

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

FANTASY 5

12 22 23 27 34

DAILY 3

Daytime: 5 6 1

Evening: 8 2 8

DAILY DERBY

1st: 06 Whirl Win

2nd: 12 Lucky Charms

3rd: 09 Winning Spirit

RACE TIME: 1:48.54

NEWS OF THE WEIRD
BY CHUCK SHEPARD

Harvard University this year hired a recent graduate as a full-time promoter and coordinator of social activities, apparently because so many at the school are too busy to relax. According to Associate Dean Judith Kidd, "(T)he kids work very, very hard here. And they worked very, very hard ... to get here. They arrived needing help having fun." (By contrast, two weeks later, a police raid in Durham, N.C., turned up 200 noisy Duke University students, many of them bikini-clad women, wrestling in a plastic pool of baby oil in the basement of a fraternity house, apparently inspired by a scene from the movie "Old School.")

TODAY IN HISTORY

One year ago: John Kerry won the Wisconsin Democratic presidential primary, with John Edwards placing second and Howard Dean coming in a distant third.

■ Cingular Wireless agreed to pay nearly \$41 billion in cash to buy AT&T Wireless Services.

■ Former Mexican president Jose Lopez Portillo died in Mexico City at age 83.

QUOTE OF THE DAY

"Slang is a language that rolls up its sleeves, spits on its hands and goes to work."

CARL SANDBURG
NEW YORK TIMES FEB. 13, 1959
US BIOGRAPHER & POET (1878 - 1967)

INDEX

Horoscopes

Hook up with pals, Aries 2

Surf Report

Water temperature: 60° 3

Opinion

A recipe for disaster 4

Business

Qwest losses 7

State

Car savings 8

National

EPA cleanup in Nevada 10

Comics

Yak it up 12

Classifieds

Ad space odyssey 13-15

People in the News

Kid Rock arrested 16

Signs of the time



Nicky Five Aces/Five Aces Photo

After 56 years of doing business in Santa Monica, Castle Signs at 19th Street and Broadway closed shop for good on Wednesday. Owners said the property will be converted into condominiums.

School funding deal still not resolved

Contract put forward by City Hall is criticized as vague, ambiguous and containing errors

BY JOHN WOOD

Daily Press Staff Writer

A contract that would guarantee more than \$6 million a year in city funds for the struggling Santa Monica-Malibu school district has been criticized as vague, ambiguous and containing errors.

The local school board tonight is expected to discuss criticisms of the school funding contract, which was drafted by City Hall and

released last month.

The proposed agreement calls for increased funding for schools over the next five years, with options for both sides to renew the deal through 2014.

City Hall agreed to voluntarily boost its school funding after a powerful parent group threatened to place an unprecedented charter amendment on last November's ballot. If voters had backed the amendment, the city would have been forced to permanently increase its contributions.

The terms of the deal were hashed out behind closed doors by City Manager Susan McCarthy

See **SCHOOLS**, page 7

Washington church to host homeless 'Tent City'

By The Associated Press

KIRKLAND, Wash. — The homeless people of what's been dubbed "Tent City 4" will move to a site near trendy downtown Kirkland after the Kirkland Congregational Church-United Church of Christ voted overwhelmingly Sunday to welcome them.

The Tent City, with 46 residents, is sponsored by local non-profit groups. It needed to move immediately because a 90-day term for an encampment at St. John Mary Vianney Catholic Church was expiring.

"We recognize that this gives very short notice to our neighbors

See **TENT CITY**, page 7

Trial draws near for Paleologus

Lawyer for convicted felon discusses defense strategy

BY CAROLYN SACKARIASON

Daily Press Staff Writer

DOWNTOWN LA — A capital murder case against the man accused of killing a Santa Monica woman likely will go to trial in April, more than two years after the woman's death.

Victor Paleologus, 42, has been charged with killing Kristine Johnson, 21, on Feb. 15, 2002. She was found dead two weeks later in a Laurel Canyon ravine, partially nude, with her ankles bound by shoelaces.

After more than a year of delays, attorneys agreed on Wednesday in Los Angeles Superior Court that they will be ready for trial by April 15. Paleologus faces the death penalty if convicted.

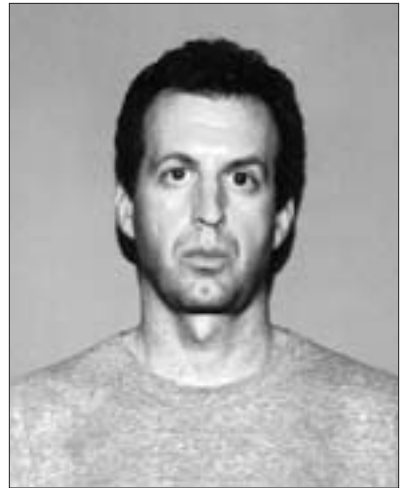
Johnson disappeared after she told roommates she was going on a photo shoot in Beverly Hills with a man she met at the Century City Mall earlier that day.

Paleologus used a similar ruse on at least eight other victims, according to prosecutors, who this past December convinced Los Angeles Superior Court Judge Robert Perry to allow the other women to testify against Paleologus in front of a jury.

Paleologus' attorney, Andrew Flier, on Wednesday subpoenaed 30 witnesses who are related to the alleged victims in a variety of ways. Many of the potential witnesses showed up in court, confused as to how they were involved in the case. Judge Perry scolded Flier for dragging them into the courtroom, saying the move was premature. Flier asked the witnesses for their personal contact information and they left the courtroom.

"They are defense witnesses and suddenly I'm being charged with premature subpoenaing," Flier said after the court hearing. "I need to recreate each individual case ... and now, I will be calling witnesses near the trial and asking for continuances."

See **TRIAL**, page 6



VICTOR PALEOLOGUS



KRISTINE JOHNSON

Governor appoints prosecutor in SM case to the bench

BY CAROLYN SACKARIASON

Daily Press Staff Writer

SACRAMENTO — The deputy district attorney in charge of prosecuting a man charged with killing a Santa Monica woman has been taken off the case after being named a Los Angeles Superior Court Judge.

Governor Arnold Schwarzenegger announced Wednesday that Deputy District Attorney Eleanor Hunter has been appointed to a judgeship for the Los Angeles County Superior

See **NEW JUDGE**, page 6

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ARIES (March 21-April 19)

★★★★★ Times change. Moods change. You can be very happy with others' attitudes. At this point, you'll easily clear obstacles that you have previously hit. Others you run into seem unusually cheery and happy. The world is your oyster if you just ask. Tonight: Hook up with a friend.



LIBRA (Sept. 23-Oct. 22)

★★★★ Reach out for more information. For some, your quest might be signing up for a seminar and/or talking to an expert. Whatever you choose will expand your life and opportunities. Just don't lie back. Tonight: Buy tickets to a concert or play.



TAURUS (April 20-May 20)

★★★★ You're on top of your game. You might find it hard to stop what is going on in your daily life. A project or plan seems to take on a life of its own. Your actions flow like music. You accomplish more than a lion's share. Tonight: Figure out how much discretionary income you have.



GEMINI (May 21-June 20)

★★★★★ With the Moon in your sign, life finally becomes copacetic and easy. Isn't this more like it? Make calls and schedule a trip in the near future, perhaps a weekend getaway. Laugh and enjoy yourself. Tonight: All smiles.



CANCER (June 21-July 22)

★★ Take your time, especially when dealing with a very special person in your life. You particularly enjoy your home and family. Why not do something special for someone incredible who helps paint your life rosy? Tonight: Keep plans private.



LEO (July 23-Aug. 22)

★★★★★ Friends and associates prove to be a delightful distraction, one that helps you realize more of what you want from your daily life. Your style and way of communicating separates you from others. Tonight: Follow your friends.



VIRGO (Aug. 23-Sept. 22)

★★★ What others cannot do has a way of dropping on you. If you're involved with a community project, you might feel as if you are the CEO, with so much to do. Deflate any tension by focusing on a possible purchase. Tonight: Reward yourself.



SCORPIO (Oct. 23-Nov. 22)

★★★★ Your intuition guides you with a special partnership. Treat this person as you would like to be treated. Working as a team, you gain and allow the bond to grow even closer. Share your feelings more frequently with those in your life. Your ability to read between the lines helps. Tonight: Be a duo.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Opportunities tumble into your lap. You might wonder what to do with your good fortune. Visualize more of what you want. Through this process you will come up with a strong set of directives. Tonight: Go along with someone else's plans.



CAPRICORN (Dec. 22-Jan. 19)

★★★ You could easily feel overwhelmed with all the work you have. The good news is, your efficiency will boost your image. Be careful when someone zeros in on your finances or paycheck, especially if there is vagueness. Tonight: Take a walk after dinner.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ You have a special way that helps others open up to you. Where many might be a bit hesitant to reveal themselves, you make it downright easy. Your intellectual capabilities mixed with your innate empathetic qualities make you very popular. Tonight: Dance away.



PISCES (Feb. 19-March 20)

★★★ If you can, work from home. You will get a lot more accomplished than you thought possible. Others want to pitch in. A partner or associate paves the way to greater success and strength. Seriously consider a change on the home front. Tonight: Anchor in.



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1427 Third Street Promenade, Ste. #202 • Santa Monica, CA 90401 • www.smdp.com

PUBLISHER Ross Furukawa ross@smdp.com	ADVERTISING ACCOUNT EXECUTIVE Stewart O'Dell stewarto@smdp.com	NIGHT EDITOR Michael Tittinger moneysurf@smdp.com
EDITOR Carolyn Sackariason sack@smdp.com	PRODUCTION MANAGER Alejandro Cesar Cantarero II alex@smdp.com	CIRCULATION Keith Wyatt keith@smdp.com
STAFF WRITER John Wood wood@smdp.com	EXECUTIVE TRAFFIC MANAGER Brenda Casas brenda@smdp.com	CIRCULATION Glenn Bolan glenn@smdp.com
ADVERTISING SALES MANAGER Robbie P. Piubeni rpiubeni@smdp.com	CLASSIFIED SALES MANAGER Mirella Reyes mirella@smdp.com	SPECIAL PROJECTS Dave Danforth dave@smdp.com
ADVERTISING ACCOUNT EXECUTIVE Rob Schwenker schwenker@smdp.com	NIGHT EDITOR Lori Luechtefeld lri@smdp.com	MASCOT Maya Furukawa maya@smdp.com

LOCAL



COMMUNITY BRIEFS

Poet honored Friday through prose

By Daily Press staff

Joseph Hansen, co-founder with John Harris of The Venice Poetry Workshop at Beyond Baroque in 1969, died in November at 81. Los Angeles poets will honor him on Friday, Feb. 18 at 7:30 p.m. during a memorial reading at Beyond Baroque.

Hansen's matchless verse is little known because though a first-rate poet who put his life and dreams into stanzas, his poetry was not widely published, his friends say. His energy went into many other areas like music, activism, fiction and biography. He is best known for his ground-breaking mystery series in which insurance investigator Dave Brandstetter became the first openly homosexual protagonist to appear in a mainstream novel published by a major New York publisher.

The memorial reading costs \$7 and is co-sponsored by the Church in Ocean Park with his friends, poets John Harris and francEYE.

Taxpayers affected by disaster get relief from IRS

By Daily Press staff

The Internal Revenue Service this week announced special relief for California taxpayers in the presidential disaster area that was struck by severe storms, flooding, debris flow and mudslides from Dec. 27, 2004, through Jan. 11.

The disaster area consists of Los Angeles and Ventura counties.

The Federal Tax Deposit (FTD) Penalty Waiver Period for employment and excise tax deposits was Dec. 27, 2004, to Jan. 14.

The extension period for returns and other tax payments is Dec. 27, 2004 to April 8.

The disaster designation for this area is "Storms and Floods-CA." Taxpayers mark certain relief-related forms in red with this designation.

Affected taxpayers include individuals and businesses located in the disaster area, those whose tax records are located in the disaster area, and relief workers. The same relief also applies to any places added to the disaster area.

The IRS gives affected taxpayers until the last day of the extension period to file most tax returns, including partnership and S-corporation returns, or to make tax payments, including estimated tax payments, that have either an original or extended due date falling within this period. The IRS will abate interest and any late filing or late payment penalties that would apply during those dates to returns or payments subject to these extensions.

The IRS also gives affected taxpayers until the last day of the extension period to perform certain other time-sensitive actions described in Treasury Regulation § 301.7508A-1(c)(1) and Rev. Proc. 2004-13, 2004-4 I.R.B. 335, that are due to be performed during the period. The relief includes the filing of Form 5500 series returns, in the manner described in section 8 of Rev. Proc. 2004-13.

The extension to file and pay does not apply to information returns in the W-2, 1098, 1099 or 5498 series, to Forms 1042-S or 8027, or to employment and excise tax deposits. However, the IRS may abate penalties on such deposits for affected taxpayers due to reasonable cause during the FTD Penalty Waiver Period, provided they make the payment by the last day of that period. Taxpayers whose specific disaster-related circumstances prevent them from making tax deposits within that period may seek penalty abatements on a case-by-case basis.

To qualify for this relief, affected taxpayers should put the assigned disaster designation in red ink at the top of the return, except for Form 5500, where filers should check Box D in Part 1 and attach a statement, following the form's instructions. Individuals or businesses located in the disaster area — or taxpayers outside the area

See BRIEFS, page 6

CLARIFICATION — An article in the Feb. 16 edition of the Daily Press about Fisher Lumber closing after 82 years of service in Santa Monica failed to make clear that the business would have closed even if City Hall had not bought the three-acre property. As Eric Jorgensborg, president of the lumber yard stated in the article, Fisher was sold by its parent company, Weyerhaeuser Co.



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SURF REPORT

Conditions slowly improve today as the storm begins to pass, and some SW ground swell and NW ground swell bring waist-high surf to the coast. Conditions are still questionable however, and bacteria levels will likely be high as well. Friday, a mix of unseasonable southern hemi ground swell and some NW ground swell from activity that originated in the western pacific should keep most all breaks in waist-high surf.

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

Today the
water is:

60°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	5:29	1.0	5:41	0.3	11:24	4.6	N/A	N/A
SUNDAY	6:32	1.1	6:12	1.1	12:11	5.0	12:30	3.7
MONDAY	7:53	1.2	6:41	1.8	12:53	4.8	1:42	2.9
TUESDAY	9:40	1.0	7:07	2.4	1:43	4.7	4:35	2.5
WEDNESDAY	11:20	0.7	8:50	2.9	2:49	4.6	7:33	2.9
THURSDAY	12:24	0.2	11:08	3.0	4:08	4.6	7:54	3.2
FRIDAY	12:24	0.2	11:08	3.0	4:08	4.6	7:54	3.2

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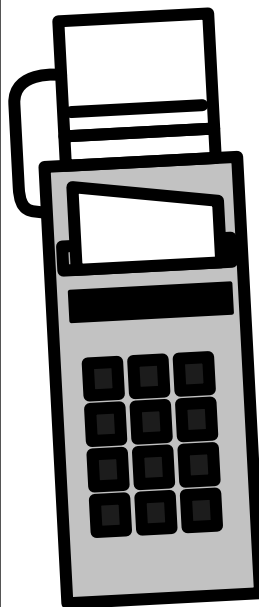
The Q Line

As elected leaders embark on a mid-year budget review, they have begun prioritizing what should garner financial attention in 2005-06. The majority of City Council members last week picked quelling gang violence in an eastside neighborhood and addressing homelessness throughout the city as top issues.

So this week, Q-Line wants to know, "What

do you think deserves financial priority in the city next year? Why?"

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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OPINION

FUNNY PAPERZ

TELL ME ABOUT THE BUNNIES GEORGE...

High Court to allow Death Row appeals based on sliding scale of killer's I.Q.
-News Item

EASY NOW BIG FELLA-

TICK-TOCK-TICK-TOCK-

JOE KING

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LETTERS TO THE EDITOR

Which way is the wind blowing?

Editor:

Kevin McKeown has an interesting way of dealing with city issues. It works like this: He sticks his finger out the window and feels which way the wind happens to be blowing that particular day.

As a political activist working on the Third Street Promenade who asked to be exempt from the current rotation policy that governs "Heartland vendors," (those who sell bumper stickers and buttons) and religious people working on the Promenade) Mr. McKeown had no problem violating our constitutional rights. Councilman Kevin McKeown noted that while evangelists and political activists could likely be exempted from the ordinance under First Amendment rights, "that doesn't mean they should be." I asked heartland vendors, "would Gandhi rotate? if you're part of a community, you should work as part of that community."

So, in regard to the "dog beach" I would have to say that the wind was blowing southeast that day.

Vincentt Garofalo
Santa Monica

We're all illegal immigrants

Editor:

So it's been approved to complete the fence on the USA/Mexico border to prevent illegal immigrants from entering our fine country. I guess we forget that at some rather lengthy period of time we were all illegal immigrants, forcing ourselves on the indigenous people of this fine land.

Yet we condemn Israel from constructing a similar obstruction, and theirs is to protect their very lives and existence.

But I guess it's OK, because President Bush has God on his side, so all his decisions must be right.

Flo Ginsburg
Santa Monica

Recipe for disaster is being cooked up in White House kitchen

The First Lady dumped the chef.

Doing her best Donald Trump, hair-styles aside, Laura Bush has fired Walter Scheib III right on out of her first kitchen.

Has the Bellwether Farm lamb in a red wine reduction been turning out tough? Have the medley of summer berries and peaches atop a mango ice cream dome been bitter? No, the food's been fine. The loyal White House cook was unceremoniously terminated from his 11-year stint for, get this, failing to meet the "stylistic requirements" of the first family's dining protocol. What do you think about that, red states?

(Were the tablecloths clashing with the placemats?)

At about the same time as the axing of Scheib, North Korea, one of the terrible trio identified by the First Lady's husband as comprising the Axis-of-Evil, came forward to admit — well, not so much to admit as to boast — that they are indeed armed to the teeth with the very nukes that America goes ape over anybody else having. Talk about ruining your appetite.

Meanwhile, Iran, another of the notorious triumvirate, defiantly holds on to its own nuclear programs-in-progress, while putting out an official warning that America will "burn in hell" if it tries to forcefully stop them.

The last of the three stooges, Iraq, the only one of them that beyond a shadow of a doubt does not have anything close to a weapon of mass destruction, is the first and only one to be attacked, because they merely might have had them. Looking at that, the other two now have Paul Revere running wild throughout their lands. "The Americans are coming, the Americans are coming," they scream, as they kick into overdrive and stamp ASAP onto any order going out to any facility with any capacity to produce any of the dreaded things that we will go to war to eradicate, even if it turns out they don't have any. Stay with me here, folks, it's a bit convoluted. Iran and North Korea thus appear to be in full-out emergency mode to build the things they need to protect themselves against being attacked by America for maybe having them in the first place. If you're twisted enough to be able to fold all of this together and make something tasty out of it then you might want to apply for the new opening in the kitchen up there on Pennsylvania Avenue.

(Was it that too much time elapsed between the garlic-chanterelle emulsion appetizer and that lamb main course?)

Listen, if you think this whole Axis-of-Evil thing is getting more than just a little berserk, consider what's afoot politically in the one nation of the three that we have gone ahead and conquered, making them not evil any more. As Iraqis slowly but surely get back up on their feet, somebody over there is asking, "Did anybody get the license plate of that truck that just hit us?"

Somebody else is answering, "Uh, yeah, it was one of those vanity deals, looked to be something like F-R-E-E-D-O-M spelled out on it."

Freedom has made the good new Iraq free to go right on ahead and elect in a landslide the same kind of guys who rule the still-evil Iran. That is, Shiite cleric types for whom fundamentalist Islam is the only constitution now and forever more. Wait a minute. Aren't they the ones we are willing to stand eyeball to eyeball with on the eve of destruction in the big picture of the Bush "war on terror?" The newly elected Iraqi leadership must be on their knees every night thanking Allah and George W. for giving bertkas a new lease on life. Same goes for the leaders of Iran. They're pinching themselves, hoping they don't wake up, as they watch sacrificial young American sitting-duck soldiers spill their blood to pull off what the mullahs have been dreaming about for decades but could never possibly pull off — get Saddam Hussein and his formidable brand of secular infidelity right the hell out of Dodge. Meanwhile, the insurgent Sunni sect that includes the Baathists who formed Saddam's ruling party, boycotted the election but now are given a get-out-of-jail-free card, and are being force-fed into the new Iraqi government by the same America that has spent 1,500 of its own, and perhaps hundreds of thousands of Iraqi lives, to get rid of those very guys in the first place. Can anybody out there follow the insanely brilliant, tragic irony of all this, because, although I write it, I can't.

When Laura Bush looks outside her dining room as she cleanses the palate with a crisp baby greens salad lightly swathed in an Oregon raspberry vinaigrette, does she see the smoke rising? I wonder if she and Condie Rice, in private moments on a girls' night out, might share thoughts like, "Good God girlfriend, boys will be boys, but these guys are bent upon blowing the whole planet up, aren't they?"

Sorry to say, but the cat is out of the bag, the horse is out of the barn, name the animal, friends, it's out. Anything goes. Violence and bloodshed are hereby revealed in the guiding light of freedom to be the only answer to disagreements anywhere. If it's good enough for America, it's good enough for us — the new global battle cry.

When it was said here way back when Florida fell to him in 2000, that Bush was exactly the wrong man at exactly the wrong time in exactly the wrong place, it wasn't because the guy wanted to mess with Social Security or make the rich richer or anything mundane as that. It was feared the very survival of this planet we are blessed to spend precious short time on was at stake. Four years later, ever more so.

(Were the Dixie Chicks mistakenly piped in at dinner instead of Toby Keith?)

(Ron Scott Smith can be reached at Edgeofthewest@aol.com.)



Business

SANTA MONICA BUSINESS BRIEFS

WWCOT adds staff to interior design unit

By Daily Press staff

Rey III Viquez and Gretchen Wahab, who collectively have more than 20 years of experience in the architecture and interior design fields, have joined Widom Wein Cohen O'Leary Terasawa (WWCOT) as directors in the firm's interior design group, announced Interiors principal Ben Levin, AIA.

Viquez joins WWCOT as director of interior design. Prior to joining the firm he was with Gensler, where he worked with numerous corporate and entertainment clients, including BMW, KB Home, 20th Century Fox, Disney and Dreamworks. After receiving BA degrees in interior architecture and fine arts from the School of the Art Institute of Chicago, Viquez earned his MA from UCLA Graduate School of Architecture and Urban Planning in 1995.

Gretchen Wahab, who is an accredited certified interior designer with more than 10 years experience working with some of the nation's largest architectural firms, joins WWCOT as director of strategic planning. Immediately prior to joining the firm, Wahab was with Gensler, where she was responsible for strategic and tactical planning, programming and interior design.

Previous to Gensler, Wahab was an interior designer for Johnson Fain Partners, working on projects for Amgen, NBC and the state of California. Wahab earned a BA in interior design and MA in interior preservation and conservation from Michigan State University.

Also joining the firm's interior design division is Lisa Munoz. Munoz who spent the majority of her career with American International Group in New York and then was with ISI's Los Angeles office, where as a project designer she worked with McDonalds and numerous educational facilities. Munoz is a graduate of the University of Texas at Austin, with degrees in architecture and interior design.

Recognized as one of the fastest-growing architectural firms in the nation, Santa Monica-based WWCOT is a more than 100-person, firm with offices in Riverside, Santa Monica, Moorpark, Palm Springs, and Shanghai, China. A full-service firm, WWCOT provides programming, strategic and master planning, architectural and interior design, architectural forensics, and construction support services for a wide range of healthcare, governmental, educational, senior living, multi-family residential and corporate clients.

Santa Monica Fairmont gets new GM

Daily Press staff

The Fairmont Hotels & Resorts recently appointed Desmond Acheson as general manager of the Fairmont Miramar Hotel Santa Monica, effective immediately.

From 1995 to 2001, Acheson served as general manager with Pan Pacific Hotels, including the opening of the new Pan Pacific Lodge in Whistler and The Pan Pacific Hotel Manila.

Acheson joined Fairmont Hotels & Resorts in 2001 as hotel manager of the Fairmont Scottsdale Princess. His career in hospitality began in the late 1970s with London's Claridges and Savoy Hotels. Prior to that, he held various positions with Four Seasons, Pan Pacific and Regent International Hotels & Resorts in Calgary, Vancouver, Hong Kong and Bangkok from 1980 through 1994.

Acheson has been acting general manager at the property since September 2004.

SM firm announces \$90M for Northwest

By Daily Press staff

Santa Monica-based Tennenbaum Capital Partners, LLC has announced it has provided financing commitments of \$90 million to Northwest Airlines, Inc. in a senior secured, first mortgage aircraft financing.

The financing, which was arranged by Tennenbaum Capital Partners, Vx Capital Partners, LLC and Northwest, is secured by four B747-200 aircraft. Two of the four aircraft are currently dedicated freighters in service to Northwest's cargo operations, and two will be converted from passenger to freighter configuration during 2005.

With the completion of its financing to Northwest, Tennenbaum Capital Partners now has committed more than \$175 million to aircraft financings involving two major domestic airline companies.

"We are pleased to have completed these investments," said Tennenbaum Capital Partners founder and senior managing partner Michael E. Tennenbaum. "The dramatic transformation of the airline industry and the accompanying decline in aircraft values have created opportunities for our firm to provide value-added financing for the industry's leading players.

"Our ability to craft complex individual aircraft-backed investments to meet the medium- to long-term fleet and financing needs of airline borrowers sets us apart from many other investment firms," Tennenbaum added.

In the fourth quarter of 2003, Tennenbaum provided financing of \$86 million for Delta Airlines, secured by nine B757-200 passenger aircraft in revenue service with Delta's fleet.

Tennenbaum Capital Partners is a private investment firm managing more than \$3.5 billion in assets through private funds. The firm's investment strategy is based on a long-term, value approach, and it assists — both financially and operationally — transitional companies in such industries as technology, healthcare, energy, aerospace, business services, retail, and general manufacturing.



GRETCHEN WAHAB



REY III VIQUEZ

Qwest narrows fourth quarter loss to \$139M

BY SANDY SHORE

AP Business Writer

DENVER — Qwest Communications International Inc. has said it narrowed its fourth-quarter loss to \$139 million and its chief executive promised to look for other opportunities after losing a bid to acquire MCI.

Dick Notebaert, chairman and chief executive of the Denver-based telecommunications company, said Qwest may benefit if competitors involved in pending mergers are required by federal regulators to divest certain assets.

"There will be some real antitrust questions as well as regulatory," Notebaert told analysts during a conference call. "From where we sit, there's lots of opportunity and there's lot of things that could unfold in the months to come."

Earlier this week, Qwest learned its bid for Ashburn, Va.-based long-distance company MCI had been rejected in favor of a lower offer from Verizon Communications Inc. Analysts said the better financial condition of New York-based Verizon likely contributed to MCI's spurning of Qwest.

Notebaert declined comment on whether Qwest is looking at other assets or companies, though he conceded he was disappointed by MCI's \$6.7 billion cash-and-stock deal with Verizon.

"(It was) just a couple of years ago that we were written off as dead or going bankrupt. If you've noticed anything in the past couple of weeks, it's probably that Qwest is a little bit on the feisty side," he told The Associated Press in an interview. "No one expected us to do what we did so I'm sure that we'll continue down the path of looking at every opportunity and maybe we'll surprise some people again."

For the September-December quarter, Qwest's loss amounted to 8 cents per share, compared with a net loss of \$407 million, or 23 cents per share, in the fourth quarter of 2003. The results beat

the expectations of analysts surveyed by Thomson First Call, who projected a loss of 13 cents per share.

Revenue was \$3.43 billion during the quarter, down 1.7 percent from \$3.49 billion in the same quarter the year before. The company said that was the smallest year-to-year decline in the past eight quarters.

Notebaert attributed the improved results to an increase in DSL Internet service subscribers and increased sales of packaged services, such as landline and long-distance services. Although access line losses continued, the rate of loss was lower than in the previous quarter, the company said.

For all of 2004, the company lost \$1.79 billion, or \$1 per share, compared with a 2003 profit of \$1.51 billion, or 87 cents per share. Annual revenues shrank 3.4 percent, to \$13.81 billion from \$14.29 billion. Qwest blamed the decline in revenues on local losses and "competitive pressures in the enterprise market."

The quarterly results were better than expected but not enough to solve long-term problems, independent telecommunications consultant Tom Friedberg said. Qwest has more than \$17 billion in debt, no wireless division and faces competition from both cable and high-speed data companies.

Janco Partners research analyst Donna Jaegers predicted Qwest will perform better than expected in the next few quarters, noting the effects of a limited price increase and cost-cutting measures. But, she said, they will need to continue investing in systems if growth in the marketplace continues.

She also said MCI stockholders may balk at the Verizon deal, opening the door for Qwest to submit another bid.

"We may not have not heard the last of this romance between Qwest and MCI," she said.

Qwest shares closed up 5 cents, or 1.3 percent, at \$4.04 on the New York Stock Exchange. The stock has traded in a 52-week range of \$2.56 to \$5.

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Two years later, Johnson’s mother ready for trial

TRIAL, from page 1

Flier also filed a motion to suppress evidence gathered through search warrants, arguing police didn’t have enough probable cause to search Paleologus’ personal property. Flier filed a second motion asking the court to reconsider an earlier decision to allow at trial a previous case in which Paleologus was acquitted for attempted rape, assault and false imprisonment.

Paleologus in that case was accused of luring a woman into a hotel room after telling her she would meet famous people, including Madonna, at a party for record executives. Paleologus then allegedly tied the woman to a hotel bed and attempted to rape her. The woman was able to escape.

Flier said no court trial transcript can be found in the case, and several defense exhibits have been lost.

“I think I’ve been deprived of a fair trial,” he said. “They’ve already got seven other women, why do they need one more?”

Johnson’s mother, Terry Hall, and other family members and friends were present in June of 2003 during a two-day preliminary hearing when prosecutors laid out evidence they say links Paleologus to the events leading up to Johnson’s disappearance. The evidence also establishes a pattern of Paleologus posing as a publicity photographer or as an industry executive in an attempt to lure women.

Santa Monica Police officers testified that five women have come forward who said they were approached by Paleologus, claiming to be a publicity photographer for an upcoming James Bond movie. Some of the women were told they could make between \$100,000 and \$200,000 in the film starring Sean Connery and Pierce Brosnan. All of the women were either able to escape or were suspicious enough not to meet Paleologus a second time.

In most cases, Paleologus asked that the women show up to the photo shoots wearing provocative clothing, including black, high-heel stiletto pumps, a short black miniskirt and nylons, according to testimony.

That clothing was consistent with what Johnson was wearing when she was found dead on March 3 at the bottom of a steep hillside in a remote neighborhood in the Hollywood Hills. She also tried on the clothing at her 29th Street apartment for

her roommate shortly before she went to meet Paleologus, according to court testimony.

Flier insists that Paleologus is innocent and the DA’s case is weak because it’s based on circumstantial evidence only. He has pointed out that the prosecution has no scientific evidence linking Paleologus to the murder — no fingerprints were found in her car, and no blood or DNA was found in any of the places searched by police, or near her body.

“They want to focus on the past, not the present,” he said Wednesday. “He’s adamant he didn’t do this and I believe him. I’m too good a lawyer to represent rapists.”

Paleologus has been convicted of six felonies since 1998 ranging from grand theft to burglary to assault. He was released from state prison on Jan. 20, just three weeks before Johnson disappeared.

Two days after Johnson was reported missing, Paleologus was arrested by Beverly Hills police after he allegedly stole a BMW from a car dealership lot. Paleologus allegedly tried to buy a car at Beverly Hills BMW using the name, social security number and credit history of Robert Wasvary, who owns a home on Wonderland Park Avenue in the Hollywood Hills — just blocks away from where Johnson’s body was found.

Paleologus is charged with capital murder, as well as six counts relating to the Beverly Hills case including identity theft, filing a false financial statement, burglary, grand theft auto, forgery and receiving stolen property.

Hall, who lives in Los Gatos, Calif., was present for Wednesday’s court proceedings. She said she’s anxious for the trial to begin, especially now that the second anniversary of her daughter’s death has come and gone.

“It’s been incredibly difficult and since then, there has been pretty much no movement,” Hall said. “That’s the way the wheels of justice turn.”

Hall said the court delays have at least given her enough time to grieve and catch a second wind for the next round of emotional distress.

“I did not have the stamina then to go through a trial,” she said. “I think now it will be a swift trial, but it will be pretty energy zapping.”

Schwarzenegger appoints four new judges in LA County

NEW JUDGE, from page 1

Court.

Deputy DA Doug Sortino has taken over the case against Victor Paleologus, who’s charged with capital murder for allegedly killing Kristine Johnson in February 2002. Sortino was present for a pre-trial conference on Wednesday in a downtown LA courtroom.

Sortino has been familiarizing himself with the case for more than a month, said Terry Hall, Johnson’s mother, who lives in Los Gatos, Calif. She said met with him briefly on Wednesday and is confident he will prevail at trial, which is expected to begin in April.

“It renewed my faith that there was an actual DA and an actual judge,” Hall said, referring to the lapse since she’s sat in on the court proceedings. “He still pursuing a lot of (evidence).”

Paleologus’ attorney, Andrew Flier, said he was disappointed that he won’t be battling it out with Hunter.

“I was looking forward to beating her in court,” he said.

Sortino is the lead prosecutor in the murder case against rock music producer Phil Spector who was charged with killing actress Lana Clarkson in 2001. That trial is expected sometime this year.

Hunter, 43, of Los Angeles, has served for the last 16 years as deputy district attorney for Los Angeles County, focusing primarily on criminal prosecution.

Prior to her service with the county, Hunter, a democrat, was an associate with the law firms Malek and Malek and Sheild and Smith. Hunter earned her Juris Doctorate from the University of LaVerne and a bachelor of science degree from California State University, Long Beach. She is a member of the Los Angeles County Bar Association and the California Bar Association. She fills the vacancy created by the retirement of Judge Oale Fisher.

Schwarzenegger also appointed Michael I. Levanas, Scott T. Millington and Dorothy B. Reyes to judgeships in Los Angeles Superior Court.

Levanas, 55, of Pacific Palisades, has served as commissioner of the Los Angeles Superior Court for the past three years. Prior to that, he owned and operated a law firm for 25 years, where he handled primarily criminal defense, juvenile dependency and family law cases. Levanas earned his Juris Doctorate from Rutgers University and a Bachelor of Arts from the University of California, San Diego. He is a member of the Los Angeles County Bar Association and the California Bar Association. He fills the vacancy created by the retirement of Judge Margaret Hay. Levanas is a Democrat.

Millington, 44, of Manhattan Beach, has served for the last 15 years as a deputy district attorney for Los Angeles County, working in criminal litigation. Prior to that, he worked as a bankruptcy associate at Sheppard, Mullin, Richter & Hampton for over a year and as a FBI investigative specialist from 1982 to 1985. Millington earned his Juris Doctorate and a Bachelor of Arts from the University of California, Los Angeles. He is a member of the Los Angeles County Bar Association and the California Bar Association. He fills the vacancy created by the retirement of Judge Chesley N. McKay. Millington is a Republican.

Reyes, 52, of Pasadena, has more than 22 years of insurance defense experience. For the past three years she has owned and operated a law firm, where she has handled primarily insurance defense litigation. Prior to starting the firm, Reyes worked as a partner for LaFollete Johnson from 1982 to 2001. Reyes earned her Juris Doctorate from Loyola University Law School and her Bachelor of Science degree from Grambling State University. Reyes fills the vacancy created by the retirement of Judge Alan B. Haber, who was the presiding judge at the Santa Monica Courthouse. Reyes is a Democrat.

The compensation for each of the positions is \$139,784.

COMMUNITY BRIEFS

BRIEFS, from page 3

that were directly affected by this disaster — should contact the IRS if they receive penalties for filing returns or paying taxes late.

Affected taxpayers have the option of claiming disaster-related casualty losses on their federal income tax return for either this year or last year. Claiming the loss on an original or amended return for last year will get the taxpayer an earlier refund, but waiting to claim the loss on this year’s return could result in a greater tax saving, depending on other income factors.

Individuals may deduct personal property losses that are not covered by insurance or other reimbursements, but they must first subtract \$100 for each casualty event and then subtract 10 percent of their adjusted gross income from their total casualty losses for the year. For details on figuring a casualty loss deduction, see IRS Publication

547, “Casualties, Disasters and Thefts.”

Affected taxpayers claiming the disaster loss on last year’s return should put the Disaster Designation in red ink at the top of the form so that the IRS can expedite the processing of the refund.

The IRS will waive the usual fees and expedite requests for copies of previously filed tax returns for affected taxpayers who need them to apply for benefits, or to file amended returns claiming casualty losses. Taxpayers should put the assigned Disaster Designation in red ink at the top of Form 4506, “Request for Copy of Tax Return,” or Form 4506-T, “Request for Transcript of Tax Return,” as appropriate, and submit it to the IRS.

Affected taxpayers who are contacted by the IRS on a collection or examination matter should explain how the disaster impacts them so that the IRS can provide appropriate consideration to their case.

Taxpayers may download forms and publications from the IRS Web site at www.irs.gov <<http://www.irs.gov>> or may order them by calling 1-800-TAX-FORM (1-800-829-3676). The IRS toll-free number for general tax questions is 1-800-829-1040.



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School board to review funding contract tonight

SCHOOLS, from page 1

and Superintendent of Schools John Deasy. City Hall agreed to double the \$3 million it pays annually for use of school facilities, with an adjustment of up to \$1 million in 2007, depending on the city's economic prognosis. Provisions were included for inflation adjustments and loopholes were added for extraordinary economic circumstances.

How those terms were translated into the actual contract has caused a stir among some residents. In a Feb. 14 letter to the school board, a district financial oversight committee criticized the draft agreement for "material inconsistencies," "errors in mathematical formulas" and "ambiguous language."

The financial oversight committee was formed in September of 2000 in answer to the community's request for increased communication and understanding of the district's finances, and a desire to generate additional revenue for the district, officials said. Its eight members are appointed by the school board.

"One of our most significant concerns about the draft agreement is that it focuses much too narrowly on city use of school district facilities, rather than 'community use of school facilities'," wrote Paul Silvern, chairman of the financial oversight committee. A minor change in language could affect a large number of Santa Monica nonprofit groups that regularly use school facilities, parents argued.

In the same section of the contract, Silvern proposed adding language that would limit city and community use to the schools in Santa Monica, meaning Malibu sites wouldn't be covered by the agreement, even though City Hall's education dollars are shared by all campuses in the joint school district.

Another sticking point raised by Silvern was that the contract "fails to express the parties' (and the community's) clear intent in supporting city funding of the district ... (which was due to) the critical importance of having excellent public schools to the overall quality of life in Santa Monica, including attracting quality businesses, increased property tax and other local revenues ..."

To remedy that omission, Silvern proposed three paragraphs that could be added to the contract that would explicit-

ly name the goal of excellent public schools as the agreement's intent.

Seven specific technical issues were raised in Silvern's letter, including changing the way the contract is renewed and payments to the district are made, how adjustments are calculated and several other inconsistencies. Silvern also suggested that provisions be included to protect the agreement in the event that Malibu secedes from the district, and to protect the district's control over its properties and the additional funds.

McCarthy and Steve Stark, the city's finance director, said Wednesday they had not reviewed the suggested amendments but said they planned to do so, along with the school board's comments.

"There's no reason to think that we wouldn't come up, ultimately, with a document that reflected our agreed upon terms," said McCarthy, adding the contract's delay was due partly to questions over whether the contract could include sub-agreements on items like after-school programs and playground uses.

"It proved to be unwieldy, not workable just logistically to try and get all of that incorporated," she said. "I think that ultimately we need to be more flexible with the sub-agreements ... They may be one thing today, they may be another thing in three years. Although from a tidiness perspective it may be nice to tie up all things at once, it could end up tying our hands as the dynamics of the programs morph over time."

Deasy said he was hopeful the issues would be resolved.

"I'm hopeful that whatever the board chooses, if any, about edits that we can rapidly bring that to closure with the city, and I have every hope that we can," Deasy said Wednesday.

Parents and district officials acknowledged the issue had the potential to become controversial, but said they hoped the requested changes would become a natural step in the process of reaching a fair agreement.

"The bottom line is that the city has given the school district \$6 million for the year, which is crucial, crucial funding," said Shari Davis, co-chair of the Community for Excellent Public Schools, which sponsored the charter amendment. "We want to make sure that the agreement is fulfilled ... and positively reinforced."

Reverend apologizes to church neighbors for short notice

TENT CITY, from page 1

in the community," said the Rev. Walter John Boris in a statement from Eastside Cares, a group of churches and volunteers. "We're sorry, but it's unavoidable."

The Congregational church is three blocks from downtown Kirkland. The Woodindale Unitarian Universalist Church in a rural area outside town had also voted Sunday to invite the Tent City to relocate there, but the homeless resi-

dents took a vote and chose the Congregational site.

The mayor and county sheriff's representatives expressed willingness to work with the Congregational church.

The encampment's moves around affluent suburbs have sparked contentious public meetings and protests.

Boris said "all of God's people" are welcome at his church. "Jesus offered an extravagant welcome to each person he met, and we share that same love with others," he said.



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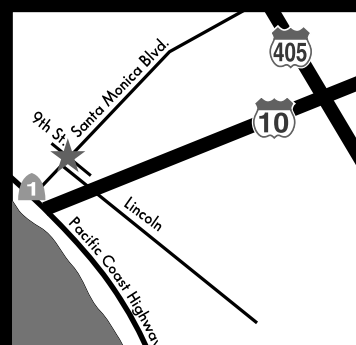
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STATE

Savings on car deal overstated, questioned raised

BY TOM CHORNEAU

Associated Press Writer

SACRAMENTO — Under pressure to show results from one of the governor's key budget initiatives, the state's Department of General Services announced last month that a new procurement program saved state and local taxpayers \$1.1 million on an order for 1,600 police cars.

But the state will actually save less than \$75,000, according to purchasing records and interviews — a result that may prove to be the latest in a trail of disappointments for the "strategic sourcing" program, which faces a Senate hearing in the coming weeks and growing criticism among lawmakers.

Launched by Gov. Arnold Schwarzenegger in June as a critical first step in reshaping the bureaucracy, the program has delivered only a fraction of the \$96 million the administration expected so far this fiscal year.

The procurement program has been a highly anticipat-

ed part of the California Performance Review — the governor's landmark plan to modernize the state — and was forecast to save taxpayers \$1 billion over five years, using aggressive negotiations and the state's enormous buying power to drive down vendor prices.

But the company hired to implement the new system — Virginia-based CGI-AMS — had never before handled a procurement contract like California's, and has a recent history of troubled software contracts in other states.

CGI-AMS has also hired two of the Capitol's most influential consultants to help market the program to state officials and to lobby General Services: the Flanigan Law firm, well-known GOP lobbyists with close ties to Schwarzenegger's senior staff; and a public relations firm partly owned by the governor's chief fundraiser, Marty Wilson, who is also helping the governor raise \$50 million for his special election campaign.

Ron Joseph, director of the Department of General Services, said the Jan. 26 press release was not intended

to be misleading but he acknowledged that only a small portion of the \$1.1 million in savings would be going to the state, if that money was saved at all.

Of the 1,600-car order, the state would be buying about 1,000 cars at a savings of about \$75,000, Joseph acknowledged after inquiries from The Associated Press.

The remaining cars could potentially be bought by any local police and sheriff's departments that decide to make purchases through the state program, generating an estimated savings to local taxpayers of close to \$1 million if all the cars were sold, he said.

Joseph defended the procurement program and said big savings are coming.

"I won't deny that it's gone quite a bit slower than we anticipated, but we were given an aggressive target," said Joseph.

He said it took longer than expected to get good data on the state's spending practices to use as a baseline — and that several contracts that will save the state big money should be announced in the coming month.

CGI-AMS and its partner, Texas-based A.T. Kearney, have completed just one deal to date — a renegotiating of an office supply contract expected to save \$9 million through June 2006. Contracts for the purchase of the police cars have been held up by a protest filed by a losing bidder.

If bigger deals are in the offing, lawmakers preparing for next month's hearing said they want to know more about how the department calculates the savings from each contract. That's important, said Sen. Joe Dunn, D-Garden Grove, because the companies' commission is based on a percentage of the savings.

The problem is that CGI-AMS and A.T. Kearney are not only helping the state evaluate how it spends money but also helping set the baseline for measuring the savings — and thus their own commissions, said Dunn, who first began questioning the CGI-AMS contract shortly after it was signed.

"It could be a little bit of the fox guarding the hen house," said Dunn, a member of the Senate subcommittee reviewing the contract. "That was our concern then and now. It's just not a good business practice to put those functions in the hands of the same entity. Even if there's no impropriety, there's an appearance of it."

Joseph said the contract has provisions that prevent the companies from exploiting their dual role — including an independent audit of both the methods used for calculating savings and another audit after each contract is completed to ensure the savings are accurate.

But a close review of the police car bidding shows how calculating the savings can become a question of interpretation.

In the Jan. 26 press release, the department estimated that \$1.1 million would be saved by state and local taxpayers in the deal. But Joseph acknowledged that a big part of the order — and most of the touted savings — are tied to the purchase of Chevrolet Impalas, vehicles that would be bought by local police and sheriff departments and not the state.

For local governments to save enough money to back up the department's claims, they would have to save \$1,708 on each of the 600 Chevrolets. That's 22.7 times the \$75 saved for each of the 1,000 Fords.

Folsom Lake Ford won the right to sell the cars to the state, offering a price of \$21,465 per vehicle for up to 1,000 Ford Crown Victoria sedans for the California Highway Patrol.

However, records show conflicting prices for the baseline cost of the cars — and even after the AP inquired about the contract, department officials were uncertain whether the state was preparing to agree to the baseline that would result in a much higher commission.

One baseline comes from the most recent prior purchase of the same Fords for the CHP. That was Dec. 9, when a contract for 150 cars was awarded to Sacramento's Downtown Ford. In a deal done outside the strategic sourcing program and without the help of CGI-AMS, the dealer's price was \$21,540 or \$75 more per car than the January bid.

The savings are calculated by multiplying \$75 by 1,000 cars for \$75,000 in total savings.

The other baseline price was set in November after department officials and their consultants agreed on a complex formula for evaluating the marketplace and historic purchases of Ford police cars in the past. That price was set at \$21,770 or \$305 more per car than the January bid.

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STATE



Schwarzenegger's pension plan sees new opposition

BY JIM WASSERMAN

Associated Press Writer

SACRAMENTO — Only days after Gov. Arnold Schwarzenegger fired four California State Teachers Retirement System trustees who voted against his plan to privatize the state's pension systems, the California Public Employees Retirement System is expected to similarly defy him Wednesday.

A CalPERS board dominated by Democrats and union officials will vote in the wake of Tuesday's recommendation by a key CalPERS committee that it reject Schwarzenegger's plan to make new public employees use a 401(k)-style investment plans after 2007.

The committee's 5-1 advisory vote after a two-hour hearing rejected a final-hour offer by Schwarzenegger Finance Director Tom Campbell to compromise on the proposal. Campbell said the idea was only "bare bones" and that negotiations could craft a legislative measure to protect new employees from financial risk and let CalPERS keep control of \$182 billion now invested in the system.

The CalPERS board will also vote Wednesday to pick a new president to replace labor leader Sean Harrigan, who was ousted in December.

Michael Navarro, Schwarzenegger's director of personnel administration, was the committee's lone dissenter.

"One way or another the people of California are going to be asked to make changes to the state's public employee pension system in the coming year," said Schwarzenegger spokesman H.D. Palmer after the vote. "Unfortunately, today's vote marks the first step toward PERS dealing itself out of this debate."

But the committee majority showed little interest in new retirement rules for its 1.4 million members and the 750,000 teachers in the \$126 billion CalSTRS system. They said new retirees could invest poorly and end up with little or nothing in their retirement accounts, which would force the state to pay for them.

"I'm afraid what I see in the future is perhaps some, perhaps many, retirees regretting their positions of having lived so long," benefits committee member Priya Mathur said of Schwarzenegger's plan to reduce government contributions to public retirement plans.

The vote came on the same day the Senate began hearings into the plan.

Schwarzenegger first offered his proposed changes last month, saying the rising costs of retirement obligations for public employees are "another financial train on another track to disaster."

The governor wants the Legislature to negotiate a proposed constitutional amendment that would authorize individual investment accounts for public employees similar to those used in the private sector. If legislators

don't agree, he will put his own plan on an expected special election ballot through the initiative process. The new accounts would replace the current so-called "defined benefit" system in which public employees and the government contribute to a system that invests the money for payout upon retirement.

Schwarzenegger's goal, Campbell said, is that "the risk of defined benefit programs not be borne by the taxpayers." Schwarzenegger's budget faces \$2.6 billion in pension payments this year, a steep rise from the \$160 million the state paid at the height of the stock market boom in 2000.

Almost 80 percent of those higher pension costs reflect the economic downturn and stock market declines after 2000, CalPERS officials said. But administration officials also cite the effects of benefits increases passed during the late 1990s when pension systems contained more money than needed to meet their long-term retirement obligations.

Schwarzenegger's reform vision has provoked widespread opposition among public employee groups and the major pension funds. Opponents contend the idea will undermine the pension funds' long-term viability, diminish their clout on corporate governance reform nationally and cause most employees to have less income in retirement. The CalSTRS board voted 10-2 on Feb. 3 to oppose the idea, as opponents said it wouldn't guard retirees' income or protect the system's financial solvency. Four of Schwarzenegger's own appointees joined the majority, resulting in their firing last Friday.

The governor's changes would place California among only two states and the District of Columbia that require new employees to use individual investment accounts. West Virginia requires them for teachers and Michigan for all new employees. Numerous other states, including Florida, Ohio, Colorado, Montana, North Dakota and South Carolina, offer the option voluntarily, according to the National Conference on State Legislatures.



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NATIONAL

EPA readies orders for toxic mine cleanup in Nevada

BY SCOTT SONNER

Associated Press Writer

RENO, Nev. — The Environmental Protection Agency has prepared its first formal orders for Atlantic Richfield Co. to clean up a toxic mine in Nevada since state regulators asked the federal government to assume control of the site in the face of growing health and safety concerns.

An arm of the Centers for Disease Control and Prevention in Atlanta also has started efforts to determine whether radioactivity or other contaminants at the former Anaconda copper mine pose any danger to nearby Yerington residents or neighboring tribes.

The Nevada Division of Environmental Protection and the U.S. Bureau of Land Management are reviewing the order that EPA intends to deliver to Atlantic Richfield in the coming weeks, which details steps necessary to assess and respond to potential threats at the 3,600-acre site, officials said Tuesday.

Atlantic Richfield and its subcontractors started much of the work under the previous agreement that made EPA, BLM and the state equal partners in the oversight of the cleanup, said Jim Sickles, EPA's site manager based in San Francisco.

After opposing the idea for years, the state agency asked EPA in December to assume the lead in the cleanup of the site that was abandoned in 1999 by the bankrupt Arimetco company.

EPA's new "unilateral administrative order" will address a wide range of areas, including security, worker safety, air and groundwater monitoring, uranium samples and the availability of bottled water for residents with polluted wells, Sickles said.

Atlantic Richfield is providing free bottled water to about 140 households that had received their water from domestic wells near the mine, although the BP subsidiary contends that elevated uranium levels likely are due to natural conditions unrelated to the mine.

One area of contention in EPA's pending order could be the security of the six-square-mile mine site that borders Yerington and the Walker River, about 55 miles southeast of Reno.

Sickles said it's important to secure the property "so we don't have people wandering around the site where there might be radiological contamination."

Atlantic Richfield spokesman Dan Cummings said most of the operation was on federal land managed by BLM and mined mostly by Anaconda starting in the 1940s.

"We've always been concerned about providing site security for land we don't own. BLM owns the land," Cummings said Tuesday.

Tests this summer found unusually high levels of radiation in soil samples at the mine. Earlier groundwater tests showed high concentrations of uranium, apparently the result of the chemical processing of copper.

Documents discovered over the past 18 months showed the radioactivity was so great in one waste pond that Anaconda had entered a joint commercial venture in the 1970s to extract and process uranium as a byproduct.

Libby Vianu, regional representative for the CDC's Agency for Toxic Substances and Disease Registry, said her agency recently became involved at the request of the Yerington Paiute Tribe.

The CDC's agency was created in 1980 to investigate health threats at all EPA Superfund sites, but it also considers petitions for reviews at non-Superfund sites, like this one, she said.

The agency's review has just begun, but she said she agreed with Atlantic Richfield's decision to provide bottled water to those who want it as "a good public health action."

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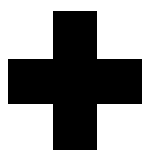


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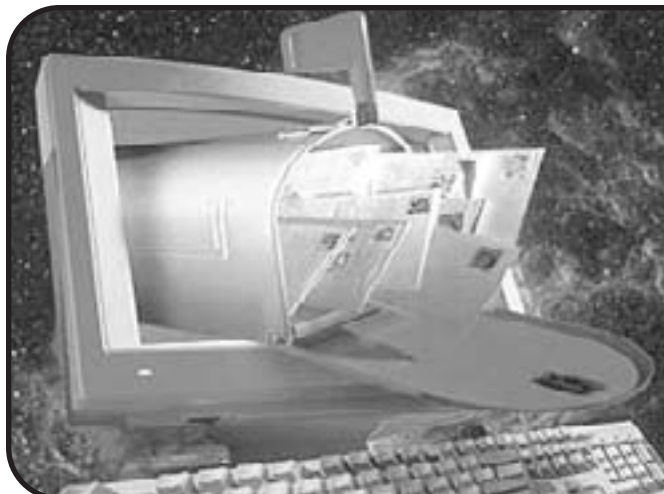


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NATIONAL



In a desert town, residents stake their future on uranium

BY PETER BARNES

Associated Press Writer

EUNICE, N.M. — Like many others in this former boomtown, Mayor James Brown knows more about isotopes, centrifuges and uranium-235 than your average college student.

Brown's recent crash course in nuclear physics was a prerequisite: Many of his constituents are counting on the jobs and economic trickle-down that are being promised if a \$1.3 billion uranium enrichment plant that would make fuel for nuclear power plants comes to town.

Critics say the proposed National Enrichment Facility could pollute the environment, guzzle scarce water and leave this oil-producing town with tons of radioactive waste and nowhere to put it.

But the mayor warns that without the plant, Eunice faces extinction.

"We have to have something else in place or communities like Eunice and Jal will just disappear," he said. "The oil industry won't be able to support our economy 20 or 30 years from now."

The project would be the first privately operated uranium enrichment plant in the United States and the first U.S. installation to use centrifuge technology, rather than a process known as gaseous diffusion that has been around since the Manhattan Project.

Louisiana Energy Services, the international consortium behind the plant, wanted to build the project in rural Louisiana, but backed out in 1998 after opponents accused it of targeting a predominantly poor and black parish. Then it pulled out of Hartsville, Tenn., in 2003 after running into opposition from former Vice President Al Gore and others.

The new proposed site is in the flat, scrub-covered desert 340 miles from Albuquerque in the southeastern corner of the state, close to the Texas line. LES has promised that the plant would employ 400 workers during the construction phase and, once it is up and running, 210 people, with a payroll of more than \$10 million and an average salary of \$50,000.

Last week, the Nuclear Regulatory Commission's Atomic Safety and Licensing Board held public meetings on the LES plan. At one, Lea County Commissioner Darold Stephenson made his point by flipping the lights off.

If the project is turned down, "this is what we're passing on to our future generations: nothing," the 70-year-old commissioner said later.

Oil and natural gas have been the region's lifeblood for decades. Today, bobbing oil pumps and high-pressure gas lines are woven into Eunice's modest street grid.

But many oil-related jobs are disappearing because of new labor-saving technology, and companies have discovered more lucrative oil fields elsewhere. Since 1985, Eunice's population has fallen by a third, to 2,500.

The uranium enrichment plant would be the biggest commercial nuclear project in the United States in years. The nuclear industry is watching the project's fate closely, said Marshall Cohen, an LES spokesman.

"If it's a good, steady, on-track process, that's encouraging to others who might want to look at nuclear-related construction. Because it's very expensive — the amount of money spent on obtaining the license is serious money," he said.

Townpeople in Eunice overwhelmingly support the project. Some have grown tired of environmentalists and other out-of-towners preaching doom, and many note that they have lived with industrial hazards all their lives.

"Don't tell me how dangerous this is when I grew up in this oil field," said Fay Thompson, owner of The Bakery and More restaurant on Main Street. Compared to working with oil, the plant is a "walk in the park," Thompson said.

Her husband, she said, died 40 years ago of cancer related to benzene, a petroleum byproduct.

Still, a few in town are skeptical.

"We're such a gullible lot here, what can I say?" said Rose Gardner, owner of Desert Rose Flowers and Gifts. "The whole world knows the negative side, but Lea County doesn't seem to know it."

Environmentalists worry that radioactive material could seep into the groundwater and the air. Moreover, they say, uranium processing generates a type of waste that currently cannot be dumped anywhere in the United States. With processing, it could be sent to a low-level nuclear waste dump.

Currently, no U.S. processing facility can do that. A French company has offered to build such a plant in this country, but it will be years before it even applies for a license.

Gov. Bill Richardson, who was energy secretary in the Clinton administration, has indicated his support for the project is contingent on an assurance the waste will be sent out of state.

Mike Sheehan, an economist hired by Nuclear Information and Resource Service, an anti-nuclear group, also said the new plant would undercut financially an anti-proliferation program in Russia that takes weapons-grade uranium and turns it into power plant fuel.

Other critics point out that the United States discourages the same kind of plants in places like Iran, which might use them to produce uranium for nuclear weapons.

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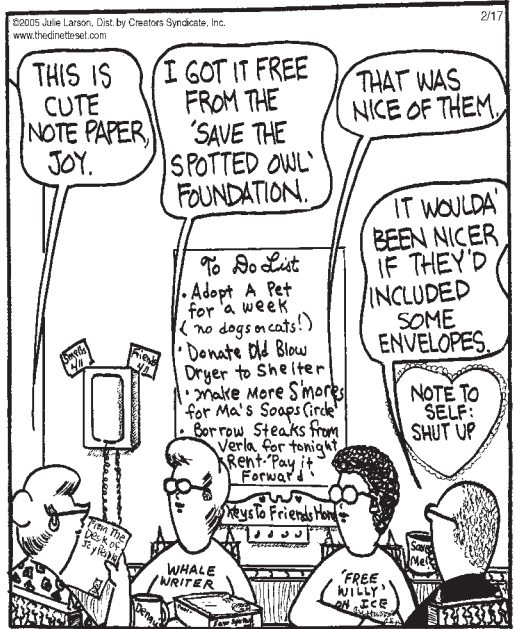
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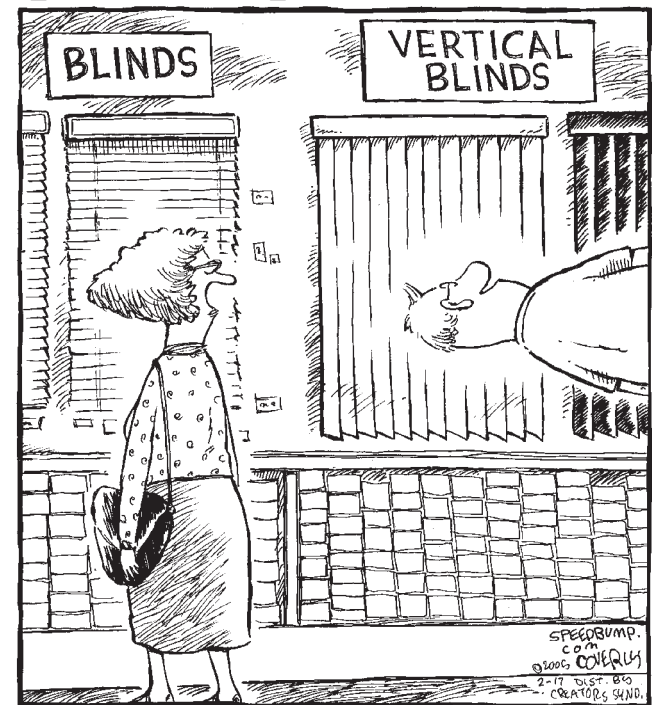
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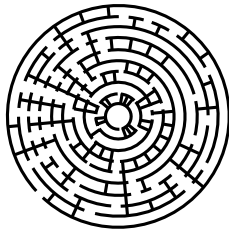
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PEOPLE IN THE NEWS

Kid Rock arrested after alleged strip club brawl

By The Associated Press

NASHVILLE, Tenn. — Kid Rock was arrested Wednesday by Nashville police on charges that he punched a disc jockey at a strip club.

The 34-year-old rapper was released after posting a \$3,000 bond on a charge of simple assault, a misdemeanor punishable by up to a year in jail.

"Everything is wonderful. It was a beautiful night," Kid Rock said as he left the Criminal Justice Center.

His arraignment was set for March 30.

A few hours earlier, Kid Rock had appeared before Night Court Commissioner Howard Taradash. He chewed gum and laughed and joked with police officers.

Authorities said he was charged after a 2:50 a.m. altercation at Christie's Cabaret near downtown Nashville.

Police said 30-year-old Jerry Campos of Cedar Hill, Tenn., was in the DJ booth when he exchanged words with someone in the audience. Believing his friend had been insulted, Kid Rock demanded an apology.

Campos refused, and Kid Rock struck him in the face twice, police said.

Television footage from outside the club showed Campos with a red mark on his face and holding his broken eyeglasses.

"They said I broke his glasses? Who?" Kid Rock said to reporters after his release. Police Lt. Calvin Hullett said Kid Rock left through a back door of another strip club when authorities showed up to arrest him.

Police finally caught up with him about 7 a.m. at an apartment near Vanderbilt University where the singer had been staying.

When police found him, Kid Rock told them he had dodged them because he wanted to sober up before being booked, Hullett said.

Born Bob Ritchie, Kid Rock was a Detroit-area hip-hop DJ when he broke through with 1998's "Devil Without a Cause," which successfully married hard rock beats with rap lyrics.

BERLIN — George Michael says he's closing a chapter in his two-decade pop music career with his new autobiographical film, "George Michael: A Different Story."

The reason?

"I think my own genre is dead," Michael said Wednesday as he presented the movie at the Berlin International Film Festival. "I don't really think that there is anyone in the modern pop business who I feel I want to spar with."

Michael, 41, said he wants to "try to move my career into a different form — I don't know what that's going to be yet."

In the new film, directed by Southan Morris, Michael takes viewers through the highs and lows of his career, from his rise to fame as half of 1980s British pop duo Wham! to his 1998 arrest for lewd conduct at a public restroom in Beverly Hills, Calif. — an episode that forced his homosexuality into the public domain.

"Having been so private and not explained myself for the last 15 years or so, I thought that my fans deserved to know what those songs were about," Michael told reporters. "It's almost as much for me as for them, in terms of trying to make sense of the last 22 years and bringing it to a close in a proper way."

"I'm much less worried about being intensely private," he added. "I'm sure a lot of that is to do with being outed — it changes everything."

Michael acknowledged embarrassment of a different kind over the early days of his career.

"I was the perpetrator of many fashion crimes in the '80s," he said.

The singer's last album, "Patience," topped the British charts last year. "I'm still going to be making music," he said.

Michael's film is showing outside the main competition at the Berlin festival, which ends Sunday.

LOS ANGELES — Ashley Olsen is suing the National Enquirer for \$40 million in damages over a story alleging that she was involved in a drug scandal.

The lawsuit filed in Superior Court Monday alleges libel and false light invasion of privacy by the tabloid. The publication and its parent companies, American Media Inc. and National Enquirer Inc., were named as defendants.

The lawsuit said that while a story in the National Enquirer's Feb. 21 issue doesn't refer to her using or selling drugs, it implied that Olsen was doing so with a misleading headline and cover picture depicting the actress with her eyes half-shut.

"Freedom of the press is a valuable right, but it is not a license for gossipy tabloids to tar and feather innocent celebrities and destroy their reputations and businesses for the rags' profits," the lawsuit said.

A message left by The Associated Press Wednesday with the National Enquirer in Boca Raton, Fla., wasn't immediately returned.

"Access Hollywood" said a spokesperson for American Media, in a statement to the syndicated entertainment TV show, said: "We stand by the accuracy of the published information and intend to vigorously defend the lawsuit."

In addition to \$40 million in compensatory damages, the lawsuit seeks unspecified exemplary and punitive damages.

Olsen, 18, most recently starred alongside twin sister, Mary-Kate, in the 2004 comedy "New York Minute."

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