

FREE

THURSDAY, FEBRUARY 20, 2003

Volume 2, Issue 85

Santa Monica Daily Press

A newspaper with issues

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FANTASY 5

06, 07, 14, 17, 32

DAILY 3

Afternoon picks: 6, 3, 7

Evening picks: 6, 7, 8

DAILY DERBY

1st Place: 05, California Classic

2nd Place: 01, Gold Rush

3rd Place: 09, Winning Spirit

Race time: 1:42:91



NEWS OF THE WEIRD

by Chuck Shepard

■ In January, an appeals court in Eidsivating, Norway, acquitted a 22-year-old cab driver, a Middle Eastern immigrant, of raping a woman who had the mental disorder Williams Syndrome, because, said the court, he could easily have mistaken her overly friendly behavior (a characteristic of some people with the disorder) with a desire for sex. The court said it also considered that the man had trouble with the language (despite 12 years in the country) and that some male immigrants believe that Norwegian women are easy.

THOUGHT OF THE DAY

Never mistake motion for action.

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Hotel settles labor dispute with union

But both sides expect larger battle to continue

BY JASON AUSLANDER

Daily Press Staff Writer

Management of a local hotel recently signed an agreement with the National Labor Relations Board pledging to uphold federal laws governing the formation of unions.

And while the settlement officially ends a two-year, polarizing dispute between the Doubletree Guest Suites Hotel and the Hotel Employees and Restaurant Employees Union Local 11, neither party expects it to mark the end of the battle.

"Come on, this is Santa Monica," said Francois Khoury, Doubletree general manager. "For every two citizens, we have five activists. (The union) is going to find something else tomorrow and the day after that and the day after that."

While the agreement is a step forward, the ultimate goal is for the Doubletree to allow an official employee vote on the establishment of a union, said Kurt Petersen, the union's organizing director.

"That is how other (local) hotels have done it," he said. "That is the standard in Santa Monica and we think they should follow it."

"Come on, this is Santa Monica. For every two citizens, we have five activists."

— FRANCOIS KHOURY
Doubletree Guest Suites Hotel

Under terms of the NLRB agreement — signed Jan. 28 by a Doubletree attorney and Feb. 7 by the union — the hotel does not admit breaking any laws.

The hotel's management did agree, however, to post a notice informing employees of their federal rights to form or not form a union, wear union buttons or insignia, discuss union issues in the workplace and to remain on the premises more than 30 minutes after their shift ends. The hotel

See HOTEL, page 6

LAPD trial hinges on entry question

Plaintiffs: Halloween shooting that left actor dead traumatized them

BY DAVE DANFORTH

Daily Press Staff Writer

The LAPD negligence trial brought by two men who were with an actor shot dead at an October 2000 Halloween party ended Wednesday with one attorney predicting an "uphill battle" against police.

The two plaintiffs, Jeff Denton and William Frey, were standing near Anthony Dwain Lee in a small bedroom at a Benedict Canyon costume party when Lee

waved a replica semiautomatic Magnum .357 and was killed by Officer Tarriel Hopper, who thought the weapon was real.

The case went to a Santa Monica jury after focusing less on the shooting than on whether Hopper, a three-year veteran of the Los Angeles Police Department, had permission to enter the lavish mansion called "The Castle."

The door to the bedroom — its panes shattered by bullets — stood near the jury as a grim reminder of an episode that gained national attention. The outcome will depend on whom the jury believes should shoulder the responsibility:

See TRIAL, page 6



Ross Furukawa/Daily Press
Above, police capture a man witnesses identified as a suspect who robbed a US Bank on Wednesday. The man's identity is being withheld until police can verify it by using fingerprints. Police recovered a replica handgun and a large amount of cash in the suspect's car. At left, forensic specialist Maria Navarro dusts for fingerprints on the entrance to the bank shortly after the robbery Wednesday.

Bank robber's getaway thwarted by quick cops

By Daily Press staff

Santa Monica police officers nabbed a suspected robber minutes after he fled a Wilshire Boulevard bank Wednesday afternoon.

A US Bank employee called police at 4:08 p.m. to report that the recently opened branch, located at 400 Wilshire Blvd., was being robbed, according to police.

Santa Monica Police officers arrived at the scene in less than two minutes. Witnesses then pointed out the suspect, who was walking away from a parked car in the 1200 block of Court Four, an alley between Fourth and Fifth streets, police said.

Officers detained the man and witnesses later positively identified him as the bank robbery suspect, police said.

After the man was arrested, police searched his 1998 white, two-door Mitsubishi Eclipse and found a replica handgun in a jacket that witnesses told police had allegedly been used during the bank robbery.

Officers also recovered a sack

of money from the vehicle. An exact amount wasn't immediately available.

While the identity of the suspect is being withheld pending fingerprint verification, police described the suspect as a black male in his 40s.

Before police could positively identify the suspect and book him into the Santa Monica Jail, however, the man complained of unknown "medical problems." Paramedics were called and he was treated at the jail, then transported to a local hospital where at press time he was receiving medical attention, said Lt. Frank Fabrega, an SMPD spokesman.

Police plan to book the man in Santa Monica, but the Federal Bureau of Investigation likely will be involved as well, Fabrega said.

"We'll handle the booking," he said. "If the FBI comes in, they will file a complaint and handle the prosecution of the matter. But it will be a joint investigation by the Santa Monica Police Department and the FBI."

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JACQUELINE BIGAR'S STARS

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

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

HAPPY BIRTHDAY for Thursday, Feb. 20, 2003:

You might often feel conflicted by what is happening in your world. You feel as if others don't hear you or that your message might not be received. Remain optimistic, realizing your limits within your immediate circle. You will often defer to others, not exactly sure what you want or not willing to fight out problems. If possible, establish stronger groundwork and understanding with those in your immediate family. If you are single, you will meet someone quite significant the second part of your year. Approach this person carefully. Don't take him or her for granted. If you are attached, your relationship will heat up considerably if you're willing to try some things differently. Avoid bringing your work home. LIBRA understands you.

♈ ARIES (March 21-April 19)

★★★★ Be wise and defer, especially as you cannot make a difference or change someone's mind. Learn to accept people as they are. You could lose your temper because of unusual frustration. Friends provide the unexpected. Hold on tight! Tonight: Say "yes" to a loved one.

♉ TAURUS (April 20-May 20)

★★★★ Understanding takes you in a novel direction. Tempers could flare, especially around a money issue and a partnership. Knowing when to say "no" could be important. A boss makes demands, but so does a family member. Start taking juggling lessons. Tonight: Release stress through a walk.

♊ GEMINI (May 21-June 20)

★★★★ You might not be sure what would be best, especially when dealing with a child or a new friendship. Worry less and stay centered, knowing what is needed. Misunderstandings appear to be the very nature of the day. Roll with others without getting tied up. Tonight: Kick up your heels.

♋ CANCER (June 21-July 22)

★★★★ Recognize what might be going on on the home front before you make a decision. You might want to think carefully before you launch into action. Recognize more of what you want by being positive. Count on shelling out some extra bucks. Tonight: Do your thing.

♌ LEO (July 23-Aug. 22)

★★★★ You keep giving and understanding. You might experience more uproar than normal. Others challenge your ideas, and some people might be downright touchy. Don't slam doors, even if you want to! Keep conversations rolling. Tonight: Get ready for the unexpected.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Realize what is happening, though you might want to avoid doing too much explaining. Others could be touchy or difficult. Try to understand what makes certain people tick. Observe rather than become a player. You'll be much happier.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Everyone seems to circle their wagons around you, though you might not prefer to be the center of attention. Be sensitive and aware of where those around you are coming from. One friend makes a sincere difference. Avoid a power struggle if possible. Tonight: Find a pal to play with.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Stomping your feet isn't going to get you anywhere. Carefully review what you want. Extremes hit you when dealing with a child or close loved one. Say little, because one statement could blow into a veritable battle. Do you want this? Tonight: Take your time.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Reach out for your friends, adding to the possibilities that surround you. Clarify communication, if possible. You might need to wait before you handle key issues. Think in terms of your long-term desires. Take an overview. Tonight: Accept an invitation.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Others look to you for answers, though you might not be in the mood to take responsibility. You find conflicts brewing in whatever direction you choose to go. Resist coming to quick decisions. Pull back and allow others to figure out more of what ails them. Tonight: Do something spontaneous.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Reach out for someone at a distance. Think through a personal matter with care. You find that the unexpected does occur with others, especially in-laws or different types of people. Reserve judgment, making important decisions happen. Realize your desires. Tonight: Do something new.

♓ PISCES (Feb. 19-March 20)

★★★★ Reach out for others, considering what you want and expect from those around you. Others might need to hear what you're saying, but you'll have difficulty communicating your message. Relax. Wait. Work with timing. Tonight: Accept an invitation.

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
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LOCAL



Landlord forgets to sign lease, loses lawsuit

BY JOHN WOOD

Special to the Daily Press

A Santa Monica landlord lost a lawsuit earlier this month on a technicality — he presented an unsigned lease as evidence.

Hormoz Azizzadeh lost the lawsuit over a \$3,500 rental deposit brought by two student tenants because he never signed the original contract. Without his signature, the judge found that no formal agreement existed.

"In real estate, the written document overrules anything else," said Commissioner Roberta Kyman. "You're a broker, you know that."

In their lawsuit, Kazue Iwata and Miyuki Tanaka claimed Azizzadeh owed them the \$3,500 because they changed their minds about renting the unit before they moved in last November but after they signed the lease.

They claimed Azizzadeh told them he would allow three tenants to live in the apartment, but then told them the lease specified only two. And when they asked again to add a third name to the lease, he asked for more money, they said.

It appeared as though Azizzadeh's case was strong enough to win since neither Iwata nor Tanaka could prove he had ever agreed to a third roommate. Kyman even

reminded the two students that changing their mind before a contract takes effect does not nullify the lease.

Azizzadeh said he agreed to let the women out of their contract if a replacement tenant could be found. But he said the apartment was still vacant and he was deducting from the deposit until a new renter was in place.

With what appeared to be a fool-proof defense, Azizzadeh confidently handed the rental contract to the bailiff, who then passed the document on to the judge.

Kyman reviewed the contract and asked "Are you presenting this document as the basis of your case?" she asked.

The defendant responded that it was.

"It's not signed," she said. "This is the original and it has original signatures from the tenants. Your lack of signature shows this court there was no agreement to a lease."

"I don't have a valid lease agreement here."

Azizzadeh responded by saying the plaintiffs already had admitted in court they agreed to the contract. Kyman then reminded Azizzadeh what so many tenants have learned from landlords over the years.

"It doesn't matter," she said.

Commissioner Kyman awarded Iwata and Tanaka \$3,500, plus court costs.

COMMUNITY BRIEFS

City budget session rescheduled

By Daily Press staff

The second of the two-part Leadership Series session on "City Budget Basics" has been rescheduled. It now will be held on Thursday, March 6.

City Finance Director Mike Dennis will make the presentation, beginning at 7 p.m. in the Ken Edwards Center, 1527 Fourth Street. It will focus on how to read the city's financial statements and understand what they mean. The first session, which explained the various parts of the city budget and the budgeting process, was held Jan. 9.

The sessions are designed to help residents better understand how the city budget is developed and be more informed participants or observers of the 2003-04 budget process. Courses and materials are free, but registration is requested. Register on-line at santamonica.org/communication/cityforms/leadership_series.htm or call (310) 458-8301.

The Leadership Series covers a variety of city government-related topics to inform and engage Santa Monicans.

Lincoln staffer named teacher of the year

By Daily Press staff

Mary Hirt, a physical education teacher at Lincoln Middle School in Santa Monica, was recently named the 2003 American Association of Health, Physical Education, Recreation and Dance (AAHPERD) Southwest District Physical Education Teacher of the Year.

After Hirt was named the 2002 California Physical Education Teacher of the Year, her portfolio and resume were submitted to the regional recognition committee for

See BRIEFS, page 6



Most spots will see a 2-3-foot range as the swell fades and a steep NW swell blows in later this week. There's a slight chance of bigger waves if outer winds become stronger. That's slight — and it will most likely stay that way until the beginning of next week.

The water quality is as excellent as it's been since the rains stopped. Expect low winds and afternoon blow-out all along the coast.



Today's Tides:

Low- 4:42 a.m. .9'
High- 10:44 a.m. 5.2'
Low- 5:14 p.m. -0.2'
High- 11:37 p.m. 4.8'

Location	Thursday	Friday	Water Quality
County Line	3-4'/Fair	2-3'/Fair	A
Zuma	2-3'/Fair	1-3'/Fair	A
Surfrider	2-3'/Fair	1-3'/Fair	B
Topanga	2-3'/Fair	2-3'/Fair	A
Breakwater	2-3'/Fair	2-3'/Fair	A
El Porto	2-3'/Fair	2-3'/Fair	A

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The Q-Line

Millions of people marched the streets throughout the world this past weekend to let their governments know they are opposed to war. Some believe these latest protests and peace demonstrations are only the beginning of a movement larger than any other in history.

Now that the United Nations' inspectors have found no smoking gun in Iraq, President Bush and his administration are figuring out how to proceed in their plans to

attack while everyone in the world watches.

This week, Q-Line wants to know:

"What do you hope will happen with the situation in Iraq? Is war inevitable at this stage of the game?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less; it might help to think first about the wording of your response.

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OPINION

LETTERS

A story about the landmarks process

Editor:

The controversy over historic landmarks is one that exemplifies the mutated political system within our community. As with most political movements in Santa Monica, activists who are jobless or dependent upon the system thrive on telling the rest of us what to do with our hard-earned businesses and possessions.

As the owner of a property subjected to the sharp stick of this macabre institution, I can tell you a story seldom retold without mistruths by those who wish to perpetuate the injustice. My property at 2712 Second Street had a dilapidated 350 square foot shack — not much larger than a contemporary living room. Its structural beams were so rotten that I could crush them with my bare hand. The walls were thin “board and batten” shallow planks, you could see through the gaps between them.

Unfortunately for me, the building was desired as a “meeting place” by a self-anointed neighborhood group, the Ocean Park Community Organization (OPCO), preferably with the land included. In consort with city staff, OPCO used historic landmark’s to put us through three years of misery. As an architect, I was astonished that such a dysfunctional structure would be considered of merit. Others agreed and in the first landmarks meeting I had enough votes on my side to demolish the structure. The gavel hit the table and it was over until a former city staff member, Donna Jerex, spoke out after the vote and persuaded a commissioner (who resigned soon after) to change his vote “so they would have a couple of weeks to find somebody to give the building to.”

We offered to sign a written agreement giving them the time, but it was not enough. After waiting for over two months for a response I became slightly concerned. I soon found out that during this period a series of mailers and letters were being sent out to the community by city staff in order to garner support for the preservation of this structure as it sat. I live in the neighborhood and received them myself. Susan Love-Loughmiller and Rick Laudati of OPCO decided the cause would be a good way to reinvigorate their eroding group.

During the three years that followed, I was repeatedly told by city staff and elected officials that if I performed certain requests I would be able to demolish the neighborhood eyesore. At one council meeting I was explicitly told I could remove it if I presented them with a photo documentary of the building, which I did, yet both OPCO and the Church in Ocean Park appealed, making my presentation mute. Another time I was told that if I made a good faith effort to find donated land within the local area for its relocation, I would be relieved of this burden. I did so, but the rules again changed at the last minute. This was happening in spite of adjacent neighbors to the property wishing for the structure to be removed, since it was an eyesore and “attractive nuisance” to area homeowners.

Most heart wrenching were not the three years of sleepless nights and over \$200,000 in expenses, nor the discovery of the extreme dishonesty in our twisted city government. My most important loss was the goodwill with the banks and investors that I had established after 20 years of being an honest and reliable architect/contractor. Banks do not care what reasons you give for breaking a time schedule, even when you make all the payments. Though this was to be a home for myself, my ability to

finance projects has been eliminated.

After three years we were allowed demolition, and only then could we sell the property. OPCO finally convinced somebody with \$10,000 to waste to move it minutes before the wrecking ball arrived. It is now being stored at the city airport at taxpayer expense until the OPCO understands it cannot be renovated to today’s codes without ending up only a replica of the structure. It will cost over \$1,000 per square foot including even the cheapest land in the city. Ironic when I think of the fact that I offered to move the building for them for free when it started.

What happened to me has only happened to a few people, but it can happen to anybody. It can also ruin your life. We have an elected council that encourages special interests to use government to harm people under the guise of community concerns. Proponents of forced Historic Landmarks do not want people to have a choice so they may selectively target us one by one — we are defenseless this way. Recently Santa Monica adopted the National Standards to determine merit. However they neglected to include the most important aspect; the National Standards for Historic Landmarks requires an owner’s consent.

S. Forest King
Santa Monica

See LETTERS, page 5



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With the tides of fate crashing in, a call for trust



TITTINGER'S TAKE

By Michael J. Tittinger

“I can’t go down there. It’s too cold,” said the little boy sheepishly, standing at the top of Will Rogers State Beach on Sunday.

As his father waited for him down by the water, fishing rods in hand, the boy turned and told anyone who will listen, “I don’t like the water.”

“You’re not going to get wet,” insisted his father, growing impatient. “Come on.”

Standing still for a bit, the boy clad in orange sweatshirt and blue jeans contemplated the ocean rolling in before him. The waves. The crashing. The utter vastness of the sea stretching beyond his comprehension. So intimidating. With his father still waiting, standing just at the tip of the water with bucket and tackle box in tow, the boy finally lowered his head and marched forward, ultimately trusting his father knew things would be okay.

As our nation stands on the brink of war with Iraq, with the tides of fate crashing in and retreating back out to sea, the vast majority of Americans are standing on the beach waiting for some direction. We appear collectively uncertain about our next step — Do we find the water too cold, too unbearable, too overwhelming to consider treading into it? Or do we follow our leaders down into the belly of the raging waters?

With the Bush Administration standing down by the water, beckoning us with confidence and conviction, and the car parked just behind us, leading to a peaceful getaway back to the road of status quo, we stand in a collective quagmire. Most of us fall into the indecisive majority, wary of those on either side who appear certain as to which direction is best.

Herein lies a great debate on the interpretation of democracy. Are the leaders we elect beholden to adhere to polls of the great majority time and again? Or do we entrust our leaders to act in the nation’s best interests independent of our input, utilizing the advanced power, information and intelligence we elect to give them? Given our apathy at the voting booth, it seems safe to conclude that most of us

subscribe to the latter interpretation. In need of direction, we are putting our faith in the system.

What it all comes down to is trust. The boy on the beach doesn’t know for certain his dad won’t launch him into the frigid waters, but ultimately, he trusts his father will take care of him, that he has his best interests at heart. The boy has learned much about his father’s tendencies through experiences such as this. The father now called the boy into action, and though wary and reluctant, the young charge follows.

With disparate claims as to who’s doing what in the Middle East, we have arrived at the beachhead and are being asked to walk into the changing waters. The issue now is one of trust — trust in our leadership, trust in our system of government, trust that the United States is leading in the face of criticism and not flying in the face of sensibility. The ocean of uncertainty is a scary proposition, and disruption to its natural flow will cause a ripple effect of unimaginable possibilities.

Watching a morning news report Monday of soldiers practicing the removal of fallen soldiers from the battlefield brought a tear to my eye. Armored

ambulances do not conjure up positive images. Nobody wants to see a war. It scares the hell out of us, yet that is no reason to stand down. Nor should we allow other nations’ consternations and calls for more time to stand in our way. We cannot trust others’ decisions and desires, especially when we did not elect them.

We can only trust the system we put in place and feed into each and every day. It has served us unimaginably well over our nation’s history. Our next move is not only apparent, but also logical. There is a reason we refer to the “Founding Fathers” as just that some 226 years later. By turning our backs to the road and heading down to the water we are merely leaning on the shoulders of giants.

The boy crouched on the wet sand, water rolling in, digging into the earth with one of his father’s fishing rod anchors. The boy was oblivious to his father’s toil — working the rods and battling the hooks and organizing the eventual cleanup. The boy was calm under in the shadow of his father, whom he trusted would never lead him astray.

(Mike Tittinger is a freelance writer living in Santa Monica.)

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author’s name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

OPINION



LETTERS

LETTERS, from page 4

The last piece of the puzzle

Editor:

Whom do NOMA and Save Our Neighborhoods represent? Having personally talked to hundreds, if not thousands, of homeowners in a quest that began for me almost one year ago, I can tell you that they do not represent the vast majority of homeowners.

In fact they do not represent a majority of their own members. I have talked particularly to rank-and-file NOMA members who are confused, puzzled, and appalled by the position that their leadership has taken against Measure A. Why, they say, would NOMA leadership oppose a Measure that so clearly is in the best interest of the homeowner? Why, indeed!?

Has anyone noticed that NOMA and Save Our Neighborhoods are marching in lock-step with the same views held by the City Council (save two valiant, but largely ignored voices), the Landmarks Commission, the Rent Control Board, and the rest of the elected/appointed politicians and bureaucrats that make-up the elite power base in Santa Monica? Could it be that NOMA and Save Our Neighborhoods just want to be on the winning side?

Well, who could blame them, really! After all, the City of Santa Monica has won every battle against private property over the past 20-odd years. They KO'd the rental property owners 20+ years ago; they have the commercial property owners "quaking in their boots," wondering what new Orwellian scheme that they'll come up with next; the municipal property is theirs to dispose as they see fit (which is OK within limits); so.... what's left? Only the homeowner's property. The last piece of the puzzle. Actual/virtual control over all (private) property in Santa Monica — grand slam!

So, who/what's going to stop 'em? Well, the last time I looked, we still have the initiative process, and free and open elections (yes, even in Santa Monica). Homeowners, aspirant-homeowners, and reasonable, rational, and fair-minded citizens of Santa Monica, will stand up and say, "ENOUGH" to this juggernaut. Vote YES on Measure A!

Phil Grunland
Santa Monica

Questions of war, homelessness

Editor:

This Monday's edition of the Santa Monica Daily Press was chock full of articles concerning peace where Iraq is concerned. Millions of people from across the globe stood together to protest and say no to war. Saddam was probably laughing back in his palace. Nothing would make him happier than that very thing.

I've been homeless and almost penniless for the past 14 months. I have no identification so I can't apply for General Relief or other measures designed to assist the homeless. I've tried to regain my identification but so far, haven't had any luck. I've been able to get by for fourteen months now on \$4 a month, so big deal.

In a sense, I feel like an Iraqi citizen. I have almost no creature comfort items. There are a lot of things I would like to have and to do, but for now, I wait until things change.

Unlike the Iraqi people, I wait for my government to build their criminal case and take action. If I was an Iraqi citizen and it's my government that's the roadblock, what would I do then? If I were living in Iraq, I would wonder why my government doesn't do what it can to remove the sanctions that are in reality affecting me.

People have stated that they would like to see the military budget converted to help with health care and education and other problems here in the states. I would like to see this as well.

But I'm reminded of the Palestine-Israeli conflict and can figure out that if you don't protect yourself against terrorists, they don't mind coming into your space and blowing themselves up, and taking you with them.

Jean-Michel Boulay asked, "If the government is so concerned about the welfare of the Iraqi people, why are the economic sanctions still in place?" The sanctions are in place not to punish the people of Iraq, but to punish their leader for attacking another sovereign nation.

There is a set criterion in place to remove these sanctions, and twelve years later, we're still waiting for Saddam to meet them.

To those who say, they need more time, I say, how much time is enough time? It's funny to see in the papers about the break that the weapons inspectors took. They didn't take a break; they were kicked out of the country. Saddam said, don't call us, we'll call you, and don't leave a phone number.

Others worry about North Korea. I do as well. I wonder if they look at Iraq and decide to just use their playbook as they think Saddam is getting his way.

If someone broke into your house and stole your possessions, would you call the police and expect them to do something about it? If you didn't report it, would you be surprised if the criminals just kept doing it again and again and again? Can the Iraqi people count on anyone to get them out of their situation? Or should they just keep waiting for their leader to do nothing?

Steve Roberts

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LOCAL

Doubletree pressured to allow vote on unionization

HOTEL, from page 1

also agreed to remove disciplinary action taken against a pro-union employee.

Khoury said all the company actually did was agree to follow the law, which it has always done.

"There's not much to it," he said.

The dispute has cost the Doubletree hundreds of thousands of dollars, he said, declining to cite a specific amount.

"We made a business decision to end what was a relatively minor legal matter, but would have cost more in time and energy than it was worth," he said. "Most of the allegations were highly technical in nature."

Had the dispute gone to a hearing with the labor relations board, "we knew we would win," Khoury said.

Petersen — who said the hotel settled shortly before the hearing with the NLRB was scheduled — disagreed.

"The reason they settled was because

"The reason they settled was because they knew they would lose. If they thought they were right, I don't think this hotel would have done anything but fight."

— KURT PETERSEN
Union organizing director

they knew they would lose," he said. "If they thought they were right, I don't think this hotel would have done anything but fight."

Those opinions are characteristic of the charged rhetoric that has flown between the two sides — particularly during the buildup to last November's elections, when Santa Monica's "living wage" law was narrowly defeated by voters.

The law would have guaranteed higher

wages and benefits for workers at businesses in the city's coastal zone that make over \$5 million a year. The proposal failed in part to a multi-million dollar campaign against it led by the hotel industry, according to living wage supporters.

"This is the same hotel that spent \$50,000 to fight the living wage law," Petersen said. "The Doubletree's goal is to keep (workers' standard of living) down as much as possible."

Khoury dismissed that argument and said any attempt to link the living wage with the labor agreement is a case of sour grapes by the union.

"It's more an embarrassment to them because they lost," he said.

Petersen and other union officials have long charged the hotel with intimidating employees interested in establishing a union. Conversely, the hotel's management maintains that it's union officials who harass employees, sometimes at their homes.

Khoury said that if his employees wanted to establish a union, they would have done so already.

However, if that is true, Petersen asked, why won't the hotel agree to allow its employees to be officially polled in a process called a card-check election.

"There is no question the employees want a union," he said. "The reason the hotel won't allow it is because they don't want to share profits."

Trial hinges on officer's permission to enter party

TRIAL, from page 1

Hopper for using unreasonable force or entering illegally, or Lee for having raised the replica gun and sparking the deadly episode.

Neither Denton nor Frey were injured when Lee was cut down by four of nine shots fired in a space of 1.86 seconds.

But they claim post-traumatic stress from the episode has severely affected them and that Hopper violated their civil rights by walking onto the private grounds of the mansion, shining a light into a bedroom and subsequently firing from a distance of six feet.

Hopper claimed in testimony that a guard had gestured for him to go inside and look for the owner after he arrived on a "loud party" complaint at about midnight three evenings before Halloween.

Consent is one of the necessary elements to overcome the constitutionally-protected right to privacy. Even then, LAPD attorney Corey Brente asserted that there was no such right at the wide-open party because hundreds attended with no armbands or guest list.

"This case is about how important the right of someone to keep the government out of their home is," argued Franklin Ferguson, an associate law professor representing Frey. "This case isn't about a broken arm or leg, but what if you lose your personality, you lose yourself?"

Frey, 24 at the time, came to Los Angeles to pursue acting, as did Denton, then 33. Lee was 29 the night he was mistaken for a gunman.

Frey left acting after the episode and now drives a beer delivery truck. Denton has remained with an acting career, earning close to \$40,000 the year after the episode and maintaining that he used acting to work through his trauma.

Brente, arguing for the LAPD and city, insisted Hopper did only as he was trained to do under a police doctrine called I.D.O.L. — immediate defense of life.

"Hopper saw a gun drawn at him, and felt the gun was real," he said. "You fire as long as the threat exists. This isn't like baseball, where a tie goes to the runner."

"Here, if it's a tie, you're dead."

But lawyers for Frey and Denton pointed out that Lee was shot four times in the back, and that Hopper's partner, Natalie Humphreys, testified that she never heard security guard Tremaine Webster give him

"This case is about how important the right of someone to keep the government out of their home is. (It) isn't about a broken arm or leg, but what if you lose your personality, you lose yourself?"

— FRANKLIN FERGUSON
Plaintiff's attorney

permission to enter the premises. Humphreys stayed behind while Hopper went into the mansion to look for the owner.

Attorney Don Steier argued for Denton that a police report after the episode suggested police should have waited outside for the owner. Steier, waving the report, heatedly questioned Hopper on the stand, but failed to ruffle the officer.

"I've never seen any wording come down on this," Hopper testified.

When Steier asked Hopper to get up and show jurors where the first shot entered the door, Hopper countered that he couldn't distinguish the timing of the bullet holes.

"Didn't you see Lee with his back to you?" queried Steier.

"My focus was on the gun," Hopper replied. "The gun was pointed at me."

Lawyers for Frey and Denton charged that Hopper had concocted a "morning-after story" by saying the guard had shrugged and gestured to the house when Hopper asked for the owner. They noted that Hopper, in a report on the episode three months after it happened, never mentioned the security guard.

But Brente countered that the attorneys had changed the focus of their case after getting nowhere with the argument that Hopper used unreasonable force in response to what looked like a real gun pointed at him. The focus of their case changed to an assertion that Hopper entered the grounds illegally and should never have been in position to shoot Lee.

The guard's shrug and gesture was as clear a consent as if he'd said "You want him? You go and find him," Brente told the jury. He also attacked the plaintiffs' argument that the shooting wouldn't have taken place had Hopper not walked over to the bedroom and shone his flashlight inside.

"The reason the shooting would not have occurred is if someone hadn't pulled a gun," he said.

Lee, who was slated to play basketball

with Frey and Denton the next day, was declared dead at the scene. The actor had small television roles in "E.R." and "N.Y.P.D. Blue" as well as a part in the 1997 film "Liar, Liar." His estate hired Johnnie Cochran, who played the LAPD in the O.J. Simpson case, to bring a wrongful death case. It was settled before going to trial. The case came under intense scrutiny, on the heels of depart-

ment brutality and corruption scandals.

But, noted Steier, the tables turned to favor police after September 11, 2001.

"I think when you sue the police department, it's an uphill battle," he said after the six-day trial ended.

The jury was set to begin deliberating Thursday morning, with agreement of nine of the twelve required for a verdict. One of the jurors is a police officer, whom plaintiffs' lawyers tried to have removed during jury selection. But Judge Jacqueline Connor refused, noting he'd said that his police service wouldn't interfere with his ability to judge the evidence fairly.

Lawyers for the two plaintiffs didn't mention a number when asking the jury for an award. But one, arguing for Denton, asked the jury to set an annual amount for emotional distress and multiply it by 44 — his remaining life expectancy.

COMMUNITY BRIEFS

BRIEFS, from page 3

review. Finalists included the top physical educators from California, Nevada, New Mexico, Arizona, Hawaii, Utah, and Guam.

Hirt was honored in the Regional AAHPERD conference last Friday in Reno, Nev. She will represent the Southwest at the National AAHPERD conference in Philadelphia, Pennsylvania, and undergo a series of interviews and performance reviews to examine how she meets the national standards in physical education and her teaching strategies.

Hirt is currently teaching 6th grade at Lincoln Middle School and is a professor in Kinesiology at California State University at Northridge. She has been recognized for her outstanding teaching in physical education through the Jaycees Outstanding Young Educator Award program and by her local PTSA as Teacher of the Year.

Read a chapter a day on-line

By Daily Press staff

The Santa Monica Public Library will soon offer an on-line book club for the community.

It works like this: Individuals must sign up using their e-mail address, either through the library's Web site (www.smpl.org/chapter.html), by filling out the form and dropping it in one of the online book club boxes, or by visiting the main library's second floor information desk.

Monday through Friday, readers will receive e-mail with a portion of a chapter from a popular book. The daily e-mails take about five minutes to read. After receiving two or three complete chapters from a book, the first two or three chapters from another book will be e-mailed. The idea is to introduce different books, and if that book captures enough interest, readers can come to the library and to check it out.

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STATE



Davis budget plan precariously balanced, analyst says

BY STEVE LAWRENCE
Associated Press Writer

SACRAMENTO — Gov. Gray Davis has proposed a “credible and ambitious” budget plan that could eliminate the state’s gaping deficit, but it’s based on some shaky assumptions, the Legislature’s budget analyst said Wednesday.

“I think this plan is both credible and ambitious, but it’s going to take very dramatic action in order to close ... the magnitude of the budget problem facing the state,” Elizabeth Hill said in her annual analysis of the governor’s budget proposals.

She said there were “many threats” facing the state’s finances, in particular an uncertain economy that her office predicts will begin to rebound in the second half of this year.

Hill also suggested that Davis’ hopes of getting \$310 million from the federal government to cover the cost of incarcerating undocumented immigrants and \$1.5 billion from Indian casinos to ease the deficit were unrealistic.

“The state faces an enormous challenge in getting its fiscal house in order,” she said. “There are no easy choices. We have to act early. We have to put everything on the table, including program reductions and tax increases.”

Davis generally praised Hill’s report, issuing a statement that thanked her and her staff for their “valuable contribution to the budget process.”

Hill backed Davis’ idea of shifting certain state programs to local governments,

saying it could improve efficiency. But she suggested a different, somewhat larger mix of programs to shift and said the governor’s plan to pay for the so-called realignment wouldn’t keep up with program costs.

“The proposal would provide a realignment revenue portfolio that is likely to grow at a somewhat lower rate than the programs that are being aligned,” Hill said in a summary of her evaluation.

When he unveiled his 2003-04 state budget plan in January, the governor proposed shifting several state programs,

including mental health, substance abuse, child care, long-term care and court security programs, to local governments to save more than \$8 billion.

To compensate local governments for administering those programs he proposed raising the sales tax by a percentage point, boosting cigarette taxes by \$1.10 a pack and raising income taxes for upper-income Californians.

Hill predicted that revenue from those sources would increase at about 5.5 to 6 percent a year while program costs would jump between 7 and 8 percent.

State Finance Director Steve Peace said the administration proposal was “right in the ballpark of striking (the) delicate balance” between providing too much money and too little.

“You certainly would not want to move the programs and then move a huge, excessive amount of money because then you would have an economic incentive to run the programs inefficiently,” he said.

Davis spokeswoman Hilary McLean said the governor was proposing to give counties enough authority to control costs.

Man describes own killing to 911 dispatcher

By The Associated Press

LEBEC — A man who was being fatally stabbed described the attack to a 911 dispatcher as it was happening, saying “I’m dead” at one point, authorities said Wednesday.

Harry Leonard Howard, Jr., 44, was stabbed and slashed 90 times with a kitchen knife in the home he shared with his lover, Jose Mejia, 43, authorities said. Mejia was arrested.

A Kern County sheriff’s deputy and two California Highway Patrol officers went to the remote home late Monday and spotted Mejia on the back porch. A deputy tackled him when he tried to run and discovered that his hands and clothing were covered in blood, homicide Sgt. Mike Moore said.

The porch also was bloody. Howard’s

body was found inside the front door. Another man in the house was unharmed and was not considered a suspect, Moore said.

Deputy District Attorney Lisa Green said late Wednesday afternoon that charges had not yet been filed.

Mejia, who was Howard’s lover, became enraged at him for an unknown reason and attacked him at around 11 p.m. Monday, Moore said.

The third man in the house called 911 and then gave the telephone to Howard, who already was severely wounded, Moore said.

The dispatcher “is telling him to hang on” and that help is on the way when “the attacker comes back and begins stabbing him again while he’s on the phone,” Moore said.

As he is being stabbed, Howard pro-

vided nearly a “blow-by-blow” description, Moore said.

“He says ‘I’m dead. He killed me,’” Moore said. “He’s talking to the dispatcher, saying ‘He’s stabbing me. Hurry, he’s stabbing me. I can’t fight anymore. You won, Diego, you won.’”

Diego was a nickname, Moore said. Howard repeated several times: “I’m dead. I’m dead.”

Howard finally fell silent but “you can hear that knife plunging into his body,” Moore said.

“It gives you the willies,” the investigator said. “I’ve been to a lot of homicide scenes and seen some gruesome stuff but it doesn’t compare to a victim saying ‘I’m dead.’”

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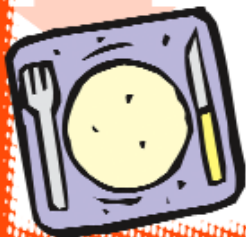
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NATIONAL

Hacker gained access to millions of credit cards

BY BARRY BEDLAN
Associated Press Writer

OMAHA, Neb. — A hacker who gained access to millions of credit card numbers apparently did it by breaking into a computer system at a company that handles transactions for catalog companies and other direct marketers.

Data Processors International, based in Omaha, said Wednesday that "an unauthorized outside party" had tapped into its computer system, prompting a criminal investigation.

Scott Jones, a company spokesman, refused to comment on when the hacker gained access and how many credit card account numbers may have been compromised.

Credit card companies and the Secret Service have said that as many as 8 million account numbers were accessed. The card companies said they were notified of the incident early this month.

When the security breach was detected,

Data Processors immediately notified credit card companies and law enforcement agencies, Jones said. He added that the company is sharing all its information with the Secret Service and the FBI.

Credit card companies said they had received no reports of fraudulent activity involving the accounts as of late Wednesday. The companies, including Visa, MasterCard, American Express and Discover, have policies in place that protect consumers from liability for fraudulent use of their accounts.

At least one bank — Citizens Financial Group of Providence, R.I., which is owned by the Royal Bank of Scotland — canceled some 8,800 cards and issued replacements after being notified of the security breach.

Data Processors International, which has 40 employees, takes up half the first floor of a three-story building. The company's clients include mail-order and marketing businesses that run TV ads asking viewers to order products over the phone.

Gephardt joins crowded Democratic presidential field

BY RON FOURNIER
AP White House Correspondent

ST. LOUIS — Rep. Dick Gephardt, a 26-year veteran of Congress and the former House Democratic leader, announced his second candidacy for president Wednesday, pledging to repeal most of President Bush's tax cuts to finance "quality health coverage for everyone who works in America."

The eighth candidate in a growing Democratic field, Gephardt sought to distinguish himself from lesser-known rivals for the party's nomination. "I think experience matters," said the Missouri lawmaker who sought the presidency in 1988.

"I'm not the political flavor of the month. I'm not the flashiest candidate around," he said. "But the fight for working families is in my bones."

Gephardt's health care plan, one of the most ambitious policy initiatives of the fledgling Democratic campaign, would give billions of dollars in tax credits to businesses and require them to invest the money in employee insurance benefits. To pay for it, Gephardt would repeal virtually all of Bush's \$1.35 trillion tax cut plan, including politically popular benefits to middle-class Americans.

Addressing at least 500 friends, family and supporters at his former elementary school's gymnasium, Gephardt said, "Here in the home of my values, here at the heart of the American dream, I announce my candidacy for the president of the United States."

"I'm running for president because I'm tired of leadership that's left us isolated in the world, and stranded here at home," Gephardt said.

While saying he supports Bush's efforts to disarm Iraq, without the United Nations if necessary, Gephardt said the president's go-it-alone rhetoric has alienated allies. "We must lead the world instead of merely bullying it," he said.

Gephardt, 62, ran for president in 1988 but his candidacy fizzled for lack of money after he won the Democratic caucuses in Iowa. He took over the unenvi-

able job of minority leader after the 1994 elections that gave Republicans control of the House for the first time in 40 years.

It was Gephardt who handed the gavel to Newt Gingrich, officially transferring power to the conservative Republican on what he later called one of the worst days of his life. He failed to return the Democrats to majority status in four closely fought elections between 1996 and 2002.

The sandy-haired, youthful-looking Gephardt has built a formidable network of party activists and fund-raisers, and he is the only Democratic candidate who has sought the presidency before. He offered several new initiatives Wednesday, a reflection of his vast policy experience, and he said at least 20 members of Congress are backing his campaign.

Still, party leaders openly wonder whether Gephardt's time has passed and whether he can unseat a popular Republican president. Democratic donors who lined up at Gephardt's door while he was minority leader are no longer beholden to him. Organized labor leaders, once loyal to his political career, are showing interest in other Democratic candidates.

After his announcement, Gephardt rushed to Iowa, the first test in the presidential election cycle, where he told union activists that Bush's economic plan is "mindless. It doesn't make sense. It's hurting our economy."

Gephardt said his repeal of the Bush tax cuts would spare only portions of the tax break given to married couples, the tax credit for children and the reduction in estate taxes.

The health care plan "could easily cost as much as the Bush tax cut," Gephardt told The Associated Press. "This is a big deal. It's a lot of money."

He predicted the White House will label him a tax-raiser, but said people gladly would give up the tax cut to ensure that all workers get quality health insurance.

The Republican National Committee, in a broadside at the newest Democratic candidate, described Gephardt as an "inside-the-Beltway liberal who has been tried, tested and rejected."

NATIONAL



Early rejections in Columbia probe now back on table

BY MARCIA DUNN

AP Aerospace Writer

SPACE CENTER, Houston — In the days after Columbia's destruction, NASA officials made their case: The foam couldn't have caused that kind of damage. It wasn't ice or metal that flew off the fuel tank. The left wing was not breached.

All that — and more — is back on the table and under the microscope, now that an investigation board is calling the shots.

In the 2 1/2 weeks since Columbia shattered 38 miles above Texas, both NASA managers and board members have cautioned that the investigation is in continual flux, with new information turning up all the time. On Wednesday, NASA said the shuttle's nose landing gear was found in the east Texas woods.

But it is the board that has emphasized that everything is under consideration, no matter how seemingly irrelevant or obscure or unimaginable.

The fact that the accident investigation board has put NASA's discarded theories back on the table is "a combination of being thorough and being independent," said NASA's Steve Nesbitt, who is temporarily serving as the board spokesman.

The 10-member board — soon to gain a new member or two — is being scrutinized for signs of independence because it was chosen by NASA.

"The board wants to make sure every base is covered," Nesbitt said Wednesday. "They're not going to take NASA's word that everything is OK in a particular area." For example:

■ After first considering damage to Columbia's heat-protecting tiles by the foam insulation falling off the fuel tank during launch, shuttle program manager Ron Dittmore soon ruled it out: "It just does not make sense to us that a piece of debris would be the root cause for the loss of Columbia and its crew," said Dittmore. "There's got to be another reason." He later softened that. But now with the board members in control, the foam appears to be a central focus.

■ Space agency officials at first said it was doubtful any large chunk of ice formed on the fuel tank and broke off. Dittmore also said the foam insulation was "essentially waterproof; it does not absorb moisture," and thus could not contain ice. He also dismissed any other substance besides the foam. "We do not believe it was any metal ... and so I don't believe there's any chance that it was hardware." Now the board wonders if the debris was ice, foam with ice, or the heavy insulating layer beneath the foam.

■ NASA quickly discounted the age of its oldest space

shuttle, which had been flying for 22 years. On Tuesday, the board promised to look into whether the age of the regularly refurbished spacecraft might have played a role.

■ Officials more or less dismissed the notion that space debris could have brought down Columbia. But it is on the board's list of possible causes.

"The board wants to make sure every base is covered. They're not going to take NASA's word that everything is OK in a particular area."

— STEVE NESBITT

Investigation board spokesperson

■ NASA said a breach in Columbia's left wing was unlikely given the surge in temperatures that was detected. "I have no breach," Dittmore said. But the board concluded that the wing had to have been penetrated by the superheated gases surrounding the descending spaceship, and the breach had to have been bigger than a pinhole. How much bigger is still unclear.

■ Even sabotage, a notion that is anathema to NASA, is not being ruled out for the flight that carried Israel's first astronaut, Ilan Ramon.

"I don't like to use the word sabotage. But among the broad investigation that we're conducting, purposeful or willful damage is one of the things that we're looking at," the board's chairman, retired Navy Adm. Harold Gehman Jr., said Tuesday.

The fact that an Israeli war hero was among the seven astronauts killed is not driving that part of the investigation, Gehman insisted. "We are not doing it any more strongly because of the Israeli astronaut," he said.

The board said it would check the training and certification of the Columbia astronauts and flight controllers and also see whether budget pressures or poor management decisions contributed to the accident.

As for the hole in the wing, it could have developed inside or outside Columbia, the board said. Gehman said it's possible the explosive charges inside the left landing gear compartment may have gone off. Again, NASA dismissed that idea early on.

"Obviously, the NASA people in the immediate wake of the disaster have a tendency toward saying, 'We did

everything right,'" said Steven Schneider, professor of aeronautics and astronautics at Purdue University. "It's human nature, especially if you knew the people who died. Then there's always, everybody has a tendency according to their interest to interpret the data in a way they like."

Schneider fears that may have happened with the in-house engineering analysis into the potential damage from the impact of tank debris during liftoff.

Within a week, NASA and its contractor engineers had concluded that the damage to Columbia's thermal protective layer, if any, was minimal and posed no safety threat. Shuttle managers signed off on the findings five days before the shuttle ended its science mission and headed home.

That entire evaluation is now being redone, in excruciating detail.

NASA has maintained from the start that even if it had known the insulating tiles or panels on the left wing were severely damaged, there was nothing the astronauts could have done to save themselves.

That, too, is back on the table.



briefs

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INTERNATIONAL

U.S., Britain will introduce new U.N. resolution

BY EDITH M. LEDERER

Associated Press Writer

UNITED NATIONS — Facing global opposition to a rush to war, the United States and Britain will introduce a new U.N. resolution in the coming days and set a deadline for Iraq to cooperate fully with weapons inspectors, Britain's U.N. ambassador said Wednesday.

Diplomats said the resolution will declare Iraq in "material breach" of its obligations to disarm, a requirement for any military action. The two allies will present the deadline separately and will demand a decision on the resolution in two or three weeks, said the U.S. and British diplomats, speaking on condition of anonymity.

The diplomats said the deadline would put all parties on notice that war was looming unless Iraq demonstrates it is actively cooperating with inspections.

British Ambassador Jeremy Greenstock said the draft resolution will force the Security Council, which strongly supports continued inspections, to decide whether to authorize military action or to continue inspections if the Iraqi government begins to disarm.

He predicted that debate over this "crunch decision" would go beyond March 1, when chief U.N. weapons inspector Hans Blix is due to present his next written report to the council. That would put back the U.S. timetable for a possible war, ruling out February and its optimum weather conditions.

The United States and Britain believe "a decision one way or the other has got to be made within weeks, not months," Greenstock said.

Diplomats acknowledged that a U.S.-British resolution still lacks the necessary nine votes it needs to be adopted by the Security Council, and there is still no guarantee that France, Russia or China, which favor continued inspec-



Shawn Baldwin/Associated Press

Iraq's United Nations Ambassador Mohammed Al-Douri, right, speaks with a member of his delegation during a Security Council meeting on the situation in Iraq at United Nations headquarters in New York on Wednesday.

tions, would refrain from vetoing a new resolution.

Several other council members, including Mexico and Chile, reiterated privately that they would abstain in a vote on the resolution unless the United States and Britain found a way to ease tensions with France, Russia and China.

U.S. and British officials said the final language in the resolution has not yet been decided on by President Bush and Prime Minister Tony Blair but that both sides were

close to agreement.

"A resolution within the next few working days is highly likely," Greenstock said.

Asked whether the council would need to impose a deadline for Iraqi compliance, Greenstock said: "Explicitly or implicitly, yes, I do expect that." A council diplomat familiar with the talks, speaking on condition of anonymity, said he expects the deadline to be implicit — but clear.

In Washington, White House spokesman Ari Fleischer said Bush "intends to work with our friends and allies to offer a resolution either this week or next."

"And the president has made repeatedly clear that the preferable outcome is for the United Nations to act," he told a news conference Wednesday.

But the council is bitterly divided over Iraq's cooperation with the terms of Resolution 1441, passed on Nov. 27 which gave Baghdad a final opportunity to disarm or face "serious consequences."

The United States and Britain contend Iraq is not providing substantive cooperation. France, Russia, China, Germany and other council members counter that Baghdad is starting to cooperate more actively and therefore inspections should continue.

At the end of a two-day open Security Council meeting dominated by calls for a peaceful solution to the crisis, Iraq's U.N. Ambassador Mohammed Al-Douri pledged that his country "will continue to cooperate constructively."

"Iraq is determined to cooperate both in substance and in process in order to cut off at the knees any allegations that Iraq has weapons of mass destruction," he said.

Nearly 60 countries spoke out at the council with the vast majority urging that all avenues to peacefully disarm the country be pursued before resorting to war.

First 9-11 suspect's trial ends with maximum sentence

BY DAVID RISING

Associated Press Writer

HAMBURG, Germany — A Moroccan received the maximum 15-year sentence Wednesday for helping the al-Qaida hijackers who carried out the Sept. 11 attacks — the first conviction anywhere of a suspect in the terror plot against the United States.

Mounir el Motassadeq, 28, showed no emotion but occasionally shook his head or checked his watch as he listened to the verdict finding him guilty of more than 3,000 counts of accessory to murder.

El Motassadeq helped pay tuition and rent for members of the Hamburg-based al-Qaida cell — allowing them to live as students as they plotted the attacks, prosecutors said.

Judge Albrecht Mentz said el Motassadeq lied when he testified he was unaware of the plot despite being close friends with suicide hijackers Mohamed Atta, Marwan al-Shehhi and other cell members.

Mentz said he agreed with prosecutors who earlier described the defendant as "a cog that kept the machinery going."

He "belonged to this group since its inception. ... He knew and approved the key elements of the planned attacks," the judge said.

Sept. 11 victims' relatives who participated in the trial as co-plaintiffs — some offering emotional testimony that Mentz said prompted him to impose the maximum sentence — praised the verdict.

Interior Minister Otto Schily hailed the verdict as a "success in the fight" against terror. "It is a warning to all those who think they can toy with the idea of aligning themselves with terrorist networks."

U.S. Attorney General John Ashcroft said Wednesday the conviction "stands as a stark reminder that we are united in our efforts to hunt down al-Qaida terrorists and bring them to justice. Together, the United

States and all freedom-loving nations will defeat international terrorism."

While suspects in the plot detained in the United States face possible death sentences if convicted, el Motassadeq's 15-year sentence is the maximum allowed under German law. However, he becomes eligible for parole after the minimum of 10 years with 15 months off for time served. Even defendants in Germany sentenced to life in prison generally serve at most 15 years.

El Motassadeq, a slight, bearded man who admitted receiving al-Qaida training in Afghanistan, denied the charges during his 3 1/2-month trial. The defense, which had argued the evidence was circumstantial, said it would appeal.

In addition to 3,066 counts of accessory to murder, el Motassadeq was convicted of five counts of being an accessory to attempted murder and an accessory to bodily injury — charges introduced so five wounded survivors of the attacks, including a Navy officer at the Pentagon, could join the trial as co-plaintiffs.

Mentz said it was hard to give a man with two small children the maximum sentence, but that he had to consider the enormity of the crime and el Motassadeq's lack of contrition even after American co-plaintiffs told the court of their suffering.

Witnesses illustrated el Motassadeq's enthusiasm for the plot, the judge said.

"Al-Shehhi said, 'There will be thousands of dead,' and the defendant said, 'We will dance on their graves,'" Mentz said, citing witness testimony.

Schily said the penalty was severe, a judgment shared by a lawyer representing many of the more than 20 American family members and survivors who joined the prosecution in efforts to secure the maximum sentence.

"They wanted justice and they got justice," said lawyer Ulrich von Jeinsen.

"They accept that we have another system and since he got the maximum sentence they will be satisfied."

El Motassadeq was raised in a Moroccan middle-class family, came to Germany as a student in 1993 and married a Russian woman. By 1995, he was studying electrical engineering in Hamburg, where he is believed to have first met Atta no later than the following year.

He acknowledged being friends with Atta, al-Shehhi and other alleged members of the Hamburg cell including suicide pilot Ziad Jarrah; and Ramzi Binalshibh, Said Bahaji and Zakariya Essabar, all suspected of helping organize the cell.

Witnesses said el Motassadeq was as

radical as the rest of the group, often talking of jihad — holy war — and his hatred of Israel and the United States.

Prosecutors allege he used his power of attorney over al-Shehhi's bank account, to pay rent, tuition and utility bills, allowing the plotters to keep up the appearance of being normal students in Germany. They also noted that he signed Atta's will.

El Motassadeq explained both as things he simply did for friends.

He denied for nearly a year after his arrest ever having been to Afghanistan. But on the first day of trial, he admitted training in one of Osama bin Laden's camps there in 2000, saying he thought it was a Muslim's duty to learn self-defense.

Plane crash kills 302 soldiers

BY ALI AKBAR DAREINI

Associated Press Writer

TEHRAN, Iran — An Iranian military plane carrying 302 members of the elite Revolutionary Guards crashed in the mountains of southeastern Iran on Wednesday, killing all on board in the country's worst plane crash ever, state-run media reported.

The plane was en route from Zahedan, on the Pakistan border, to Kerman, about 500 miles southeast of Tehran, state-run Tehran television reported. It crashed in a mountainous area about 20 miles from its destination.

The Russian-made Antonov airliner operated by the Iranian military lost contact with the control tower at 5:30 p.m. Wednesday, according to the reports.

The official Islamic Republic News Agency said rescuers had reached the crash site and that all 302 people on board had been killed, making the crash the deadliest in Iran's history. The death toll surpassed the 290 killed on July 3, 1988, when an Iran Air A300 Airbus was shot down over the Persian Gulf by the USS Vincennes.

The agency said the plane's passengers

and crew were all members of the Revolutionary Guards. Earlier reports said 270 were aboard, but the latest media updates didn't explain the increase.

State television and radio did not offer reasons for the crash and did not address the possibility of terrorism. There was heavy snowfall in many parts of Iran on Wednesday, including in Zahedan, which hadn't seen snow in three years.

Associated Press efforts to reach provincial officials were unsuccessful early Thursday.

Tehran television quoted an anonymous official as saying the forces had visited the impoverished Sistan-Baluchestan province, of which Zahedan is the capital, for an "important mission."

The Revolutionary Guards, under the direct control of supreme leader Ayatollah Ali Khamenei are seen as the defenders of Iran's Islamic regime. The guards protect Iran's borders and defend ruling hard-liners in this ultra-conservative society.

The government issued a statement offering condolences to the families of the victims, television and radio reports said.

SPORTS



A new challenge for Woods: Riviera Country Club

BY DOUG FERGUSON
AP Golf Writer

LOS ANGELES — First, it was Phil Mickelson who called out Tiger Woods by suggesting he used inferior equipment.

This week, the challenge comes from a golf tournament.

The 1992 Nissan Open was the first PGA Tour event Woods played, when he was 16. He missed the cut that year and the next, and his success as a professional is only slightly better.

While he has lost in a playoff and tied for second another year, the Nissan Open remains the only tournament he has played at least five times without winning.

"You don't think he's aware of that?" Mark O'Meara said Wednesday. "I think he's looking forward to this."

The timing couldn't be better. Riviera Country Club is a little bit longer than the last time Woods played it two years ago, which always helps. Plus, he is coming off a dominant performance last week in the Buick Invitational, winning by four strokes.

Still, his lack of success at his hometown tournament is a mystery.

Asked Wednesday why he has never won it, Woods said: "I don't know. It's just about getting the right breaks at the right time and playing good. That helps."

His closest call wasn't even at Riviera. He lost in a playoff for the only time on the PGA Tour in 1998 to Billy Mayfair when the tournament was played at nearby Valencia Country Club. The following year, he finished two strokes behind Ernie Els at Riviera.

"I've been coming up here ever since I was a little kid and watching the tournament," said Woods, who grew up nearby in Cypress. "I've come close to

winning this a couple of times. Hopefully, I can get it done this week."

If he does, it won't come against Els.

The battle everyone wants to see — Woods vs. Els — will have to wait until next week at the earliest, and more likely next month in Florida.

Els is the hottest player in golf, having won the first two PGA Tour events this year and four of his five tournaments worldwide. Woods was a mere spectator, sitting out two months recovering from knee surgery.

Els decided against playing in the Nissan Open, waiting until the Match Play Championship next week at La Costa. The only way he will play against Woods is if both win five 18-hole matches, something the top seeds have never done.

Both are scheduled to play in Dubai, but war prospects have put that in doubt, and Woods said he would not add Doral to his schedule if he stayed home.

"We are not going to be playing that many events together," Woods said. "On top of that, we both have to play well at the same time for us to have a challenge. And if you think about it, you don't really face the same guy again and again."

"Hopefully, we can get there at the same tournament, because that would be a lot of fun for both of us."

Woods won't have to worry about Mickelson this week, either. Lefty isn't playing at Riviera, although he still managed to raise the issue of Woods' equipment again.

During a conference call for the Ford Championship at Doral, Mickelson said that he should not have said Woods used inferior equipment — but added that he was right.

"What kills me is that all of you guys that printed it and

found it easy to lay into me — none of you admitted the accuracy of my statement," Mickelson said.

Mickelson routinely hit the ball farther than Woods during their final round at Torrey Pines, although Woods kept the ball in the fairway far more often and ended up six strokes ahead.

"When I try to be honest and upfront and give a little insight, I get reamed for it," Mickelson said. "I don't know what else to say other than the only guy to win with other than the Pro V1x ball is Tiger."

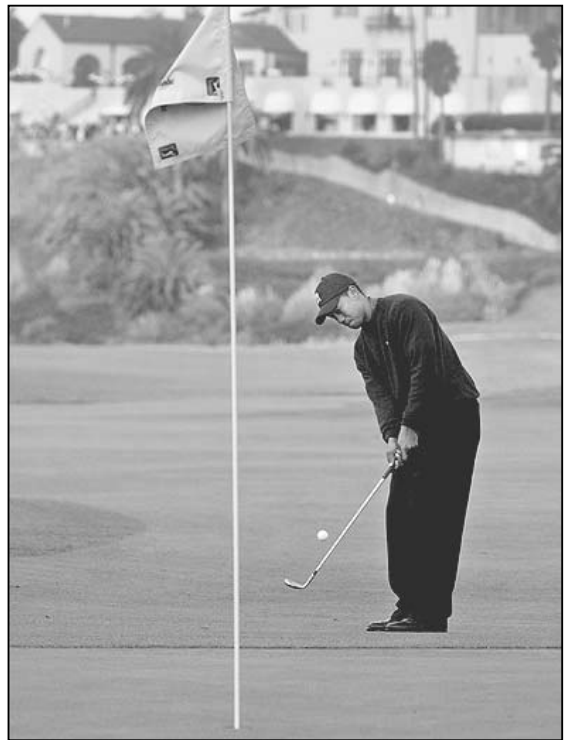
Woods uses a Nike Golf ball.

The majority of PGA Tour players have used Titleist balls for more than 50 years.

Wood struggled at times with his driving last week until it mattered, hitting the first five fairways in the final round to build a big margin he never lost. He might not use a driver that often at Riviera because the fairways are running fast.

The key again will be keeping the ball in play and making putts, same as always. It matters even more when a tournament seems to have your number.

"It's always a goal to win a tournament you haven't won before," Woods said. "I just need to play well and, hopefully, I can put myself in position."



Reed Saxon/Associated Press

Tiger Woods chips to the first green at the Riviera Country Club during the Pro-Am round of the Nissan Open in Los Angeles on Wednesday.

Littlest Angel doesn't fall 'short'

BY KEN PETERS
AP Sports Writer

TEMPE, Ariz. — Manager Mike Scioscia welcomed David Eckstein to camp and jokingly asked the littlest Angel whether he'd gotten any taller in the offseason.

"I think I've shrunk," Eckstein said Wednesday. "Last year they said I was 5-7, this year it's 5-6."

Whatever his height, the husling, boyish-looking Eckstein

gained stature as a solid shortstop and leadoff hitter last year as well as becoming a fan favorite in Anaheim with the World Series championships.

A more natural second baseman, he's still determined to show skeptics he's a good shortstop despite being small for the position and not having a rifle arm.

"I guess I'm never going to put all that to rest. And nobody cares what you did last year. I just have to keep improving so those questions won't come up," said the 28-year-old Eckstein, whose .293 average last season tied Rick Burleson's 1981 mark for the highest batting average by an Angels shortstop appearing in 100 or more games.

Claimed off waivers from Boston on Aug. 15, 2000, Eckstein became the Angels' starting shortstop the following season. He has a combined .289 batting average for his two major league seasons and has scored 189 runs.

Eckstein hit safely in 13 of Anaheim's 16 postseason games and scored six runs during the seven-game World Series. He batted .294, scored nine runs and had six RBIs in the postseason.

Eckstein had a busy offseason, including a dinner at the White House where his mom met President Bush.

Eckstein also made the trip to Japan with a group of major league All-Stars for an exhibition series against Japanese stars.

"It was hard to go play more

games," said Eckstein, adding it was an interesting experience playing in front of the usually noisy crowds in Japan.

"They were very respectful, would not make a sound when we went up to bat," he said. "There were 40,000 or 50,000 people and it was dead quiet. It was kind of weird."

Eckstein said one of his American teammates — San Francisco's Barry Bonds — was particularly kind to him. The Angels had beaten Bonds and the Giants in the World Series.

"He congratulated me, said a lot of nice things," Eckstein said. "He paid me compliments, and hearing it from a super player, it was great. Later at an awards dinner in New York, Bonds told my mother, 'You've got a great son,' that type of thing."

Eckstein, who received the "You Gotta Have Heart" Award at the 2003 Baseball Writers' Association of America dinner in New York, spent much of the past two months working out at the University of Georgia, where his brother, Rick, is an assistant baseball coach.

Three of Eckstein's other siblings have required kidney transplants because of kidney ailments, and now his father, Whitey, needs one.

Eckstein said he's not a donor match for his father.

"He wouldn't take it anyway, because he wants to make sure I keep playing," Eckstein said.

Darren Dreifort's surgery doesn't keep him from making his comeback

By The Associated Press

VERO BEACH, Fla. — Darren Dreifort took another step in his comeback from knee and elbow surgery Wednesday by throwing breaking balls for the first time this spring during a round of batting practice.

Los Angeles Dodgers pitching coach Jim Colborn said Dreifort mixed in a few breaking balls in a 30-pitch performance that mainly included fastballs and changeups.

"It's always a little bit different the first time you go up there with guys in the batter's box, especially when it's guys on your own team," Dreifort said. "But everything felt fine."

The 30-year-old right-hander has pitched only half a season

since signing a five-year, \$55 million contract in December 2000. He was 4-7 with a 5.13 ERA before undergoing season-ending elbow surgery in July 2001.

He missed the entire 2002 season, injuring his right knee while rehabilitating from the elbow injury. He underwent arthroscopic knee surgery to clean out loose cartilage last July.

Dreifort said he's entering this spring feeling like just another pitcher instead of someone who's coming back from an injury.

"That's a nice feeling," he said. "This time I'm a part of the squad. I don't have to sneak off to the training room. I'm just a normal guy this year."

Two other pitchers didn't participate in Wednesday's workouts. Right-hander Andy Ashby

had stiffness in his lower back. Dodgers manager Jim Tracy said Ashby might return to action Thursday.

"We weren't interested in pushing the envelope and taking a chance on the 19th of February," Tracy said. "Our goal is March 31. He was feeling much better by the end of the day."

Left-hander Derek Thompson, a Rule V draft pick from the Cleveland Indians, underwent an MRI on Wednesday because of a strained medial collateral ligament in his throwing elbow.

Thompson, 22, said he felt a twinge on his last pitch during Monday's bullpen session.

"Then I woke up Tuesday and couldn't fully extend my arm without a little bit of pain," he said.

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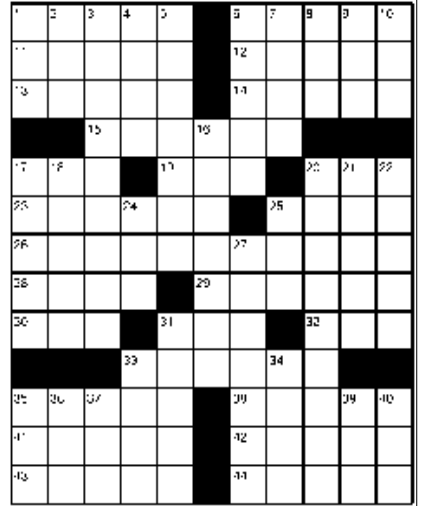
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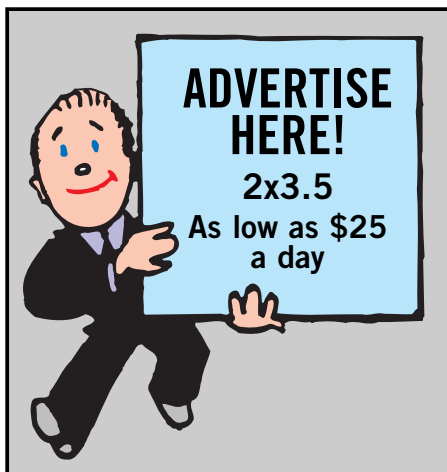
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CULVER CITY \$650.00 Quiet, single, remodeled building, pool, landscape, balcony, carpets. Convenient to shopping, premises, dishwasher, fireplace, refrigerator, stove.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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(310)276-4663

FREE RENTAL Lists & No Fee Rentals. Sullivan-Dituri Company. 2111 Wilshire Blvd. Santa Monica, CA 90403.

HOLLYWOOD Starting @ \$1025.00 to \$1050.00 Contemporary 1brdm/1ba. Pet ok, living room, new carpet & paint. Jacuzzi, gated underground parking. Upper & lower units available, only some have fireplaces!

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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HOLLYWOOD Starting @ \$1275.00 - \$1350.00. Contemporary 2brdm/2ba, pet ok, living room, new carpet & paint, jacuzzi, gated underground parking. Upper and lower units available, only some have fireplaces!

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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LOS FELIZ \$1075.00 2+2. Courtyard sundeck, backyard w/lots of trees, exclusive professional building, A/C, carpets, D/W, fridge, stove, sauna, no eviction, bad credit OK.

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MDR ADJACENT \$1375 2+2, gated building with gated, subterranean parking, AC, newer building w/ courtyard area, quiet neighborhood, laundry room, parking, 1 year lease, no pets. (310)578-9729

Elly Nesis Company, Inc
www.ellynesis.com

SANTA MONICA \$2000/mo. 2Bdrm/2Ba, Hardwood floors, washer, dryer, Large Patio. Avail 3/1 (310)899-3402

For Rent

MDR: STEPS to the sand! 3brdm/2ba, 2 car garage, quiet walk-street. 36 Anchorage St. Open House, Sat. 9:30 to 2:30. \$2800 (310)613-0159

N. HOLLYWOOD \$985.00 2brdm/1ba, new carpet, new appliances, all new, gated parking, A/C, balcony, stove, large closets, pool, no pets, walk to shops.

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NEW STUDIO Apartments available from \$1295.00 to \$1355.00. Six blocks from the beach. Three blocks from Third St. Promenade area! (310)656-0311. www.breezesuites.com

PASADENA \$700.00 Tranquil 1brdm/1ba, new carpet and kitchen flooring, laundry facilities on premises, air conditioning, balcony, carpets, refrig., stove.

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PASADENA \$725.00 Spacious 1brdm/1ba, beamed ceilings, very private, hardwood floors, large closets, upper unit, air conditioning.

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SANTA MONICA \$650.00 Immaculate Unit, new carpet, original ceramic tile in kitchen and bath separate kitchen, laundry, facility, refrigerator, stove, street parking pets OK.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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(310)276-4663

VENICE BEACH \$2,400.00 Residential loft, completely renovated. 1brdm/2ba, oak wood floors, high ceilings, rooftop patio, balcony, 2 car parking, lots of windows, lots of storage. Great looking unit 1 year lease, no pets. (310)396-4443 x102.

Elly Nesis Company, Inc.
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2802 Santa Monica Blvd.
310-828-7525

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1328 Yale \$975

Lower 1 bed, hardwood floors, parking, fridge & stove

638 Grant St. \$1050

Lower 1 bed, new carpet & appliances, end unit, laundry rm

2308 32nd St. \$1500

Upper 2 bed, 2 bath, new carpet new kitchen & bath floors

915 7th \$1550

1 bedroom, guest house, hardwood floors, street park only

402 Montana \$1750

Upper 2 bed, bright corner unit, new carpet, new blinds

1706 Washington \$2100

2 bed, 1.5 bath, new carpet, hardwood floors, garage parking

1111 17th St. \$3300

Owners unit, 3 bed, 3 bath, 3800 SF, bonus room, 4 car garage

FOR MORE LISTINGS GO TO
WWW.ROQUE-MARK.COM

SANTA MONICA \$1150.00- \$1250.00 1brdm, brand new building, all appliances, parking. 1347 23rd St. (310)899-9917.

SANTA MONICA \$250.00/wk Hotel, prvt rm, pet ok, gated, laundry, prkg, local calls utilities and cable incld. (310)452-1469

SANTA MONICA \$2700.00 Spacious 3 Bdrdm/3 full Bath. Top floor, high ceilings, sunny, bright, double patio, views of Santa Monica Mountains. Quiet neighborhood, North of Wilshire. Security parking available. (310)451-2178

CLASSIFIEDS

LAW OFFICES OF NICHOLAS TEPPER
Nicholas Tepper (S.B. 169610)
233 Wilshire Boulevard
Suite 400
Santa Monica, CA 90401
(310) 395-5255

Attorney for Petitioner Newlon Rouge, L.L.C.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In the Matter of the Petition)
of Newlon Rouge, L.L.C. To Have The)
Standing of the SANTA MONICA DAILY)
PRESS as a Newspaper of General)
Circulation Ascertained and)
Established.)

Case No. SS011597

**VERIFIED PETITION TO
ESTABLISH STANDING AS A
NEWSPAPER OF GENERAL
CIRCULATION FOR THE COUNTY
OF LOS ANGELES AND STATE OF
CALIFORNIA**
(Gov. Code §66000, §620)

Petitioner, Newlon Rouge, L.L.C., alleges: **TERRY B. FRIEDMAN**

1. Petitioner is the California limited liability corporation which owns the newspaper known as the Santa Monica Daily Press, hereinafter referred to as the "Newspaper".

2. The Newspaper is a newspaper of general circulation published for the dissemination of local news and intelligence of a general character in Santa Monica, California. The business address of the Newspaper is 1427 3rd Street Promenade, Suite 202, PO Box 1380 Santa Monica, CA 90406-1380.

3. The Newspaper has a bona fide subscription list of paying subscribers in Santa Monica. It is published every day except Sundays. The Newspaper has an average daily circulation of 15,000 copies.

VERIFIED PETITION: SANTA MONICA DAILY PRESS

4. For more than one year proceeding the filing of this petition the Newspaper has been established under the name of Santa Monica Daily Press. The Newspaper has been printed and published regularly six days per week (Sundays excluded) by the use of off-set internet "web" publishing in the County of Los Angeles, City of Santa Monica.

5. During the whole of the one year period preceding the filing of this petition, the mechanical work of producing the newspaper through the use of off-set internet "web" printing has been performed in the County of Los Angeles, City of Santa Monica. The Newspaper has been issued from the same city and county where it is published, namely the County of Los Angeles, City of Santa Monica. The Newspaper has been published as a daily newspaper, Sundays excluded.

WHEREFORE, Petitioner prays for judgement ascertaining and establishing the Santa Monica Daily Press as a newspaper of general circulation, as defined in Section 6600 of the Government Code, for the County of Los Angeles and State of California.

DATED: February 5, 2003

Nicholas Tepper
Nicholas Tepper
Attorney for Petitioner
Newlon Rouge, L.L.C.

VERIFIED PETITION: SANTA MONICA DAILY PRESS

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing VERIFIED PETITION TO ASCERTAIN AN ESTABLISH STANDING AS A NEWSPAPER OF GENERAL CIRCULATION FOR COUNTY OF L.A., and know its contents.

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am [X] an Officer [] a partner [] a [] of PETITIONER NEWLON ROUGE, L.L.C.

☐ I am [] an attorney for a party to this action. Such party is absent from the county of [] where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

☐ I am one of the attorneys for a party to this action. Such party is absent from the county of [] where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 2/6/03 at SANTA MONICA, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ROGER FURUKAWA (Type or Print Name) Signature

PROOF OF SERVICE
(This is a CDP Form 100)

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of, State of California.

I am on the age of 18 and not a party to the within action; my business address is:

On, I served the foregoing document described as:

on, in this action

I, by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list, by placing [] the original [] a true copy thereof enclosed in sealed envelopes addressed as follows:

☐ BY MAIL

I deposited such envelope in the mail at, California.

The envelope was mailed with postage thereon fully prepaid.

I, the undersigned, am a "ready, willing, and able" firm's practice of collection and processing correspondence for mailing. Under that practice I would be deposited with U.S. postal services on that same day with postage thereon fully prepaid as follows:

party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, California.

☐ BY PERSONAL SERVICE I delivered such envelope by hand to the offices of the addressee.

Executed on, California.

☐ (Notar) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Notar) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name Signature

For Rent

SANTA MONICA \$750.00
Studio, r/s, crpt, month to month, utilities incld.

(310)395-7368
Westside Rentals

SANTA MONICA \$875.00
1+1, spacious, good location, parking incld.

(310)395-7368
Westside Rentals

SANTA MONICA Spacious 2BDR/2BA, patio, southern exposure, security building, 1block south of Montana. (310)451-2178

SM 2BDRM/1BA. Private patio, large kitchen, laundry, attached garage, no pets. 1 year lease. \$1600.00 (310)479-0844

SM Studio/1BA Large closets, refrigerator/stove, private patio, near SMC/park. Parking included. 1 year lease \$895.00 (310)479-0844

SM \$1350/\$1450 1bdrm/1ba, hardwood/carpet, utilities/parking/refrig included. Balcony, ocean view, walk to beach/Main St. Call manager (310)392-0760 or Russell (310)567-6108.

SM \$2,195 Townhouse Condo in condominium complex with beautifully kept grounds. 3bdrm/2.5ba. New carpet & paint. Very large unit w/private patio, private entry, gated subterranean parking, fireplace, dishwasher, stove and storage room. 1 year lease, no pets. (310)396-4443 ext. 102

Elly Nesis Company, Inc.
www.ellynesis.com

SM 1BDR/1BA Courtyard, laundry, close to SMC/park. Front unit, 1 year lease, no pets \$1050.00 (310)479-0844

SM\$1,150 1bdrm/1ba, utilities/parking/refrig, laundry, included. Walk to beach and Main St. Call manager (310)399-0748 or Russell (310)567-6108.

STUDIO CITY \$850.00 Contemporary lower 1bdrm/1ba cat ok, D/W, gorgeous building, gated parking, patio, A/C, tiled kitchen, new linoleum bath.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

VALLEY VILLAGE \$750.00 1bdrm/1ba, super quiet bldg, BBQ, vertical blinds, new carpet very clean, parking laundry, gated entrance, stove, swimming pool.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

VENICE \$1045.00 1bdrm/1ba w/hardwood floors, private balcony, skylight, stove, d/w. Close to Abbot Kinney, parking available. 1 year lease, no pets. (310)396-4443 X102.

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE/SM \$895.00 Large corner studio, secure building, parking, pool. 235 Main St. Senior citizen 62+ only. (310)261-2093.

For Rent

VENICE \$1200 Great location, creative office space in between Main St. and Abbot Kinney. Perfect for small photography studio or graphic design firm. (310)396-4443 ext. 102

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE \$895.00 2bdrm/1ba Bright & airy. Quiet upper unit w/new carpet and paint. 2 car parking off street. Close to beach/shops/restaurants. 1 year lease, no pets. (310)396-4443 ext. 102.

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE BEACH \$1195 Large 1bdrm/1ba w/parking. Upper unit with lots of sunlight, new carpet and paint. 1 year lease, no pets. (310)396-4443 ext. 102.

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE BEACH \$795.00 Single w/lots of charm and original hardwood floors. 1 block from the beach. Close to shopping and restaurants. 1 year lease, no pets, paid parking available. (310)396-4443 ext. 102.

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE BEACH \$850 per month. Great office space located 1 block from beach and 1/2 block from Windward Avenue. Included are all utilities, T1 line, cleaning. 1 room with common area bathroom, concrete floors, exposed beamed ceilings. 1 year lease. (310)396-4443 ext. 102.

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE BEACH \$995.00 Single w/ ocean view in historic brick building on the beach. Exposed brick walls. Lots of windows and light. Recently remodeled w/ new paint and carpet. 1 year lease, no pets. (310)450-1934

Elly Nesis Company, Inc.
www.ellynesis.com

VENICE BEACH Single \$1000 Totally remodeled with hardwood floors and tile. New everything, must see to appreciate. 1/2 block to beach and close to Main Street. Parking included. 1 year lease, no pets. (310)396-4443 ext. 102

Elly Nesis Company, Inc.
www.ellynesis.com

W. HOLLYWOOD \$1450.00 Townhouse 2bdrm/1.5ba. Front unit, new paint, new blinds, lots of kitchen cabinets. Off street parking, laundry facilities on premises, dishwasher, hardwood floors, refrigerator, stove.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

W. LA \$975.00 Spacious 1 bedroom apartment. 1616 S. Bundy Dr. (310)497-4411.

WLA \$600 Near Bundy/SM Blvd. Bachelor/efficiency. Walk-in closet, bar kitchen w/refrigerator. Sink/cabinets. Carpets, drapes. Attractive smaller building. (5 units) Convenient WLA area. Info/owner (310)828-4481.

For Rent

WeHo \$750.00 Character, gas stove, fridge, carport, laundry, secure entry, new carpet new linoleum floors. Close to the Grove.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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(310)276-4663

WeHo \$795.00 Spanish 1bdrm/1ba, high ceilings, stove, fridge, crown moldings, w/c, cat, carpet.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

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WeHo \$750.00 Classic New York style brick building hardwood floors, pet ok, stove, ceiling fan, crown molding. Close to shops and restaurants. Parking available.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

WEST HOLLYWOOD \$795.00 Great 1bdrm/1ba, patio, 2 units available, patio, hardwood floors, stove, fridge, Spanish style.

Get phone # and address free. NO FEE! We have others from \$550.00 EQ Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

Furnished Apts/Condos
SANTA MONICA \$795.00 Lower Unit, Part. Furn., safe neighborhood, bright, full kitchen, off of Wilshire Blvd., util. inc., amenities include Street parking, Indry facilities, crpts, furnished, refrig., stv, storage.

Get phone # address Free. No Fee. We have others from \$550.00 EQ. Housing Opportunity logo.

www.apartmenthunterz.com
(310)276-4663

Apartment Swap

SANTA MONICA Long term swap. My NYC 1bdrm luxury. Doorman, upper East Side apartment, 21st floor w/river view. 5 blocks from Central Park, near Bloomingdales. Value \$2500/mo for your 2bdrm apt/ house. Secure professional couple seeks unfurnished. Swap 1-2 years. Begin March 03. (646)207-6600

Houses For Rent

SANTA MONICA \$2800 Charming 2bdrm/2ba, W/D, new paint/carpet, hardwood floors, stove, ceiling fans, great location. Please call: (310)452-1116 M-F, 10am-4pm.

SANTA MONICA \$925.00 Guest House, pool, quiet, bright, prkn.

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Westside Rentals

SANTA MONICA \$950.00 Guest House, r/s, crpt, quiet, yard, prkn.

(310)395-7368
Westside Rentals

Roommates

S.M. SHARE 2bdrm furnished apt., all utilities paid including cable. 9th & Wilshire. Male only. \$675.00 (310)394-1050.

SANTA MONICA \$400.00 Apartment, prvt rm, r/s, Indry, blcny, utilities incld.

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Westside Rentals

SANTA MONICA \$450.00 Apartment, prvt rm, hrwd flrs, Indry, quiet, util. incld.

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Westside Rentals

SANTA MONICA \$490.00 Apartment, prvt rm, r/s, crpt, month to month, cble.

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Westside Rentals

SANTA MONICA \$595.00 Bachelor, near beach, deck, Jacuzzi, month to month.

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Westside Rentals

SANTA MONICA \$600.00 House, prvt rm, r/s, hrwd flrs, r/s, quiet, Indry, yard.

(310)395-7368
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Commercial Lease

ABBOT KINNEY Design Offices, 1,2,3,4 decks, views, kitchens. 500-10,000sq./ft. 2 blocks from beach. Call for pricing. (310)399-9371

CHARMING COURTYARD office space available one block North of LAX. Contact Chris or Lori. (310)342-3939

CONFERENCE ROOM: Available for weekly, daytime meetings or individual dates. Close to freeways, W. LA. Seats 60. Attractive, windowed, AC space. Affordable, comfortable. Chairs, tables. Large white boards. Video/Audio equipment. Available (310)820-6322.

CULVER CITY art studio for rent. \$400/mo +utilities. No live-ins or musicians. Daily shoot space available. (310)614-5592.

LARGE CORNER OFFICE w/great views in executive suite at 6th & Broadway, SM. Telephone, reception, conference room and kitchen provided. \$1,100. Call (310)576-1090.

OFFICE AVAILABLE in 5 office suite, 1211 4th St., SM. Law/Library (West), reception, copier, fax. \$825/mo. with secretary desk. Marcia, Agt. (310)394-4492.

SANTA MONICA Small office spaces. 127 Broadway, 290sqft -600sqft. Great rates. Arthur (310)395-2663 Ext. 101

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BLISSFUL RELAXATION! Heal your body, mind, spirit. Therapeutic, Swedish, Deep-tissue. Energy balancing. Non-sexual. Introductory specials from \$45.00/1hr. In/out. Lynda, L.M.T. (310)749-0621

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CLASSIFIEDS



Massage

REVITALIZE & Rejuvenate. Body, Mind & Spirit with a therapeutic Swedish/Deep-tissue massage. Laura (310)394-2923 (310)569-0883.

STRESSED OUT? Let my caring hands ease your troubles away. My office or in-house. (323)931-1154

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STRONG & SOOTHING professional & therapeutic bodywork. Intro: \$35/75min. Will also trade massage. Paul: (310)741-1901.

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Announcements

"I SOLD it one day! When I put my futon for sale in the Daily Press, it took me one day to sell it...thanks!" Nina Stewart, Santa Monica.

THE FIRST day I put my laptop for sale in your paper, I got several offers and sold it that day! Thank you Daily Press! Jamie Schuler, Santa Monica

Services

RENT ME & MY CAR for \$8.00 an hour +25¢ per mile. Mr. Greene (310)394-1533

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WILLIAM JONES Handyman. Carpet cleaning, minor plumbing, broken windows, hang doors, painting, stucco patch. (310)387-4834.

WILLIAM JONES Handyman. Carpet cleaning, minor plumbing, broken windows, hang doors, painting, stucco patch. (310)387-4834.

WILLIAM JONES Handyman. Carpet cleaning, minor plumbing, broken windows, hang doors, painting, stucco patch. (310)387-4834.

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Yard Sales

SWAP MEET Pre-school fundraiser. Sunday, February 23 12noon-5pm 1827 California Ave., Santa Monica

Fitness

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FITNESS GURU: Rob Greene (310)422-6718 Specializing in weight management, body sculpting, firming & toning. Spiritual enhancement.

Obituaries

LOUISE SIGONA

Louise Yvonne Sigona of Thousand Oaks passed away peacefully in her sleep on Valentine's Day. She was born on October 21, 1934 to Yvonne and Nicholas Frank of Santa Monica, CA. Louise is survived by her loving husband of 46 years, Frank John Sigona, her siblings, Leon, Suzanne, Robert and Judith, her children, John, Julie, Michael & Gina and her grandchildren, Kyle, Angelina, Johnnie, Michelle, Kiyomi, Cassandra and Christopher.

Services will be held on Saturday, February 22, 2003 at 1:00 p.m. at St. Jude's Catholic Church, 32032 Lindero Canyon Road in Westlake Village.

Donations can be made to the American Heart Association or the Cancer Society in her name.

Classified Advertising Conditions: **REGULAR RATE:** \$2.50 a day. Ads over 15 words add 20 cents per word per day. Ad must run a minimum of twelve consecutive days. **PREMIUMS:** First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. **TYPOS:** Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. **DEADLINES:** 4:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 4:00 p.m. **PAYMENT:** All private party ads must be pre-paid. We accept checks, credit cards, and of course cash. **CORRESPONDENCE:** To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310) 458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406 or stop in at our office located at 1427 Third Street Promenade, Ste. 202. **OTHER RATES:** For information about the professional services directory or classified display ads, please call our office at (310)458-7737.

SANTA MONICA SCENE °CALENDAR EDITION

THURSDAY, FEBRUARY 20, 2003

TODAY

Johanna Israel presents Gotham Comedy Night! with top headliners every Thursday. February 20 will feature Kyle Cease. Gotham Hall, 1431 3rd Street Promenade, Santa Monica at 7pm. FREE + 2 item min., 21/over. (323)525-5254.

Take One! Film and Theater Books presents a FREE seminar featuring Hollywood Entertainment Attorneys Dina Appleton and Daniel Yankelevits discuss the ins and outs of negotiating writer's contracts. Included in the discussion will be such topics as how to negotiate book and screenplay option agreements, how to acquire the rights to a story, and what such terms as "back-end agreements" and "net profits" really mean. Thursday, Feb 20 at 7pm at the bookstore located at 11516 Santa Monica Blvd., four blocks west of the 405 freeway (between Butler and Colby) in the 2nd floor. For more info call (310)445-4050 or visit www.take1filmbooks.com.

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

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

Unurban Coffee House presents Komedy Crunch every Thursday evening. Showtime is 7pm. 3301 Pico Blvd. (310)315-0056

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

TOMORROW

Friday, Feb. 21, 2003, 7-9 pm -- Los Angeles WESTSIDE Genealogical Society meets at the Community Room, Burton Chace Park, Marina del Rey, to hear Elaine Alexander tell about the 101 U.S. Ports of Arrival, the wheres and whens. Admission is free. For more information, call Carolyn Rosenberg at (310) 396-6698.

MAGICOPOLIS presents HOCUS POCUS! (Fish Bones Choke Us). The stage explodes with a colorful mix of Magic, Special Effects, Sleight of Hand, Comedy and Music that's sure to delight audiences of all ages. At MAGICOPOLIS, 1418 Fourth Street, Santa Monica. Fridays & Saturdays at 8pm, \$20. Saturday & Sundays at 2pm, \$15. For tickets call 310-451-2241.

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Pulse - Through kinesthesia, sight, sound, touch, taste, and smell, pathways clear for your deeper embodiment and wider expression. Each session is supported by live music with Christo Pellani of Soundformation Music and/or by recorded music. Altars devoted to the senses, spirit and play enrich the environment and amplify your awareness. Third Friday of the month, 7:30 p.m. To 9:30 p.m., Continuum Studio, 1629 18th Street #7, (North of Olympic in Santa Monica) Cost \$12.00. For more information please call Kara Masters (310)455-2743.

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
About Schmidt (R) 6:30, 9:30. Biker Boyz (PG-13) 9:15. The Hours (PG-13) 7:15, 10:00. The Guru (R) 7:45, 10:15. Kangaroo Jack (PG) 7:00.

MANN CRITERION

1313 Third St.
How to Lose a Guy in 10 Days (PG-13) 5:00, 7:10, 8:00, 10:05, 10:50. The Recruit (PG-13) 7:05, 10:00. Confessions of a Dangerous Mind (R) 7:15, 10:15. Gangs of New York (R) 7:00, 10:30. The Lord of the Rings: The Two Towers (PG-13) 7:00, 10:45.

AMC THEATRE SM 7

1310 3rd Street
Shanghai Knights (PG-13) 5:25, 7:55, 10:20. Chicago (PG-13) 5:15, 7:45, 10:15. Final Destination 2 (R) 5:35, 7:50, 10:00. Catch Me If You Can (PG-13) 6:50, 9:50. Daredevil (PG-13) 5:25, 6:45, 7:50, 9:15, 10:05. The Jungle Book 2 (G) 5:20, 7:10, 9:05.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
The Pianist (R) 7:00, 10:15. Bowling for Columbine (R) 7:30. Russian Ark (NR) 10:30.

LAEMMLE MONICA

1332 2nd St.
City of God (R) 7:10, 10:05. The Quiet American (R) 7:20, 9:55. All the Real Girls (R) 7:15, 10:00.

AERO THEATER

1328 Montana Ave.
Far From Heaven (PG) 5:00, 7:30, 10:00.



BACK PAGE

Treasury expects to reach national debt limit of \$6.4T

BY MARTIN CRUTSINGER
AP Economics Writer

WASHINGTON — Expecting to reach the national debt ceiling of \$6.4 trillion on Thursday, the government took steps Wednesday to allow federal borrowing to continue while Congress considers raising the debt limit.

Treasury Secretary John Snow wrote congressional leaders urging quick action to raise the ceiling, though he did not recommend a new limit. Treasury officials saying they wanted to leave that decision up to lawmakers.

"I know that you share the president's and my commitment to maintaining the full faith and credit of the U.S. government, especially at this critical time," Snow said in the letter.

"Together we must continue working to enact an increase in the statutory debt limit as quickly as possible to avoid any negative repercussions at home or abroad," Snow said.

Snow's request will set off a fresh debate in Congress that could last for weeks. In the meantime, Treasury Department will use a variety of techniques to keep government borrowing within the debt limit so the United States is not forced to default on any of its debt obligations, something that has never occurred before.

Republicans will push to approve the Bush administration's request for a higher

debt limit. Democrats are certain to use that request as a chance to criticize President Bush's tax cut policies, which they contend have led to record budget deficits and the need for a higher debt limit.

Snow said the administration would begin making room for normal borrowing by not fully investing in the Government Securities Investment Fund, often called the G-fund.

This fund, which totals \$48 billion, is used by the government to credit earnings for federal employees' pensions.

Snow stressed in the letter that any investments taken out of the G-fund to make room for other government borrowing would be replaced with interest earnings once Congress passes a new debt ceiling.

The last increase in the debt ceiling came in June when Congress increased the old limit of \$5.95 trillion to \$6.4 trillion, an increase of \$450 billion.

The administration had sought an increase of \$750 billion, hoping to avoid a second battle so soon in the new Congress.

This time, Brian Roseboro, Treasury's assistant secretary for financial management, said the administration had decided not to ask for a specific amount for the increase.

In testimony last week, Federal Reserve Chairman Alan Greenspan said

Congress should consider doing away with the debt limit, saying it "has never in my judgment been successful in doing what it is supposed to have been doing, namely constrain spending."

While the debate over the debt limit often grows intense, as a practical matter Congress is unlikely to allow government finances to reach a point where there would be the possibility of an actual

default on any part of the national debt, given the effect on the credit rating of the United States.

Treasury securities are considered the world's safest investment because of the record of the United States in meeting its debt obligations.

The national debt subject to limit stood at \$6.392 trillion as of Tuesday, only \$8 billion below the \$6.4 trillion limit.

Two Marines charged with tampering with parachutes

By The Associated Press

CAMP LEJEUNE, N.C. — Two Marines have been charged with attempted murder in the sabotage of more than a dozen parachutes that left three soldiers slightly injured last fall, the military said Wednesday.

Lance Cpl. Antoine Boykins, 21, of Baltimore and Lance Cpl. Julian Ramirez, 25, of Los Angeles were charged Feb. 12. They have been in the brig at Camp Lejeune since January.

A base spokesman, Staff Sgt. Jay Connolly, would not comment on a possible motive for the sabotage and said he did not know what sentences the charges carry.

The two were also charged with reckless endangerment, conspiracy and

destruction of government property, Connolly said. Ramirez also was charged with unauthorized absence.

Three Marines suffered minor injuries Sept. 21 when their parachutes failed, forcing them to use reserve chutes during training jumps. When they returned to Cherry Point Air Station, they discovered suspension lines on 13 of 25 parachutes had been cut and repacked to avoid detection.

The day before the incident, other jumpers went through training and the parachutes were stored in a large locker that had only three keys, Marine officials said.

Boykins and Ramirez are air delivery specialists with the 2nd Transportation Support Battalion, 2nd Force Service Support Group. Their attorneys did not immediately return calls Wednesday.

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