

Santa Monica Daily Press

A newspaper with issues

LOTTOS

FANTASY 5

8, 2, 19, 30, 20

DAILY 3

Afternoon picks: 7, 3, 0

Evening picks: 4, 1, 7

DAILY DERBY

1st Place: 6, Whirl Win

2nd Place: 9, Winning Spirit

3rd Place: 3, Hot Shot

Race Time: 1:41.39



NEWS OF THE WEIRD

by Chuck Shepard

Hunter "Red" Rountree, who pleaded guilty to having robbed a First American Bank branch in August at the age of 91, was sentenced to 12 years in prison; it was his third bank robbery in five years (Lubbock, Texas, January). Daniel Putzel, 87, was arrested and charged with running a house of prostitution (Guilford, Conn., November). An October Boston Herald column hailing the Boston South End neighborhood's alleged top cocaine dealer, Philip "Sonny" Baiona, said the fact that Baiona is 80 is a sign that the city's crime rate is tapering off.



QUOTE OF THE DAY

"A good friend will come bail you out of jail, but a true friend will be sitting next to you saying 'Damn...we screwed up.'"

— Anonymous



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Purr like a kitten, Leo 2



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Lessons in sharing tough to swallow

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — The local school board hopes to decide on Thursday whether the wealthiest schools in the district should be forced to share some of their cash with other schools.

After hearing dozens of impassioned speeches from school boosters on both sides of a divisive gift-sharing proposal this week, local educators agreed to determine whether sharing private donations should become mandatory.

Put forward by Superintendent John Deasy, the proposal would force every school in Santa Monica and Malibu to place a per-

centage of private contributions into a central fund, which then would be redistributed to schools based on their size and need. The money would be taken from the schools on a diminishing scale, starting at 15 percent for the first \$100,000 in donations. A maximum of \$64,000 would be taken — if the school raised \$800,000.

Dozens of parents and other school boosters addressed the issue at the most recent board meeting. Deasy said the matter will be discussed by board members on Thursday, with little or no input from the public. The board has already devoted nearly seven hours

See SCHOOLS, page 6

Heads up!



Nicky Five Aces/Special to the Daily Press

Where was this photo taken? As part of a weekly contest, the first person to accurately describe where this building stands will receive a gift from Sea of Silver jewelry store on the Third Street Promenade. E-mail answers to sack@smdp.com.

Possible libel lawsuit labeled as 'quibble'

BY JOHN WOOD

Daily Press Staff Writer

A libel lawsuit a local businessman threatened this week against the Santa Monica Daily Press and two of its staffers rests largely on "legal quibbles," First Amendment lawyers said this week.

Lawyers said the alleged inaccuracies in a Dec. 27 article about a jury's fraud award against CV and in favor of two people who once worked with him don't appear to be libelous. CV and his attorney, who have declined to discuss the matter, didn't return calls seeking comment.

"These things appear to me to be legalistic quibbles over the choice of words that the newspaper makes," said Paul Mills, a lawyer that specializes in First Amendment litigation. "These are the kind of corrections that I would expect a cranky editor to blue pencil, not the basis for a successful libel suit."

Libel, in the legal sense, is the crime of issuing a malicious defamatory publication, according to Webster's Dictionary. CV alleges the Daily Press did just that in its report of a December jury verdict finding him liable for fraud and responsible — along with Surf Channel LLC., a company he founded that cre-

ated extreme sports programs for cable — for \$884,000. That money was to reimburse Phillippe Ney and Keline Howard, who worked on the programs and said they were promised membership shares in the company by him. The award included punitive damages.

CV's lawyer, Jay Woollacott, has complained that the Daily Press wrongfully referred to Ney and Howard as "partners," overstated the amount of money awarded, confused the distinction between CV and Surf Channel, and technically erred in characterizing the verdict as an "order." Woollacott fur-

See LAWSUIT, page 7



Photo courtesy of St. Joseph's Center
Delfia Gonzalez, the food pantry coordinator for St. Joseph's Center in Venice, manages all of the donations.

Following the can: Chicken soup that warms the soul

BY JAMIE WETHERBE

Special to the Daily Press

A can of chicken noodle soup dropped into a food donation barrel in December finally made it to the kitchen cabinet of a Santa Monica woman last month.

The can donated by Joe Stitche traveled miles throughout the westside before reaching Latrese Chapron Johnson, an out-of-work mother of two.

Stitche, who is the assistant director of transit operations at Big Blue Bus, first dropped the can off at bus headquarters on Dec. 19. It then traveled two

See FOLLOW THE CAN, page 7



Photo courtesy
Latrese Chapron Johnson hauls her donated groceries from St. Joseph's Food Pantry.

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On September 11, 2002, at the Kennedy Center in Washington D.C., "Visions of America" imagery was featured throughout the White House's memorial to the victims of 9/11. President Bush, Ted and Carolyn Kennedy, James Earl Jones and other Hollywood notables attended as Joe's images were projected on giant screens over the National Symphony Orchestra.

Experience the beauty and magnificence of America in the one-of-a-kind presentation by "Joe Sohm". Joe's photographs are published daily in magazines such as *Newsweek*, *National Geographic* and *Time*. Witness Joe's unique take on our great country and see for yourself why he is a favorite photographer of the White House, the Democratic National Committee and the Clinton Presidential Library.

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JACQUELINE BIGAR'S STARS

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

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

ARIES (March 21-April 19)
★★★★ Step back, especially as so much information comes forth. You might wonder exactly what is happening with someone at a distance. Surprises happen for those who are open to others. You find that the unexpected runs riot in the form of discoveries or insights. Tonight: Stay close to home. Order in.

TAURUS (April 20-May 20)
★★★★ Reach out to loved ones and friends. You might be the force that moves others to get together. If a partner acts up, it might be out of jealousy. Consider talking before letting the feelings or the green-eyed monster rise. Tonight: Where your friends are.

GEMINI (May 21-June 20)
★★★★ Take charge and don't let others cross your boundaries. Often, others mistake your good will for a lack of strength. Pressure builds from different directions. Recognize that you are only one person. Unexpected developments head your way. Tonight: Deal only with what you must.

CANCER (June 21-July 22)
★★★★ Look toward what is happening in your immediate crowd. If you pull back, you might have some interesting insights. Someone might be too frightened to forge ahead in a new direction. Tonight: Be inventive. Don't feel locked into plans.

LEO (July 23-Aug. 22)
★★★★ Work with others, letting them express their natural sense of leadership and direction. What you find out about someone close to you could be startling, if not insightful. Refrain from risking. Refrain from making judgments. Tonight: Be the very friendly Lion.

VIRGO (Aug. 23-Sept. 22)
★★★★ You might find others doing exactly what you think they shouldn't do or what is out of line. You need to become more of your own person. Allow feedback from others, but also remember that it is your life. Tonight: Let others do their thing. You won't be able to stop them anyway.

LIBRA (Sept. 23-Oct. 22)
★★★★ Pace yourself and do what you need to get done. Laughter surrounds an innate clumsiness or an insight that might show you how hard you have been making something in your life. Laugh and express your playfulness. Tonight: Get some extra R and R. Soon you will need all the energy you can muster.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You delight someone close through your unpredictable behavior, be it a child, close friend or a sweetie. Go for impulse and spontaneity, and you'll create joy around you. Do be careful of a financial risk, which could spell trouble. Tonight: Love the one you're with.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Head in a new direction with confidence and speed, understanding your limits. Whether you feel out of whack or unhappy about a personal matter, you know something needs to change. Only you can do this for yourself. Tonight: Talk about the possibilities.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ If you want excitement, stay close to your friends and loved ones. In the next few days, review a personal matter that is close to your heart. How you see a new friend could change with information that comes forward. Tonight: Out and about.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Expenses are so incredibly overwhelming that you might wonder how you got yourself in this pickle. Start with a budget. Begin slashing costs. You might be amazed by what you find out. Do let someone else treat. Tonight: Keep costs low.

PISCES (Feb. 19-March 20)
★★★★ Recognize that others might be extremely reactive to your unpredictability. What might feel OK for you isn't for others. Without meaning to, you could push away some friends. Be careful dealing with a higher-up. Tonight: In charge.

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LOCAL



COMMUNITY BRIEFS

Lookee here: Scavenger hunt planned

By Daily Press staff

The first annual Westside Scavenger Hunt will be held on Feb. 29. The event will be held at the PenMar Recreational facility at 1341 Lake St. in Venice and will run from 9 a.m. until 6 p.m. First prize is \$1,000. There will be trophies awarded for the top college team and the best fraternity/sorority team. Teams have the chance to win additional prizes donated by merchants in the Venice and Santa Monica business community.

As the name suggests, the event will primarily focus on the Westside of the city. This is the first of five Scavenger Hunts planned for the Los Angeles metro area this year. The first four scavenger hunts are qualifying events leading up to the final, \$250,000 Labor Day Scavenger Hunt. The Labor Day "hunt" will be a two-day event open to everyone. The top 10 teams in each of the four qualifying events will have free entry into the Labor Day Scavenger Hunt.

From 8 a.m. to 9 a.m. teams will register. There is no limit on the number of members that can be on a team. At 9 a.m. all teams will be given the list of 250 items to be found. From that point, the teams have until 6 p.m. to accumulate as many items as possible from the list. Each item on the list is given a point value from one to 10 based upon the level of difficulty in finding the item. The point values give teams options of using various strategies.

The event is the effort of The Real Opportunity Management Network, a non-profit organization with the objective of providing opportunities to those disadvantaged due to government cutbacks. All food collected from the Scavenger Hunt will be donated to the Fred Jordan Mission in Los Angeles. The effort will eventually be expanded to other cities around the world and within the United States. Anyone interested in becoming a part of this effort or seeking more information are encouraged to contact Gary Patterson at (310) 493-5511 or at the Web site www.thescavengerhunter.com.

Coalition gets a charge out of energy champs

By Daily Press staff

A non-profit group is honoring Santa Monicans who will save over five years the city \$5 million to \$10 million in energy costs, according to officials.

The Energy Coalition's program "The Power Within You" empowers California residents and business owners in select cities to learn and practice "smart energy management," which include forging energy-conserving partnerships among communities, individuals, organizations and contractors.

"These energy champions have made significant impacts in both the short- and long-term energy future for the city of Santa Monica," said Ted Flanagan, the managing director of The Energy Coalition. "These individuals successfully helped to spread the message about smart energy management practices in their communities."

They have communicated the message of energy efficiency to more than 10,000 Santa Monica residents and business owners who have made changes in their energy-use behavior — including torchiere trade-ins, community efficiency and small business efficiency tune-ups, sales of compact fluorescent light bulbs and programs in Santa Monica Schools.

Energy champions include the following people and communities:

Nora Sanchez (contractor, Catalina Ballast & Bulb); Shana Gray (PEAK teacher, Santa Monica Malibu Unified School District); Susan Munves (City of Santa Monica); Jay Hotch (manager, The Shores); Stuart Cooley (city of Santa Monica), Gabriel Hernandez, (maintenance manager, Wilshire Ocean Terrace); Joe Post (PEAK teacher, Santa Monica Malibu Unified School District); Jason Post (high school student); Linda Cady (PEAK teacher, Santa Monica Malibu Unified School District); Grant Ivey, (manager, Bay Club Apartments); Engracia Zarco (property manager, Community Corporation of Santa Monica), the Wilshire House, and Wilshire Ocean Terrace.

The Energy Coalition — funded by California utility customers — is dedicated to raising awareness among consumers and businesses about smart energy management skills and practices that can result in a healthy energy future.

surf report

Look for mainly a leftover mix of NW wind and ground swell. Most spots drop into the knee-waist high range, with some shoulder high sets coming through at best breaks.

By late Saturday afternoon a new, long period NW swell will start to build slowly from storm activity on the other side of the dateline earlier this week. The more northern spots of Ventura will start to see some inconsistent shoulder high sets by sundown.

OUTLOOK: This swell will build further on Sunday, looking strongest in the early afternoon. As the swell peaks, look for the good winter spots to see shoulder to head high waves.

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

Today the water is:

57°

	LOW TIDES		HIGH TIDES	
	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
SATURDAY	3:19 AM	4:05 PM	9:27 AM	10:21 PM
SUNDAY	4:01 AM	4:30 PM	10:03 AM	10:55 PM
MONDAY	4:45 AM	5:00 PM	10:45 AM	11:20 PM
TUESDAY	5:38 AM	5:24 PM	11:25 AM	N/A
WEDNESDAY	6:30 AM	5:40 PM	12:04 AM	12:15 PM
THURSDAY	7:48 AM	5:54 PM	12:29 AM	1:48 PM
FRIDAY	9:46 AM	N/A	1:16 AM	N/A

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The Q-Line

Cell phone companies are pressuring City Hall into allowing them the right to install antennas and other infrastructure throughout Santa Monica to improve reception. Two of them — AT & T and Verizon — have sued City Hall because it doesn't have an ordinance in place to regulate them and therefore can't grant them permission.

In response, City Hall has created a draft law that aims to regulate where, when and how the industry will install

equipment here. The proposed law will be discussed by the City Council on Feb. 24.

So this week, Q-Line wants to know, "Would you mind visible cell phone equipment in your neighborhood if it meant better reception?"

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.

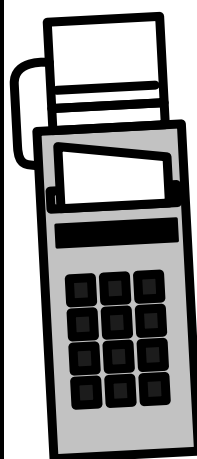
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LETTERS

Strike this! They don't deserve support

Editor:

I read in your article (SMDP, Feb. 20, page 1) a statement made by a Santa Monica Von's striker. He said he was "kicked in the leg by a woman."

If he is referring to the incident I and a couple of other people witnessed in the parking lot, he deserved more than a kick. He should have been arrested for more than a misdemeanor for "obstructing free movement of shoppers." This was serious harassment.

I heard a woman screaming "get out of my face, leave me alone." I saw a young woman with what looked like a newborn baby in a carrier strapped to her chest. I saw a grown man (striker) with an aggressive look on his face saying something to her which I could not hear. She was trying to walk towards Vons and he kept talking to her and she kept screaming "get out of my face," she told him several times. She had a hand on the baby's back shielding it as he was very close to her and I saw she was very upset and then she tried to kick him because he just wouldn't get away from her. He really was "in her face." He was yelling at the young woman "stop hitting me" but it was him who was following her and being aggressive. An African-American lady walking through the parking lot yelled at him to leave her alone, he didn't listen.

Finally another striker came up and she made him stop by grabbing his arm and holding him, as soon as she let go of him it looked like he went after the woman again. What happened after that I do not know, I had to move because I was blocking traffic on Lincoln Boulevard. Her kick didn't look to me like it touched him, if it did it wouldn't have hurt as she was short and didn't have a far reach and she was more interested in shielding her baby. All the dozens of police and security were close to the store and on Colorado Avenue, none of them were stationed at the Lincoln Boulevard entrance at that time protecting shoppers there.

My neighbors, friends and I all agree the strikers do not have our support any more.

M. Miles
Santa Monica

Don't compromise on sharing wealth

Editor:

On Thursday, the Santa Monica-Malibu Unified School District's Board of Education considered a proposal from Superintendent Deasy to modify its policy regarding the district's acceptance and distribution of private donations to our schools. As originally proposed, this policy would have resulted in the creation of an equity fund setting aside 15 percent of all donations received for distribution to district schools on a weighted basis. The proposed weighted formula took into account the absolute number of students in each school as well as the number of children in that school's lunch, English language learning, and special education programs, and the percentage of children scoring below accepted proficiency levels in standardized testing for English and math. Such a policy would serve to narrow the gap in charitable donations received by schools in less wealthy portions of the district when compared with schools located in the district's more affluent neighborhoods.

In response to vocal opposition to the proposed policy from certain parents within the district, the superintendent's office has modified the proposed policy so that only 8 percent of the first \$800,000 in private donations raised, or \$64,000, would be set aside for the equity fund. Here's hoping that the district's board would consider returning to the original formula of 15 percent of all funds raised or, at the very least, setting aside a full 15 percent of the first \$800,000 raised for this very important purpose.

In light of anticipated cutbacks in funding for public education, private donations will take on a more critical role in the next few years. It's imperative that we take into account the needs of those schools in our district which will be least able to generate additional private donations from their own parent support groups due to a lack of disposable income. It is in every district parent's self interest to ensure that sufficient resources are distributed to all elementary and middle schools in order to help raise the level of performance at our senior high schools when all our children come together for their final four years.

In the face of pending budget cuts, our communities must make sacrifices in order to preserve the quality of education for our public schools. Given that fully 85 percent of a parent's donation would have been directed to his or her child's school, the superintendent, in his original proposal, did not seem to be asking for too great a sacrifice.

The board's adoption of such a policy would send a clear message to those of our children attending less advantaged schools that our community cares for and actively stands with them. And it would send a clear message to those of our children who live in more advantaged neighborhoods that their parents believe in the lessons of compassion we teach in our various faith communities, and the principle of equal opportunity which is such an integral part of our democratic way of life.

Loren Bloch
SMMUSD parent

Low-income housing relates to violence

Editor:

Recent crimes in the vicinity of Community Corp. of Santa Monica low-income housing projects validate the H.U.D. study, "In The Crossfire, The Impact of Gun Violence on Communities." That study (during the Clinton Administration) concluded those residents who live in and around low-income housing projects are more than twice as likely to suffer firearm related victimization.

With a sex offender living in a CCSM building on Delaware Avenue accused of burglary, and a firearm found at the notorious CCSM building on 17th St. (numerous gun-related incidents, including bullets shot into a resident's bedroom), I now understand why the executive director of CCSM, and director of the city housing authority — the two people responsible for developing multi-family low-income housing in the Pico neighborhood — refuse to buy a home adjacent to the projects they develop in the Pico neighborhood. They don't want to be victimized by their tenants.

Mat Millen
Santa Monica

Vegas: It's time to put the sin back into 'Sin City'



MODERN TIMES

By Lloyd Garver

I'll bet you can't go the entire day without seeing a commercial or a billboard advertising the lottery, a casino or some other form of gambling. Thirty-nine states have lotteries, and if you drive across the country, you'll come across more casinos than full-service gas stations. Meanwhile, Las Vegas and other gambling centers have convinced America that visiting their cities is good, clean fun for the whole family.

What's behind all this "wholesome" gambling is, of course, governmental and corporate greed. And all this legalizing and sanitizing has had many effects on our society. When gambling is so accessible, obviously there are more gamblers — and more people with gambling problems. Casinos are so "family friendly" that it's hard to distinguish them from Disneyland. So children are exposed to gambling at a ridiculously young age, and the casinos

have an unlimited supply of future players. State lotteries — which brought in \$38 billion last year — were called the "numbers racket" in the mobster days, and similarly prey on the dreams of the poor.

But I want to talk about another serious effect that all this manufactured respectability is having — it's taking the fun out of gambling for me.

There's a place on the French Riviera called Cap d'Agde, nicknamed the "Naked City." You walk into the bank and the tellers are naked. Neither customers nor waiters wear clothes in the restaurants. And on the links, golfers show off more than their swings. Yet people who have been there tell me it's the least erotic place in the world. There's no mystery, no naughtiness, and everything is just too wholesome to be sexy. And the same sad thing has happened to gambling.

When I was growing up, respectable people didn't talk out loud about their gambling. They did it in their basements or in secret rooms in questionable parts of town. Or they took mischievous trips to Nevada, where a city of neon lights rose up in the desert and beckoned them to do things there that they couldn't do at home. Gambling was mostly illegal, naughty and

somewhat dangerous. And that's what made it so much fun.

When I went to Las Vegas years ago, I liked playing blackjack with a surly pit boss looking on. It made it more exciting to see that guy whose pinky ring was slightly bigger than my watch, knowing that if I touched the wrong card he'd have my knees broken before I hit the pavement outside the casino. Now the dealers and pit bosses are smiley-faced college kids. They're chatty, and offer advice on everything from how to play a hand to where to see a show. I don't want to be friends with my dealer. I just want him or her to deal me as many hands as quickly as possible.

One of the reasons it used to be fun to go to the race track was because of the people there. It was great to listen to the wizened touts tell each other why their horse just couldn't lose. I liked watching shady characters try to talk other shady characters into ridiculous bets. I enjoyed seeing some schoolteacher who had taken the day off hit a longshot and shriek uncontrollably with joy. Now if you want to bet on a horse race, you can do it at home, online. What's fun about that? The only shady character I'm likely to see at home is the one looking at me in the mirror.

It's interesting that gambling used to be thought of as morally questionable. Now, because states and big businesses want more and more money, they've tried to make that old image disappear. They tell us that gambling is no less wholesome than bowling or playing catch with your kids. Ironically, this shameless public relations campaign seems just as morally questionable as gambling used to be.

Maybe someday soon, states will get a conscience and realize how cruel it is to exploit poor peoples' dreams with snappy slogans and pretty lottery commercials. Maybe casino owners will conclude that things were better when they attracted gamblers who just wanted to gamble and left the kiddies at home. Maybe. But with hundreds of billions of dollars at stake, I wouldn't bet on it.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Frasier." He also has read many books, some of them in hardcover. He writes the "Modern Times" column for CBSNews.com's opinion page and can be reached at smdp@lloydgarver-moderntimes.com.)

OPINION



The Q-Line

Tone down the talk of new cell phone towers

City Hall has created a draft law that aims to regulate where, when and how the cell phone industry will install equipment here. The proposed law will be discussed by the City Council on Feb. 24.

Here are your responses to this week's Q-Line question:

"Do you mind cell phone equipment visible in your neighborhood if it meant better reception?"

■ "Yes, I and my family would mind, very much, seeing cell phone antennas and other equipment in our neighborhood or on beautiful San Vicente Boulevard. Better reception for cell phones sounds like a good thing, except that the equipment creates a visual pollution and that the use of cell phones by drivers increases the number of accidents by them. When the City Council discusses this, let's hope that they also consider a measure to ban cell phone use while driving a vehicle in Santa Monica. Many other cities and countries have done this."

■ "I found that enticing a cell phone user by further making it better is a horrific mistake. These people cannot put their phone down in grocery stores, in restaurants, and even worse when they are driving their automobiles, fatally injuring pedestrians, talking on their balconies all night long while others are trying to sleep and go to work the next morning. There is a place for cell phones, I agree however, they are being terribly misused and to make it better is a travesty."

■ "Well, before I would allow the visual cell phone equipment, I would want to know if there would be a limit as to how many, and I would like to know how large they are going to be, how much construction is going to be involved and will they interfere with the other TV antennas or cable reception. A lot of research needs to be done."

■ "I would not mind seeing more equipment put up in the neighborhood because I would like to have better quality."

■ "Please try to keep the antennas for better cell reception as unsightly as possible in our beautiful city of Santa Monica. I personally have AT&T cellular. There are pocket areas in Santa Monica whether I am in doors or outside in Santa Monica I can neither dial out or receive a call. I am finding it very, very frustrating. I especially have problems in the 800 block of Third Street."

■ "Cell phone equipment is dangerous and it would be better to be put somewhere where there are not any people living nearby."

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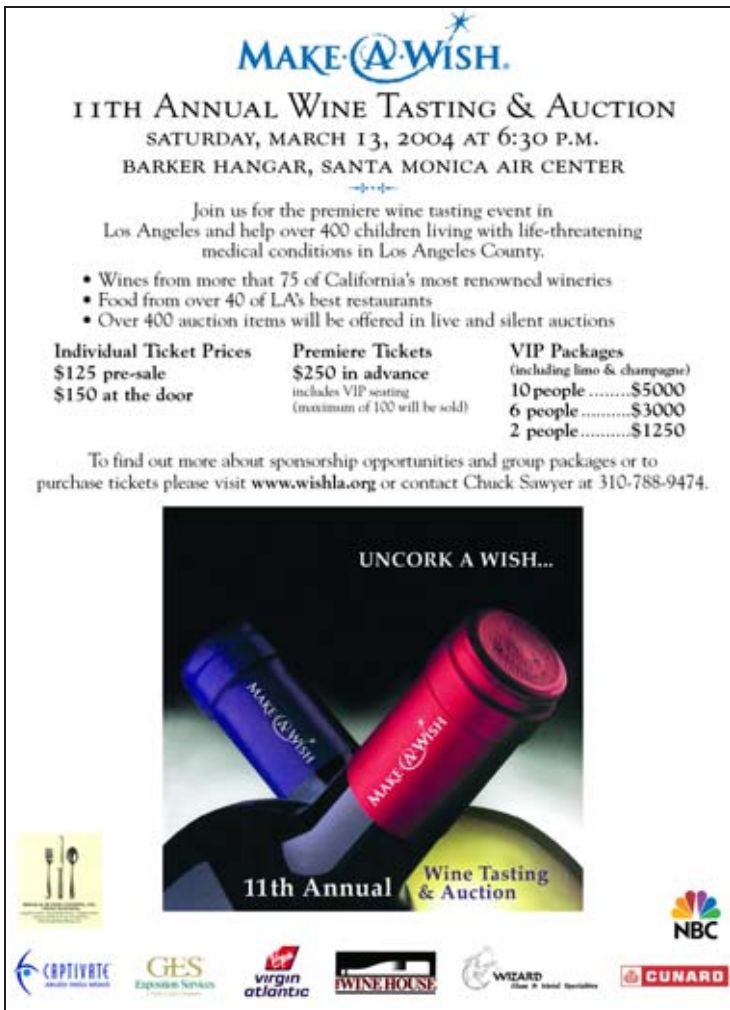
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LOCAL

Critics: Find own donors

SCHOOLS, from page 1

of meeting time to the proposal.

Critics contend the proposal will quell the enthusiasm of potential donors, who pump millions of dollars into Santa Monica and Malibu area schools, considered among the best in the state. Supporters, meanwhile, maintain equity is a fundamental principle of democracy, adding the plan doesn't do enough for poorer schools.

Susan Holley, a parent of two at Juan Cabrillo Elementary School in Malibu, said the proposal is poorly thought out. She said Santa Monica schools have a wealth of potential donors, and they shouldn't look to Malibu schools for help.

"John Deasy doesn't get out and fundraise for those schools," Holley said. "He'd rather sit up in his ivory tower and draft tax policies."

"It's not South Central. Santa Monica is a very rich city, and we were shocked to hear that these schools are not getting funding from their community," she added. "The amount of money we raise is so small compared to the amount they could raise, with those corporations and organizations out there."

Juan Cabrillo Elementary raised about \$140,000 last year, Holley said. Under Deasy's proposal, about \$20,000 of that would be redirected to the equity fund, meaning the school may have to lay off its computer aide and art teacher, she added. What's more, Holley contended the gift-sharing proposal may be illegal.

"It appears that the policy is a pretty clear violation of the First Amendment," Holley said after addressing the board. "The U.S. Supreme Court, since 1939, has been giving very strong protections to charities — both religious and non-religious — that are trying to raise funds ... The process of soliciting funds is protected by the First Amendment and anything that the state might do to intrude upon those rights is seen to be a violation of the First Amendment."

Opponents called the proposal "modest" and said it doesn't go far enough towards helping to assure that children in the district receive equitable educations.

To illustrate the discrepancy in funding, McKinley Elementary in Santa Monica raised about \$30,000 from donors last year, while Pt. Dume Elementary in Malibu pulled in \$300,000 or more, school district officials said. At Malibu

High School, the stated goal for fundraising is \$1 million each year.

"Equality of opportunity is a right that each child is entitled to and no donor has the right to expect the school system to set aside that fundamental right in order to receive their donation," said Denny Zane, former mayor and co-chair of Santa Monicans for Renters Rights, long City Hall's ruling party.

"John Deasy doesn't get out and fundraise for those schools. He'd rather sit up in his ivory tower and draft tax policies."

— **SUSAN HOLLEY**
Malibu parent

Asked what he thinks of the argument that the proposal will discourage donors, Zane replied, "I think that has very, very little merit. Two reasons — one, the parents who are giving because of their desire to contribute something to their own child's classroom will continue to have that motivation. It doesn't remove that motivation."

"Number two, the amount of funds that would be included in the equity fund is such a small amount ... it is unlikely to have any kind of serious quelling effect."

Superintendent John Deasy characterized some of the testimony against the proposal as disingenuous, saying he was "aghast" when a parent produced a letter from a Wells Fargo president, which the parent said showed corporate sponsors are against the policy. Deasy said the parent's point was off mark, because a copy of the letter shows the contributions went to Malibu schools that already raise large amounts of money.

Deasy is looking forward to Thursday's meeting.

"It's an issue that has been around for decades," he said. "It's an issue that the community has been acutely aware of and tried to deal with on numerous occasions."

"If we are a community that truly believes in access and equity — as stated in our plan — we need to try to do something about that."

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LOCAL



Libel suit versus Daily Press matter of malicious intent

LAWSUIT, from page 1

ther complained he has been damaged because possible partners were put off by the Daily Press' story about the verdict, which appeared to a potential worldwide audience in its online archive — and can appear in Internet searches.

In a four-page letter sent to the Daily Press this week, Woollacott said he's been instructed to sue the Daily Press. He denied Howard and Ney were "partners," but did not otherwise characterize them. In court, he argued they were paid for their work — as employees would be.

The two plaintiffs argued in the lawsuit they were promised more than 40 percent of company shares for their extensive work with him on the Surf Channel programs. Court documents refer to the "sweat equity" the plaintiffs put into the start-up project in exchange for membership shares.

Surf Channel was a limited liability company, which is defined as a business structure that combines corporate and partnership attributes into one entity. Lawyers said a lay person could reasonably be expected to consider owners of

"That seems to be splitting hairs in a way that, I think, the average person wouldn't think is important."

— JAMES FOSBINDER
Attorney

membership shares in a limited liability company as "partners."

"To say that he was partner, when actually their business association was other than partnership under the legal definition, seems like an insubstantial error," said Mills.

The second mistake, which appeared in the article's headline and first paragraph, indicated he was responsible for the full \$884,000 verdict. As the article later noted, Surf Channel, the company, also was found liable by the jury. Though Keline and Howard wanted him to be responsible for that portion as well, the judge ruled against them. The maximum for which he could be held responsible under the jury's verdict was \$584,000 — \$300,000 in punitive damages and \$284,000 for breach of contract.

Once again, First Amendment lawyers said that aspect of the article doesn't appear to be libelous — especially as the alleged error was clarified later in the article.

"It's pretty hard to see where someone was damaged in reporting someone had to pay \$884,000 rather than \$584,000," said James Fosbinder, a Hawaiian-based lawyer who specializes in First Amendment law. "That seems pretty weak, in my opinion."

A third error Woollacott noted was the newspaper's reporting that his "must pay" or "owes" money to the plaintiffs. Though the jury did hand down a verdict against him and Surf Channel, as a matter of procedure it can't order the defendants to pay, Woollacott argued.

Fosbinder said that argument also appears weak, saying, "That seems to be

splitting hairs in a way that, I think, the average person wouldn't think is important."

Judges are obliged to issue judgments that reflect the jury's findings. In his case, Santa Monica Superior Court Judge Lorna Parnell never had to issue a judgment because the parties last Friday agreed to settle the case rather than face possible appeals or the potentially difficult process of collections.

The bottom line, Mills said, is that in order to be found liable for libel, a judge or jury must agree the newspaper acted maliciously in the reporting of the trial.

"The newspaper has a First Amendment status, so that if you state something erroneous about, say, for example, a political candidate, they have to show that your error was knowing or reckless — that there was malice," he said. "Society needs coverage of people that thrust themselves into the public eye, so the media gets this extra level of protection against libel suits, while people who choose to appear in public have an extra level of exposure."

The little can that could

FOLLOW THE CAN, from page 1

miles away to the Westside Food Bank where it remained for more than a month.

Santa Monicans during the winter holidays pitch in extra food for local drives — in hopes these castaway cans would travel to someone else's belly.

When Stichter donated a 12-pack of chicken noodle soup cans as part of a city-wide food drive, he had no idea the soup would pass through two local agencies and a more than \$1 million industry to end up about a mile away.

The chicken noodle soup in January left the warehouse and continued on its way — another three miles to St. Joseph's food pantry in Venice.

On Jan. 30, some of the cans ended up in the hands of Johnson, who lives about a mile from where the donation cycle began.

St. Joseph's food pantry in 2002 distributed nearly 17,500 bags of groceries and served more than 1,000 families, including Johnson's, according to St. Joseph officials.

The bus company, located on Seventh Street, participates in Santa Monica's annual food fight, which pits different city departments against each other during the winter holidays to see who can bring in the most food.

The Westside Food Bank for more than 20 years has collected donations from several different food drives, mainly during the winter holidays, but "the biggest (food drive) is from the Big Blue Bus," said executive director Bruce Rankin.

The holiday food drive in 2002 brought in almost 11,000 pounds. Last year's city food drive yielded about 9,500 pounds of food, Rankin said.

"It's the hectic day of the year," Rankin said of the initial day the donations are brought in.

Food bank workers spent the next few weeks tossing any bad cans, and sorting and packaging the rest of the food, getting ready for the more than 60 Westside social service agencies to pick up the packages.

The agencies, including homeless shelters, rehabilitation programs and other services, often request canned tuna, peanut butter and canned vegetables.

What isn't donated is purchased by Westside Food Bank.

About \$845,000 of the food bank's almost \$1 million budget — built from donations, grants and government funds — goes to buying food for Santa Monica's hungry, Rankin said. However, the food bank's purchasing power has decreased by 15 percent since more federal funds are going to Iraq, Rankin said.

And while other Santa Monica agencies also dedicate dollars to their own food drives, "none of them could handle a 10,000-pound food drive," Rankin said. "There are no other food bank warehouses on the westside."

Santa Monica agencies that qualify can pick up food from the food bank warehouse throughout the year and dole it out to residents below the poverty line.

Even though the holiday donations have lasted longer than expected, the food will be gone by end of this month, Rankin said.

"The need went way up after (Sept. 11)," Rankin said. "Lots of people lost jobs" at the Los Angeles Airport and in other travel-related businesses.

Rankin said he's gearing up to replenish the warehouse with the next annual Westside food drive in May.

"The food bank's been really good to me the past three years," said Johnson, a single mother of 9- and 13-year-old boys, helping her stretch her family's income and maintain their nutrition.

Johnson said she visits the food pantry once a week for groceries, and the people there help her feel at home.

"I'm a very private person," she said, adding she needs to protect herself and her kids "when I'm not around loving people ... People here are like family. Just a beautiful family here."

St. Joseph employees show a lot of effort, Johnson said, adding would like to see the facility grow.

"If I ever get rich, I'll be able to donate," she said.

Johnson said she doesn't work but plans to go back to school for clothing design.

But for that night, Johnson said she would head home — about three miles away — to start dinner early.

"(My) boys, they eat," she said.



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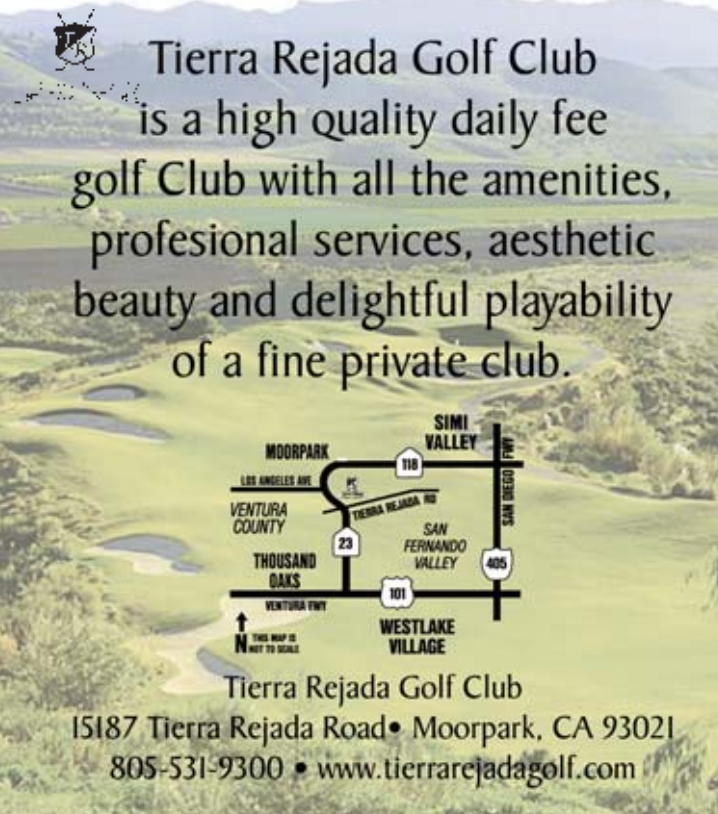
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STATE

Gay rights advocates fret over SF backlash

BY BETH FOUHY
Associated Press Writer

SAN FRANCISCO — San Francisco's brazen experiment in same-sex marriage has shaken up the gay rights movement at a critical time, just when Massachusetts appears poised to legalize gay marriages and conservatives are pushing a constitutional amendment to ban them.

Some advocates worry that the image of thousands of gays and lesbians bucking California law to get married could backfire, giving conservatives a powerful wedge issue this election year.

For Democrats who support gay civil unions, San Francisco's move may force them to make an uncomfortable choice between alienating a key Democratic party constituency — gays who support full marriage rights — and risking the wrath of other voters at a time when national polls show Americans overwhelmingly oppose same-sex marriage.

"San Francisco being in sort of a free-for-all will be used against us politically," predicted Rep. Barney Frank, D-Mass., one of few openly gay members of Congress, in an interview with The Associated Press.

Frank shared his concerns with Mayor Gavin Newsom during a phone conversation as San Francisco officials and gay rights leaders called their allies to discuss the potential repercussions shortly before announcing the first same-sex marriage last week.

Kate Kendall, executive director of the National Center for Lesbian Rights, sounded out her colleagues as well. "It's not like everyone got on the phone and said, 'Great! Can he do it yesterday?'" she said.

Ultimately, they decided there's never a perfect time to make a bold stand — and that San Francisco's move might actually help the cause in Massachusetts by showing the world that activists there aren't alone, said Kendall, who was upset that Frank has been critical.

"It may well be that Congressman Frank, seeing homophobic bigotry every day, comes from a place of fear," she said.

Frank isn't the only Democrat worried about a backlash, although no others have said so publicly.

Newsom personally contacted several top Democrats, including House Minority Leader Nancy Pelosi, to alert them about what was coming, but neither the mayor nor the congresswoman were willing to discuss their conversation.

"We are cognizant that Democrats disagree on this issue," said Peter Ragone, the mayor's spokesman.

California Sen. Barbara Boxer, who is up for re-election this year, is an outspoken liberal and a champion of gay rights. But she has turned down numerous inter-

view requests since the wedding march began, instead issuing a terse statement through her spokesman.

"The mayor has decided to test state law," Boxer's statement read. "My opinion is that state law is fair and appropriate because it gives equal rights to all citizens."

Chicago's Mayor Richard Daley, who like Newsom has no immediate need to seek re-election or pursue a higher office, said Wednesday that he would have no problem with giving gay couples marriage licenses there, but he stopped short of saying he would follow San Francisco's lead.

"Marriage has been undermined by divorce, so don't tell me about marriage," said Daley. "Don't blame the gay and lesbian, transgender and transsexual community."

Aside from Daley, elected officials have been reluctant to publicly support San Francisco's action, which Newsom compares to the Supreme Court's Brown v. Board of Education decision 50 years ago that integrated public schools.

Meanwhile, President Bush, who opposes gay marriage, said his decision on whether to support a constitutional gay marriage ban would depend in part on San Francisco's actions.

"I have watched carefully what's happening in San Francisco, where licenses were being issued, even though the law states otherwise," Bush said. "I have consistently stated that I'll support law to protect marriage between a man and a woman. Obviously these events are influencing my decision."

Sens. John Kerry and John Edwards, Bush's leading Democratic opponents, say they oppose gay marriage but strongly support civil unions — fence straddling that may no longer have the same voter appeal after San Francisco's bold action.

"Civil unions, not gay marriage — that's nice and comfortable for politicians," said political analyst Stu Rothenberg. "This makes me wonder how long people would allow politicians to sit in that comfortable chair."

Rothenberg said the issue could influence key swing voters such as senior citizens and middle class suburbanites. But Republicans could also be in danger, he said, if voters feel they are exploiting the issue for political advantage.

"If they appear to be preaching, intolerant or if they use it with a hard edge of meanness, that could backfire on them," Rothenberg said. "They don't want someone shoving the issue in their face."

Winnie Stachelberg, political director of the Human Rights Campaign, a national gay rights organization, said San Francisco's move has succeeded in launching a dialogue that the American people are now ready to handle.

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STATE

GOP hails Schwarzenegger as the conquering hero

BY BETH FOUHY
Associated Press Writer

BURLINGAME — When Gov. Arnold Schwarzenegger addressed delegates Friday night at the California Republican Party Convention, he was more than the vanquishing hero who took down a Democratic governor in this state's historic recall election last October.

He also was viewed as the figure who single-handedly rescued the party from near political extinction, pumping it up with energy, dollars and enthusiasm in a presidential election year.

"Arnold is, without a doubt, the single greatest thing that has ever happened to us," state GOP Chairman Duf Sundheim said.

But as Republicans meet this weekend to plot strategy for the months ahead, the question of whether Schwarzenegger is a political novelty or a figure who can transform the party into a long-term competitive force in the nation's largest state is far from clear.

"There's nothing like him, there will be nothing like him, and it has changed the brand," Schwarzenegger spokesman Rob Stutzman said. "What the long-lasting effect will be is too soon to tell, and he hasn't contemplated all that."

A year ago, Republicans were still recovering from a disastrous 2002 election cycle in which Democrats won every statewide office in California while Republicans scored big gains in almost every other state. GOP activists were also engaged in a fractious battle over whether to elect the moderate Sundheim as party chairman, or a conservative who had once written an essay suggesting the country would have been better off if the South had won the Civil War.

"People were relatively disgusted with the Republican party," Sundheim recalled.

One year and one recall election later, the change in the GOP's fortunes has been substantial. The party raised \$18 million in 2003, compared with \$6 million in the

entire 2000 presidential cycle, and registered some 250,000 new voters, of whom 15 percent were Democrats switching parties.

Nevertheless, President Bush faces a tough fight to win California's 55 electoral votes, even though Schwarzenegger has been named honorary state chairman of the president's re-election campaign. Bush lost the state in 2000 by 11 points, or 1.3 million votes.

"People were relatively disgusted with the Republican party."

— DUF SUNDHEIM
GOP Chairman

Also, the GOP could not find a heavyweight challenger for Democratic Sen. Barbara Boxer this year. The best-known candidate, former Secretary of State Bill Jones, managed to win just 17 percent of the vote in the 2002 GOP gubernatorial primary, the last time he ran statewide.

Democratic strategist Garry South said the Republican Senate field indicates a fundamental weakness in the party that Schwarzenegger's election has not changed.

"The headline race in California, other than the presidential race, is the contest for U.S. Senate, and Boxer has been at the top of the vulnerable list. The best Republicans can give you is this?" South said. "Other than Arnold, they have nothing going on here."

But Republicans say they are confident that Schwarzenegger's star power will help them win seats in the heavily Democratic state Assembly.

"We have a weather report that a pretty big wave is coming in for November, and even if the wave peters out,

we will pick up seats in the Assembly," Sundheim said. "We're working out, we're waxing our boards, and we're ready to go."

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INTERNATIONAL

Americans say bye-bye, Aristide prepares to die

BY MICHAEL NORTON
Associated Press Writer

PORT-AU-PRINCE, Haiti — Americans began fleeing Haiti on Friday after insurgents torched police outposts and threatened new attacks in a spreading rebellion against President Jean-Bertrand Aristide, who defiantly declared he's ready to die for his nation.

In Haiti's west, pro-Aristide supporters burned down homes in a seaside neighborhood and fired guns above the heads of residents who jumped into the ocean for safety.

There were no immediate reports of casualties.

The new leader of several rebel groups, Guy Philippe, said he plans to attack Cap-Haitien, the government's last remaining stronghold in the north, during carnival celebrations starting Friday. Philippe was Aristide's police chief in Cap-Haitien but fled in 2002 amid charges he was plotting a coup.

Citing mounting violence, the United States on Thursday urged the more than 20,000 Americans in Haiti to leave while transportation was still available. The Peace Corps also said it was withdrawing about 70 volunteers.

The Pentagon said it was sending a small military team to assess the security of the U.S. Embassy and its staff.

Radio stations reported that rebels torched the police station at the northeast border post of Ouanaminthe on Thursday, and witnesses said police fled in fear from their posts in northern Fort Liberté. No rebels were in sight.

The northern rebellion has killed dozens of people, according to Jean-Gerard Dubreuil, undersecretary for public security.

During the night, truckloads of pro-Aristide gunmen attacked a neighborhood in western St. Marc and burned down seven houses, American missionary Terry Snow said, adding that 15 Americans in his group of 20 missionaries fled Haiti this week.

As their houses burned, residents jumped into the sea to get away from gunmen shooting into the air, said Snow, originally from Granbury, Texas.

"These are all innocent people — they are not involved in the political conflict," said Snow, 39, who has lived in the neighborhood for 13 years.

"Innocent people are being killed and houses are burned down every day and night in St. Marc and the police are doing nothing."

Snow said the city has been terrorized by the pro-Aristide "Clean Sweep" gang since police regained the city from about 100 rebels last week.

The latest violence came as the United States and other nations prepared to present Aristide and opposition officials with

a political plan as early as Friday.

The plan calls for an interim governing council to advise Aristide, the disarmament of politically allied street gangs and the appointment of a prime minister agreeable to both sides.

Secretary of State Colin Powell said the plan does not call for Aristide's resignation, but the United States would not object if he agreed during negotiations to leave office early. Aristide's term ends February 2006.

**"These are all
innocent people — they
are not involved in the
political conflict."**

— **TERRY SNOW**
American missionary

Aristide was defiant Thursday, saying, "I am ready to give my life if that is what it takes to defend my country."

Aristide has said he could not negotiate with "terrorists," though opposition leaders deny his charges that they back the rebels.

"If you are talking about the opposition that is publicly supporting terrorists, don't think I will have the irresponsibility of handing them over such a (prime ministerial) post," Aristide told Radio Canada.

Opposition leader Evans Paul countered by saying, "It will be difficult for us to accept any proposal that doesn't include Aristide's resignation."

The Organization of American States approved a resolution Thursday night expressing "firm support" for Aristide's government in its efforts to "restore public order by constitutional means."

OAS Secretary-General Cesar Gaviria said he was confident that a political solution could come "not in months, but in weeks."

U.S. Ambassador John Maisto told delegates that Haiti's crisis "is due in large part to the failure of the government of Haiti to act in a timely manner to address problems that it knew were growing."

He said the government had not fought police corruption, strengthened its judiciary or restored security.

At Cap-Haitien, armed supporters of Aristide patrolled and vowed to fight any rebel attack. Frightened police remained barricaded in their station, saying they were too few and poorly armed to repel the rebels.

Haiti's police force numbers less than 4,000 and demoralized officers this week deserted at least four provincial posts. Eight officers have sought asylum in Jamaica and the Dominican military said it arrested four fleeing officers this week.

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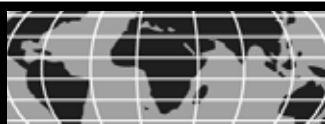


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WORLD BRIEFLY

Israel breaking down walls

By The Associated Press

JERUSALEM — Israel will take down a section of the West Bank separation barrier that had isolated a Palestinian town, an official said Friday, days before world court hearings on the legality of the partition.

The removal of the six-mile section appears intended to help defuse criticism over the route of the barrier, which at times veers several miles into the West Bank and disrupts the lives of thousands of Palestinians.

Workers will begin Sunday to remove the section that cuts off the town of Baka al-Sharkia from the rest of the West Bank, a security official said, speaking on condition of anonymity.

Another barrier, west of the town, will remain, and Israel will open a gate to allow passage to a "sister" town, Baka al-Gharbia, which is in Israel, the official said.

The International Court of Justice, in The Hague, Netherlands, begins hearings Monday. Israel has come under growing pressure — including domestic legal challenges — to reroute the barrier and reduce hardship for Palestinians.

Palestinian Foreign Minister Nabil Shaath leveled rare public criticism at his Arab allies, saying some Arab countries are not doing enough to back the Palestinian campaign against the barrier before the world court.

Iranian ballot: And then there were two

By The Associated Press

TEHRAN, Iran — A decisive test of strength between Iran's two rival forces moved to ballot boxes

Friday with parliamentary elections that Islamic rulers defended as a rallying call and liberal boycott leaders called a sham.

The drama was not so much about the outcome, which is expected to restore hard-line control of the 290-seat chamber. It was more about how many votes would be cast.

Reformers, using cell phones and e-mail, urged a mass boycott after the conservative theocracy banned more than 2,400 candidates. The blacklist included the core ranks of reformist activists and politicians demanding ruling clerics cede some of their almost limitless powers.

Supreme Leader Ayatollah Ali Khamenei — the country's top political and religious authority — voted about 30 minutes after polls opened Friday morning at tens of thousands of venues, including mosques and desert outposts for nomads.

The clerical leadership was seeking a significant turnout to display their enduring strength 25 years after the Islamic Revolution.

State television broadcast a stream of comments from people saying that voting would show Iran's defiance against "enemies" — which means the United States to most conservatives.

Hanging around: Shuttles grounded

By The Associated Press

CAPE CANAVERAL, Fla. — Space shuttles will not fly again until next year and when Discovery does lift off on the first post-Columbia mission, Atlantis will be on standby for a potential rescue mission.

NASA's senior spaceflight officials decided this week to push back the next launch to March 2005

because of lingering work and engineering concerns, and picked Discovery to be first up.

The space agency had been aiming for a fall 2004 launch.

"We said, 'Stop. Let's go ahead and extend the schedule and let's figure out what the right way is to go about'" meeting the recommendations of the Columbia accident investigators, said NASA Administrator Sean O'Keefe. "We're not going to be driven by the calendar. This is going to be a milestone-driven event."

The space agency is struggling to come up with shuttle wing repair kits and inspection booms for astronauts in orbit. Engineers also are still trying to figure out how to keep the fuel-tank foam insulation from breaking off, as a section did during Columbia's doomed flight, and dealing with possible corrosion in the rudder speed brakes.

Edwards plays up being 'blue'

By The Associated Press

NEW YORK — John Edwards touted his blue-collar background and sharpened his criticism of Democratic front-runner John Kerry as the North Carolina senator's campaign for the Democratic presidential nomination surged on criticism of U.S. trade policy and jobs lost abroad.

"When it comes to bad trade agreements, I know what they do to people," Edwards said in a speech at Columbia University as he tried to build on a surprisingly strong second-place showing in the Wisconsin primary. "I have seen it with my own eyes what happens when the mill shuts down."

Edwards, whose father worked at a mill, said he has a better understanding than Kerry of blue-collar issues. He told his college audience Thursday that his disagreements with Kerry extended well beyond NAFTA and include many trade agreements he has opposed.

Meanwhile, the AFL-CIO endorsed Kerry on Thursday, a signal that key segments of the party establishment think the nomination fight is essentially over.



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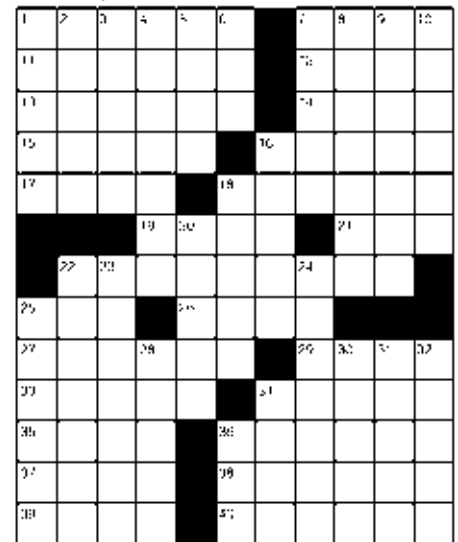
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Santa Monica Daily Press

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PEOPLE IN THE NEWS

Former-POW Lynch yet to meet her Iraqi rescuer

By The Associated Press

■ **CHARLESTON, W.Va.** — The Iraqi lawyer who told U.S. authorities where they could find Army supply clerk Jessica Lynch after she was captured last spring says he has yet to meet the woman he helped rescue.

"I have heard from Jessica's attorney, Mr. (Stephen P.) Goodwin, that she is not ready to meet with me just yet," Mohammed Odeh al-Rehaief told the Kanawha County Bar Association this week. "And we understand from him that she is not in town this week. I hope she is continuing to recover from her injuries."

Goodwin said Friday that Lynch is not avoiding al-Rehaief and plans to meet him "when the opportunity presents itself." Lynch and her family were not in West Virginia, he said.

The 35-year-old lawyer was honored for his "bravery and dedication to the human family." He told the bar group he hopes to study law in the United States and eventually practice here.

He and his wife, Iman, were in West Virginia for the second time since fleeing their native country. Al-Rehaief and many of his relatives relocated to the United States after Lynch's rescue for fear of retribution from Saddam Hussein loyalists.

"I miss my home, and someday I hope to visit there as a free man in a free country," he said. "But this is my new home, my new country now."

Lynch was captured March 23 after her 507th Maintenance Company convoy was ambushed in the southern Iraqi city of Nasiriyah. She was rescued on April 1 after al-Rehaief alerted U.S. forces and mapped out the hospital where she was being held.

■ **NEW YORK** — The creators of "Ed" are gratified for a "Save Ed" campaign, but it looks like they're moving out of Stuckeyville.

A group hoping to convince NBC to keep "Ed" alive ran a full-page ad in the trade newspaper Variety on

Friday. The fourth season-ending episode ran earlier this month, with characters Ed (Tom Cavanagh) and Carol (Julie Bowen) getting married at the bowling alley in fictional Stuckeyville, Ohio.

Series creators Rob Burnett and Jon Beckerman — who took on-air cameos as wedding guests — said it was their understanding with NBC executives that the series was over. They wrote the wedding episode to be a finale.

Still, they're grateful that fans have shown their loyalty. "I don't know if I would tell them it's time to move on," Beckerman said. "I guess I would say, 'a sincere thank you,' but things are probably going to stay the way they are, which in some ways is very sad but in other ways isn't such a bad thing."

Burnett and Beckerman are writing a pilot episode for a new NBC series. Burnett joked that they're calling it "Ted."

■ **NEW YORK** — Max Kellerman, the opinionated, Emmy-nominated broadcaster and boxing analyst, will host a new show on Fox Sports Net.

The daily 30-minute talk and interview show will be a cross between "The O'Reilly Factor" and "The Daily Show," Fox Sports said this week. The show is being developed to debut in mid-April.

Kellerman joins Fox Sports Net from ESPN, where he was most recently the host of "Around the Horn." Before that, he was a studio analyst for "Friday Night Fights" on ESPN 2.

"I always dreamed of playing third base for the Yankees, but they chose to go in another direction. So, for me, this is the next best thing," Kellerman said in a statement.

■ **VIENNA, Austria** — Five police officers were slightly injured in clashes with demonstrators who marched in downtown Vienna in a yearly protest against the Opera Ball.

About 450 people rallied, protesting Thursday night's

ball — the most visible high-society event of the city's social calendar — but also against U.S. foreign policy and capitalism, the Austria Press Agency reported.

Actress Andie MacDowell, Polish President Aleksandar Kwasniewski and Spanish Foreign Minister Ana Palacio were among the most prominent guests. Some guests arrived in limousines or even by horse and carriage in the freezing temperatures.

Protesters carried banners with slogans that included "Down with the Opera Ball, bring down capitalism" and "USA: international genocide headquarters."

A handful of demonstrators threw glass and stones at some of the hundreds of police deployed in riot gear to keep protesters away from the opera house. Five officers were injured.

There were several arrests, police said.

Most of the protesters dispersed after the march, leaving behind a small group. Some set fire to cardboard boxes, but police were able to extinguish the flames quickly.

■ **BURBANK** — A car driven by actor-turned-producer Shaun Cassidy was involved in an accident that broke the leg of a security guard at the Warner Bros. studio this week, police said.

He was not cited and the case remained under investigation.

Cassidy was driving into the studio at about 10 a.m. when his car struck a vehicle that was stopped at the security gate, police Lt. William Berry said in a statement. The stopped car was pushed into a third vehicle and guard Conrad Perez was trapped in between the two vehicles, police said.

Perez was treated at a hospital for a hairline fracture to his left leg and released.

Cassidy, 45, could not immediately be reached for comment.

He was a 1970s pop singer and teen idol who co-starred in the TV series "The Hardy Boys Mysteries."

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