

Santa Monica Daily Press

A newspaper with issues

00000

FANTASY 5

10, 27, 30, 18, 2

DAILY 3

Afternoon picks: 1, 0, 6
Evening picks: 8, 8, 6

DAILY DERBY

1st Place: 5, California Classic

2nd Place: 4, Big Ben

3rd Place: 7, Eureka

Race Time: 1:48.22



NEWS OF THE WEIRD
by Chuck Shepard

North Korean leader Kim Jong Il, who is widely believed by United Nations officials and Far East experts to be tolerating the starvation deaths of perhaps millions of his countrymen, launched a nationwide campaign in January to improve national health by eradicating smoking, whose practitioners, said Kim, are one of the "three main fools of the 21st century" (along with people ignorant about music and computers).

QUOTE OF THE DAY

"We've had leaks out of the administrative branch, had leaks out of the legislative branch, and out of the executive branch and the legislative branch, and I've spoken out consistently against them, and I want to know who the leakers are."

— George W. Bush

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Share the wealth: Board smiles on gift-sharing plan

Most members okay idea, try to provide school equity

BY JOHN WOOD

Daily Press Staff Writer

DISTRICT HDQTRS. — The wealthiest local public schools should be forced to share some of their money, members of the local school board agreed Thursday night.

Five of the seven educators indicated in a board discussion they would support a mandatory sharing plan, calling it crucial in the quest for equity in local schools. No vote was taken and details of the policy still have to be hammered out.

The controversial plan has pitted many members of the Santa Monica-Malibu Unified School District against one another. Opponents call the policy an unfair "tax" that will quell the

enthusiasm of many generous donors.

When it was first proposed last year, the plan called upon all schools in the district to contribute 15 percent of their cash donations to a central fund, which would then ferret out the money to schools based on their respective size and need. The policy was later watered down so that wealthy schools could keep more of their money, but it still met with ample criticism.

Board members agreed at their previous meeting to forego the details and discuss whether a mandatory policy should be put in place at all. Though no formal vote was taken Thursday, the discussion indicated board members Emily Bloomfield, Julia Brownley, Oscar de la Torre, Jose Escarce and Maria Leon-Vazquez all were in favor of a mandatory policy.

Mike Jordan and Shane McLoud are the apparent dissenters.

The board directed staff to perform some

See PLAN, page 6

Playhouse squabble lawyer looking to climb justice ladder

BY JOHN WOOD

Daily Press Staff Writer

SUNSET PARK — A fierce legal showdown over an 8-year-old boy's backyard playhouse may be headed for the state's highest court.

Lawyers for David and Beth Levy, the boy's parents, filed papers on Friday asking the California Supreme Court to review their case, which accuses a former mayor of misusing his influence to have the 12-foot-tall playhouse

deemed illegal.

The Levys in January suffered a blow to their case against former Mayor and City Councilman Ken Genser when the 2nd Appellate District Court ruled Genser didn't violate city charter by asking a staffer through a pair of e-mails to look into the legality of the playhouse.

But Ken Kutcher, one of the Levys' attorneys, said Friday the court was too narrow in its reading of the law. Though the Supreme

See LAWSUIT, page 6

Door of perception



Nicky Five Aces/Special to the Daily Press
Where is this door? As part of a weekly contest, the first person to accurately describe where in Santa Monica this door is situated gets a prize. E-mail answers to sack@smdp.com

Strike settlement may not equal celebration

BY JAMIE WETHERBE

Special to the Daily Press

Striking grocery store workers could be back on the job as early as next week, that is, if they give thumbs up to a newly negotiated contract on Saturday.

Union officials will put it to the picketers this weekend, seeing if they will approve the terms and put to rest nearly five months of walking the lines.

Some strikers were already in

better spirits Friday, now that a resolution to the strike may be within reach, according to Brian Piehl, who's worked at Ralph's for about two years.

"There's definitely a buzz, but no one knows what the buzz is," he said.

Grocery workers won't get a glimpse of the contract until they vote, but some of the strikers, like those at the Pavilion's on Montana Avenue and 11th Street, think the

See STRIKE, page 6



Jamie Wetherbe/Special to the Daily Press

Most grocery store strikers are wary of a proposed settlement after five months of picketing, but eager to return to work

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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)

★★★★★ Expressing your wishes is step No. 1 to getting where you want to be. You could be offered several different paths and need some advice from a trusted friend or adviser. Ask all you want. Return calls. Tonight: At a local hangout.

TAURUS (April 20-May 20)

★★★ Plan on spending some quality time with an older friend or relative. Friends and loved ones seek you out. You could be stretched to the limit. Set up needed boundaries. Explain your feelings and do what you want. Tonight: Make yourself No. 1.

GEMINI (May 21-June 20)

★★★★ The world is your oyster right now, but you might not want to go to excess, if possible. Curb your spending, if possible. You don't need to work on being noticed; rather, think in terms of sharing your expansive personality. Tonight: Beam in what you want.

CANCER (June 21-July 22)

★★ Much goes on behind the scenes. Make that OK with you. In fact, you might want to meet midway a friend who lives at a distance. You need a timeout from your daily life. Please take it while you can. Tonight: Continue recharging.

LEO (July 23-Aug. 22)

★★★★ Take your time assessing changes in your life. By not jumping too quickly, you could prevent a problem. You could see life from a renewed perspective. Enjoy your immediate circle of friends. Make the most of the moment. Worry tomorrow. Tonight: Cheerlead your pals to having a good time.

VIRGO (Aug. 23-Sept. 22)

★★★★ You seem to flourish right now, no matter where you are or whom you're with. Excesses mark your behavior. Take charge and bring others to you. Others express their appreciation in an odd manner. Don't judge. Tonight: Keep the gathering going.

LIBRA (Sept. 23-Oct. 22)

★★★★★ Reach out for someone at a distance who makes a difference. Your sense of humor emerges with a loved one you really care about. Be honest with yourself about how much of a difference this person makes in your life. Tonight: Be a little extra-serious in a key conversation.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Re-evaluate what is happening within your immediate circle. You find that intuitively you know what to do. It would be wrong not to follow your instincts. Listen well to someone who cares about you. Tonight: Opt for a one-on-one.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Your self-expression makes a difference with others. You'll see a loved one lighten up because of what you do. Let others make the first move, especially when dealing with an associate who is difficult. Tonight: See what and who come toward you.

CAPRICORN (Dec. 22-Jan. 19)

★★★ Pace yourself, knowing when to stop. You might opt for a quieter day where you do what you want. Listen well to someone's suggestion. Read between the lines and find out what this person is really saying. Tonight: Don't push.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Your playfulness draws friends and loved ones. You have a very special way about you right now. Friends are drawn to your sunny personality and happy ways. A partner might want more of you. That suits you fine, as you schedule special time together. Tonight: Play away.

PISCES (Feb. 19-March 20)

★★★★ You might be inspired to tackle a project at home or to clear out mail. Whatever you want to do will get done. Completing your taxes, surprisingly enough, could bring a smile to your face. Others seek you out massively. Tonight: Others respond to your suggestions.

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LOCAL



COMMUNITY BRIEFS

Play ball: Little League makes its pitch

By Daily Press staff

Today marks the 53rd annual opening day of Santa Monica Little League.

The festivities, held from 11 a.m. to 2 p.m. at Memorial Park, will include numerous alumni, local politicians and dignitaries. The opening day ceremony will begin at noon.

The day will be devoted to celebrating baseball in Santa Monica. Hitting and throwing clinics will be available for all ages by Kramer's Sporting Goods and Easton.

The ceremony also will honor Santa Monica Little League's role in the community, acknowledge the most illustrious baseball alumni and pay tribute to several families who have served the local little league through three generations. Henry Workman, for example, played for the 1950 New York Yankees and then served as president of Santa Monica Little League. He will throw the first ball to former Los Angeles Dodger catcher Steve Yeager.

Memorial Park is located at 16th Street and Olympic Boulevard. The little league field is located at the northwest corner of the park.

Nano, nano: SMC making smalltalk

By Daily Press staff

Want to know how the world came to be?

Nanoscience — the study of tiny particles such as atoms and molecules — will be the topic of the kick-off talk March 11 for Santa Monica College's Spring 2004 "Distinguished Scientists Lecture Series," a free series of talks designed for lay audiences.

"Nanoscience: The Role of Mechanics" is the title of the talk by Dr. Jim Gimzewski, an award-winning UCLA chemistry professor and a member of the group of scientists and artists who collaborated on the experimental exhibition titled "Nano," currently at the Los Angeles County Museum of Art.

The lecture will be at 11:15 a.m., March 11 in the science lecture hall 140, 1900 Pico Blvd.

The other topics of the lecture series are:

■ Tuesday, March 16 at 11:15 a.m.: "Among Stone Giants: The Easter Island Statues," by Dr. Jo Anne Van Tilburg, director of the Rock Art Archive at the UCLA Cotsen Institute of Archaeology. Her talk will be in science lecture hall 140.

■ Thursday, April 1 at 11:15 a.m.: "The Science of Good & Evil: Why People Lie and Cheat, Share and Care," and "Follow the Golden Rule," by Dr. Michael Shermer, founding publisher of Skeptic magazine. His talk will be in science lecture hall 145.

■ Thursday, May 27 at 11:15 a.m.: "Recent Advances in Avian Conservation Genetics," by Dr. George Barrowclough, co-curator of the Cullman Molecular Laboratory in the Department of Ornithology at the American Museum of Natural History.

The lecture series is sponsored by the SMC Associates, a private organization that funds speakers and special events on campus. For information, call (310) 434-4003.

One giant 'leap' for Pier Concert Series

By Daily Press staff

Leaping into its fourteenth year, the Sunday Concert Series at the Santa Monica Pier will begin on "leap" Sunday with Barbara Morrison and the Daniel May Band.

All concerts start at 2 p.m. and are held — weather permitting — on the pier parking decks. The Sunday Concert Series has been a free event for the community for over a decade.

Here's the lineup:

- Feb. 29: Barbara Morrison and the Daniel May Band, legendary jazz and blues
- March 7: Teresa James and the Rhythm Tramps, soulful rhythm and blues
- March 14: The Brasil-Brazil Show with Ana Gazzola and Sonia Santos, an all Brazilian extravaganza delivering the style, rhythm and flavor of the country's culture.
- March 21: Surprise guest, to be announced
- March 28: West Side Crew, classic oldies

Barbara Morrison has been featured on more than 20 recordings in almost every genre, from traditional jazz and blues to gospel and pop. Her melodic voice, with its two-and-a-half octave range, are known worldwide, as are her rich, unique, soulful

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surf report

Surf: Our WNW ground swell will be quickly losing steam today, as NW wind swell builds. The better exposed winter breaks still can expect surf in the chest- to head-high range. Nice.

OUTLOOK: On Sunday, the WNW swell mix will wind down with waist- to shoulder-high surf at the good winter breaks and some bigger sets at best breaks. By the afternoon a new, steep and long period NW swell will start to build, looking biggest by sundown and into early Monday. North LA will miss it.

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	11:21 AM	N/A	2:33 AM	N/A
SUNDAY	12:11 PM	11:06 PM	4:04 AM	7:42 PM
MONDAY	12:49 PM	N/A	5:12 AM	7:48 PM
TUESDAY	12:04 AM	1:22 PM	6:02 AM	8:05 PM
WEDNESDAY	12:43 AM	1:46 PM	6:39 AM	8:18 PM
THURSDAY	1:17 AM	2:16 PM	7:18 AM	8:40 PM
FRIDAY	1:45 AM	2:37 PM	7:50 AM	9:00 PM

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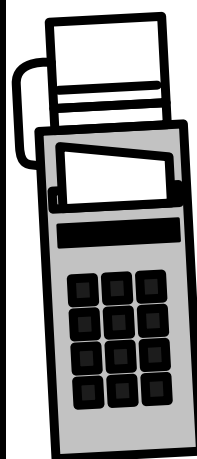
Teresa James is a powerful singer, a "healthier Janis Joplin," whose sassy voice shows off great songs performed by some of LA's top musicians. The Rhythm Tramps are Terry Wilson, bass and vocals; Billy Watts, guitar and vocals; Debra Dobkin, drums, percussion and vocals; James Cruce, drums and percussion; and Jerry Peterson, saxes and flute.

Ana Santos is known to enchant audiences with her velvety voice and her own compositions, while Sonia Santos gives a performance full of passion, color and over-flowing energy. Both ladies are backed up by a south-of-the-equator band with Gerard Barbut on keyboards; Zé Nogueira playing lead guitar; Paulo Gustavo on the bass; Sandro Feliciano, drums; Zane Musa, saxophone; and Claudinho Smile on percussion.

The concerts will continue through May 30.

The shows are produced by the Santa Monica Pier Lessee's Association and sponsored by Pepsi-Cola. Parking is available in most beach lots and the Tide Shuttle runs from downtown Santa Monica to the pier for 25 cents.

For more information on the concerts, call (310) 458-8901 or visit www.santamonicapier.org.



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OPINION

LETTERS

Low-income housing not to blame

Editor:

Sometimes I wonder why it is that so many letter writers to your pages refuse to move to the legendary Chelm, where they would be much more at home than they appear to be here in Santa Monica. A case in point is this: Nonsensical diatribe from a person who claims to be a Santa Monica resident, yet who believes that there are only two people responsible for developing multi-family low-income housing in the Pico neighborhood (SMDP, Feb. 21, page 4).

In fact, sir, our name is legion. I myself am on the governing board of Community Corp. of Santa Monica, which was formed not by two, but by a huge coalition of Santa Monica residents in order to provide housing for people being forced out of our neighborhoods (please note the plural — I refer not only to the Pico neighborhood, where I first lived in 1970, but also to Ocean Park, Mid-City, North of Montana and Sunset Park ... In fact, to every neighborhood in our city) by runaway development a few decades ago.

I myself live in a CCSM building. Several of my neighbors are also on our board and have no intention of moving away from CCSM buildings which, in fact, contrary to these allegations, enhance our neighborhood in every way.

I have never in my 81 years felt safer than I do here.

I don't live in a "project," by the way. There are no projects at all in Santa Monica of the type referred to by your misguided letter writers — the studies they cite were helpful to CCSM as it began to work to house poor people, in letting us know what not to do, and we don't do it. We provide attractive, human-scale homes that enhance the neighborhoods they're built in.

Please take note, too, silly letter writers and all who are interested in these matters: CCSM does build new housing, but much of the housing it operates consists of buildings we bought and rehabilitated. These buildings are already occupied and we don't throw the previous residents out and start fresh — we improve living for the people already there. Of course, we have no control over who they are and are forbidden by law to oust them because of unsavory records.

When I hear about "bad neighborhoods," I always remember my friend David who is paralyzed for life because of having been shot in the back and left for dead by a burglar. This happened in Brentwood.

Franceye Smith
Santa Monica

'Bigot' columnist lives up to billing

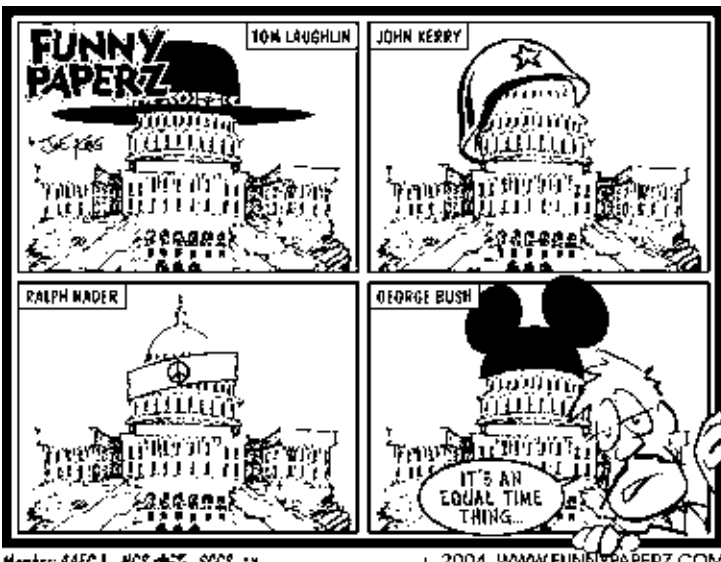
Editor:

I wrote down the following paragraph two days before your Feb. 25 edition of the Daily Press.

"I have a prediction. You watch, as soon as the movie 'The Passion of the Christ' is released, the surrounding publicity it generates will be too much temptation for the local anti-Christian bigot, Ed Silverstein, to write a column spewing his paranoid take."

Well, true-to-form, Ed did not disappoint. At least he is predictable.

Maria P. Bell
Santa Monica



Preoccupied politicians in need of sexual healing



MODERN TIMES

By Lloyd Garver

When I first heard the term "same-sex marriages," I was against them. I figured just because a couple is married, why should sex always have to be the same? All right, I didn't really think that about same-sex marriages, but I also didn't think they would become such a big deal. I guess my fingers slipped when I was taking the pulse of America because, boy, was I wrong.

Once again, sex has come to the rescue of politicians. Following in the tradition of campaigns against "dirty" words, rating TV shows, and the invention that was supposed to save our times — the "V-chip" — now they can talk about gay weddings. If they can discuss some sexual issue, they don't have to talk about the things that really make them uncomfortable, like why did they vote one way a few months ago, but now claim to believe differently? Or which taxes are good and which ones are bad for the economy? Or why are gas

prices so high?

The day after Janet Jackson's breast was exposed for a micro-second on television, the head of the FCC was weighing in on the almost unspeakably shocking event. Faster than you could say "Lewinsky," Congressional committees were formed to investigate "Nipplegate" and other offensive fare being foisted on us by machines with an "off" button. But how long did it take for a committee to be formed to investigate why we received such poor intelligence on Iraq before sending over American soldiers to risk their lives?

Some people are against same-sex marriages, because, for the most part, they are against state laws. That sounds like a pretty good reason to me. It also implies a knowledge that states have traditionally made and enforced laws about marriage, and they can continue to do so. So, if this is something that the states don't want, there's no need for a Constitutional Amendment any more than there is for one that would set a minimum age for a driver's license.

There is also a group of people who feels that gays are just plain evil. So, I'm not surprised that they are against same-sex marriages. They're also against gays eating breakfast.

There is a much larger group who say they have nothing against gays, but are

against gays marrying because, "same-sex marriages threaten the sacred institution of marriage." Two questions: Are things more "sacred" when gays must live together without marriage? Secondly, how can somebody else's marriage threaten yours?

In the past two weeks, thousands of gay couples were married in San Francisco. Is your respect for marriage smaller than it was two weeks ago? Is your marriage less important to you now? Do you love your spouse any less than you did before the "Valentine's Day weddings"? If your marriage is affected by the marriages of some strangers, don't blame the bride and groom. Blame your marriage.

What about all those celebrity weddings — like Britney Spears' — that seem to make a mockery of marriage? Should we pass a Constitutional Amendment forbidding flighty famous folks from tying the knot? What about that cousin of yours who married that guy who everybody knew would treat her horribly and eventually leave her? Should there be a Constitutional Amendment to prohibit that kind of unfortunate marriage?

If you're against gay marriages for legal, ethical, or emotional reasons, you're certainly entitled to these feelings. But do you believe it's such an important issue that things like national security, the

economy, and foreign policy should be pushed aside so time and money can be spent on passing a Constitutional Amendment to prohibit them?

The fact that the nation is having this debate proves my point that our attention has shifted away from the more important issues of the day. Politicians always try to present themselves as puritanical, but they talk about sex so much, you'd think they were obsessed with the subject.

At one of the presidential debates this fall, look for this to happen: Someone will ask one of the candidates a difficult question — maybe about the war, maybe about his voting record, or maybe about the economy. The candidate will hesitate, maybe even start to sweat through his makeup. But then he'll say something like, "That's an interesting question, but can you believe the kind of disgusting stuff they're showing on MTV?" Once again, sex will come to the rescue.

(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@lloydgarvermodern-times.com.)

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.

YOUR OPINION MATTERS! Send your letters to Santa Monica Daily Press Attn. Editor:
1427 Third Street Promenade Suite 202 Santa Monica • 90401 • sack@smdp.com

OPINION

The Q-Line

Putting the extra tax idea to bed

This past week, Q-line asked:

"Do you support an increase in the hotel bed tax. Why or why not?"

Here are your responses:

■ "I think that a bed tax or whatever they call it is a good idea. What will they use that money for? I don't know, maybe they could help fund the schools with it. Of course, it will probably end up going to the homeless because they are more important than our children's education. Just ask the Mayor. I don't know what Rudy Giuliani did in New York, but maybe we could get him to come here? Whatever it was it had to be a better idea than a bed tax."

■ "Its interesting to note that after the parcel tax was passed, the big shots at the school district went to an expensive fish house on PCH to celebrate. I thought about that when I was ordering my dinner — a Carl's Jr. hamburger."

■ "The hotel bed tax I cannot support. People come here from other states to vacation, it cost an arm and a leg for the room itself, they need a rental car, then there's gas to factor in. This will drive people from Santa Monica instead of bringing them in. Let the city council or the politicians pay the extra two percent."

■ "Yes, I support this increase. It will help to keep our city clean and beautiful. I work at the Good Shepherd and I used to be the president here."

■ "I don't support increasing the bed tax. This two percent could keep people from choosing hotels in Santa Monica. It doesn't sound like a lot, maybe not enough to make a difference, but when I look for a hotel online like a lot of peo-

ple, it can be a factor. People tend to go with the lower price. I have done it, I know people who do."

■ "I would have to say the worst possible way to try and help the school district is to tax the tourists we need to keep the hotels open. A bed tax? Are they kidding? Hello! Welcome to Santa Monica. While you are spending a percentage of your yearly income just to be here, would you mind sparing some change for our school district? The spirit of the homeless has crept into the very veins of our council. I mean, aren't they making enough money off parking costs, parking tickets and the flourishing businesses in the community? Has it come down to badgering the out-of-towners? Too bad I cant be one of them. I used to love it here."

■ "The schools should not be financed by our primary source of income. That is the businesses who choose to be in this area. If we want to help our school district, we could start by restricting the amount of low-income housing that is planned and permitted by community corp, which adds to the schools burden."

■ "I have called in before and said the very same thing I am saying now. The best laid plan is to get rid of this city council. They have their own agenda for everything. I wouldn't be the least bit surprised to find out that this bed tax is going to line their pockets before the schools see a dime."

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LOCAL

Board urging its schools to play nice with others

PLAN, from page 1

research and return with more detailed information about how much money the individual schools raise, among other things. A decision on the matter is expected at either the March 4 or March 11 meetings.

Though de la Torre and Brownley said they would prefer a more aggressive policy, it is unclear how the majority of board members will vote on that issue. Brownley on Friday defended the proposal against its most frequent criticism.

"I have a fundamental belief that fundraising will not decline, but will only continue to increase," she said. "If we find that fundraising declines dramatically, we can revisit the policy."

"In the discussions, I think we've lost sight that this is a policy about the board accepting gifts, it is not a tax," Brownley added. "It is not a panacea, but it is a step in the right direction to provide equity and access to all of our students in our quest to close the achievement gap."

Much of the opposition to the plan has come from wealthy schools in Malibu that raise far more funding than do their Santa Monica counterparts. For example, McKinley Elementary raised about \$30,000 from donors last year, while Pt. Dume Elementary accrued at least \$300,000. The stated goal for fundraising at Malibu High School is \$1 million.

But not all the opposition is from Malibu. McLoud, who teaches at an ele-

mentary school in South Central Los Angeles that attracts only a few hundred dollars in donations each year, has urged the board to pursue alternatives.

"I don't think we should alter some-

one's charity," McLoud has said. "I think we should, instead, be recognizing it, honoring it and asking for the spirit of that contribution to voluntarily help the schools that really need it."

Playhouse dispute may be headed to Supreme Court

LAWSUIT, from page 1

Court hears only about 5 percent of cases put before it, Kutcher said he thinks this case will get their attention.

"Our concern is that the court of appeals ruling is inconsistent with the First Amendment right of people, like our clients, to go to court and seek redress against the government when they think the government is doing something wrong," Kutcher said.

At issue in the case is how politicians deal with their subordinates. City law prohibits elected officials from ordering or requesting a city employee to carry out any action. The law exists so city workers don't feel their jobs are on the line if they fail to comply.

The Levys first sued City Hall in September of 2000, after building inspectors backed out of their decision to allow the playhouse as a legal, one-story structure. Inspectors said it should be considered a two-story structure — with the first "story" being open, a space under the elevated playhouse. The reversal came after Tundai Garai, the Levys' backyard neighbor, complained to Genser. It also came after David Levy, a psychiatrist who lives in Sunset Park, had reportedly spent \$11,000 to have the playhouse meet specifications.

Kutcher said the case will have implications for cities throughout California and the United States that have similar laws in place to quell improper governmental influence.

"That creates an inherent pressure situation, regardless of the particular substance of the comment," he said. "It is partly about giving orders, but it's more than that. It's about insulating staff against direct pressure from council members — that's why you have a city manager."

According to the terms of the January appeals court ruling, City Hall is entitled to recover attorneys fees from the Levys. Kutcher said he is fighting that, saying residents should be able to challenge City Hall when they feel they've been mistreated. Kutcher also hopes to recover "hundreds of thousands of dollars" in attorney fees from City Hall.

Genser has characterized the case against him and City Hall as politically motivated by Kutcher and his partner, Chris Harding, a prominent land-use attorney.

The appellate court also ruled that City Hall is protected under SLAPP — Strategic Lawsuit Against Public Participation. SLAPP encompasses meritless lawsuits used mainly by big developers to discourage public freedom of speech when speaking out against a project.

Restless picketers hesitant to declare accord a victory

STRIKE, from page 1

contract will be approved "no matter how bad it is."

"I'm prepared for disappointment," said one striker, who asked that his name not be used. "I don't think that it's anything to celebrate ... It's like waiting to see how much you lost in a robbery."

Some picketers agreed that the new contract will likely reduce their health care coverage — the main catalyst for the strike — but returning to work will still be a relief for some.

"It hasn't been easy financially," said Audra Goodman, a courtesy clerk at Pavilion's for four years.

While many are used to earning \$130 a day as grocery clerks, most strikers earn just \$40 a day — a maximum of \$240 a week — on the picket lines, according to officials.

Though the grocery workers and companies may come to an agreement, customers may be greeted with less-than-enthusiastic workers.

"We've seen people cross the picket line day-in and day-out," Goodman said, adding that she may not be inclined to offer the same kind of customer service she did before the strike.

Pickers also said worried about how shoppers will react if the picket lines recede.

"People are more scared to go back to see how customers are going to treat them," Piehl said.

The strike and lockout have affected more than 50,000 workers and 800 Vons, Ralph's, Pavilion's and Albertsons across Southern and Central California — costing the companies millions of dollars in sales a week.



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STATE

Dems agree Bush should butt out of gay marriage issue

BY NEDRA PICKLER

Associated Press Writer

LOS ANGELES — Democratic rivals John Kerry and John Edwards differed on the use of the death penalty Thursday night, but found common ground in opposing gay marriage in a debate five days before the biggest primary night of the campaign season.

Confronted with a question about a child killer, Kerry said his instinct "is to want to strangle that person with my own hands." But the Massachusetts senator, a former prosecutor, quickly added that he favors the death penalty only for cases of terrorism.

Edwards, a Southern-bred politician, differed, saying there are other crimes that "deserve the ultimate punishment." He cited as an example the killers of James Byrd, a black man who was dragged to death from a pickup truck in 1998 in Texas.

On the day that celebrity Rosie O'Donnell was married to her longtime girlfriend, both presidential hopefuls voiced opposition to gay marriages. At the same time, they said the issue should be left to the states and criticized President Bush for calling for a constitutional amendment to ban same-sex unions.

Kerry said Bush was "trying to divide America," describing him as a president who "always tries to create a cultural war and seek the lowest common denominator ..."

"This president is talking ... about amending the Constitution for a problem that does not exist," Edwards said.

The two men also sparred about campaign donations from lobbyists and trade as they debated at close quarters before Tuesday's 10-state slate of contests known as Super Tuesday. Together, next week's primaries and caucuses — stretching from New England to California — offer 1,151 delegates. Kerry hopes to wrap up the nomination that night, while Edwards is looking for a comeback to transform the race.

Rep. Dennis Kucinich of Ohio and Al Sharpton also had seats at the debate table, unwilling to leave the race despite an unbroken string of primary and caucus defeats.

The issue of electability also flared.

Asked whether he thought the Massachusetts senator could appeal to voters in Southern and border states, the South Carolina-born Edwards responded, "I think that's his test. ... I know I can."

But Kerry quickly said he, like Edwards, can appeal to independent voters and even Republicans that the party will need to prevail in November. He added he has won 18 of 20 primaries and caucuses to date, including Tennessee and Virginia.

Edwards was the aggressor when the question turned to accepting campaign donations from lobbyists, saying there were differences between the two. The North Carolina senator said he hasn't taken any campaign funds from lobbyists, and that Kerry has.

Kerry said the total was a small fraction of the amount he's raised in his career — then jabbed back.

He said Edwards has received roughly half of his pres-

idential campaign donations from fellow trial lawyers, then added he didn't mean to suggest his rival wasn't capable of standing up to their pressure.

Edwards sought to turn the issue of jobs lost overseas against his rival, saying Kerry had voted for NAFTA and several other trade agreements. But Kerry calmly retorted that Edwards had given an economic speech last summer that failed to mention trade, and noted that his rival said in an interview this week that NAFTA was an important part of the nation's economy.

"This president is talking ... about amending the Constitution for a problem that does not exist."

— JOHN EDWARDS
Presidential hopeful

Edwards ducked when repeatedly pressed to say whether he regretted voting for the war against Iraq. Kerry jumped in to say he did not regret it — but "regret that we have a president who misled the country."

Questioner Ron Brownstein asked the gay marriage question. Noting that O'Donnell had been married a few hours earlier in San Francisco, he asked Kerry why other states should be required to recognize a license the couple received from city officials. He also asked the senator why he had opposed legislation in 1996 that would have allowed states to deny such recognition.

Directly contradicting a claim made by Bush, Kerry and Edwards both said the Constitution does not require states to recognize gay marriage licenses granted else-

where in the country.

Edwards also said he would have voted against the Defense of Marriage Act that Kerry opposed in 1996.

Kerry, the front-runner by far, entered the debate with 686 delegates in The Associated Press count, compared to 206 for Edwards, with 2,162 needed to clinch the nomination.

Polls in next week's primary states show the Massachusetts senator well ahead in California, Ohio and New York, with Edwards within single digits in Georgia. A new poll showed Kerry ahead only narrowly in Maryland, although there was no sign of alarm from the Massachusetts senator's camp.

CNN and the Los Angeles Times hosted the debate. The network's Larry King moderated, and the newspaper's Brownstein and Janet Clayton were the questioners.

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NATIONAL

Pair of ski bums turning powder, patience into profit

BY TRAVIS REED
Associated Press Writer

HEBER CITY, Utah — If customers had an offline question about their online purchase at Jim Holland and John Bresee's Internet outdoor retail store in 1997, a call to the service line would have been answered by a distinctively foreign accent.

On the Web site, www.backcountrystore.com, shoppers had their pick of about 50 pieces of specialty equipment for skiing the backcountry — regions beyond the bounds of ski resorts typically untouched by novice skiers.

What the site's patrons probably didn't know is that the company consisted of two men working out of a Heber City living room. Holland's wife, a native New Zealander, recorded the company's voice mail greeting because it made the company seem "international."

The site was anything but a global conglomerate.

"We had literally four pieces of gear in the living room and 50 pieces advertised on the site," Bresee said. "If someone actually ordered something, we had to go out and find it real quick."

The accent on the voice mail, Holland said, "would just sort of contribute to the idea that it was a real business."

Seven years later, the site is one of the few scrappy survivors of the dot-com bust. Started with just \$2,000 the two scraped together from building Web sites for real estate agents, the site has been profitable every year since it began.

It's growing faster than Holland and Bresee envisioned — pulling in \$15 million in revenue in 2003, up from \$6.5 million a year earlier. The company says it's the country's second biggest outdoor online retailer, behind giant REI, and claims its success has persuaded big-name manufacturers, including Burton and Oakley, to begin selling lines previously unavailable to online buyers.

"Now, every year and a half, we have to keep looking for a new warehouse," Holland said of the company's exponential growth in sales and inventory. They're about to upgrade from an 18,000 square-foot warehouse to one boasting 47,000 square feet.

The company says it's successful because of the homegrown, up-by-the-bootstraps approach. The two say they're "fanatical" about the equipment they sell, and that makes people want to buy from them.

"In one way or another, all the people who work here are psycho outdoor people," Holland said. "That passion for the gear and what we do carries through to customers. It's a lot easier to be successful that way."

Internally, the company keeps meticulous watch over its finances and marketing,

including real-time tracking of how much business results from specific advertising. And unlike many of the early dot-com failures, Holland and Bresee are using their own money, instead of venture capital, to fuel the business — making them inherently more careful with investments.

"We're at the beginning of an age where marketing is going to change completely," Holland said. "It used to be so fuzzy."

"It's always a challenge on powder days to make sure the whole crew shows up."

— JOHN BRESEE
Company co-founder

The two — ski bums by nature and college-educated in political science (Holland) and psychology (Bresee) — wanted to make a job out of their hobbies. The founded the business with little understanding of how to run it and nothing but a vague idea that neither wanted "straight" jobs.

Holland and Bresee grew up together in Vermont. Both of them made their way out West for the same reasons as many of their clients.

"I read in Powder Magazine that Alta had some of the best powder in the world," Bresee said. "So I thought I'd come out here and check it out."

Holland came to Utah for competition — and finished his professional career as a six-time U.S. National Nordic ski jumping champion and two-time Olympian.

He was looking for something to do after he hung up the competition skis, and considered graduate business school. But Bresee convinced him he could learn more by starting a business.

So began BackcountryStore.com, initially dedicated to providing tools like beacons, shovels and other equipment to be used in the event of an avalanche, but since expanded to include gear for camping, kayaking, snowboarding and beyond.

Holland and Bresee have always been frugal, and neither took a salary from the business for several years. They didn't hire their first employee until 1999.

The company now employs 65 in the company's Heber City office and Salt Lake City warehouse. Holland and Bresee affectionately call them "gear-heads," and the company's motto is "We use the gear we sell."

Which sometimes creates its own problem, Bresee said.

"It's always a challenge on powder days to make sure the whole crew shows up."

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NATIONAL



'Ecoterrorism' database critics compare label to McCarthyism

BY REBECCA COOK
Associated Press Writer

OLYMPIA, Wash. — Tucked into the Senate Republicans' budget is \$50,000 to create a database of people and organizations believed to be involved in ecoterrorism.

Opponents say the proposal smacks of McCarthyism, and worry overzealous list-makers could label peaceful activists as terrorists.

"Almost anybody could end up in this database," said Sen. Karen Fraser, D-Olympia, who tried unsuccessfully Wednesday to delete the provision she called "spooky" and "scary."

"One of the great things about America is that you can go out and protest anything," Fraser said. "We need to be very careful about protecting people's political rights."

The provision was prompted by recent attacks in the state by animal-rights extremists, such as the August release of 10,000 mink from a Sultan fur farm and the 2001 arson that destroyed the University of Washington horticulture center.

The Earth Liberation Front claimed responsibility for the UW arson, while the Animal Liberation

Front took responsibility for the mink release.

"All we are doing here is aiding law enforcement," said Sen. Val Stevens, R-Arlington, in defense of the database proposal. "We are not funding some sinister plot."

Stevens proposed legislation earlier this year, Senate Bill 6114, that would have stiffened penalties for crimes related to ecoterrorism and created a database for law enforcement. The hefty price tag for the harsher sentences killed the bill, but Senate Republicans incorporated the database funding into their budget. It's not in the House Democrats' spending plan.

The Senate budget, passed Wednesday, would provide \$50,000 to the Washington Association of Sheriffs and Police Chiefs (WASPC) to do "an assessment of environmentally or politically motivated crimes against animal or natural resources facilities" and to create a database with "a list of persons and organizations involved in eco-terrorism activities."

Senate Democrats complained that state law doesn't define ecoterrorism, so WASPC would have a whole lot of power to decide who should be in the database.

Fraser noted that Education Secretary Rod Paige recently called the National Education Association, the teachers' union, a terrorist organization.

"The word 'terrorism' is being thrown around a little loosely in some quarters these days," Fraser said.

Stevens called those concerns "spurious." She said WASPC would use the FBI definition of ecoterrorism, though that isn't specified in the budget language. Stevens said the database would help local law enforcement simply by putting all the available information on ecoterrorism in one place.

"They are going to be looking at who is doing damage, not ... activists who are protesting," Stevens said. "Ecoterrorism is a training ground for other types of terrorism. That is my concern. We can't afford to allow any terrorism to go unchecked."

The American Civil Liberties Union opposed Stevens' original bill and opposes the budget proposal. Jerry Sheehan, ACLU's Olympia lobbyist, said environmentalists who conduct a peaceful sit-in at a logging company's headquarters, for example, could end up in the database.

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'Young Lovers' returning home 64 years after Nazi looting spree

By The Associated Press

SALT LAKE CITY — An 18th century oil painting recently discovered to have been looted by the Nazis during the occupation of France and later donated to the Utah Museum of Fine Arts will be returned to its rightful owners.

"Les Amoureux Jeunes," or "The Young Lovers," by Francois Boucher (1707-70), was stolen in 1940 from the French art dealer Andrew Jean Seligmann. Two of Seligmann's heirs will travel from New York City to Salt Lake City next month to take possession of the painting.

They are Seligmann's daughter, Mrs. Claude Delibes, and his daughter-in-law, Suzanne Geiss Robbins.

A researcher at the National Gallery of Art in Washington, D.C., made the discovery that the painting had been looted, said David Carroll, the director of collections for the Utah museum.

About 18 months ago, while working on a book about the art collection of Hermann Goering, a top aide to Adolf Hitler, Nancy Yeide located the painting in Utah through

an Internet search on Boucher and "recognized that it was one that was never returned to the claimants," he said.

Yeide informed the museum of her finding about a month ago, and local officials began their own investigation. After concluding that Yeide was correct, the Art Loss Register, an organization set up to help claimants recover stolen art, was contacted.

Before the occupation of France during the early part of World War II, Seligmann fled with his family to the United States. Property stolen from Seligmann's gallery went to Adolf Hitler and Hermann Goering's collections, with the Boucher painting ending up with Goering.

After the war, the painting found its way to a New York gallery, where it was purchased in 1972 by Val Browning, an heir of the Ogden, Utah-based Browning firearms company, said Dana Robinson, a spokeswoman for the Utah Museum of Fine Arts.

Browning donated the painting to the Salt Lake City museum in 1993 for The Val A. Browning Memorial Collection of 500 Years of European Masterworks.

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Shock and ahh: Museum shows early medicine tools

BY JIM WITTY
Associated Press Writer

BEND, Ore. — The newest exhibit at Bend's High Desert Museum hits you like a double dose of ether.

"Strong Medicine: A Century of High Desert Remedies" is a fascinating glimpse into the way the region's residents — from native peoples to trail-blazing newcomers — handled health care in a vast country where physicians were rare if not unheard of.

Methods were ingenious and inventive. But the one thing that's likely to strike even the most callous observer is how far modern medicine has come.

"There's a good number of things that will make people glad they've availed themselves of 20th century medicine," said Bob Boyd, the museum's curator of western history.

"Strong Medicine" is scheduled to remain on display in the Brooks Gallery through September.

According to Boyd, the people of the High Desert have long been challenged by impossible distance, harsh climate and limited resources in dealing with injury and illness.

"Whatever their culture or occupation, all spent anxious hours at the birth of a child or felt terror and helplessness in the face of diseases they did not understand," Boyd wrote in the exhibit catalog. "They fought off panic when fighting to save the life of a friend or loved one traumatically injured in their hazardous world of animals, wagons and farm equipment, firearms and industrial machinery."

The museum has assembled a cast of characters as well as an array of illustrations and vintage paraphernalia to tell the story. There are the Native shamans, the frontier physicians and the Chinese folk

medicine practitioners.

And there are crude scalpels and pill boxes and hypodermic kits. There's even a hideous-looking tooth extractor in the collection. A skull-boring instrument. A hand-cranked electroshock device. A Lewis and Clark-era medicine chest.

The exhibit begins with the indigenous people of the High Desert who used the region's hot springs, arid climate and native plants to their benefit.

It moves to the explorers who borrowed from Indian wisdom and brought along some of their own.

The emigrant families faced much hardship.

"You had to be able to take care of yourself for the better part of a year," said Boyd.

The exhibit also shines a light on miners and woodsmen, soldiers and settlers.

According to Boyd, there were soldiers in the High Desert who lost their teeth and bled profusely from scurvy. Early on, people found out how tough it was to raise vegetables in this climate.

Later, traveling doctors such as Dr. George Kellogg of Nampa, Idaho, ranged across the vast desert treating the homesteaders.

In his travels around the dawn of the 20th century, Kellogg would notify the phone company when he came across downed lines. In appreciation, the phone company provided him with a repair kit, climbers and a field phone. That allowed him to scramble up the pole, tap in to the line and keep up with medical emergencies.

According to Boyd, "Strong Medicine" tells the story of how the distances and landscapes of the High Desert created a distinctive form of medicine which still remains. It is characterized by both self-reliance and the willingness to borrow from one's neighbor, whomever that may be.

Study: Alaska Natives spend the most time behind bars

By The Associated Press

ANCHORAGE, Alaska — Alaska Natives spend more time in jail than other ethnic groups, according to a statewide study by the Alaska Judicial Council. However, the study found no systematic racial bias in the court system.

The extra time amounts to days and weeks, not years, and occurs largely because Natives, particularly outside Anchorage, tend to be kept in custody while their cases work their way through the system, said Larry Cohn, executive director of the judicial council, a state entity charged with screening the judicial process.

Natives outside Anchorage also tend to get longer sentences for less serious drug cases than other ethnic groups, the study found. The same is true of black defendants in Anchorage.

The study also concluded that far more charges in felony cases have been reduced since the 1980s. It also found that people with private attorneys are more likely to serve less time in jail than those with public defenders with heavier case loads.

The three-year statistical analysis of 2,331 felony cases from 1999 was commissioned by the Alaska Supreme Court, which remains concerned about the dis-

proportionate percentage of minorities that fill court calendars, according to Chief Justice Alex Bryner.

"It confirms what everybody here who knows the system suspected," Bryner told the Anchorage Daily News. "If disparity problems exist, they're not being created by the sentences our judges impose. But the study also shows there are lots of areas of concern."

Whites make up three-quarters of Alaska's adult population but only 50 percent of those charged with felonies, according to the study. Hispanics are 4 percent of the population but only 2 percent of the felony defendants.

Blacks are 4 percent of the population and 11 percent of people charged with felonies. Natives, with 14 percent of the population, make up 30 percent of felony defendants.

Eighty-three percent of Alaska felons are male.

Few people charged with a felony are convicted of the original charge, the study found. About 85 percent are convicted of something, but plea bargaining is common.

"The most striking finding was the greatly increased percentage of charges that started as felonies but ended as misdemeanors," the study says.



WORLD BRIEFLY

Iraqis at odds over constitution

By The Associated Press

BAGHDAD, Iraq — Iraqi leaders were unable Friday to agree on an interim constitution as they tried to bridge wide differences over major issues, including the shape of the role of Islam and Kurdish autonomy, a day before the U.S.-set deadline for finishing.

The interim constitution is supposed to serve as the foundation of the Iraqi government until a permanent charter can be completed next year. It will serve as the basis of the legal system after the U.S.-led coalition returns sovereignty to the Iraqis on June 30.

Members of the drafting committee held talks for several hours late in the evening in a bid to meet the Saturday deadline. The top U.S. administrator in Iraq, L. Paul Bremer, must approve the final version.

But a "significant number" of members walked out during the session, and the meeting had to end because a quorum was lost, an official who attended the talks told The Associated Press. Some remaining members continued into the night, the official said on condition of anonymity, without saying who walked out or why.

A spokesman for the Kurdistan Democratic Party said there was "no great progress" on the terms of a Kurdish federal region, the Arab television station Al-Jazeera reported.

President's death bridges divide

By The Associated Press

SKOPJE, Macedonia — Long-divided Macedonians and ethnic Albanians united Friday in mourning President Boris Trajkovski, who was killed in a plane crash, as searchers cleared a path through mine-strewn Bosnian mountains to recover his body.

Police in a helicopter found the wreckage of Trajkovski's plane more than 24 hours after it crashed Thursday in heavy fog, said Capt. Dave Sullivan of Bosnia's NATO-led peace-keeping force. Pieces of the plane were strewn over a 200-yard area near the village of Huskovic, about 50 miles south of Bosnia's capital, Sarajevo.

Trajkovski was en route to an international investment conference in Bosnia when his small plane crashed Thursday in a remote, mountainous region still sown with mines from Bosnia's 1992-1995 war.

Explosives experts cleared a path to the wreckage and the bodies of Trajkovski, six other Macedonian officials and the two pilots were recovered Friday and sent to a morgue, officials said. The bodies will be identified before being returned to Macedonia.

Macedonian prosecutor Roksanda Krstevska told Bosnian state radio that searchers found the flight data and cockpit voice recorders, which could provide clues to the cause of the crash.

Flags flew at half-staff and Macedonia began three days of mourning as Macedonians and ethnic Albanians vowed to maintain Trajkovski's efforts to quell tensions in the volatile Balkan country.

State on offensive over gay marriages

By The Associated Press

SAN FRANCISCO — At the prodding of Gov. Arnold Schwarzenegger, California's attorney general asked the state's top court Friday to bar San Francisco from issuing same-sex marriage licenses and to nullify the nearly 3,500 marriages already performed.

Attorney General Bill Lockyer asked the Supreme Court to take the action until the seven justices rule on the legality of the gay marriages.

"It's a matter of statewide concern and voters want to

know, Californians want to know and couples that participated in ceremonies need to know the status of their relationship," he said.

Lockyer has been under fire from every side since San Francisco, under the directive of Mayor Gavin Newsom, began issuing marriage licenses to gay couples two weeks ago. More than 3,400 couples have tied the knot since then.

The court did not immediately indicate whether they would hear Lockyer's petition. The justices usually are reluctant to decide cases until they work their way up through the lower courts, which this case has not.

The court challenge came as 21 gay couples exchanged wedding vows Friday on the steps of village hall in New Paltz, N.Y., opening up another front in the growing national debate over gay marriage.

Former student cops to killing spree

By The Associated Press

GRUNDY, Va. — In a deal with prosecutors to spare his life, a one-time Appalachian Law School student pleaded guilty Friday to killing the school's dean, a professor and a student in a 2002 shooting rampage.

Peter Odighizuwa burst into tears as he was sentenced to six consecutive life terms plus 28 years on firearms, capital murder and attempted capital murder charges. He said he wished he could bring back his three victims.

"You're going to be in prison for the rest of your life," Judge Michael Moore said in Buchanan County Circuit Court.

Police said Odighizuwa, who had flunked out of the Appalachian School of Law, brought a gun to campus in January 2002 and killed Dean L. Anthony Sutin, Professor Thomas Blackwell and student Angela Dales. Three other students were wounded.

Odighizuwa, 45, admitted to the slayings as part of a plea agreement to avoid a possible death sentence. He had been diagnosed as a paranoid schizophrenic but was found mentally competent to stand trial.

"He's sorry for what he did," defense lawyer Roger Groot said after the hearing.

Haitian capital descends into anarchy as rebels close in

BY PAISLEY DODDS

Associated Press Writer

PORT-AU-PRINCE, Haiti — Rebels seeking to oust President Jean-Bertrand Aristide seized a strategic town Friday and said they will blockade the chaotic capital to "close the circle" around the embattled leader. Aristide said he would not step down.

Pentagon officials are weighing the possibility of sending troops to waters off Haiti to guard against a possible refugee crisis and to protect the estimated 20,000 Americans there.

Aristide, under increasing pressure to relinquish power from the United States and the rebels, told CNN that "I have the responsibility as an elected president to stay where I am."

Chaos increasingly engulfed the capital city. Armed thugs hijacked cars at will. Looters hit the capital's seaport, stealing almost everything thing in sight and setting ablaze a freight terminal. Crowds jammed into the airport, only to find most flights canceled.

Hundreds of people looted Port-au-Prince's seaport, scurrying out with boxes of melting chicken parts and pork loins strapped to their backs. Others streamed out with television sets, table lamps, furniture and other goods.

Smoke wafted from the smoldering ruins of a torched freight terminal. No police were in sight. The body of a dead man lay on the ground amid a layer of papers and other trash; it was unclear how he was killed.

The bodies of two executed men also lay a few blocks from the presidential National Palace.

Shops put up hurricane shutters against

looters, and people stayed home behind locked doors, leaving the streets to gangs of pro-Aristide thugs who hijacked cars, robbed people at barricades and roamed the street on foot yelling "Five years, five years." Aristide was elected to a five-year term that ends February 2006.

A few police patrolled in cars, but were vastly outnumbered by the militants.

The rebels, who have overrun at least half of Haiti since they began the uprising three weeks ago, closed in on the seaside capital in a pincer movement, overrunning villages as police fled.

Police officers in Croix-des-Bouquets, just nine miles northeast of Port-au-Prince, shed their uniforms for civilian clothes, appeared to have abandoned their guns and looked ready to flee.

Guy Philippe, commander of the motley group of Haitian rebels, said he intended to besiege the capital and "close the circle" around Aristide.

"We want to block Port-au-Prince totally," he told reporters in Cap-Haitien, Haiti's second-largest city, which the rebels seized on Sunday. He said the rebels would try to cut land routes into the capital and would send two boats to attempt to prevent ships from bringing in supplies.

"Port-au-Prince now ... would be very hard to take it. It would be a lot of fight, a lot of death," Philippe said. "So what we want is desperation fire."

That situation threatens further misery to residents, already lining up for scarce gas and dwindling fresh produce since the rebels cut supplies from the central Artibonite district, which is Haiti's breadbasket.

Human Rights Watch warned of "widespread bloodshed and indiscriminate

destruction of civilian property" if the rebels attacked Port-au-Prince.

Philippe said the rebels encountered little resistance as they closed in on the capital.

On Friday, rebels were seen by an Associated Press reporter in Mirebalais, 25 miles northeast of Port-au-Prince sitting astride a strategic crossroad leading west to the government-held town of St. Marc, south to the capital, east to the Dominican Republic and north into territory where the rebels have chased police from a score of towns.

The rebels arrived in a truck, firing their guns, and freed 67 prisoners, said David Joseph, a 40-year-old law student. He said most of the fighters then left in two commandeered cars.

As he spoke, about a dozen rebels, some wearing camouflage, patrolled in a truck.

"I would gladly join them if I had a gun," Joseph said.

Philippe said rebels occupied part of Jeremie, in their first sortie on Haiti's western peninsula.

Also on the peninsula, Haiti's third-largest city, the southern port of Les Cayes, fell Thursday to the Base Resistance, a rebel faction whose origins and alliances were not immediately clear.

Robbins Jean, an Aristide youth organizer, criticized the United States for pressuring Aristide.

"You tell George W. Bush he is a hypocrite and an assassin because the terrorists are killing the Haitian people," Jean, 25, told a reporter near the National Palace, where hundreds of youths — armed with old rifles and pistols, machetes and even a dull, rusty ax — gathered to repel any rebels.

"We will fight to the death," Jean declared.

In Paris, French Foreign Minister Dominique de Villepin met with Aristide's chief of staff Jean-Claude Desgranges and his Foreign Minister Joseph Antonio and repeated his call for Aristide to resign.

"It's for President Aristide, who bears a heavy responsibility in the current situation, to draw the consequences of the impasse," officials said de Villepin told the Haitians. It was not clear how the message was received. Antonio abruptly canceled a scheduled news conference.

The rebellion erupted Feb. 5 in western Gonaives, the fourth-largest city. About 80 people, half of them police officers, have been killed so far.

The crisis has been brewing since Aristide's party swept flawed legislative elections in 2000 and international donors froze millions of dollars in aid.

Aristide, a former priest of Haiti's slums who in 1990 became its first freely elected leader, has lost popularity amid accusations he condoned corruption, failed to help the poor and had thugs attack political opponents.

He has agreed to a U.S.-backed plan that requires him to share power with his opponents, but the political opposition rejected the proposal, insisting he resign.

A senior U.S. official said the Bush administration has concluded that the best way to prevent the insurgents from seizing power is for Aristide should resign and transfer power to Supreme Court Chief Justice Boniface Alexandre, his constitutional successor. He is known in Haiti for his honesty.

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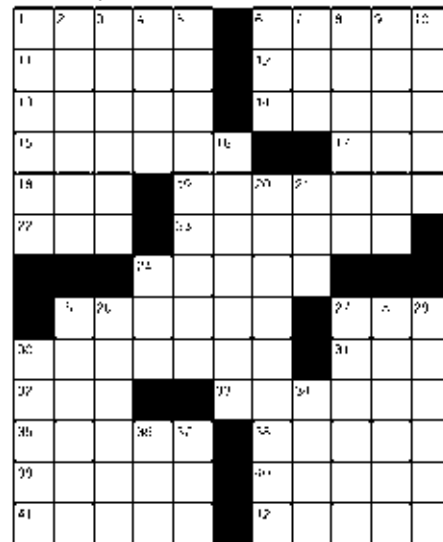
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PEOPLE IN THE NEWS

Bluegrass singer has some mighty pricey shoes to fill

By The Associated Press

■ **NEW YORK** — Stuart Weitzman is Alison Krauss' fairy godfather.

The bluegrass singer will wear Weitzman's \$2 million "Cinderella" slippers when she performs two Oscar-nominated songs from "Cold Mountain" during Sunday's Academy Awards ceremony.

"Alison is the only star that can truly wear the Cinderella slipper to the Oscars, she is already country music royalty," Weitzman said in a statement.

The 4 1/2-inch stiletto sandals are adorned with 565 Kwiat diamonds.

This is the third year Weitzman has created such opulent shoes for the Oscars.

In 2002, when actress Laura Elena Harring wore \$1 million sandals Weitzman said, "A great picture at a great event can make a great career or break a career. This is serious business. It is not frivolous."

Krauss, 32, won three Grammy Awards earlier this month, including best bluegrass album for "Live" with Union Station.

■ **LONDON** — Paul McCartney will be the headline act at his year's Glastonbury festival, the finale to his summer concert schedule, organizers said Friday.

The former Beatle begins his monthlong summer tour in May and will play 12 cities, including Madrid, Paris, Zurich, Gothenburg, Oslo and Helsinki before his Glastonbury date on June 26.

Glastonbury organizer Michael Eavis said he had to turn down an offer from McCartney to headline the event last year because Radiohead had already been

confirmed to play the slot.

The summer tour will feature music from The Beatles, McCartney's band Wings and his solo work.

"Touring really has been a lot of fun for us and the audiences have been great. So why stop now?" he told reporters Friday. "I'm looking forward to playing and to visiting some new places."

McCartney, 61, became a father again in October when his second wife, Heather Mills, gave birth to their daughter Beatrice.

■ **NEW ORLEANS** — Fats Domino found his thrill on his 76th birthday, as friends and family members came by his home bearing gifts.

He kept the party going, playing some of his classics like "Ain't That A Shame" and "I'm Walkin'."

His newest song tells it all. It's called "I'm Still Alive and Kicking."

He was born Antoine Domino on Feb. 26, 1928, in New Orleans. On Thursday, he reminisced about the days before his 1950 recording of "The Fat Man," often called the first real rock 'n' roll record.

"I used to deliver ice, and before that I worked in a lumber yard," Domino recalled.

During his rounds delivering ice, he said, pianos often got in the way.

"If I'd see a piano, I'd stop for a while and they'd have to come and get me," he said.

Domino has sold more than 110 million records. His legendary recording career produced 22 million-selling singles, including "Blueberry Hill" and "Ain't That A Shame," and he was one of the first 10 honorees named to the Rock 'n' Roll Hall of Fame.

■ **PITTSBURGH** — A church organist raised on the music of Fred Rogers, better known as Mister Rogers, will debut a requiem Sunday that he composed for the late children's television pioneer.

Luke Mayernik, 21, studied the organ at Duquesne University and musical composition at Carnegie Mellon University. He's the organist at St. Justin Church, a Roman Catholic parish on Mount Washington, which overlooks the city. He got the idea to write "In Memoriam: A Requiem for Mr. Rogers" from one of Rogers' friends.

Maggie Stewart, who played Mayor Maggie on "Mister Rogers' Neighborhood," turned to Mayernik with her idea of a musical farewell. Having grown up on Rogers' music, Mayernik ran with the idea and composed a one-hour requiem in 11 movements based on the Catholic Requiem Mass.

"Anyone who watches his show immediately feels the invisible arms just wrapping you," Mayernik told the Pittsburgh Tribune-Review of Rogers, who died last Feb. 27 of stomach cancer. Mayernik's requiem debuts on the first Sunday after the one-year anniversary of Rogers' death.

Mayernik's work will be introduced by the Slippery Rock University Orchestra and Chorus, and will be the first of two musical tributes to Rogers in Pittsburgh.

On March 27, the Pittsburgh Symphony Orchestra's gala concert will feature "The Music of Fred Rogers," hosted by game show host Pat Sajak and CNN news anchor Paula Zahn.

Before Rogers studied child psychology and theology, he got a college degree in music composition. He played the piano at age 5 and the organ at 7.

DID YOU KNOW?: The word "pound" is abbreviated as "lb." after the constellation Libra, which means pound in Latin, and also scales.

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