

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
2 3 6 9 35
Meganumber: 1
Jackpot: \$13 Million

FANTASY 5
5 6 20 30 34

DAILY 3
Daytime: 7 1 7
Evening: 4 7 0

DAILY DERBY
1st: 06 Whirl Win
2nd: 12 Lucky Charms
3rd: 09 Winning Spirit

RACE TIME: 1.45.70
Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site: <http://www.calottery.com>

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Three men who police say stole a car in San Jose, Calif., in October and drove it to Chico, Calif., were arrested in Chico when police caught them trying to break into that same car because they had locked the keys inside (or thought they had, since Chico Officer Jose Lara said he found the keys in one of the men's pockets, after all).

■ Adam Ruiz, 29, was arrested in Buffalo, N.Y., in January after he showed up at work as a trainee at the same Burger King he had allegedly robbed the week before (strengthening the conclusion that crime certainly does not pay if it pays less well than burger-flipping.)

TODAY IN HISTORY

Today is the 41st day of 2006.
There are 324 days left in the year.

On Feb. 10, 1949, Arthur Miller's play "Death of a Salesman" opened at Broadway's Morosco Theater.

In 1763, France ceded Canada to England under the Treaty of Paris, which ended the French and Indian War.

QUOTE OF THE DAY

"Maybe all one can do is hope to end up with the right regrets."

ARTHUR MILLER
AMERICAN PLAYWRIGHT (1915-2005)

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Officers shoot, kill carjacking suspect



Fabian Lewkowicz/Daily Press

Detectives and police investigate the scene early Thursday in Venice where Santa Monica police officers fatally shot a man who fired on them with a shotgun and led them on a pursuit in a stolen car.

Grand in Turino: Pair seeks Italian gold

BY KEVIN HERRERA

Daily Press Staff Writer

There is little hope among figure skating analysts that the U.S. will take home a medal in Pairs this week at the XX Winter Olympics in Turino, Italy.

Pairs, which opens the Games' skating competition on Saturday, is the weakest link for American skaters. The last U.S. couple to medal was Jill Watson and Peter Oppegard, who secured a bronze in 1988. Since then, duos have not even come close to reaching the podium.

But if any couple has a shot this year, analysts said, it's Santa Monicans John Baldwin and Rena Inoue, who are going into the Games fresh off their come-from-behind victory in the 2006 U.S. Nationals, at which they became the first duo to successfully land a triple axel mid-air spin during competition. That move, which observers called "extraordinary," helped catapult them from fourth to first and secured the two a spot in Turino.



Photo courtesy

THAT FIGURES: Santa Monicans John Baldwin and Rena Inoue look to make a podium appearance in Turino, Italy.

"We want to put our mark on the sport and push pairs figure skating to the next level," Baldwin, 32, said in an interview after the Nationals win, the duos'

second. "I don't want it to be just like dust in the wind."

Oppegard now coaches Baldwin and Inoue in Artesia, Calif.

"I saw a lot of performances at Nationals, and one of the highlights was John and Rena's," he said, taking his bias into account. "I think things like that make people look at pairs and say, 'This is something I want to do.'"

A couple on and off the ice, Baldwin and Inoue have been skating together since 1999, according to www.nbcolympics.com, an official site of the Olympic Games.

The two met after Baldwin's father, a figure skating coach and former U.S. champion, insisted that Inoue, 29, skate with his son. Inoue, a two-time Olympian singles skater from Japan, had other plans. At the time, she had just recovered from a six-month chemotherapy treatment in Los Angeles after being diagnosed with lung cancer.

"(After chemotherapy) my

See OLYMPIANS, page 8

BY CAROLYN SACKARIASON

Daily Press Staff Writer

VENICE — A Santa Monica police officer shot and killed a carjacking suspect early Thursday, after the man opened fire on authorities and led them on a short pursuit through area streets.

The suspect, whose identity is not known, was pronounced dead at the scene shortly after 5 a.m. He is described as black and in his 20s, according to SMPD Lt. Frank Fabrega. No officers were injured.

The incident began at 4:39 a.m. at the corner of 10th Street and Michigan Avenue, where the suspect stole a Dodge Shadow from an unidentified man. The victim, who was not injured, was driving behind a white van when it slowed and eventually stopped, Fabrega said. The victim told police he thought the driver of the van was having mechanical problems so he stopped to help. That's when the suspect emerged from the van, pointed a shotgun at the victim and stole his car.

See SHOOTING, page 4

LOCAL

Help wanted: Schools failing to make hires

BY KEVIN HERRERA

Daily Press Staff Writer

SMMUSD HDQRTS. — The chair of the commission in charge of hiring janitors, security guards and other classified employees at the school district responded Thursday to criticism from administrators and elected officials over the perceived footdragging in hiring new district employees.

Celia Carrol of the Personnel Commission, an independent body responsible for advertising job vacancies, testing applicants and ranking them based on performance and qualifications, accepted some responsibility for the 43 positions still open midway through the school year.

But she added that there are many contributing factors and the commission is not the sole culprit.

See HELP WANTED, page 5

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HOROSCOPES

Extra R&R, Aquarius

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 strength of personality emerges when dealing with basic issues. You might be surprised at the many different possibilities that open up when you say, "No; I want something different." Let your imagination loose. Tonight: Once more, use your imagination.



TAURUS (April 20-May 20)
★★★★ Sometimes you are much stronger and more determined than you realize. Others back off and part the way for you. It seems as if you have many more solutions than you were aware of. Someone might find you a bit pushy. Yes, you! Tonight: Beam in what you want.



GEMINI (May 21-June 20)
★★★ Recognize that everyone has his or her limits — even you. Do you really want to cause yourself additional angst by spending and overindulging? Ultimately, how good is this behavior for you? Work on being good to yourself. Tonight: Your treat.



CANCER (June 21-July 22)
★★★★ You have a way of drawing reactions that can sometimes be disconcerting. Step back, and use your high energy to create more of what you want out of life. You can do it — promise. Aim, and you could hit the bull's-eye. Tonight: Relax and enjoy.



LEO (July 23-Aug. 22)
★★ Take your time making a decision. You might not be comfortable with someone's drive and pushiness. Quite clearly, this person wants his or her way only. Be as reasonable as possible, as you do have to "answer" to this person. You know what works; do just that. Tonight: Relax to good music.



VIRGO (Aug. 23-Sept. 22)
★★★★ Seek out facts and only facts, Virgo. Discard hearsay and gossip. Strong actions taken right now will result in success. Do not hesitate, but rather zero in on what you must do or really would like to do. Meetings prove to be lucky. Tonight: Celebrate the weekend in.



LIBRA (Sept. 23-Oct. 22)
★★★★ Do loosen up and don't get uptight. Others might challenge your direction and leadership. Realize that you have more impact than you are aware of. Integrate what you judge to be good ideas. Others will follow your lead. Tonight: Out.



SCORPIO (Oct. 23-Nov. 21)
★★★★ Being able to take the high road can make or break your day. Don't get triggered by someone who is very difficult. You need to claim your power and bypass a problem. You will naturally find solutions. Tonight: Easy does it.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Others want it their way. Why not let them have what they want instead of fighting the trend? Ultimately, you will be much happier. See what others create. They also need to see the end results. Help out after the final results are in. Tonight: Be with a favorite person.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ You will want others to tell it like it is. Your imagination might be challenged by someone else's hassle. Others appreciate your ability to find answers and solve problems. Be careful with a moody loved one. Tonight: Just join in.



AQUARIUS (Jan. 20-Feb. 18)
★★★ Be more nurturing to someone who frequently has a difficult time. You will want to lie back and take your time with someone you find difficult. Don't indulge in impatience. Stay even. Tonight: Get extra R and R.



PISCES (Feb. 19-March 20)
★★★★ What you say might be strong and forceful, but will draw the response you need. Another needs this wake-up call. Your creativity will surge to a new level if you allow others to challenge you. Tonight: Whatever you choose will be fun!



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LOCAL



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"-36"	8:30am - 4:00pm	18	10/12

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

JUNE MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	72" - 96"	8:00am - 4:00pm	35	6/6

CONDITIONS: Packed Powder, Machine Groomed

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	120- 144"	8:30 am - 4:00 pm	150	25/28

CONDITIONS: Packed Powder, Machine Groomed

MOUNTAIN HIGH

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

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

MT. BALDY

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

CONDITIONS: Packed Powder, Machine Made

SNOW SUMMIT

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	12"-36"	4:30 am - 4:30 pm	18	14/14

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

SNOW VALLEY

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	24"-12"	8:30 am - 4:00 pm	10	5/11

CONDITIONS: Machine Groomed, Spring

CONDITIONS

WATER TEMP: 59°

S

Tipping down towards waist to chest with the lagging periods finally arriving, hovering around only 12-13 seconds.

LONG RANGE SYNOPSIS

NW swell hits coast Sunday...
Tracking smaller NW for weekend of 18th...

TIDE FORECAST FOR SANTA MONICA

FRIDAY	7:04AM	1.1FT	6:41PM	1.02FT
LOW TIDE:	12:40AM	5.1FT	12:45PM	3.7FT

SATURDAY	8:38AM	1.0FT	7:23PM	1.8FT
LOW TIDE:	1:23AM	3.0FT	2:28PM	2.5FT

SUNDAY	10:24AM	0.7FT	8:24PM	2.4FT
LOW TIDE:	2:29AM	3.1FT	5:09PM	2.7FT

MONDAY	11:48AM	0.1FT	10:07PM	2.8FT
LOW TIDE:	2:33AM	5.1FT	7:04PM	3.0FT

TUESDAY	12:46PM	-0.3FT	11:37PM	2.8FT
LOW TIDE:	4:50AM	5.2FT	7:53PM	3.4FT

WEDNESDAY

N/A

THURSDAY

N/A

FRIDAY

N/A

SURF AND SNOW QUESTIONS OR COMMENTS EMAIL: HEADLINE@COM

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By Daily Press staff

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The event will take place on Feb. 11.

The Q Line

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Santa Monica residents will soon be polled as to whether they are interested in cleaning the city's beaches and coastal waters, and whether they're willing to pay for it.

A soon-to-be-released cleanup plan would make Santa Monica compliant by 2020 with several new environmental regulations. City officials say there will be a considerable need for a new funding source for the project. Capital costs alone could reach \$95 million over a period of 15 years. In addition, operating and maintenance costs could at least double the current \$36 annual stormwater fee homeowners pay, according to a recent staff report.

So this week, Q-Line wants to know, "What are you willing to pay for a cleaner coast?"

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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VIOLET-At Violet restaurant the atmosphere is casual, comfortable, and, like its cuisine, is uncluttered. Chef Jared Simons' flavorful small plate fare has something to suit everyone, from light eaters to those with a taste for a more robust fare. The Braised Short Ribs with Shallot Potatoes (\$14.50) melt apart while the Multi-Colored Beet Salad with Eel delights with Kumquat and Ginger Vinaigrette (\$9) and the favorite among the regulars is the Baked Macaroni and Gruyere Cheese with Serrano Ham (\$7.50). Unique selection of new and old world wines by the bottle, glass or flight as well as an impressive list of domestic & imported artisan beers. Hours: Lunch: Tuesday-Friday, 11:30am-2pm. Dinner: Tuesday-Friday, 6pm-10pm & Saturday and Sunday, 5:30pm-10pm. 3221 Pico Blvd., Santa Monica. www.violetrestaurant.com (310) 453-9113.

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LOCAL



Fabian Lewkowicz/Daily Press

Police closed off a portion of Michigan Avenue, between Lincoln Boulevard and 11th Street, the scene of a carjacking early Thursday. The suspect abandoned this white van, then stole a Dodge Shadow at gunpoint. The suspect was shot dead by police about 30 minutes later in Venice.

Police investigating officer-related shooting

SHOOTING, from page 1

SMPD officers began searching surrounding areas, spotting the suspect 15 minutes later driving the stolen vehicle in Venice. While other SMPD officers were responding to the scene, two officers in one patrol car approached the suspect, who stopped and exited the vehicle armed with a shotgun. He fired at the officers before getting back in the car. A pursuit ensued, which ended in the 400 block of Santa Clara Avenue in Venice when the suspect smashed into the side of a building. He exited the car armed, and officers opened fire on the suspect. He then got back into the vehicle, Fabrega said.

After police ordered the man to surrender, the suspect pointed the shotgun in the direction of officers, who then opened fire again. The gun was dropped and no movement was seen from the suspect, Fabrega said. Paramedics arrived shortly after and pronounced the suspect dead. It's unknown what part of the suspect's body suffered gunshot wounds, or which officer fired the fatal bullet.

Officials from the Los Angeles County Shooting Team, an independent body that investigates officer-related shootings, were on scene in Venice analyzing evidence. SMPD detectives also are conducting an investigation, and were at the

scenes in Venice and in Santa Monica where the carjacking took place.

A perimeter was set up from Pico Boulevard along 10th Street to Michigan Avenue, and on Michigan Avenue from Ninth to 11th streets. The van was left where the suspect abandoned it, in the middle of the intersection at 10th Street and Michigan Avenue. The van was reported stolen on Feb. 5 from a carjacking that occurred in Venice by a suspect described as a black man armed with a shotgun, Fabrega said.

Fabrega didn't know the administrative status of the officers involved in the shooting, or when the last time a SMPD officer killed a suspect. The last incident in which a SMPD officer shot a suspect was in June of 2005 when police shot two suspected bank robbers after a three-mile chase that ended in a parking garage off of Lincoln Boulevard. The suspects, who robbed First Federal Bank on Main Street, survived and are being prosecuted.

The last time a SMPD officer was shot was last week, on Feb. 2, near the corner of 20th Street and Pico Boulevard. Officer Walter Ramirez, a four-year veteran of the department, was shot in the wrist and treated at a local hospital. Michael Espindola, 20, a resident of Santa Monica and known gang member, has been charged with several felonies related to the shooting, police said.



LOCAL



Board displeased with lack of staff

HELP WANTED, from page 1

"This is a very complex issue," Carrol said. "All of us are responsible ... and we should use this opportunity to get more people excited about working for the district. I think it is an exciting place to work."

School board members voiced their displeasure last week with the lack of non-teaching staff at several campuses throughout the district, contending the vacancies have negatively impacted student services and made the jobs of school administrators more difficult.

While district officials said the backlog in hiring was due to instability in the commission over the last two years, Carrol said principals and others in charge of selecting qualified candidates are also culpable.

Carrol said the commission, comprised of three appointed members and five employees, was going through some rough times over the last two years as directors left and analysts moved elsewhere, leaving the commission short-handed.

But since the new director, Wilbert Young, came on board in April of last year, Carrol said the commission is moving swiftly to recommend candidates to the district for hire. Of the 60 positions open at the beginning of the school year, the commission has recommended candidates for 25 jobs. Of the remaining 35, Carrol said 17 positions have been filled while candidates are being tested for the remaining 18.

Thirteen new positions have opened up in the last month, she said.

"Some of these positions are very hard to fill because they are only for two or three hours a day with no benefits and the turnover is high," Carrol said. "We recruit mainly from the Los Angeles County area, and say for positions in Malibu that are only part-time, it is very difficult to get someone to agree to that long commute for the very little money these jobs pay. It's improving a bit, but there is still a lot of work to be done."

To find out why employees leave so soon, the commission will begin conducting exit interviews, Carrol said.

"We spend all this time on recruitment only to have some leave within a couple of months," she said. "Maybe they found something better. We don't really know."

Carrol said the district has been supportive of the idea and the commission has sent a sample exit interview to officials in human resources. She expects to see it put in use within the month.

Carrol, who was appointed to the commission in 1998 and is currently serving her third term, said some positions have been vacant for months, even years, because there is no money. Instead of dropping the position entirely, they are kept on the school's list of vacancies as a 'place holder' until money becomes available. That may give the impression that jobs are not being filled when, in fact, they can't because of budget constraints.

"If you drop them, there is no guarantee they will come back," she said of the vacant positions.

Carrol also is concerned about the lack of enforcement for administrators who receive certified candidate lists but refuse to interview or hire anyone recommended by the commission.

"Some hold out for years for many reasons," she said. "Maybe they like the substitute they already have in that position and don't want to fill it permanently ... There is no pressure for a site to hire. In the city, if we don't hire within a certain time, that position is taken away. It's one of the basic problems. Principals ... have too much autonomy on their campus."

Michael Mathews, assistant superintendent of human resources at the district, said he has heard of some principals not acting upon candidate lists and he has asked commission members to notify him if that occurs.

"Once the commission passes along qualified candidates, it is our job to make sure people are hired as soon as possible," he said. "Sometimes our principals get frustrated because the candidates recommended don't meet the minimum qualifications."

Rules laid out by the district and the commission state that a school administrator doesn't have to hire a prospective candidate if there are only one or two recommended. If three candidates are presented, the administrator must hire one.

Mathews said a typical list usually includes three, but no more than five candidates.

"The positions are hard ones to fill, especially instructional aids, and there needs to be aggressive advertising and real hard work to make it happen," Mathews said. "I see that the Personnel Commission is doing more of that now and I'm pleased. It's a challenging job."

In the district there are two types of employees — classified and certified. Those who are certified carry a certificate while those who are classified, such as custodians and cafeteria workers, don't.

The commission was created to remove any bias in the hiring of classified employees. The three board members are appointed alternately by the state superintendent of public instruction and by the executive officer of the state personnel board, each of whom may consider the recommendation of the board of education, unions representing employees, as well as administrators.

A member of the commission must be a registered voter, a resident within the district and be familiar with the principal of the merit system. No member of the commission shall be a member of the school board nor be an employee of the district, according to the bylaws.

The term of office for each commissioner is three years and expires on Dec. 1. The term of one commissioner expires each year. Commissioner members are paid \$25 per meeting.

The Personnel Commission's budget for this school year is \$540,000, Mathews said.

While they are not in the classroom instructing students, Carrol and Mathews agreed classified employees play very important roles in the district and they should be hired at the same rate as certified employees. District officials said there are no vacancies for certified employees.

"It's important to have custodians. It's important to have teachers aids," said Carrol, who works as a city librarian. "It is critical to have a good support staff at our schools and I know we all share the same goal and we hope to move more efficiently and effectively."



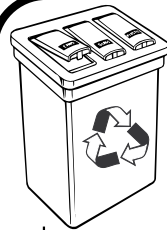
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EDITORIAL

Administrators don't get graded on a curve



The effects of bureaucracy are at work once again in Santa Monica — this time in the Santa Monica-Malibu Unified School District.

Schools throughout the district are in dire need of crucial employees, who in large part, provide support and critical services that are supposed to make our education system so stellar.

More than 60 nonteaching jobs remain unfilled — six months after the start of the school year. While typically we hear that janitors, security guards and teacher aides aren't hired because of budget problems, that's not the case in Santa Monica and Malibu. Instead, the positions haven't been filled because the hiring process has been hijacked by a bureaucratic boondoggle.

The district's personnel commission, comprised of three appointed volunteers and five paid staff members, is in charge of advertising the vacancies, collecting job applications and conducting tests to screen candidates before they are sent on to the district for hiring. But for unknown reasons, the commission has failed to qualify applicants in a timely manner. The commission, which is an independent entity but funded by the district to the tune of \$540,000 a year, asserts it is school administrators who have dragged their feet in hiring people. Still, staff members in the commission office claim that qualified applicants have been sent to the district for 25 openings — leaving nearly three dozen positions far from being filled.

In the end, Santa Monica and Malibu — two of the most prosperous communities in the country — lack proper staffing levels because bureaucrats can't get their acts together.

While both sides point fingers at each other and place the blame on one another, the students and staff at the schools are suffering. Take for example the dozen unfilled assistant positions in the district's child development service department or the three permanent security guards at Santa Monica High School, which is dealing with racial tensions amongst its students. There are 14 schools that have one or more vacancies.

These positions were open in June, at the end of the last school year. It shouldn't take so long to fill them. Officials in the district's human resources department say it takes about three weeks to make a decision on which applicant to hire after he or she is given the stamp of approval from the personnel commission. We argue it shouldn't take the commission more than double that time to screen candidates. Instead, it's been eight months and counting.

The purpose of the commission's autonomy from the district is to prevent bias and nepotism, and to ensure the hiring process is equitable. Because of the commission's and the district's inaction, there is inequity across the board, but it is the students who are feeling the brunt of it.

It's been difficult to get to the bottom of who's responsible for the ineptness because both sides have proved adept at making excuses. The district says it's the commission's fault. The commission says it's the district's fault. Some say the commission shouldn't be blamed since it has suffered from instability the past two years — there have been several interim directors and staff vacancies. If staff turnover can paralyze an organization then it's time to think about overhauling the system.

That's exactly what the school board would like to do, but its hands are tied since it has no authority over the commission. School board members do plan to discuss how it can have more influence over the commission and work better with its members. But in order for the school board to have more control, it will require a vote by residents.

One thing is for certain: The personnel commission needs to be held accountable and district administrators must be more diligent in making sure that students are being served. We say bring it to a vote, stop placing the blame and get to work. The students deserve more.

Fathers knew best: Covet the Constitution



SOAP BOX BY BENNET KELLEY

As the nation commemorates George Washington's birthday amidst a cacophony of "President's Day" retail promotions, we should be mindful of poet Carl Sandburg's warning that "whenever a people or an institution forget its hard beginnings, it is beginning to decay." In this post 9/11 era of the "Patriot Act," domestic wiretaps and dissent being labeled as "irresponsible" and "unpatriotic," it is clear that we have "forgotten (our) hard beginnings."

It was during these "hard beginnings" that a departing President Washington gave a farewell address warning this new nation of the dangers that lay ahead and which are very real today. Washington stressed that elected officials must exercise caution "to confine themselves within their respective constitutional spheres." More importantly, questions about the allocation of powers between the branches of government should be addressed "in the way which the Constitution designates. But let there be no change by usurpation; for this (however well intentioned) is the customary weapon by which free governments are destroyed."

Our nation's first patriot properly recognized that the young nation was united not by a monarch or a shared ethnic or religious heritage, but by the principles embodied in the Constitution. That is why every president, vice president, member of Congress, the armed forces and every new citizen must pledge that they will preserve, protect and defend the Constitution.

The framers intended for the Constitution to be our national creed and a true patriot must always respect the legitimate roles and limitations of each branch of government — recognize that our personal liberty can only be secure when our government respects a citizen's rights and that justice can only be rendered when due process is afforded. This is especially true during times of war since, as Justice O'Connor noted "it is during our most challenging ... moments that our nation's commitment to due process is most severely tested; and it is in those times that we must preserve our commitment at home to the principles for which we fight abroad."

President Lincoln stated in his First Inaugural Address, that if we "continue to

execute all the express provisions of our ... Constitution ... (this more perfect) union will endure forever." Washington and Lincoln would be alarmed and outraged to hear President Bush amongst fellow Republicans contemptuously dismiss the Constitution as "just a goddamned piece of paper" while also attempting to exploit politically his disregard for the limitations on executive power.

They would be astonished to see Bush and his allies claim the mantle of patriotism and declare any criticism of the president to be irresponsible or unpatriotic. But as Republican Senator Margaret Chase Smith noted during the McCarthy era, "those ... who shout the loudest about Americanism ... are all too frequently those who ... ignore (its) basic principles." To those who claim you either support the president or the enemy (which only seems to occur during Republican administrations), my response is simple — patriotism is not about supporting the President absolutely but rather "it's (about) the Constitution, stupid!"

On Washington's birthday we should remember our hard beginnings. We have inherited a republic that even its founders questioned whether it could succeed and yet has survived nearly 12 generations. This is a testament to our nation's commitment to the values upon which we were founded, but also to the many great people who have stood tall when the time called for leadership, wisdom or service. Our greatness as a nation flows in part from the integrity of George Washington, the vision of James Madison, the strength of Abraham Lincoln, the determination of Franklin Roosevelt, the idealism of John F. Kennedy, the courage of Martin Luther King, Jr., and, most importantly, the dedication and commitment of countless nameless people who worked in some form to serve our country.

Above all else, we must remember that this bountiful valley of liberty grew from a single seed — the Constitution. This is not a historic document or a "goddamned piece of paper," but a covenant between the founders and all Americans to come. On Washington's birthday, we must recognize that it is our turn to stand tall and renew our commitment to preserve, protect and defend our Constitution in order that this more perfect union will endure forever.

(Bennet Kelley is the former National Co-Chair of the Democratic National Committee's young professional arm, the publisher of BushLies.net and a Santa Monica attorney. He can be reached at bennet@bennetkelley.com.)

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LETTERS TO THE EDITOR

Stopping eco-terrorists seems quite natural

Editor:

Regarding Mr. Onkar Ghatе’s “Science without conscience is the ruin of the soul” (SMDP, Feb. 3, page 4.) Perhaps now more than ever and in spite of free electronic access to information, the specter that science and applied technology is a Faustian bargain is completely ignored.

In 1994, barely five years after the fall of the Berlin wall, I was privileged to address a Green Peace discussion in my parental homeland of Slovakia, which had pristine lakes and rivers at the foot of the Tatra mountains when I vacationed there as a youth in 1951. Shocked by the oily stench of completely tree-less swamps that faced me in 1994, upon for the first time revisiting the area, I cajoled the Green Peace monitor for his organization’s confrontational methods of harassing industrial corporations on the high seas.

The theme of my rebuttal essentially was that corporate decision makers would be far more responsive to utilitarian pleadings than to force. I stressed that the continued abuse of the environment and ecology in the interest of profit was really a consequence of scientists relaxing their moral and political vigilance.

Losing 37 percent of the Amazon rain forest is a moral predicament that could have been avoided if climate scientists had at least considered that climate changes, and perhaps global warming were also due to more heat being reflected back in the lower climate controlling atmosphere, as well as the absence of carbon dioxide absorbing foliage.

Frank Muller
Santa Monica

Truth buried at cemetery

Editor:

Who is Michael Steen and what went wrong during his tenure as the city of Santa Monica’s superintendent of Woodlawn Cemetery?

The cemetery is one of a handful owned by California municipalities and approximately 15 years ago there was an opening, on the horizon, as the then current superintendent was facing retirement. A search began scouring the United States for a premier performer. Someone who understood the unique kind of service to be continued to Santa Monica’s residents and relatives. Many of the founding families are interred there. Residential or relationships are required to repose in these hallowed grounds.

The city found Mr. Steen who had applied while director of the world famous Pierce Brothers Westwood Village Mortuary and Memorial Park (Marilyn Monroe along with numerous other Hollywood luminaries are “at rest” there.) Steen had a sterling career, going back to his Nebraska childhood roots and his neighbor role model who just happened to be a mortician. He felt his calling to service in an industry under fire for death and dollars and knew that his mission was to serve families in grief and endlessly give of himself as a sincere grief mitigator.

He did his job well enough to be featured in Gentleman’s Quarterly (GQ) as the “Mortician To The Stars.” Everyone seemed to hear about the genuine caring that flowed from this dedicated man and sought out his counsel. When the AIDS epidemic hit, it was Mike who conducted endless seminars on death and dying. He would take his time to go to assisted living facilities to, sometimes, be the only visitor to be seen by some of the abandoned elderly.

As an ordained minister, he offers weekly communion at one of the city’s board and care facilities. He sits on the board of the International Cemetery and Funeral Association, and was responsible for bringing that organization’s convention to this city.

So, what happened? What went wrong?

Apparently nothing for almost 14 years, if you are to believe the exceptional job performance evaluations he had received from his supervisors. Performance bonuses were approved by the City Manager.

But something was wrong. Very wrong. The city viewed the cemetery as some kind of step-child. None of Steen’s supervisors knew anything about cemetery operations and didn’t seem to care. The cemetery fell under the water department. Steen tried to increase revenue and suggested the facility be used, in a dignified manner, as a movie backdrop. Movie location managers had been pestering him for years to pay the going rate of \$2,000 per day. When he brought it up, City Hall hierarchy dismissed the idea with a “don’t bring up that subject again.”

He created a mausoleum expansion and hand-painted wall murals. He beautified the once drab mausoleum and surrounding grounds.

He made it a point to attend most every burial less there be a potential flaw. He spoke at many when there was no one to speak for the deceased.

Don’t let the acreage fool, you. This place was run by a handful of groundskeepers, Mike and his administrative assistant. That’s it. Two people manning the endless calls for service and assistance.

You might ask what happened to his administrative assistant? His right-hand woman. Her sworn statement indicated that she was “afraid to report problems to supervisors for fear of repercussions.” Huh? She was sent over to fill a vacancy, as his assistant, coming with 12 years of human resources experience with the city. What in

the world could he have done to her in a two-person office? A laughable excuse for abandoning any responsibility for anything that was alleged and she enjoys continued employment within the city.

Armed with an incomplete audit and unanswered questions the city went on the offensive, seizing his city vehicle, in the middle of the afternoon with a funeral about to get underway, and ordering him, under police guard to take some personal belongings and not return under penalty of arrest. For what? There was no comment. He was placed on administrative paid leave being left clueless as to what he was facing. Not pleasant a couple of weeks before Christmas. Not even a chance to say anything to his staff. Forbidden to communicate with any city personnel.

Ultimately, under demand from legal counsel, the city responded, indicating they were looking into allegation of financial irregularities.

The Santa Monica Police Department’s special audit unit (which deals with internal corruption) was called into the investigation and found no evidence of criminal misdeeds.

And then with hundreds of hours of auditing and tens of thousands of dollars later, the city determined that there were some “financial record keeping problems” but after an exhaustive review could not put their fingers on an amount or even an approximate amount. Oh, they did find a \$78 check that hadn’t been cashed. Several years old and buried in the back of Steen’s desk. And there was that sticky matter of Steen’s domestic partner owning a grave marker and monument company. A conflict of interest the city cried. Steen responded that if someone asked if there was a monument company in the city he did in fact state that there was. Mine. The only one in the city. How about the closest monument company to the cemetery? Yes. Mine. Who does most of the monuments here? Me. He even handed out a sheet of paper with all the monument companies in the surrounding cities with the disclaimer written on it that the list was neither a “recommendation nor an endorsement.” All of the above were truthful statements. If you want to call those statements “referrals” so be it. Read back in this article. Remember Steen’s passion to serving his families? He was not about to do what is current policy and tell people in town or out of town to either look in the phone book or the internet. Hardly serving grieving or inquiring families in need of information.

As this story unfolds, seven months into his suspension, Steen is formally terminated.

Shocked by this, his attorney requests an appeal by binding arbitration. The city refuses and elects, as is its privilege to use its in-house, City Council-approved personnel board to handle the appeal. The die is cast. Testimony and evidence is presented and then, in a surprise move the board informs the city’s attorney and Steen’s attorney that they will be limited to 10 minutes each for closing arguments. Let’s get this right. Fourteen years of service, confusing testimony and contradictions all to be dealt with in no more than 10 minutes? All those years of service and dedication and the board just couldn’t see fit to allow, say, 20 minutes? Or had they already made up their minds?

You might be asking yourself was anyone else held accountable? Nope. Not the staff that gave Steen all those misleading years of glowing performance reviews. Not the finance department who might have cut the problems off at the pass since it was their requested initial audit. Why didn’t they come over to the cemetery to see if the checks and balances were in place? Craig Perkins, Steen’s department head, under oath stated that he didn’t check because “... I assume all my managers are going their jobs ...” If that be true then what is the city paying Mr. Perkins for? Or Gil Borboa, Steen’s immediate supervisor. He thought, under oath, that Steen’s office was “messy” but didn’t tell Steen to clean it up.

Please don’t get this writer wrong. Mike is responsible for whatever he did or didn’t do. I’m furious that he didn’t listen to my admonition to protect “thine own posterior” and send e-mail every month to finance, Perkins and Borboa asking them to come by and check to see if he was in compliance. I could kick him into the first open grave for being service oriented and not a politician. For not listening when I warned him about mean-spirited people populating city government. Mike always looked for the good in people and couldn’t believe that people, close to him would actually lie under oath about him.

The personnel board upheld the decision to terminate Mike’s employment and in such wording that you would think he didn’t have an attorney or they weren’t listening. Nothing short of termination would do. Not a suspension. Nothing. A 40-year career and 14 years of city devotion flushed.

But I will close this with this observation. An observation based on 34 years of knowing him. Not a 10-minute closing argument.

On the day of the infamous Northridge earthquake devastation when our house stopped shaking Mike said, “I have to go to the cemetery. I have to see how it is.” The image I will always have is him being seated on the mausoleum steps, with his head in his hands sobbing as he surveyed the downed upright markers repeating ... “I have to get these back up before the families see this ...”

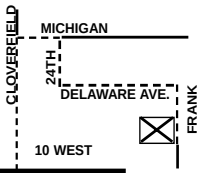
The city will find another cemetery superintendent but they will never replace Mike.

William Schneid
Santa Monica



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CRIME WATCH

By Daily Press staff

Cane sword found in backpack

At 6:30 p.m. on Wednesday, Jan. 25, the Santa Monica police responded to the 1500 block of Second Street where officers were responding to complaints of noise and were conducting a sporadic check. While walking through the Burger King, officers saw a group of seven male individuals loitering and skateboarding on the steps in front of the restaurant. As officers approached, one of the male subjects yelled to his friend, "Hey, stupid, the cops are behind you," in reference to the skateboarding, which is illegal. The subject apologized to the officers and the group began to walk away. As the group was walking away, officers noticed a backpack that was left unattended. Officers asked the individuals within the group if any of them were the owner of the backpack. No one replied. Officers looked into the backpack and saw a cylinder object protruding from the backpack, at which point one of the males yelled out that the backpack was his. Officers recovered a cane sword — 24 inches in length — from the backpack. Rickey Lee Bolton, 26, transient, was booked for possession of a concealed weapon and felony probation violation. No bail was set.

At 5:08 p.m. on Saturday, Jan. 28, the Santa Monica police responded to the 1300 block of Franklin Street regarding an auto burglary. When officers arrived at the scene, they contacted the witnesses, who said they were walking when they saw the suspect break into the vehicle and flee. They notified police and responding officers located the suspect in the 1300 block of Berkeley Street. A field show-up was conducted and the suspect, Emeline Norris, 40, transient, was positively identified, taken to jail and booked for burglary and parole violations. No bail was set.

At 6:05 p.m. on Sunday, Jan. 29, the Santa Monica police responded to the 1000 block of Ocean Avenue regarding a disturbance. When officers arrived at the scene, they spoke to the victims, who said that they were walking when the suspect approached them and spat in their face for an unknown reason. They notified police and the suspect, Emeline Norris, 40, was later arrested for assault and battery and an outstanding warrant. No bail was set.

This police report was prepared by Daily Press staff writer Ryan Hyatt.

Pair of Olympians keep their edge training in SM

OLYMPIANS, from page 1

immunity system was so low that I was getting colds easy and getting tired easy," she told reporters in Turino on Tuesday. "I had a higher chance of pneumonia, but I recovered really quick."

With a new lease on life, Inoue, who started skating at the age of 4 when doctors told her it may help with her asthma, decided to compete in singles for one more year and then return to Japan to pursue a career in medicine.

But Baldwin's father persisted and after a few months she agreed. The two moved to Santa Monica shortly afterwards, where they currently reside after a brief stint in Arizona. The two had moved from the west coast to follow their coach, Olympic medalist Watson, who was running an elite skating program at the Desert Schools Coyote Center.

Feeling homesick, the couple moved

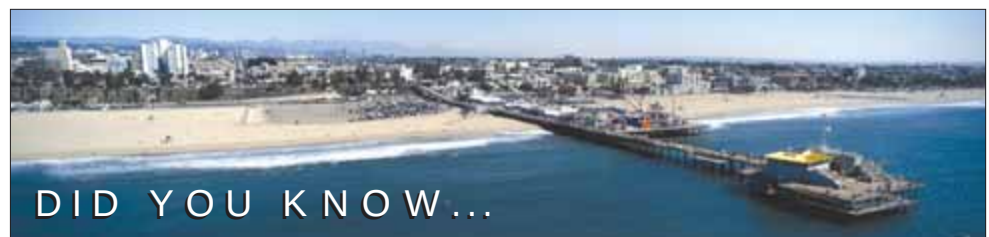
back to Santa Monica in February of last year and have since worked with Watson's former partner, Oppegard.

"To get the right kind of training, it's important to be in the right frame of mind," Baldwin told U.S. Figure Skating in an interview shortly after the move back to Santa Monica. "Our friends and our family and our life are out here. It's important to be happy."

Baldwin was born in Dallas and graduated from Mesa College in San Diego in 1995. Inoue was born in Hyougo, Japan, and graduated from Tokyo's Waseda University with a degree in education.

She recently became a U.S. citizen, allowing her to compete for the country in the Winter Olympics.

Off the ice, the couple, who are not married, enjoy hiking in the Santa Monica Mountains, water sports, gardening, playing poker and caring for their cat, Madonna.



DID YOU KNOW...

The beach comprises more than half of Santa Monica's open space.

ENTERTAINMENT BRIEFS

A story to tell with new play

By Daily Press staff

A play will be shown this month in Santa Monica that bears the souls of four men. Adapted by Bob Baker from stories written by Greg Goodheart, Eric Gordon, Don DeForest Paul and Larry Rubinstein, "Wagging Tails: Stories from the Stonewall Generation" sees a quartet of men disclosing significant events they experienced as children and young adults, as well as revelations about their present lives in Los Angeles. It's been described as courageous, honest, funny and poignant.

The script grew from the stories Goodheart, Gordon, Paul and Rubinstein gathered at a series of oral history workshops. Baker previously adapted and directed the 2004 theater piece “Stories to Tell.”

The play will be performed Feb. 24-26; Friday and Saturday at 8:30 p.m.; Sunday 2:30 p.m. at Highways Performance Space, located at 1651 18th St. Tickets are \$15. Visit www.highwaysperformance.org or call (310) 315-1459 for more information.

Fastest theater in town ready to sprint

By Daily Press staff

Call it local theater on steroids.

The Ruskin Group Theatre's "L.A. Café Plays" — dubbed the "Fastest Theater in Town" because five short plays go from conception to execution in just 10 1/2 hours — will be held Sunday, Feb. 19.

The February “Café Plays” will be staged at 7:30 p.m. and 9 p.m. at Ruskin Group Theatre, 3000 Airport Ave., at Santa Monica Airport. The theme will be “Till Death Do Us Part.” Although several theaters throughout the country have staged 24-hour plays, Ruskin producers Markus Flanagan, Mike Myers, Erin Kelly and Michael Laurie have upped the stakes and cut that time by more than half.

At 9 a.m. the day of the performance, five writers gather at Back on Broadway, a café-restaurant in Santa Monica. Each writer picks at random two manila envelopes containing actors' headshots. They are then given four hours to write a seven- to 10-page one-act play that takes place in a café. The directors then take over, meet their actors, and begin rehearsals.

"I wanted a format that forced everyone involved to trust the process and ignore the result. And I have to say it works," Flanagan said. "Everyone always leaves with a better understanding of their creative process. Plus it's just so fresh and electric, it's always a great night to be in the room."

The Ruskin Group Theatre, founded in 2002, has not only produced several critically acclaimed shows, it has done extensive outreach, teaching and performing in correctional facilities, boys' homes, nursing homes and more throughout Southern California. Aside from its productions and Café Plays, it also develops new works through its "Something New @ 2" series. Ruskin is currently producing the comedy "That May Well Be True," which runs Feb. 10 through April 1.

Tickets for “L.A. Café Plays” are \$10. Call (310) 397-3244 or go to <http://www.ruskingrouptheatre.com>.

Playwright makes his mark in SM

By Daily Press staff

It's not unusual for actors to become playwrights — Sam Shepard, Noel Coward, even Chekhov started their theatre careers on stage.

But a playwright who turns to acting — and who practically makes his debut on Broadway — is, indeed, a rare phenomenon.

"I made my acting debut and farewelled on Broadway, as everyone should," says recent Los Angeles transplant Jay Reiss, only half joking.

Reiss — whose play “That May Well Be True” will have a run at Ruskin Group Theatre in Santa Monica Feb. 10 through April 1 — found himself on the Great White Way through a series of serendipitous events, the stuff of which show biz legends are made.

It started as a lark. At the urging of his fiancée, director Rebecca Feldman, Reiss agreed to help create and act in a quirky, improv-heavy show called “C-R-E-P-U-S-C-U-L-E” about a spelling bee competition. The play ran three weeks at Theatorium in downtown New York in 2004. And that was supposed to have been that.

It was off to Barrington Stage in the Berkshires where several other co-creators worked with Finn to develop the new musical that was to become “The 25th Annual Putnam County Spelling Bee.”

Riess ended up staying in the Broadway production for six months in the role of Douglas Panch, the vice principal he created for the original play who asks the bee contestants the tricky words to spell. He also performed at the Tony Awards last spring and bantered with — and gave a spelling test to — Katie Couric on “The Today Show.”

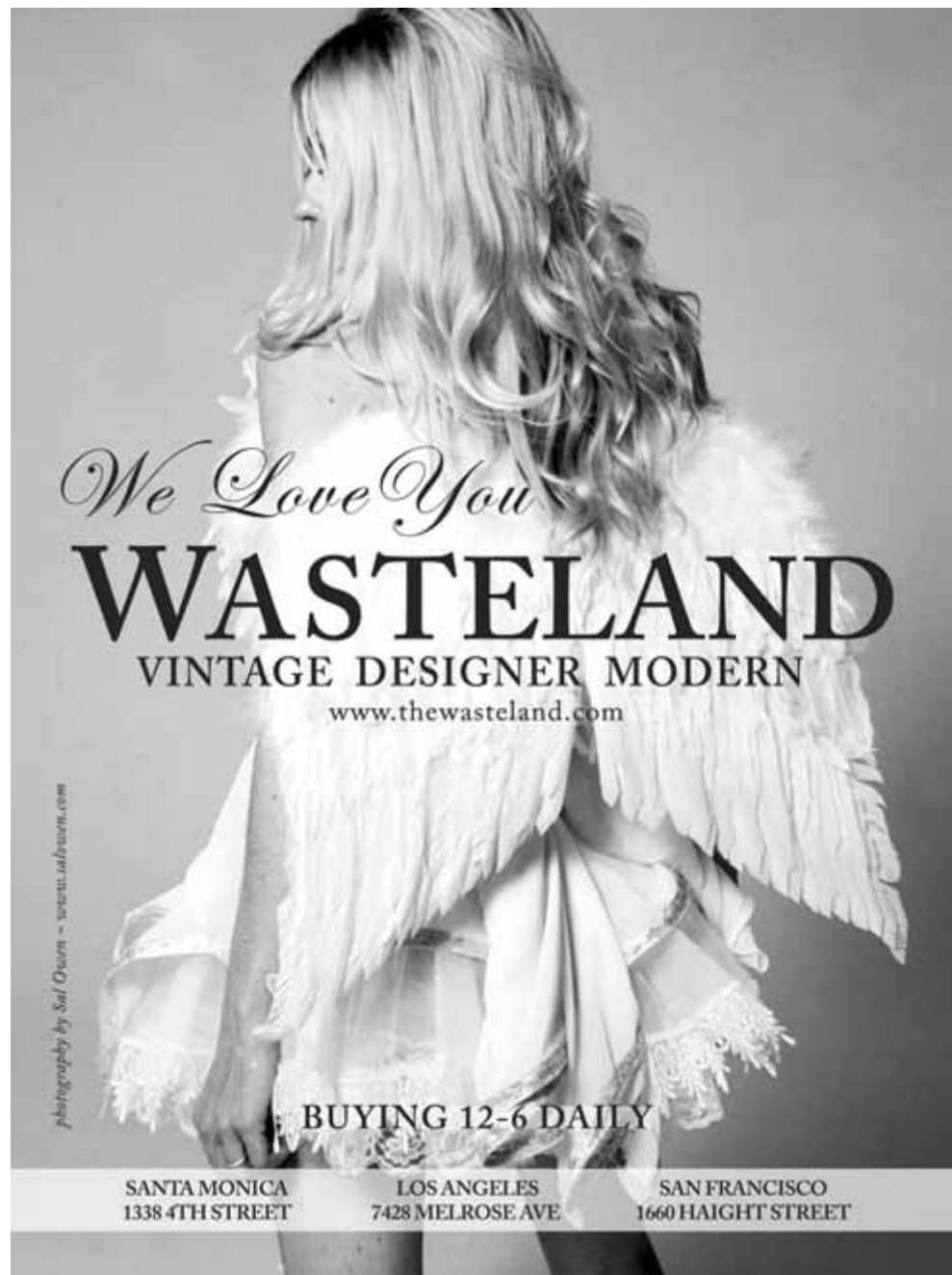
It was the kind of success that thousands of wannabe actors throughout the nation would give an arm and a leg for. But Reiss had no desire to be an actor, had no on-stage experience as a child or young adult, and did not even major in theatre as an undergraduate at the State University of New York at Binghamton — he studied cinema.

However, he has been a productive writer, graduating from The Juilliard School's playwriting program and authoring several plays including "The Tulip Craze" (Manhattan Theatre Club); "Meanwhile, on the Other Side of Mount Vesuvius" (Adobe Theatre in New York); and "The Romantics." "That May Well Be True" was commissioned by Manhattan Theatre Club.

Though Reiss could have stayed on in "Spelling Bee," his heart — and main interest — lies with writing. And so he bid an emotional farewell to fellow cast members last October and moved to LA to write screenplays, having already sold one script to Warner Bros.

"Acting was good fun, but it was never the most fulfilling thing," he said. "But for a playwright, it was an invaluable experience. I told the people at Juilliard that the final part of the playwriting program should be acting in a Broadway musical."

"That May Well Be True" runs Fridays and Saturdays at 8 p.m. and Sundays at 2 p.m. at Ruskin Group Theatre, 3000 Airport Ave. For information call (310) 397-3244.



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On closer inspection, ‘Pink’ remake stinks

BY DAN DUNN
Special to the Daily Press



REVIEW

the late Peter Sellers, Steve Martin and his

THE MOVIE: The Pink Panther
THE DIRECTOR: Shawn Levy
THE STARS: Steve Martin, Kevin Kline, Beyonce Knowles, Emily Mortimer

Borrowing the title and not much else from Blake Edwards’ 1964 comedy classic starring

“Cheaper by the Dozen” director Shawn Levy have wrought what will surely go down as one of the more ill-advised reshapes of this or any other year. Martin’s performance is bereft of any of the subtlety and precision comedic timing that made Sellers’ unwitting agitator, Inspector Clouseau, a slapstick superstar. The script, which Martin co-wrote, is numbingly unfunny and littered with recurring gags that rank down there with David Letterman’s disastrous “Uma-Oprah” Oscar shtick. This “prequel” should have fans of the original “Pink Panther” seeing red.
(RATED PG. RUNNING TIME: 93 MINUTES)

Action star Ford appears ready for new vehicles

BY DAN DUNN
Special to the Daily Press



REVIEW

THE MOVIE: Firewall
THE DIRECTOR: Richard Loncraine
THE STARS: Harrison Ford, Virginia Madsen, Paul Bettany

From Han Solo to Indiana Jones to Jack Ryan, Harrison Ford has portrayed so many memorable men of action over the years that it seems almost blasphemous to suggest that the legendary star is too old to be believable as the butt-kicking scourge of celluloid evildoers. But watching the gray-haired and wrinkled 63-year-old actor’s futile efforts to defy Father Time in the lame thriller “Firewall” left little doubt in this Ford fan’s mind that it’s high time he hang up his Herbert Johnson fedora (aka the “Indiana Jones hat”) along with any and all other accouterments of the younger man’s genre. And even if Ford were still in his physical prime, there’s little he could have done to rescue this movie, which is done in early on by logical inconsistencies before being buried by a ridiculous ending.

Ford’s Jack Stanfield is the head of security for Seattle-based Landrock Pacific Bank. He’s got a beautiful wife (Virginia Madsen, who is 20 years younger than her leading man), two cute kids, and a stunning oceanfront abode of the sort often featured on the covers of architecture magazines. Unbeknownst to Jack, for the better part of a year he and his family have been monitored by a band of high-tech criminals headed by standard-issue Euro-baddie Bill Cox (Paul Bettany, who’s too fey to be fearsome).



Cox and his cohorts have uncovered everything there is to know about the Stanfields, and plan to use the information and plenty of firepower to compel Jack to assist them in stealing \$100 million from Landrock Pacific. Somehow, though, the crooks overlooked an important development — due to a recent merger, Jack no longer has electronic access to the bank accounts Cox hoped to pillage. Oops! With his family held hostage, Jack is forced to improvise, eventually hatching an implausible plot to siphon funds into offshore accounts using his daughter’s iPod, a fax machine scan bar and some Scotch tape. And that’s not even the silliest plot device employed by director Richard Loncraine (“Wimbledon”) and tyro scribe Joe Forte. The third act is riddled with head-scratching developments involving space-age dog collars and unlimited WiFi Internet access, as our mild-mannered septuagenarian hero miraculously morphs into a cranky cross between MacGyver and one of those techno-whizzes from “24.” It’s all about as entertaining as a computer virus.

(Rated PG-13. Running time: 100 minutes)

Death quite becoming

BY DAN DUNN
Special to the Daily Press



REVIEW

THE MOVIE: Final Destination
THE DIRECTOR: James Wong
THE STARS: Mary Elizabeth Winstead, Ryan Merriman

The conceit upon which the “Final Destination” franchise is built is a clever and bankable one: Death gets cheated, death gets angry, death gets payback in spectacular fashion. In “FD1,” seven people are spared fiery deaths in a plane crash thanks to a premonition by a clairvoyant teen; then get picked off later, one by one and in

increasingly gruesome ways by a debt-collecting grim reaper. Seven grave dodgers managed to avoid a fatal multi-car pileup in the first sequel, and this time around the lucky/unlucky seven deke a deadly runaway rollercoaster only to learn the hard way about the downside of tanning beds and part-time jobs at hardware stores. So we know going in that most, if not all, of the traumatized survivors — a cast of unknowns led by Mary Elizabeth Winstead — are going to die. It’s just a question of how. The violence is as gratuitous as it gets, yet there’s something perversely appealing in the run-up to the inevitable demise of each stereotype — it’s fun to try and guess how the Jock, the Loner and the Mean Girl are going to get offed. Death, the only “character” to appear in all three films, is still pretty scary, too.



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Artist’s metamorphosis comes complete with beautiful ending

BY JAYA GUPTA
Special to the Daily Press

“Caterpillar Soup” sounds as though it would be the cutesy title of a children’s fairytale volume. The story Lyena Strelkoff tells in her self-written auto-biosolo production at the Santa Monica Playhouse about becoming paralyzed and rehabilitating her mind, body and soul, however, is a dialogue only a mature audience could comprehend and appreciate.

Left completely paralyzed from the waist down as the result of a crushed spinal cord after falling from a tree in the Malibu Hills in 2002, life should have come to a dead halt for Strelkoff, professionally-trained in acting and dance. As a founding member of Ziggurat Theatre Ensemble of Los Angeles, Strelkoff was three weeks into rehearsals for a performance when her accident occurred. Instead of becoming disillusioned with her quite-literal fall from grace, she transcribed personal tragedy into writing and through an alternate outlet began performing again — her role this time, storyteller.

“I never felt victimized by my fall,” she said. “The things that happen in my life — I refer to them as lessons. My intention is to be empowered.”

In May 2003, seven months after her accident, Strelkoff offered “The Road to Recovery,” a collection of stories and other writings recounting the grueling initial months of her recovery effort, which in consequence would impact the rest of her life.

Hosted by the Save the Santa Monica Playhouse Benefit Series, Strelkoff returns to the stage with “Caterpillar Soup” for two shows this weekend. Within the confines of physical paralysis, Strelkoff relates a story of seeking wholeness and finding the truth in experience rather than coming to terms with a horrific injury.

“It’s been a challenge. Caterpillar Soup tells the truth,” she said. “The point is to let people know that there is joy in tragedy. It’s been crushingly joyful. There has been virtually no change in my paralysis but ironically, I am enjoying life more.”

Though the actress has never declared a belief in destiny, she wonders about fate and how it may have caused her accident.

“I talk quite a bit about this. I don’t



know if I believe in destiny but I have had this feeling that I chose this experience,” she said. “What are you going to do about things now — that is the question.”

Ultimately, Strelkoff is a person who not only sees but actively seeks some kernel of hope, even obscured optimism in the most dire of circumstances. She holds no one, not even the metaphysical possibility of fate, responsible for her unfortunate fall.

Strelkoff concluded that she would knowingly climb the same tree again, if she could. Though some would condemn that as an act of blatant hubris, it does not worry her. When asked about any benefits paralysis has caused, Strelkoff believes she has fine-tuned the art of surrender:

“I am less worried about things,” she said. “It sounds ironic but I am more able to surrender what I cannot control. It is such a relief not to be responsible for everything.”

Caterpillar Soup will be performed at the Santa Monica Playhouse at 8 p.m. on Feb. 11 and 7 p.m. on Feb. 12. For ticket information call (310) 394-9779 or visit <http://santamonicaplayhouse.com> . All ticket sale proceeds benefit the Save the Santa Monica Playhouse Campaign.

‘Through the Fire’ hits nothing but net

BY DAN DUNN
Special to the Daily Press

THE MOVIE: Through the Fire: The Sebastian Telfair Story
THE DIRECTOR: Jonathan Hock
THE STAR: Sebastian Telfair

What began as a short film for HBO grew into feature-length documentary that is engaging from beginning to end. The subject of Jonathan Hock’s rags to riches story is Sebastian Telfair, a baby-faced

former high school basketball phenom from the projects in Coney Island now a rising star with the NBA’s Portland Trailblazers. Hock follows Telfair through his senior year at Lincoln High, as the kid’s dream of becoming an NBA star is transformed into reality. In style and tone, “Through the Fire” compares favorably with “Hoop Dreams,” the 1994 documentary considered the gold standard of the genre. Hock’s film, however, features a storybook ending.

(NOT RATED. RUNNING TIME: 103 MINUTES)

SANTA MONICA ART PALETTE

MAKING ARTS AND CULTURE COME ALIVE IN SANTA MONICA

Welcome to the Santa Monica Art Palette for the weekend of Feb. 10. The Art Palette's goal is to showcase the many eclectic arts and cultural opportunities available in Santa Monica every week, highlighting one or more of the many happenings within our borders. The palette is produced every week by City Hall's Cultural Affairs Division.

Thursday kicked off another weekend for theatre-lovers in Santa Monica with an opening at the Ruskin Theatre, another new play at the Powerhouse, a solo performance work at the Santa Monica Playhouse and the first weekend of Ensemble Studio Theatre's Winterfest at the Miles Playhouse. Some of New York's and Southern California's best theatre artists will be in town this weekend to take you on fascinating journeys into worlds inhabited by extraordinary characters. Then on Sunday, you can wrap up your weekend learning about one of our own extraordinary characters when the Santa Monica Historical Society Museum presents a lecture and book signing celebrating Black History Month.

The Powerhouse Theater presents the story of a 21st Century Pinball Wizard in the play *Stone Cold Dead Serious*. If Wynn Ledbetter can make it in New York City he's sure to win the Tang Dynasty computer game championship and the cool million dollars that will pay for his father's needed operation, get his mother a job, put his sister in rehab and enable him to open his own computer repair shop — everything required to rescue his family.

Stone Cold Dead Serious serves as a commentary, both sad and humorous, on our culture through the experiences of a young man who dares to dream of a life beyond simple endurance.

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The award-winning **Ensemble Studio Theatre-LA** opens its annual Winterfest this weekend at the Miles Memorial Playhouse in Santa Monica. On Feb. 9-12 and Feb. 16-19, the ensemble staged readings of 23 new plays including a night of one-acts on Feb. 10. A seminar for actors, Demystifying the Casting Process, with working casting directors and agents will take place on Saturday at 2 p.m. For a full festival schedule, check online at www.EnsembleStudioTheatreLA.org. Tickets for play readings are \$10 with a \$15 price for seminars but reservations are a must. Call (213) 368-9552 for more information.

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STATE

Six accused of illegally snagging leopard sharks

BY DAN GOODIN
Associated Press Writer

SAN FRANCISCO — The pastor of a Bay Area church, four men in the aquarium industry and a commercial fisherman were indicted on federal charges of illegally catching and selling hundreds of juvenile leopard sharks, prosecutors said Wednesday.

The indictment charged Kevin Thompson, 48, pastor of the Bay Area Family Church in San Leandro, and the five others with selling 465 leopard sharks that were too small to harvest to pet dis-

tributors throughout the United States, the Netherlands and the United Kingdom.

California leopard sharks, which can take 13 years to reach maturity, live as long as 30 years and are protected under a state law that prohibits the commercial catching of specimens under 36 inches long. The indictment, which alleges that federal wildlife agents seized sharks ranging from 8 1/2-inches to 17 1/2-inches in length, was based on a federal statute that incorporates the state law.

The charges resulted from an investigation that followed the 2003 conviction of a pet distributor who was caught with more

than a dozen leopard sharks from California, said Luke Macaulay, a spokesman in the U.S. attorney's office in San Francisco.

The leopard shark's gray body and black bars make it a "particularly attractive" species, said Christina Slager, a curator at the Monterey Bay Aquarium, which helped care for some of the confiscated fish. They are common along the California, Oregon and Baja California coasts and travel in schools, she said.

"In general sharks are struggling in the wild, and leopard sharks are no different," Slager said. "If these animals aren't allowed to reach an age or size where they can reproduce before they are removed from the environment, that has drastic implications for future generations."

The other five named in the indictment

are: John Newberry, 34, of Hayward; Ira Gass, 53, of Azusa; Hiroshi Ishikawa, 36, of San Leandro; Vincent Ng, 43, of Oakland; and Sion Lim, 39, of San Francisco.

The six defendants were arrested on Tuesday, when the indictment was unsealed. Two pleaded not guilty. If convicted, they face maximum penalties of five years in prison, a \$250,000 fine and possible requirement to pay restitution for each count, according to the U.S. attorney's office.

Seven of the 19 baby leopard sharks confiscated during the two-year investigation died, the U.S. attorney's office said. Three are on exhibit at the Monterey Bay Aquarium, and nine were returned to the wild in 2004.

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STATE BRIEFS

County dwellers play weight and sea

By The Associated Press

LOS ANGELES — Gravity is tugging hard on Los Angeles County adults, who have gained an average 6 pounds each in the past eight years for a total of 44 million pounds.

And a county health department study released Thursday predicted they will continue to expand with 25 percent considered obese by 2010. The burgeoning girth means an increase in the risk of contracting life-threatening illnesses and may cut life expectancies by up to five years, the study said.

"This could reduce two centuries of increases in life expectancy," the county's chief health officer Dr. Jonathan E. Fielding said. "We need to stop this terrible epidemic. And we haven't seen the worst of it because of the lag time."

"This translates into big increases in diabetes, heart disease, stroke, muscular-skeletal problems and maybe an increase in some cancers."

The study said obesity rates were increasing faster in some groups. An estimated 29 percent of Hispanic adults are obese, compared with 28 percent of blacks, 17 percent of whites and 6 percent of Asians.

The study also said middle school-aged kids are getting fatter — the percentage of overweight middle school children rose from 18 percent in 1999 to nearly 22 percent in 2003.

Councilman sorry for poor people slight

By The Associated Press

ARCADIA, Calif. — Councilman Roger Chandler apologized for suggesting poor people belong in El Monte, not Arcadia.

The Tuesday night apology came after a community outcry over Chandler's remarks during a Jan. 17 meeting about a Habitat for Humanity project in Arcadia. He had said a low-income project "doesn't fit in this town."

"If you build a Habitat home down in El Monte, the kids go to school there and they fit in and everything works," the councilman said, adding that if low-income kids came to Arcadia, "the kids are driving BMWs and Porsches. They're wearing designer clothes. In a way it's kind of cruel."

Chandler said Tuesday he was out of line.

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NATIONAL



White House bending the public's ears

BY KATHERINE SHRADER

Associated Press Writer

WASHINGTON — President Bush's monthlong campaign to convince the public that the government's eavesdropping program is an essential anti-terrorism tool appears to have made an impact, a new AP-Ipsos poll suggests.

Some 48 percent now support the administration's program to monitor — without a court warrant — some U.S.-based calls with suspected links to terrorists. That's up from 42 percent last month. Half now say the administration should have to get a warrant, down from 56 percent one month ago.

Bush has been particularly successful at making his case for the National Security Agency's controversial monitoring among men and core segments of his base.

After weeks of insisting that divulging details would harm the program, the White House relented Wednesday and briefed House intelligence committee lawmakers. Thursday, the Senate learned more about the NSA program.

Press secretary Scott McClellan said the White House will listen to ideas that lawmakers have about legislation, but Bush has indicated that he would resist any move that would compromise the program.

"There is a high bar to overcome on such ideas," McClellan said.

The decision to give Congress more information came

as Senate Judiciary Committee Chairman Arlen Specter, R-Pa., announced he was drafting legislation that would require the secretive Foreign Intelligence Surveillance Court to review the constitutionality of the administration's monitoring of terror-related international communications when one party to the call is in the United States.

It also came as Rep. Heather Wilson, R-N.M., chairwoman of a House intelligence subcommittee that oversees the NSA, broke with the Bush administration and called for a full review of the NSA's program, along with legislative action to update the 1978 Foreign Intelligence Surveillance Act.

She and others also wanted the full House Intelligence Committee to be briefed on the program's operational details. Although the White House initially promised only information about the legal rationale for surveillance, administration officials broadened the scope Wednesday to include more sensitive details about how the program works.

Questions from Congress about the monitoring abound. Once publicly mum on the subject, House Judiciary Chairman James Sensenbrenner, R-Wis., sent a letter to Attorney General Alberto Gonzales with 51 questions he wants answered by early March.

As part of his upcoming bill, Specter said he wants the FISA court to review the program to weigh the nature of the terrorist threat, the program's scope, the number of people being monitored and how the information is being handled.

Since the monitoring program's existence was first revealed in a newspaper report more than 50 days, senior administration officials have argued that Bush and Cheney were within the law when they chose to brief only the eight lawmakers who lead the House and Senate and their intelligence committees.

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Three convicted in nation's deadliest smuggling attempt

BY JUAN A. LOZANO

Associated Press Writer

HOUSTON — Three people accused of participating in the nation's deadliest human smuggling attempt escaped possible life sentences after being convicted of conspiracy to harbor and transport illegal immigrants.

The defendants, all U.S. citizens from south Texas, each could get up to 20 years in prison on the charge when sentenced in May. They originally faced life in prison, but the jury believed the defendants were not responsible for the immigrants' deaths or for putting their lives in danger.

Attorneys did not comment on the verdict Wednesday because of a gag order. Prosecutors said Victor Sanchez Rodriguez, 58, his wife, Emma Sapata Rodriguez, 59, and her half-sister, Rosa Sarrata Gonzalez, hid the immigrants in their home and moved them to other houses before they were loaded into an airtight tractor-trailer for transport from Texas to Houston in 2003.

Seventeen were dead by the time the trailer was discovered, and two died later. They all died from dehydration, overheating and suffocation.

Sanchez also was convicted of eight counts of harboring and nine counts of transporting illegal immigrants; Sapata was convicted of eight counts of harboring and six

counts of transporting; and Sarrata was convicted of one count of harboring.

The jury deliberated for 13 1/2 hours over four days, at one point telling U.S. District Judge Vanessa Gilmore they were deadlocked. She sent them back to keep trying.

Jurors still have to decide whether several homes owned by the defendants and used in the smuggling operation must be turned over to the government. They deliberated for about two hours on that issue before adjourning for the day. They were set to continue Thursday.

More than 70 illegal immigrants had crowded into the back of the tractor-trailer rig to be hauled from South Texas to Houston in May 2003. Authorities have said the temperature inside the trailer reached 173 degrees. Survivors testified they crowded around holes they punched in the truck so they could breathe and kicked out a back light to try to signal passing motorists for help.

They were found after the driver abandoned the trailer at a truck stop in Victoria, about 100 miles southwest of Houston.

At trial, prosecutors presented evidence showing the immigrants' families wired money to the defendants in amounts ranging from \$500 to \$2,000. Defense attorneys had argued their clients were minor players in a scheme orchestrated by other members of the smuggling ring.

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Washington joins fight to open parks

BY PEGGY ANDERSEN

Associated Press Writer

SEATTLE — Washington is joining Oregon, California and New Mexico in a lawsuit challenging the Bush administration move to open roadless national forest lands to mining, logging, road-building and other development, Gov. Chris Gregoire said Thursday.

"As a recovering attorney," Gregoire, the state's former attorney general, said she had tried to avoid litigation, asking the U.S. Agriculture Department for an expedited process would enable the state to adopt the protections of former President Clinton's roadless rule, which barred development on 58 million acres of national forest across the country, and 2 million acres in Washington state.

The Bush administration announced plans last spring to give states a voice in the decision making, with an 18-month span for land-use recommendations and the feds making the final call.

Last week, Gregoire said, she got the response to her petition: No.

So the state is joining the lawsuit filed last summer in San Francisco. Oral arguments are scheduled for July.

"Joining this lawsuit is our last effort to defend Washington's quality of life and our economy," she told reporters at a news conference at outdoor-gear retailer Recreational Equipment Inc.'s downtown headquarters.

She was flanked by REI CEO Sally Jewell, Northwest Indian Fisheries Commission Chairman Billy Frank Jr., John Boonstra of the Washington Association of Churches and Mark Heckert of the National Wildlife Federation.

"We'll do whatever is necessary to prevent the federal government from destroying this national legacy," Gregoire said, adding that wild lands are part of citizens' recreational, economic and spiritual heritage.

"We cannot allow what is happening here to happen," she said.

Federal officials believe the quickest way to protect roadless areas is through the new roadless rules, U.S. Forest Service spokesman Dan Jiron said last fall.

"We've said all along that we look forward to working with states that want to do that," he said. "Resurrecting the old proposal is somewhat problematic."

At current funding levels, Gregoire said, an effort to clean up eroded and damaged logging roads that already cut through wilderness areas will take 100 years.

Northwest population growth underscores the need to protect remaining wilderness areas, Jewell said.

Boonstra, whose organization represents 1,400 congregations, said the roadless areas — "the last vestiges of the natural biomass" — help provide clean water. "We need them."

"We're talking about our ocean," said Frank. "We're

talking about Puget Sound. We're talking about watersheds. ... We're talking about the people of the state of Washington and our children and the children to come."

"We're all working on the protection of our back yard," he said. "We thank the governor for doing what she has to do."

Heckert contends the government is attempting to privatize public lands.

"We have to stand against that," he said. "We have to protect these public lands because they're our lands."

The Clinton administration rule was based on the idea that roadless areas, which had escaped development due mostly to their remoteness and ruggedness, were more valuable for clean water and wildlife habitat than timber. It covered almost a third of the 192 million acres of national forest land.

After a federal judge in Wyoming declared the rule illegal, the Bush administration created a new one, which gives governors a chance to propose whether roadless areas should be developed, but leaves the final decision up to the federal government.

States are to work with Forest Service officials to devise management plans for individual forests. The revisions could allow road construction and commercial logging.

Timber production has been steadily declining on national forests since heavy logging in the 1980s triggered lawsuits that won protections for wildlife habitat.

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Delays slow the Haiti vote count; front-runner said to have early lead

BY JOSEPH B. FRAZIER

Associated Press Writer

MARMELEDE, Haiti — A former president with strong support among Haiti's poor has taken an early lead two days after Haitians turned out in droves to elect a new leader, an aide to the candidate said, citing preliminary returns.

But delays in retrieving results from countryside slowed official vote counting, with ballot counts still being ferried to the capital on Wednesday by plane, truck and mule. Jacques Bernard, director general of Haiti's electoral council, said only a small percentage of balloting results had reached Port-au-Prince.

Tuesday's elections were the first since former President Jean-Bertrand Aristide was ousted in a bloody revolt two years ago, and officials said collecting and tabulating the results would take several days.

But some polling stations posted unconfirmed local results outside. These showed strong early support for another former president, 63-year-old agronomist Rene Preval.

Preval's political adviser, Bob Manuel, said preliminary calculations showed the candidate having won 67 percent of the nationwide vote, with 16 percent of votes counted.

Preval, who is widely supported by Haiti's poor masses, was the front-runner among 33 presidential candidates. Shy and soft-spoken, Preval is the only elected leader in Haitian history to finish his term. He's also a former ally of Aristide, who remains in exile in South Africa.

Preval's closest rivals include Charles Henri Baker, 50, a wealthy garment factory owner, and Leslie Manigat, 75, who was president for five months in 1988 until the army ousted him.

Manigat's wife, Senate candidate Myrlande Manigat,

said initial reports from their own party's representatives monitoring the vote count showed Preval with a big lead in her district, which includes much of metropolitan Port-au-Prince and outlying areas.

"We are very worried that Preval has won on the first round," Manigat told The Associated Press.

If no candidate wins a majority, a runoff between the top two vote-getters will be held March 19.

Although the claim of Preval's lead by his team couldn't be verified, early results posted at polling stations showed the candidate leading his opponents. At a large polling center near the huge slum of Cite Soleil, unconfirmed results taped to large columns inside showed Preval winning about 90 percent of the votes cast there.

Across the city in Petionville, home to many of Haiti's wealthiest citizens as well the poor Haitians who serve them, Preval took slightly more than 70 percent of the vote at a polling station, according to posted results.

Preval, in his rural hometown of Marmelade, emerged from his family home once on Wednesday, briefly dancing along to a band playing outside and waving to supporters. He didn't speak to reporters.

More than 50 percent of Haiti's 3.5 million registered voters were believed to have cast ballots, said David Wimhurst, a U.N. spokesman, adding that a precise figure wasn't yet available. He also said the United Nations has not received any reports of fraud or other major irregularities.

Haitians eagerly awaited returns Wednesday as scores of U.N. peacekeepers patrolled quiet streets in Port-au-Prince. The voting, guarded by a 9,000-strong U.N. force, was fraught with early delays but largely free of the violence that has plagued the capital since Aristide fled.

"I think no one can deny the legitimacy of this process, because people really participated," U.N. special envoy Juan Gabriel Valdes told Associated Press Television News.

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Billionaire Buffett will appear in children's animated series

By The Associated Press

The mudslide Wednesday may have been

Besides California, it is sold in Texas, South

Charles Gibson and Diane Sawyer this week began subbing for Woodruff on ABC's "World News Tonight."

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Santa Monica Daily Press

MOVIEGUIDE

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Broadway Loews Cineplex
1441 3rd Street
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The Matador
11:45pm 2:15pm 5pm 7:45pm 10pm
Something New
1pm 3:15pm 5:30pm 8pm 10:15pm
Transamerica
11:30am 1:30pm 4:15pm 7pm 9:45pm
Walk the Line
11am 1:45pm 4:30pm 7:30pm 10:30pm

Mann's Criterion Theatres
1313 3rd Street
(310) 395-1599

Big Momma's House
2 11:10am 1:40pm 4:10pm 6:50pm
9:20pm
Hoodwinked
11 am 1:10pm 3:20pm
The Pink Panther
11:30am 2pm 4:30pm 5:30pm 7pm
7:40pm 9:30pm 10:10pm 12am
Munich
11:40am 3:10pm 6:40pm 10:20pm
When a Stranger Calls
12:40pm 3pm 5:20pm 7:30pm 9:50pm
Firewall
11:20am 1:50pm 4:40pm 7:20pm 10pm
12:30am

AMC 7 Santa Monica
1310 3rd Street
(310) 289-4AMC

Annapolis
11:15am 10:20pm
Capote
1:30pm 7:20pm
The Chronicles of Narnia
12:30pm 4pm 7:05pm
Curious George
11am 12:50pm 3pm 5:10p, 7:30pm
9:40pm 11:45pm
Nanny McPhee
11:25am 2pm 4:30pm 7:15pm 9:55pm
The New World
1:10pm 4:10pm 10:10pm
Syriana
1:45pm 4:40pm 7:40pm 10:40pm
Underworld: Evolution
11:50am 2:20pm 4:50pm 7:25pm 10pm

Nu-Wilshire Theatre
1314 Wilshire Blvd
(310) 394-8099

Brokeback Mountain
12:15pm 3:45pm 7pm 8pm 10pm
Imagine Me & You
12:10pm 2:30pm 5pm

Laemmle Monica Theatre
1332 2nd Street
(310) 394-9741

Good Night, and Good Luck
1:15pm 3:30pm 5:45pm 8pm 10:15pm
Match Point
1:10pm 4:05pm 7pm 9:55pm
The Three Burials of Melquiades Estrada
1:40pm 4:25pm 7:10pm 10:05pm
Tristram Shandy: A Cock and Bull Story
1:10pm 3:55pm 5:40pm 7:55pm 10:10pm

Questions or comments? Email calendar@smdp.com

In 1846, members of the Church of Jesus Christ of Latter-Day Saints, the Mormons, began an exodus to the west from Illinois.

In 1942, the former French liner Normandie capsized in New York Harbor a day after it caught fire while being refitted for the U.S. Navy.

In 1942, RCA Victor presented Glenn Miller and his Orchestra with a "gold record" for their recording of "Chattanooga Choo Choo," which had sold more than 1 million copies.

In 1962, the Soviet Union exchanged American U-2 pilot Francis Gary Powers for Rudolph Ivanovich Abel, a Soviet spy held by the United States.

In 1967, the 25th Amendment to the Constitution, dealing with presidential disability and succession, went into effect.

In 1968, Peggy Fleming of the United States won the gold medal in ladies' figure skating at the Winter Olympic Games in Grenoble, France.

In 1981, eight people were killed, 198 injured, when fire broke out at the Las Vegas Hilton hotel-casino.

In 1989, Ron Brown was elected chairman of the Democratic National Committee, becoming the first black to head a major U.S. political party.

Ten years ago: President Clinton signed a \$265 billion defense bill, but said he would battle for repeal of a section forcing the discharge of service members with the AIDS virus. A slab of mountainside crushed a high-way tunnel on the Japanese island of Hokkaido, killing 20 people. World chess champion Garry Kasparov lost the first game of a match in Philadelphia against an IBM computer dubbed "Deep Blue."

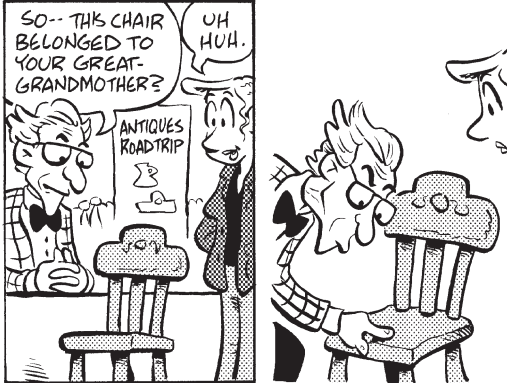


COMICS

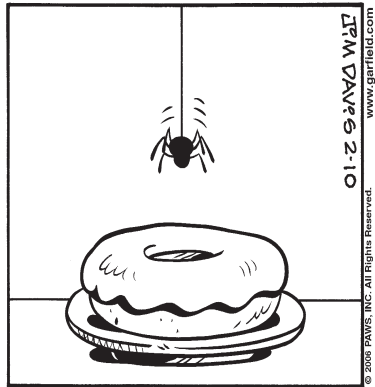
The Dinette Set by Julie Larson



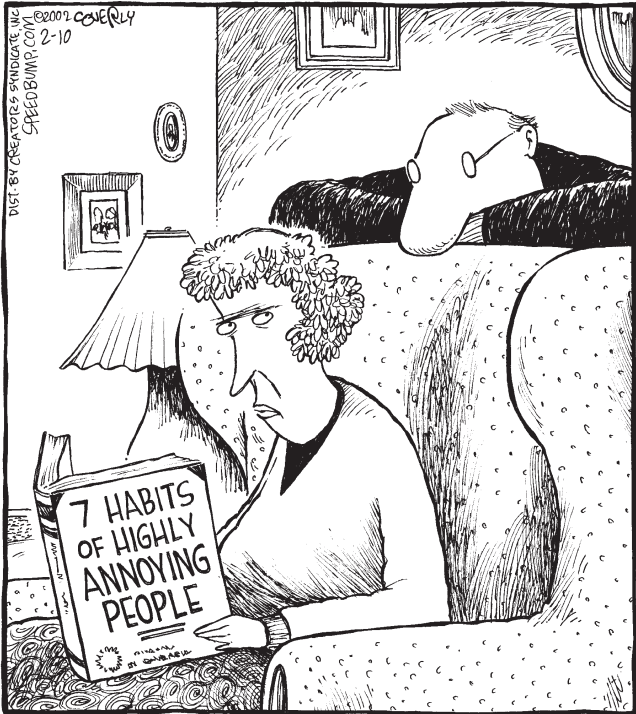
edge city by TERRY & PATTY LABAN



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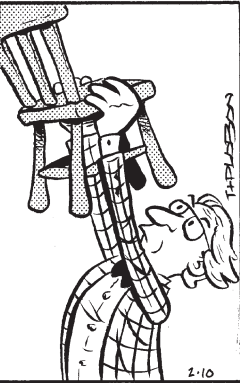
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By THOMAS JOSEPH

ACROSS

- 1 Night light?
- 5 Sudan neighbor
- 9 Shady spot
- 11 Vagrants
- 13 Designer's asset
- 14 Fiery crime
- 15 Swelled head
- 16 Dutch philosopher
- 18 Chip material
- 20 Pertness
- 21 Funny fellow
- 22 Takes to court
- 23 Links area
- 24 Orchestra setting
- 25 Sci. subject
- 27 Farm machine
- 29 Track trip
- 30 Traveler's break
- 32 Green hue
- 34 Great serve
- 35 Attach, as a patch
- 36 Oscar's roommate

38 Chop-

- house order
- 39 Champagne glass
- 40 Paris airport
- 41 Professional charges

DOWN

- 1 Fills
- 2 Like "Hamlet"
- 3 Corrupting force
- 4 Nonsense
- 5 Mountain range
- 6 Saddle part
- 7 1, to -1

8 Lulu

- 10 Save
- 12 Alternative to buttons
- 17 Music category
- 19 Article sight
- 24 Bribe
- 25 Sophistication

26 Must

- 27 Naughty from memory
- 28 Speak from memory
- 30 Spare cats
- 31 Curly-haired cats
- 33 Bin fill
- 37 Legolas, for one

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ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. SS014023
Superior Court of California, County of Los Angeles
Petition of GEORGE COSMA for Change of Name TO ALL INTERESTED PERSONS:
Petitioner or Attorney: GEORGE COSMA filed a petition with this court for a decree of changing names as follows: GEORGE COSMA to GEORGE COSMAS
The court orders that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.
Notice of Hearing:
Date: FEBRUARY 9, 2006 Time: 9:00, Dept. A., Room 104
The address of the court is 1725 Main St., Santa Monica, CA 90401.
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: Santa Monica Daily Press.
Date: DECEMBER 16, 2005
LINDA K. LEFKOWITZ
Judge of the Superior Court
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