental problems.

“At the preliminary hearing you said you experimented with cocaine and used drugs a little,” Samuels said.

“That wasn’t true, was it?”

“No, it wasn’t,” said McLarty, who added that he thought the original answer had “sounded better” and

McLarty testified that during their meeting Blake mentioned \$10,000, but there was no discussion of whether that was a fee for murder.

acknowleged that he was a heavy cocaine user since the 1980s and decided to give it up “because of this trial.”

The witness also acknowledged that some years ago he killed someone at this home but was not charged with a crime because it was considered self-defense.

Under further questioning by the defense, McLarty acknowledged he was a heavy cocaine user while the case against Blake was pending.

When he was released, McLarty said, he continued to use cocaine and within a week or two of his meeting with Blake he was admitted to two other emergency rooms with medical problems.

Schwartzbach focused on the September hospitalization, during which McLarty was suffering paranoid delusions. McLarty acknowledged the delusions outlined by the defense attorney.

The prosecutor objected when Schwartzbach asked if McLarty had seen space aliens and spaceships, but after attorneys conferred at the judge’s bench, the witness said he thought he had seen spaceships as a child but didn’t recall if he had seen them as an adult.

Late in the day, Schwartzbach confronted McLarty with many prior statements — to police and at a preliminary hearing — which were inconsistent with his testimony. McLarty gave different accounts of when he met with Blake, where they discussed certain things, whether Blake showed him a revolver or an automatic weapon and who mentioned money first.

STATE BRIEFS

Trapper captures wily coyotes

By The Associated Press

CHINO HILLS — Three coyotes were captured by a trapper in the area where at least two dogs were killed by an animal roaming the hills.

Residents had complained to city officials and the Inland Valley Humane Society about a large coyote leaping over fences and killing or injuring pets so a trapper set out to get the animal. The three coyotes caught last week were euthanized.

“There is no guarantee you got the coyote. When you target an area and get three of them out you will help the situation,” humane society wildlife officer William Taber said.

Resident Don Walker, whose 9-pound dog Buttons was killed by a coyote last month, was pleased about the captures.

“I’d like to see all of them removed,” Walker said. “If they encroached in on my property, then I am not for them being around.”

City waits for smoke to clear

By The Associated Press

HUNTINGTON BEACH — The City Council temporarily banned the sale of medical marijuana in the city because of legal concerns and public safety issues.

Although no local businesses are licensed to sell medical pot, the council Monday voted 5-1 on a precautionary 45-day moratorium. Medical marijuana facilities in other California cities have led to criminal activity, including public drug use and robberies, officials said.

"It’s bad public policy to single out a particular drug for a public flogging,” said Councilwoman Debbie Cook, who was the lone dissenter.” She suggested that marijuana vendors would be better dealt with through zoning regulations.

In recommending the ban, officials also cited the discrepancy between state and federal law. Californians in 1996 approved the use of marijuana for medical reasons, and state lawmakers in 2003 passed a bill allowing the sale of medical pot by patient collectives and caregivers.

But federal authorities, citing the Controlled Substances Act, rejects the power of states to pass medical marijuana laws and federal drug agents have raided facilities in California that sell pot.

Huntington Beach goes for broker

By The Associated Press

SANTA ANA — A real estate broker pleaded not guilty to 74 counts of wire and mail fraud for allegedly helping clients use forged documents to illegally convert Huntington Beach apartments to condominiums.

Phil Benson, 72, of Hayden, Idaho, was the alleged ringleader in an \$11 million real estate scheme that led to the indictment of eight people, including former Huntington Beach Mayor Pam Julien Houchen. Benson entered the pleas Monday in U.S. District Court.

Also Monday, Howard Richey, 78, of Hemet, an investor who allegedly profited from the condo conversion scheme, backed out of a plea deal reached in December. He was scheduled to plead guilty to two counts of wire fraud.

“I don’t think he should plead guilty. I don’t think he is guilty,” Richey attorney Jim Riddet said. Richey is now charged with 14 counts of mail and wire fraud and trial is set for June 21.

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NATIONAL



Independence Air adds West Coast destinations in financial gamble

BY MATTHEW BARAKAT

Associated Press Writer

McLEAN, Va. — Fledgling low-fare airline Independence Air announced a major expansion of its route network Monday, adding a series of West Coast destinations that executives hope will help fill their half-empty planes.

The expansion comes despite unanswered questions about the airline's financial health. The airline's parent company, Flyi Inc., had previously warned that airplane lease payments due in January might force a bankruptcy filing.

January has come and gone, and the airline never filed for bankruptcy, but airline officials will not comment on the status of those lease payments, accept to say that restructuring efforts are ongoing.

Beginning in April and May, the airline will add service to San Diego, San Francisco, Los Angeles, San Jose and Seattle using a fleet of 12 new Airbus A319 jets seating 132 passengers. The airline previously announced service to Las Vegas beginning next month.

Flyi expects the Airbus planes to complement a fleet of 50-seat regional jets, which fly to Eastern cities from the company's hub at Dulles International Airport, near Washington, D.C.

Company spokesman Rick DeLisi said the Airbus planes and the West Coast destinations should help the airline generate increased traffic throughout its network.

"This has always been part of our original plan," DeLisi said of the West Coast expansion, though the company has had to scale back its Airbus acquisitions because of its financial woes.

He said the company has already seen a lift from its Las Vegas addition.

"It's not only a generator of business, it generates interest," DeLisi said. "And it gives people a great opportunity and attractive destinations to redeem" frequent-flyer miles.

The airline badly needs to attract more passengers. Its load factor in January was about 46 percent, meaning that planes are flying at about 46 percent capacity. The

industry average is about 70 percent. The company is projecting a load factor in March above 60 percent, thanks in part to its new Las Vegas service as well as a recent fare sale.

Anthony Cristello, a Richmond-based analyst for BB&T Capital Markets who follows Flyi, said it remains to be seen whether the new destinations will generate enough traffic and enough revenues to keep the airline afloat.

The airline continues to offer deep fare sales to draw passengers, Cristello noted.

"They are still in a 'Let's gain some passenger traction' mode," Cristello said. The problem is, nobody knows exactly how the company stands on a cash flow basis, so it's difficult to gauge how long it can continue to offer massive fare sales just to build its passenger base, he said.

It is increasingly clear, though, that Independence Air has little intention of returning to its roots as regional carrier.

Independence Air, formerly known as Atlantic Coast Airlines, launched operations last year as an independent low-fare carrier after years of serving as a regional carrier for United Airlines and Delta.

The company has had discussions with United recently about resuming its role as a regional carrier, and some of Flyi's major shareholders have urged such a move. But Cristello said the acquisition of the Airbus planes and the West Coast expansion seem to indicate the airline is committed to remaining independent.

Flyi lost \$82 million in its first full quarter as an independent carrier. It has altered its business plan since then, cutting its flight schedule and making tickets available through traditional travel-agent networks, rather than forcing people to buy from its Web site and toll-free number.

The company gained some breathing room last month when one of its lessors agreed to take back 10 regional jets, plus six to 10 more in the future on a conditional basis. That allowed to airline to scale back its flight schedules to more accurately reflect customer demand.

Flyi shares closed Monday at \$1.80, a drop of 8 cents on the Nasdaq Stock Market, near its 52-week low of \$1.04.

Gay activist appointed to Utah Senate seat

BY JENNIFER DOBNER

Associated Press Writer

SALT LAKE CITY — With his parents and partner looking on, activist Scott McCoy was sworn in as a member of the Utah Senate on Monday, becoming the first openly gay member of one of the most conservative legislative bodies in the nation.

The 34-year-old Democrat called the moment historic, but stressed that his homosexuality will not define his work in the Senate.

"The fact that I am gay is certainly one of the characteristics with which I have been endowed by my creator and it is an important part of who I am as a human being. But it is certainly not the only characteristic that defines me, just as none of my colleagues can or should be reduced to any one of their many characteristics," McCoy said.

"It has been suggested by some that I come to the Senate with a specific personal agenda predicated solely on the fact that I am gay. The only agenda I come into the Senate with is that of the constituents of the 2nd District," he said.

Democratic delegates in that district chose McCoy this

weekend to finish the remaining two years of a term vacated by Sen. Paula Julander, D-Salt Lake, who resigned last week because of health problems. She had asked that her husband, Rod, finish out her term, but McCoy beat him by three votes.

McCoy, an attorney who formerly worked as a clerk for a Utah Supreme Court justice and for the U.S. House of Representatives, is best known for his work last fall on the Don't Amend Alliance. The group unsuccessfully fought against ballot initiative Amendment 3, which changed the Utah Constitution to prohibit same-sex unions.

There was an awkward silence on the Senate floor following McCoy's remarks. Some senators didn't seem to know how to appropriately welcome McCoy.

Rep. Jackie Biskupski, D-Salt Lake, the only openly gay member of the House of Representatives, said she advised McCoy that he might be in for a bumpy start among his colleagues, most of whom are Republicans and members of the Mormon church.

"When I first came here, there were some who couldn't even look me in the eye, but I think many of those barriers have been broken down," Biskupski said. "He will do a great job. He is a very bright man, he's very statesmanlike and I think he'll build bridges up here."

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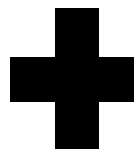
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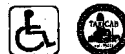
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NATIONAL

Beef, it could be what's for dinner in Japan very soon

BY KOZO MIZOGUCHI

Associated Press Writer

TOKYO — Japan moved a step closer to partially lifting a ban on U.S. beef imports after a government panel Tuesday accepted U.S. assurances that a specific grade of meat would be free of mad cow disease.

The U.S. ambassador welcomed the panel's recommendations, but the findings angered some Japanese consumer groups who said they were still worried about the safety of U.S. beef.

The panel's decision, if accepted by the government, will clear the way for Japan to begin importing U.S. grade A40 beef, which comes primarily from cattle aged 12 to 17 months.

Panel Chairman Akihiro Okitani, a

professor at the Nippon Veterinary and Animal Science University, told reporters there was a high probability that meat of this grade was free of mad cow disease.

Japan imposed a ban on U.S. beef imports in December 2003 after the United States discovered its first case of the fatal brain-wasting illness, known formally as bovine spongiform encephalopathy or BSE, in a Washington state Holstein.

Okitani praised information that U.S. researchers provided the panel to help it make its decision.

"The U.S. researchers came up with highly reliable data," Okitani said. He added it was up to the Japanese government to decide whether to lift the ban on beef imports.

U.S. Ambassador Howard Baker said he was pleased the panel agreed that using the

"A Maturity" grading system was an effective method of ensuring meat from animals older than 20 months of age would not be exported from the United States to Japan.

"Now that we have finalized a major portion of the technical side of this issue, I call upon the Japanese government to work with us to expedite the remaining implementation process, so that we may all once again enjoy U.S. beef in Japan," Baker said.

Hirofumi Kugita, the director of the Agriculture Ministry's international animal and health affairs office, said it was unclear how soon Japan would lift its import ban. Japan's Food Safety Committee would consider the panel's recommendations, he added.

Consumer groups swiftly criticized the panel's decision.

"This conclusion was made politically and hastily in response to the American demand that we resume beef imports from the United States," said Yasuaki Yamaura, a senior official of Consumers Union of Japan.

Masae Wada, a spokeswoman for the national group Housewives' Association, said she was concerned there were too few beef grade inspectors in the United States to sufficiently guarantee meat safety.

"When you think how many cattle each

one of them handles each day, it is hard for consumers to trust the results," Wada said. "The number of grade inspectors is too small."

Before the ban, Japan was the most lucrative overseas market for U.S. beef producers, buying \$1.7 billion worth of beef in 2003.

The two sides tentatively agreed late last year to resume imports of beef products from cows younger than 21 months. Talks later stalled over differences about how to authenticate the age of cattle.

Japan said it would only accept beef from animals with a birth record. But U.S. beef producers do not keep such records for every animal, relying instead on birth records for herds and a grading system that uses tenderness of the meat to judge age.

Experts had narrowed those differences after U.S. officials proposed a method by which a cow's age can be determined by looking at the maturity of its skeleton.

The method, though not traditionally used to determine the age of cattle, has long been used by U.S. authorities as a de facto age marker when meat is being graded and tested for the market.

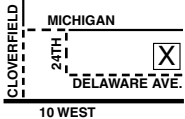
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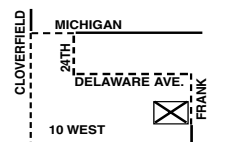
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Utah state rep having a cow over confidentiality of livestock records

BY PAUL FOY

Associated Press Writer

SALT LAKE CITY — A Utah state representative wants to ensure that the public does not see state records on livestock populations and efforts to trace diseased animals.

Rep. Craig Buttars, a Republican who runs a 220-head Holstein dairy farm, said Tuesday he was trying to keep the records out of the hands of people who "might want to damage our industry."

"It's a homeland security issue," he said.

The Utah House could take up his bill as early as Wednesday.

Buttars said the Utah Department of Agriculture is compiling records of farms, ranches and other livestock operations in Utah. It plans to require farmers to register all animals at birth for a state database. The records would make it possible for animals to be traced back to their place of birth as they move from one livestock operation to another.

"What they're shooting for is traceability in 48 hours, right back to the farm where it was born," he said.

At least five other states — Kansas, Kentucky, Idaho, Nebraska and Washington — have similar animal identification laws, though only Idaho exempts cattle records from public disclosure, said Glen Andersen, spokesman for the National Conference of State Legislatures.

Experts say the ability to trace affected animals is needed, and there's no benefit to keeping the information from the public.

"What difference would it make?" asked James R. Greenwood, director of environmental health and safety at the University of California at Los Angeles. "The record-keeping is for after-the-fact action, like drug recall. With terrorism,

most people are concerned with better safety in the fields."

Specially trained police, secure fencing and other measures to improve the physical safety of cattle populations would do more to boost livestock security than any form of record-keeping, Greenwood said.

Buttars said the need for government regulators to be able to trace livestock became apparent following the discovery of the nation's first case of mad cow disease in a Washington state Holstein in December 2003. The cow's origins were later traced to Canada, but not before dozens of countries closed their borders to U.S. beef products.

Earlier this year, Washington state started assigning identification numbers to farms and ranches — a precursor to a broader animal identification system aimed at making it easier to track livestock.

Utah is joining the effort. But as part of that, Buttars has proposed legislation preventing public disclosure of records from the National Animal Identification System or Utah programs that identify, trace or control livestock diseases.

Buttars said he was not trying to protect the image of the livestock industry by making it harder for the public to learn about livestock disease. Rather, "We're trying to make it so it's difficult for someone to track these things and cause problems," he said.

But Laurie Garrett, a national health policy expert and fellow at the Council on Foreign Relations, says the Utah measure may be in line with "a long history of manipulating agricultural information for protectionist reasons."

"And in general, the notion that secrecy enhances biosecurity has not been borne out," Garrett said.

Buttars said nothing in his bill would prevent government authorities from announcing the source of livestock disease after tracking it.

INTERNATIONAL



Rice tells Europe it's time to let the healing begin

BY ANNE GEARAN

AP Diplomatic Writer

PARIS — Trying to mend fences with Europe, Secretary of State Condoleezza Rice said Tuesday "it is time to turn away from the disagreements of the past" that alienated longtime allies over the U.S. invasion of Iraq.

France was the most vocal opponent of President Bush's handling of the war with Iraq, and the new secretary of state deliberately chose Paris for the major address of her first official tour of Europe.

Rice did not back down from Bush's pledge to spread freedom across the globe and added a challenge to Europeans.

"America stands ready to work with Europe on our common agenda and Europe must stand ready to work with America," she said in a speech at Paris's Institute of Political Studies.

"After all, history will surely judge us not by our old disagreements, but by our new achievements," she said.

Science Politique, known in France as Sciences Po, is a school of political science that has been at the center of recent debate over America's reach and power. Some 500 students and intellectuals were attending and Rice was to take questions from the audience.

Following her speech, Rice answered a series of questions, ranging from Iraq's effort to establish a democracy to the development of biological weapons. She told the students and guests that the Iraqis would now engage in a political process to form a government that was not at odds with religion.

"What we must understand there is no inherent conflict between Islam and democracy," she said.

Rice also explained why she chose Paris considering the rift over Iraq between the two nations. "This is a deep broad and active relationship that is very effective on world peace," she said. "When we disagree, we still disagree as friends."

In her speech, Rice said the founders of both the French and U.S. republics were inspired by the same values and by each other. History has shown that revolutions striving for freedom can start in mundane ways but need outside help, she said.

"In my own experience, a black woman named Rosa Parks was just tired one day of being told to sit in the back of the bus," Rice said. "So she refused to move, and she launched a revolution for freedom in the American South."

Similar was the power of Lech Walesa and his labor strike in Poland, Afghans and Iraqis who recently voted after years of repression and ordinary men and women who helped bring down the Berlin Wall in 1989.

"Yet that day of freedom in November 1989 could never have happened without the full support of the free nations of the West," she said.

"Time and again in our shared history, Americans and Europeans have enjoyed our greatest successes for our-

selves and for others, when we refused to accept an unacceptable status quo, but instead put our values to work for the cause of freedom.

Rice said, "America has everything to gain" from having a stronger Europe as a partner.

"It is time to turn away from the disagreements of the past," Rice said. "It is time to open a new chapter in our relationship, and a new chapter in our alliance."

Rice said the United States and Europe should move beyond "a partnership based on common threats" and focus instead on a partnership based upon "common opportunities, beyond the trans-Atlantic community."

Earlier in Rome, Rice said she is optimistic about the chances for Israel and the Palestinians to reach accommodation, in part because of a new thirst for peace throughout the Middle East. She cautioned that "there is still a long road ahead."

"There seems to be a will in the Middle East because people want to live in a different kind of Middle East," Rice said.

She commented after a meeting with Italian Foreign Minister Gianfranco Fini in which they discussed Iraq, the Middle East other issues.

Their meeting came hours before Israeli and Palestinian leaders declared that their people would stop all military or violent activity, pledging to break the four-year cycle of bloodshed and get peace talks back on track.

Fresh from meeting separately with Israeli and Palestinian leaders over the prior two days, Rice reiterated that success at Tuesday's summit and beyond will depend in part on help and commitment from other Middle Eastern countries the international community in general.

She had harsh words for one neighbor of Israel.

"Syria has been unhelpful in a number of ways," Rice said, adding that Syria knows it must clamp down on terrorism before relations with the United States and the rest of the world can improve.

"I would hope Syria would not want to be isolated and would not want to have bad relations with the United States. ... I would hope Syria would react in a more positive way.

"You cannot on the one hand say you want a process of peace and on the other hand support people who are determined to blow it up."

She also underscored her position that the new Palestinian leadership will need to move resolutely to control violence against Israel by its own people.

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BY THOMAS KHAMMAR & BRENT PARSONS

If you are thinking of selling your home, one of the things to factor in when you are working out your proceeds is income tax withholding. It's the tax that the seller pays based on the sales price of the home.

The withholding tax came about in 2002, when the California State Legislature added a measure to balance the state budget. It was estimated that it would accelerate collection of \$285 million in state revenue.

The law requires the real property buyer to withhold from what would be paid to the seller an amount of 3.33 percent of the gross sale price. The withholding is mandatory on all California real property transactions. The withholding law also applies to dispositions of California real estate by both state residents and non-residents. If the property is owned by a corporation, you may be taxed at a different

level. Consult your tax or legal advisor for information regarding your specific circumstances.

The legislation doesn't take into account costs of the sale such as real estate commissions or other settlement costs. The buyer is responsible for making the payments. If you purchase the home with one payment, you must withhold the 3.33 percent out of that payment. If you are going to make payments to the seller, then you may choose to pay the 3.33 percent withholding of each portion of the payment at that time. Withholding is currently due by the 20th day of the calendar month following the date that the title is transferred. Typically, the escrow officer would assist the buyer with this process. Check with him or her to discuss this service for your specific transaction.

There are some exceptions to the rule. If you are an individual selling real property, the buyer will not have to withhold from your proceeds if the sale price is less than \$100,000, if you are selling your principal residence or if you are selling at a loss. Other exemptions are for tax-deferred exchanges, such as a 1031 exchange, and involuntary conversions of property. In addition, corporations and other entities, who are not individuals, may apply for reduced withholding waivers.

The California Franchise Tax Board governs the withholding procedures through a division called the Withholding Services and Compliance Section. Should you be interested in more information on this process you can contact them at (888) 792-4900 or http://www.ftb.ca.gov/individuals/wsc/California_Real_Estate.html. You may check the Franchise Tax Board Web site to see how the process currently works and for any updates. The Franchise Tax Board Web site currently has more than 50 frequently asked questions, which may be updated to reflect the changes to the law.

(Should you have any questions regarding this or any other real estate related topic, contact Thomas Khammar or Brent Parsons at (310) 943-7656 or e-mail at thomas1@georgechungrealtors.com or brent1@georgechungrealtors.com.)

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS: SINGLE FAMILY HOMES, CONDOS AND INCOME HOMES

SOLD	2626 HIGHLAND AVE	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$1,390,000	Bed: 3
01/07/2005	Lot Size: 3,977	Sold Price: -	Bath: 2.00
SOLD	1511 PACIFIC ST	SANTA MONICA 90405	
Santa Monica	SqFt: 1,934	List Price: \$1,295,000	Bed: 4
01/17/2005	Lot Size: 5,846	Sold Price: -	Bath: 1.75
SOLD	1640 BRYN MAWR AVE	SANTA MONICA 90405	
Santa Monica	SqFt: 1,244	List Price: \$1,170,000	Bed: 3
01/15/2005	Lot Size: 4,739	Sold Price: -	Bath: 1.75
SOLD	1127 GRANT ST	SANTA MONICA 90405	
Santa Monica	SqFt: 3,219	List Price: \$1,999,000	Bed: 4
01/19/2005	Lot Size: 5,500	Sold Price: -	Bath: 3.50
SOLD	3036 LINDA LN	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$839,000	Bed: 3
01/24/2005	Lot Size: 5,200	Sold Price: -	Bath: 2.00
SOLD	611 Kingman AVE	SANTA MONICA 90402	
Santa Monica	SqFt: N/A	List Price: \$2,096,000	Bed: 3
01/24/2005	Lot Size: 5,140	Sold Price: -	Bath: 3.50
SOLD	422 BAY ST	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$1,450,000	Bed: 3
01/27/2005	Lot Size: 5,902	Sold Price: -	Bath: 3.75
SOLD	528 24TH ST	SANTA MONICA 90402	
Santa Monica	SqFt: 1,246	List Price: \$1,875,000	Bed: 2
02/02/2005	Lot Size: 8,698	Sold Price: -	Bath: 1.50
SOLD	241 24TH ST	SANTA MONICA 90402	
Santa Monica	SqFt: 2,069	List Price: \$2,249,000	Bed: 3
02/03/2005	Lot Size: 8,700	Sold Price: -	Bath: 1.75
SOLD	1050 CENTINELA AVE	SANTA MONICA 90403	
Santa Monica	SqFt: 2,514	List Price: \$1,880,000	Bed: 5
01/07/2005	Lot Size: 12,000	Sold Price: \$1,788,888	Bath: 4.00
SOLD	714 16TH ST	SANTA MONICA 90402	
Santa Monica	SqFt: N/A	List Price: \$1,559,000	Bed: 3
01/10/2005	Lot Size: 7,496	Sold Price: \$1,550,000	Bath: 1.75
SOLD	714 MARINE ST	SANTA MONICA 90405	
Santa Monica	SqFt: 660	List Price: \$825,000	Bed: 1
01/25/2005	Lot Size: 4,996	Sold Price: \$775,000	Bath: 1.00
SOLD	823 YALE ST	SANTA MONICA 90403	
Santa Monica	SqFt: N/A	List Price: \$1,399,876	Bed: 3
01/20/2005	Lot Size: 8,000	Sold Price: \$1,345,000	Bath: 1.75
SOLD	1834 EUCLID ST	SANTA MONICA 90404	
Santa Monica	SqFt: 1,303	List Price: \$819,000	Bed: 3
01/07/2005	Lot Size: 7,497	Sold Price: \$790,000	Bath: 2.00
SOLD	2612 WASHINGTON AVE	SANTA MONICA 90403	
Santa Monica	SqFt: 1,586	List Price: \$1,185,000	Bed: 3
01/31/2005	Lot Size: 6,768	Sold Price: \$1,164,000	Bath: 1.75
SOLD	2303 26TH ST	SANTA MONICA 90405	
Santa Monica	SqFt: 2,047	List Price: \$1,395,000	Bed: 3
01/14/2005	Lot Size: 7,497	Sold Price: \$1,375,000	Bath: 2.00
SOLD	2005 19TH ST	SANTA MONICA 90404	
Santa Monica	SqFt: 0	List Price: \$845,000	Bed: 3
01/27/2005	Lot Size: 7,998	Sold Price: \$850,000	Bath: 2.00
SOLD	1748 BRYN MAWR AVE	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$899,000	Bed: 2
01/27/2005	Lot Size: 5,558	Sold Price: \$880,000	Bath: 1.00

THOMAS KHAMMAR AT GEORGE CHUNG REALTORS:
(310) 863-7643 thomas1@georgechungrealtors.com

Information received as per the MLS on 02/08/05. Not all transactions may have been represented by George Chung Realtors.



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\$989,000

13001 ROSE AVE , LOS ANGELES 90066

Completely renovated Mar Vista Hill home with view toward ocean Large entry Hall Large brand new kitchen with granite counter and new cabinets Vaulted ceiling in living room with fireplace Step down Family room with fireplace 3 bedrooms downstairs Wood and metal bannister Master bedroom and bathroom suite upstairs: special spa tub with skylights, balcony with view, 2 car detached garage with alley access



\$625,000

12506 WAGNER ST , LOS ANGELES 90066

A curb appeal exquisite 1 story home in quiet neighborhood; 2bdrm, 1.75 ba; classy living rm w/bay window & delightful cherrywood color hardwood flr; kitchen w/garden window, granite counter top w/custom built cabinets trimmed petite board; cute charming dining area surrounded w/ vertical window in designer painted wall; flagstone driveway, 1car garage; copper plumbing throughout, 200 amp for your future spa, 1yr old roof; lush landscaping front/back yard w/sprinklers; wooddeck off dining area.



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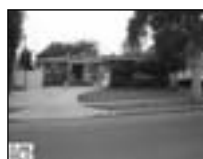
\$399,000.00

8462 STANFORD AVE , LOS ANGELES 90001

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\$675,500



\$929,000

3259 ROSEWOOD AVE , LOS ANGELES 90066

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\$925,000

3457 ROSEWOOD AVE , LOS ANGELES 90066

Lovely 2 story, contemporary home located on a quite Mar Vista street which features living room with brick, gas burning fire place, formal dining room with pass through window to kitchen, kitchen with built-ins and plenty of cabinet space.



11049 LINDBLADE ST , CULVER CITY 90230

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\$587,000

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JODI SUMMERS

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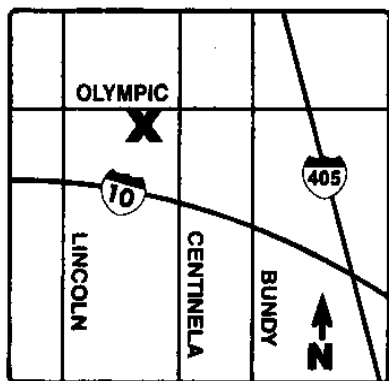
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DAYS ON THE MARKET

BY JODI SUMMERS

As highlighted last week, Joel and Susie decided to remodel a beat-up Santa Monica bungalow and make it their own. Last week, we discussed creating their vision. This week, we discuss the process of getting the property permitted and built.

Jodi Summers: How did you find working with the city of Santa Monica?

Joel: The city was a pretty nasty experience. Because the structure was terrible, we decided to go back to the city and get re-permitted for a structural upgrade. Re-permitting is a real headache.

Susie: For this tiny little remodel we were issued three separate building permits. Every time we went in for additional changes, they had to issue a brand new permit. We paid so many fees. When the building inspector came, she thought it was ridiculous. How can they figure out what drywall to approve when you have three separate inspection numbers from three separate permits?

The inspectors were great. With their help, the city finally straightened everything out, but they didn't know which permit they put it on.

Working with the city's building and safety, and the planning department, has been a bit of a nightmare. We wanted to add a two-car garage, and they said because our lots were so narrow (25 x 80), we had to apply for a variance because the garages are set in size. We also have a four-foot setback. What does that leave us on a 25-foot lot? It wasn't enough, so we had to pull a variance for this area. Applying for a variance isn't cheap and it takes time.

JS: How much does a variance cost and how long does it take?

Susie: They have their price list. I think it was about a \$1,000. And the time — it takes at least two months.

JS: And how about the time and cost for getting the permits to build?

Joel: The time and the price were similar. The permit process took like seven to eight weeks. There were so many types of fees I can barely remember. We went back several times.

Susie: As far as the cost goes, the city has their price list. I would say about



\$1,000 apiece, but you have to pay all of these separate expenses for different permits.

JS: How much has this remodel cost?

Joel: Susie is very well organized and she has an extensive spreadsheet of all the costs, but having said that, we have to check it. It changes regularly.

JS: How has this project impacted your daily lives?

Joel: Susie's been working like 100 percent on this house. And, after a while, we got to a point where we could not even afford to hire a contractor, so we were doing it ourselves. After work, we came here, myself, Susie, my son and anyone else who wanted to contribute. It's slow. We are tired and hungry and we are working until midnight.

JS: Are you going to move in?

Susie: We're still trying to figure out the financing because we had to take out a lot of loans. We'd prefer not to sell it until we've lived here two years, so we can take advantage of the tax break.

JS: Would you do it again?

Joel: I like it. I like it a lot.

Susie: Sure this is the first one, the one we learned from. This one is blood, sweat and tears. I'm assuming it will all get easier after this.

(For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219.)

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Santa Monica Daily Press





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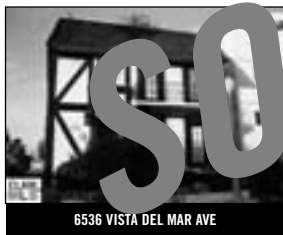
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Also be sure to see the January 2005 edition of Los Angeles Magazine in which Jack Susser was selected as a Los Angeles Super Agent. Jack was honored to receive this recognition and is happy to bring this honor to ERA. Jack leads the training sessions and is proud to pass on his formula for success.

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A space odyssey: Economy, high incomes spurring demand



IN YOUR SPACE

BY CHRISTINA S. PORTER

A strengthening economy, strong population growth and a large concentration of high-income households in Southern California has generated strong demand from retailers for space in 2004.

Occupied retail space grew by approximately 2.3 percent during the year. Demand continued to be particularly strong from fast-food chains, coffee houses, drug stores (including CVS, Walgreens, and Save-On), discount warehouse and health clubs. It was weak, however, from the prominent existing grocery chains, which were recovering from the effects of a strike early in 2004.

Construction activity picked up in 2004, but still lagged growth in demand. Vacancy rates dropped to the 3 percent range, and effective rental rates climbed by 4 percent to 5 percent in most areas. Conditions are particularly tight in high-income areas of Los Angeles and Orange counties, as well as in a number of underserved ethnic areas, where savvy retailers were able to generate as much as \$1,000 in retail sales per square foot.

Demand from investors for retail properties continued to climb, particularly for high credit, single-tenant properties. Median sale prices climbed to \$239 per square foot, up 27 percent over the median in 2003 and up 81 percent over 10 years ago. Capitalization rates — meaning the ratio between the purchase price and the first year's net income — fell to the 7 percent range for older outlying centers.

The outlook is for continued strong growth in demand, particularly by Wal-Mart, who is expanding in the area, including in neighborhood markets. The impact of Wal-Mart's entrance into the Los Angeles Basin will have a strong impact upon the area's existing grocery chains. Some may respond by closing their least profitable store locations.

Construction activity as of year-end 2004 was roughly in line with projected growth in demand in 2005.

COMMERCIAL REAL ESTATE PROPERTIES LEASED

Location	Type	Date Leased	Sq. Ft.	Price
1411 5th St	Office	2/4/2005	1,400	\$2.95/mg
127 Broadway	Office	2/7/2005	300	\$0.33/fs
1601 Cloverfield Blvd	Office	2/7/2005	10,469	\$3.30/fs
1601 Cloverfield Blvd	Office	2/7/2005	11,337	\$3.30/fs
501 Colorado Ave	Office	2/4/2005	1,862	\$2.50/fs
2450 Colorado Ave	Office	2/1/2005	40,251	\$3.40/fs *
2403 Main St	Office	2/7/2005	3,300	\$3.10/mg *
1016 Montana Ave	Office	2/7/2005	1,225	\$0.58/fs
2850 Ocean Park Blvd	Office	2/7/2005	4,681	\$0.79/fs
3435 Ocean Park Blvd	Office	2/7/2005	1,182	\$1.95/mg
3435 Ocean Park Blvd	Office	2/7/2005	1,050	\$1.85-\$1.95/mg
2425 Olympic Blvd	Office	2/7/2005	3,047	\$3.00/fs
2425 Olympic Blvd	Office	2/7/2005	5,605	\$3.00/fs
233 Wilshire Blvd	Office	2/1/2005	2,464	\$3.10/fs

Vacancy rates are projected to remain tight. Effective rent, which is the per square foot rental rate including deductions for any concessions given, are projected to grow by at least the rate of inflation, and possibly by one of two additional percentage points.

Potential turmoil in the grocery industry from Wal-Mart's entrance into Southern California could have a strong impact upon shopping-center owners. In some cases, where long-term leases were signed at below current-market rates, and the space can be re-leased at higher rates, the impact of any closing may actually be positive. In other cases, where re-leasing at current-market rate would be difficult, the impact is negative. Most investors will take a little more time evaluating the implications of potential closing before they decide to buy any center.

The investment market also will be influenced by any changes in interest rates. We expect prices will stabilize over the next year, in response to an assumed increase in interest rates of approximately 75 to 100 basis points. If interest rates should climb precipitously, we actually may see a drop in prices.

(The above is a portion of NAI Capital's 2004 Year-End Market Report. Christina S. Porter is in the business of leasing and selling office and industrial buildings she can be reached at (310) 806-6104 or at cporter@naicapital.com.)

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INTERNATIONAL



Israeli, Palestinian heads call for end to bloodshed

BY LARA SUKHTIAN

Associated Press Writer

SHARM EL-SHEIK, Egypt — Israeli Prime Minister Ariel Sharon and Palestinian leader Mahmoud Abbas declared Tuesday that their people would stop all military and violent attacks against each other, pledging to break a four-year cycle of bloodshed and get peace talks back on track.

With the flags of their countries whipping in the wind, Sharon and Abbas met face-to-face at a Mideast summit, smiling broadly as they leaned across a long white table to shake hands. In one sign the talks went well, Egypt and Jordan announced afterward that they would return their ambassadors to Israel after a four-year absence.

The Palestinian militant group Hamas immediately called the deal into question, saying it would not be bound by the cease-fire declarations and was waiting to see what Israel would do next.

Israel will hand over control of five West Bank towns to the Palestinians within three weeks and immediately release 500 Palestinian prisoners.

Those agreements, and the sight of Abbas and Sharon shaking hands, were the clearest signs yet of momentum in the peace process after Yasser Arafat's death in November and Abbas' election to succeed him in January.

One Israeli official, Gideon Meir, said "there was a great atmosphere in the talks ... smiles and joking."

An invitation to both sides to meet separately with President Bush at the White House this spring added another round of momentum on the summit's eve.

"We have agreed on halting all violent actions against Palestinians and Israelis wherever they are," Abbas declared in a statement made after the meetings, as he, Sharon, Egyptian President Hosni Mubarak and Jordan's King Abdullah II sat around a round table.

Sharon made a similar pledge.

"Today, in my meeting with chairman Abbas, we agreed that all Palestinians will stop all acts of violence against all Israelis everywhere, and, at the same time, Israel will cease all its military activity against all Palestinians everywhere," he said.

Abbas said he expected the cease-fire pledges to pave the way for resumption of talks on so-called "final status" issues such as borders, refugees and Jerusalem's status, all within the context of the Mideast "road map" to peace. Sharon said he also expected the deal Tuesday to set the stage for the implementation of the "road map."

Sharon also invited Abbas to visit him at his ranch in southern Israel and Abbas accepted, Meir said. Palestinian Foreign Minister Nabil Shaath said the meeting would take place soon.

Sharon said he would like the next meeting between the two leaders to be in the West Bank town of Ramallah, according to an adviser, Raanan Gissin.

The White House commended the leaders on their commitment.

"The cessation of violence and terrorism are important steps on the path to ending terrorism in the region and dismantling the terrorists' infrastructure," spokesman Scott McClellan told reporters on Air Force One as Bush flew to a speech in Detroit. "The United States will continue doing its part to help the parties move forward."

As part of the handover of five West Bank towns, Israeli and Palestinian security commanders are to meet Wednesday to prepare the handover of Jericho, the first West Bank town in the list of five, said Palestinian negotiator Hassan Abu Libdeh.

After the immediate release of 500 Palestinian prisoners, another 400 will be released at a later stage, he said.

Asked whether Hamas would continue its attacks against Israel after the summit, the group's representative in Lebanon, Osama Hamdan, replied: "Our decision depends on the achievement of a substantial change (in Israel's position) to meet Palestinian demands and conditions."

Hamdan said for a truce to be successful, Israel must release Palestinian prisoners and make a clear commitment to "halt all kinds of aggression against the Palestinian people."

He contended those conditions were not met at the summit.

In Jerusalem, a key parliamentary committee narrowly approved a bill that would allow Sharon to carry out his planned pullout from the Gaza Strip and part of the

West Bank in the summer. The vote passed 10-9 on a subject that has split Sharon's party and angered his main constituency.

Abbas said it was time for the Palestinian people to regain their freedom.

"A new opportunity for peace is born today in the city of peace. Let's pledge to protect it," Abbas said, referring to the nickname of Sharm el-Sheik earned through past peace summits.

And Sharon, in what he said was a direct address to the Palestinian people, said: "I assure you that we have a genuine intention to respect your rights to live independently and in dignity. I have already said that Israel has no desire to continue to govern over you and control your fate."

Mubarak, who summoned the two leaders and has been a key mediator, said there also was fresh hope for Syrian-Lebanese peace negotiations, which have been frozen since 2000.

Egyptian Foreign Minister Ahmed Aboul Gheit said Egypt and Jordan will return their ambassadors to Israel after a four-year absence, possibly within days. Egypt and Jordan lowered their diplomatic representation in Israel in late 2000 to protest what they saw as Israel's excessive use of force against Palestinians in the fighting

that began in September that year.

Gissin said Israel would stop its controversial targeted killing operations against wanted Palestinians, as long as the Palestinians kept militants under control.

Secretary of State Condoleezza Rice said in Rome that there seems to be a will for peace in the Middle East, and warned the Palestinians to move resolutely to control violence against Israel by its own people.

After the summit, Britain and Germany quickly pledged to do all they could to help both sides.

In London, Foreign Secretary Jack Straw noted there had been "rather too many false dawns" in the long-running conflict. German Foreign Minister Joschka Fischer added from Berlin that "the renewed U.S. engagement is of central significance" to solving the Israeli-Palestinian conflict.

Sharon's visit angered some Egyptians, and university students led by Islamic student groups demonstrated peacefully on their campuses Monday and Tuesday. At Cairo University, about 350 students burned Israeli and American flags and shouted against Sharon. One banner read: "Receiving Sharon is a shame on Egypt."

Palestinian negotiator Saeb Erekat said the agreement also included the establishment of joint committees.

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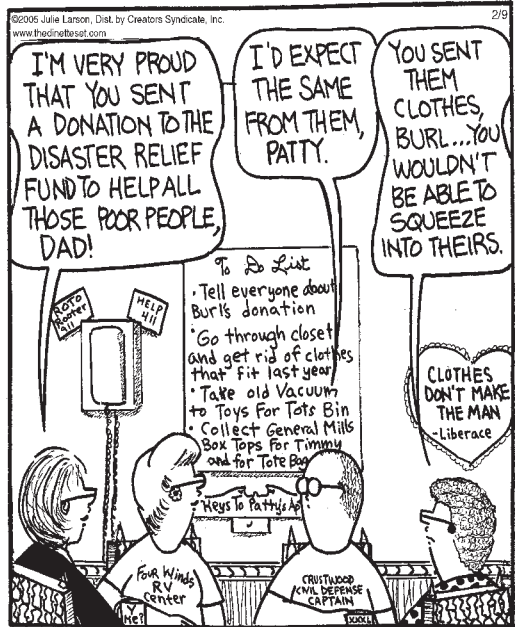
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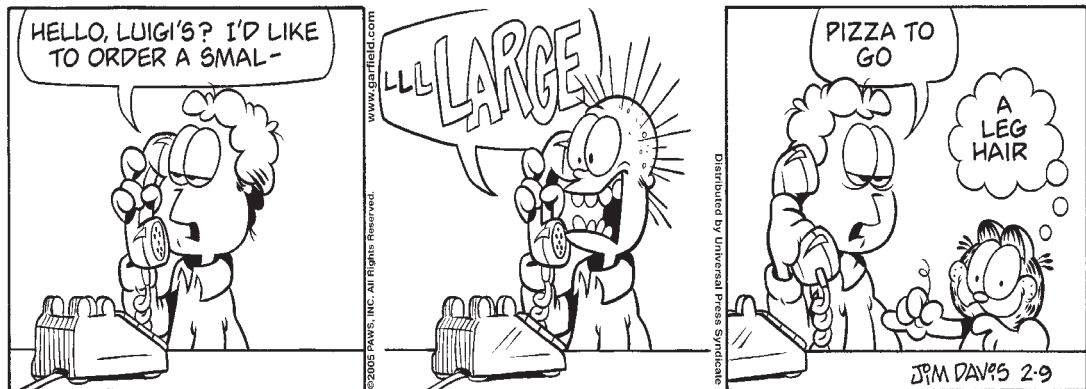
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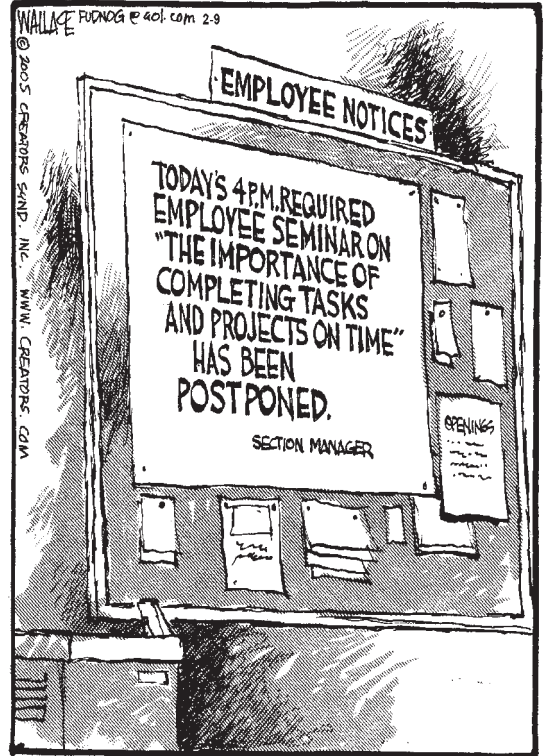


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- 23 "— job's worth doing, ..."
- 24 Nonsense
- 26 Mythical bird
- 27 Pub order
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- 29 Candidate of 1988
- 31 Wield
- 32 Goopy stuff
- 33 Big galoots
- 34 Buff buff
- 37 Old horses
- 39 Crowded into
- 43 Down
- 44 Commend
- 45 Yodelers' place

46 Game dog

DOWN

- 1 One heart, e.g.
- 2 One heart
- 3 Moon lander, for short
- 4 George W.'s wife
- 5 Monster
- 6 Started a hole
- 7 Interested in trying
- 8 Computer safeguard
- 9 Big head
- 10 Longing
- 16 Vacation spots
- 17 Aviary group

- 18 — of (in conflict with)
- 19 Raising
- 21 Tenant's agreement
- 22 Sorts
- 24 Made cookies
- 25 Ring legend
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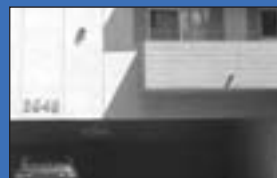
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