WEDNESDAY, MARCH 1, 2006 Volume 5, Issue 93

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
6 21 36 39 46
Meganumber: 3
Jackpot: $9 million

FANTASY 5
5 9 10 33 38

DAILY 3
Daytime: 8 9 2
Evening: 3 2 3

DAILY DERBY
1st: 11 Money Bags
2nd: 08 Gorgeous George
3rd: 09 Winning Spirit

RACE TIME: 1:45.41

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

Obsessed executives have always taken business home at night, but increasingly they take it into the bathroom, with laptop computers, high-speed connections, flat-panel televisions and speaker phones, according to a February Wall Street Journal report. (Said one, "I'm beside myself when I can't get my e-mails.") However, there are problems, e.g., "sound-chamber" sound (the hollow voice created by typical bathroom acoustics usually gives away one's location) and the "BlackBerry dunk" (with one Houston repair shop saying it gets a half-dozen jobs a day of portable devices accidentally dropped into the sink or tub, "or worse").

TODAY IN HISTORY

Today is the 60th day of 2006. There are 305 days left in the year. This is Ash Wednesday.

On March 1, 1945, President Roosevelt, back from the Yalta Conference, proclaimed the meeting a success as he addressed a joint session of Congress.

QUOTE OF THE DAY

"People are trapped in history and history is trapped in them."

JAMES BALDWIN
AMERICAN AUTHOR (1924-1987)

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Land of Legos

Fabian Lewkowicz/Daily Press

Kristi Klein, 29, a professional model builder for Legoland California, puts the final touches on a model during the Legoland National Search for Model Builder competition, held Tuesday at the Art Institute of California-Los Angeles. Klein, a former student at the art institute and a judge at the event, won the competition two years ago, scoring herself a full-time job at Legoland.

Honda of SM to pay back $829K to its customers

BY CAROLYN SACKARIASON
Daily Press Staff Writer

An estimated 1,500 customers who were ripped off by a Santa Monica car dealership can expect to be reimbursed in the next few months.

Kramer Motors Inc., the parent company of Honda of Santa Monica, must within the next two months send out notices and release forms to potential customers who are eligible for reimbursement, according to a court settlement with the Los Angeles District Attorney's Office.

Those who might be eligible are customers who purchased or leased a vehicle from the dealership, located at 1720 Santa Monica Blvd., between April 7, 2000, and Oct. 31, 2002.

The settlement, which was signed by a judge on Feb. 8, is separate from the pending criminal cases of six former Honda of Santa Monica sales representatives who allegedly scammed hundreds of thousands of dollars from customers by tacking on charges of "theft etch" to their contracts without their knowledge. Theft etch marks a vehicle's parts with traceable numbers in the event of a theft. The aftermarket product would show up on the sales contract as a VT registration charge, which doesn't exist, prosecutors said.

Kramer Motors has agreed to hire an outside firm to serve as an administrator in handling the reimbursements. The firm will determine how much each customer will receive. Los Angeles Deputy District Attorney Dana Aratani said the reimbursements range from $100 to $1,000, with the average claim being $400. It's estimated that Kramer Motors will

See HONDA OF SM, page 6

LOCAL

Man fatally shot in SM

By Daily Press Staff

PICO NEIGHBORHOOD — Santa Monica's first homicide of 2006 occurred here shortly after 9 p.m on Tuesday.

The Santa Monica Police Department responded to a call of shots fired in the 2600 block of Pico Boulevard at 9:21 p.m.

Officers found a Hispanic man in his early 20s with a gunshot wound to his upper torso. He was transported to a local hospital where he later died, police said.

The identification of the man is not known pending notification of next of kin.

At presstime, police hadn't located a suspect or identified a motive for the murder.

It appears that the shooting may have occurred outside of a liquor store on the southeast corner of 26th street and Pico Boulevard.

After he was shot, the victim ran across the street and collapsed.

Living in the wake of TORCA

BY KEVIN HERRERA
Daily Press Staff Writer

NORTH OF WILSHIRE— When Josephine Vidal returns from work to her rent-controlled apartment on 12th Street, she is grateful that for the last six years she has been able to provide a stable, loving home for her grandson.

When he was 5 years old, his mother died unexpectedly, leaving Vidal, 68, with the responsibility of caring for him.

She welcomed her grandson into her small one-bedroom apartment, where the two have made a life together despite the odds, both emotionally and financially.

"It's not much, but we make do with what we have," Vidal said.

But the life she and her now 11-year-old grandson have created is in jeopardy.

The owner of their apartment building, which is located north of Wilshire Boulevard, is seeking to convert Vidal's unit into a condominium and sell it to whomever can afford the asking price of $650,000. For Vidal, a journalist who pays $850 a month in rent, purchasing her unit is not economically feasible.

Fearing eviction due to the potential sale, Vidal also is worried that she won't be able to find another affordable apartment in Santa Monica, where the average rent for a one-bedroom is $1,300. If she has to move out of the city, she worries about what will happen to her grandson.

"After all that has happened to him, I don't want to have to pull him out of school and move somewhere unfamiliar," Vidal said.

The two are casualties of TORCA, or the Tenant Ownership Rights Charter Amendment, which was passed by voters here in 1984.

See TORCA, page 8

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HOROSCOPES

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Santa Monica Daily Press

JACQUELINE BIGAR'S STARS The stars show the kind of day you'll Have:

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

ARIES (March 21-April 19)
★★★★★ Sudden insights head your way. You could be surprised at how a different perspective helps you in your interpersonal interactions. You have a definite way with words. Others might let you know they don't agree. Tonight: Discussions could become interesting.

TAURUS (April 20-May 20)
★★★ You can be sure everyone is changing directions. Might you have put someone into a niche? If you are surprised by others' reactions or behavior, this way of thinking could be at the root. Tonight: Get some extra R and R.

GEMINI (May 21-June 20)
★★★★★ Someone you think you understand acts up in an unexpected manner. Your high energy and sense of direction help you focus and gather others together for the same cause. Relax, and you will get places. Tonight: A serious talk brings results.

CANCER (June 21-July 22)
★★★★ You might be surprised by gossip or news. Don't assume that it's correct. Take charge and do your own research. You will understand a lot more. Laugh and relax. You see life with renewed interest. Tonight: Take the lead.

LEO (July 23-Aug. 22)
★★★ Your steady but direct pace will make a difference. Though you would like to be a flash of lightning, your slow, complete approach is a winner. Lighten up. Not everything has to be a major deal. Tonight: Take in a movie.

VIRGO (Aug. 23-Sept. 22)
★★★★ Others clearly know what they want, though you will see issues quite differently. Your job right now is not to convey your message but to act on it. Others respond far better to actions than words. Your intuition guides you with a powerful person. Tonight: Sort through your invitations.

LIBRA (Sept. 23-Oct. 22)
★★ A sudden surprise could cause you to regroup your work and personal life. Consider alternatives with an eye to change and creativity. Dig up specialists rather than go with the tried-and-true. Tonight: Someone close takes a risk.

SCORPIO (Oct. 23-Nov. 21)
★★★ To have imagination and get-up-and-go is good, but even better would be to apply it to various sectors of your life. Review opinions, especially if a close friend or partner shares that he or she doesn't agree. Tonight: Dinner for two.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Lighten up, and you will dance to a new tune. What you might not realize is how creative you can be in the face of hassles and problems. A relationship will sizzle if you let go and relax. Tonight: Let someone talk about what he or she wants.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Make your priorities clear so that someone can respond. You could feel a bit off or crazed by others always wanting something from you. You might feel as if the well is running dry. Only you can stop this process. Tonight: Get physical.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Express yourself, and others will hear you. You have a way or style about you. Consider more of what you want from an immediate situation around you. Trust in your own resourcefulness; you will get much further. Tonight: Compare notes and ideas with someone you respect.

PISCES (Feb. 19-March 20)
★★★ Curb your spending, because a necessity might impact your decisions. Sometimes you don't see the whole picture. Could this be one of these times? Only you can decide. Be sensitive to your own energy levels. Tonight: The scene needs to be at home.

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LOCAL

Pancake Tuesday

Fabian Lewkowicz/Daily Press

Cathy Ruiz, 38, on Tuesday serves her customer Tony Weeks, 31, a stack of pancakes during the IHOP National Pancake Day celebration at the International House of Pancakes at Santa Monica Boulevard and 20th Street. Donations raised at the event will benefit children's reading programs. The English for centuries have celebrated the day by eating pancakes. Also known as Shrove Tuesday, it is the day before the beginning of Lent.

COMMUNITY BRIEFS

Breakfast Club continues to shine

By Daily Press staff

The local Breakfast Club will have lunch to celebrate volunteerism.

The Santa Monica Breakfast Club will be holding its annual Diamond Luncheon on Sunday, March 12, at the Marina Del Rey Hotel.

The club will be honoring Margaret Wilson and Katherine Daugherty, long-time members of the Breakfast Club. Wilson is a past president of RotaryAnnes and a member of the First Methodist Church of Santa Monica. Daugherty has been active in the Santa Monica Sister City Organization since 1972 and a member of St. Monica's Church since 1958. In addition to the luncheon, there also will be a silent auction and a drawing for a diamond bracelet donated by Reader's Fine Jewelers.

The Santa Monica Breakfast Club was established in 1935 as a social and philanthropic organization. They have contributed to various organizations within the community. In 1949, the club decided to support the Children's Dental Clinic at Santa Monica Hospital. Since then, through Santa Monica Hospital and now the UCLA/Venice Dental clinic, the Breakfast Club has donated its funds to help sponsor dental care for children in the Santa Monica, Venice and Mar Vista neighborhoods. Last year the club gave $20,000 to the UCLA/Venice Dental clinic so that children in need could have necessary dental work done.

If you would like further information, call (310) 399-2648.

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SNOW AND SURF REPORTS

CONDITIONS DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN
CLOSED

JUNE MOUNTAIN

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

CONDITIONS: Packed Powder, Machine Groomed

MAMMOTH MOUNTAIN

NEW SNOW	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
(24 Hrs) 27"	96" - 120"	8:30 am - 4:00 pm	150	22/28

CONDITIONS: Powder, Packed Powder, Machine Groomed

MOUNTAIN HIGH
CLOSED

MT. BALDY
CLOSED

SNOW SUMMIT
CLOSED

SNOW VALLEY
CLOSED

CONDITIONS WATER TEMP: 57°
DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (3-7 FT)

Today the junk swell starts to back down with size running chest to shoulder high in the AM, smaller by the afternoon. Conditions on today should improve somewhat with better weather and winds; however, periods will remain tight, and bacteria will be a concern from run off.

LONG RANGE SYNOPSIS

Westerly swell due Friday...

Southern hemi to hit midday on 6th, more on 7th, but NW on radar as well...

TIDE FORECAST FOR SANTA MONICA

MONDAY				
LOW TIDE	2:10AM	1.0FT	3:07PM	-1.5FT
HIGH TIDE	8:20AM	6.6FT	9:23PM	4.9FT
TUESDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
WEDNESDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
THURSDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
FRIDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A

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The Q Line

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The Santa Monica-Malibu School District is on the hunt for its next superintendent now that its current superintendent, John Deasy, has announced that he is moving on. The school board hopes the selection process will be completed before school resumes in the fall.

So this week, Q-Line wants to know, **"What major problems does the new superintendent need to address within the district?"**

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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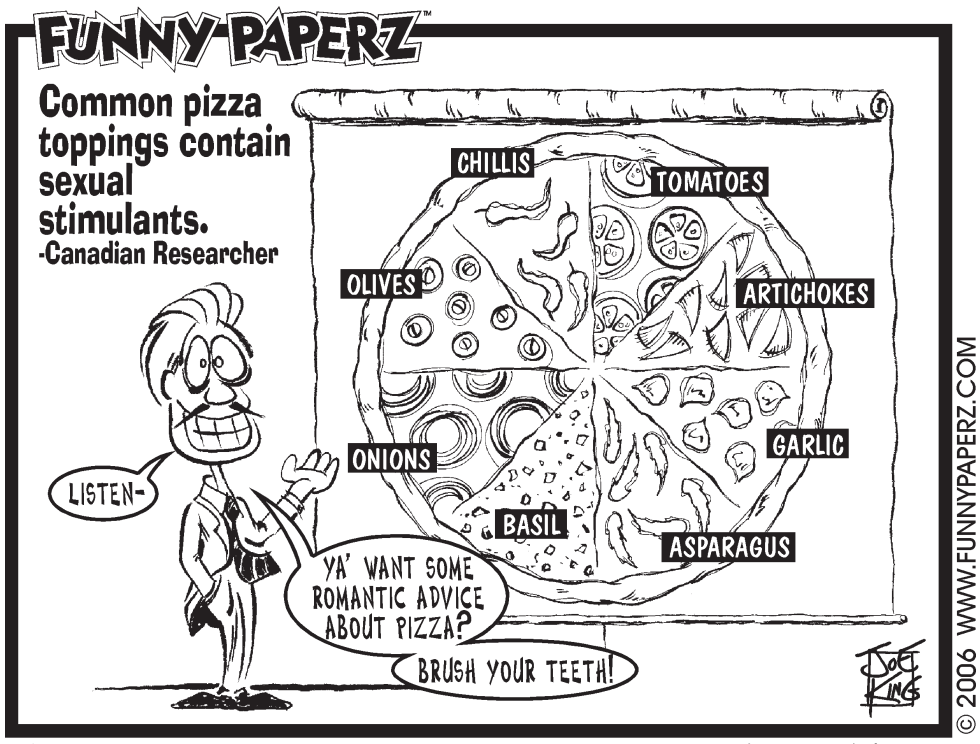
OPINION



LETTERS TO THE EDITOR

Executions aren't supposed to be pretty

Editor:

I don't understand why there is any discussion/question, etc. regarding inmates gaining ground in the fight against lethal injection — because there is no consideration given to the way crime victims die. What about their torture and terrifying deaths? If victims had any choice to die by lethal injection, their deaths would be easy.

Why do the criminals repeatedly seem to continue to "win" while their surviving victims, their friends, family and acquaintances repeatedly continue to be victimized? None of them have any choice in how their friends, family or acquaintances die. Criminals choose death for them and because it's violent — their torture and death are horrific.

What further disgusts me is that death row inmates in 12-plus states fight with "surprising success."

This is another way that these inmates become victorious. They should die the same way their victims died — not by easy lethal injection.

Cheryl Erb
Santa Monica

Loss of privacy part of reality

Editor:

Joseph Hanania's letter to the editor (SMDP, Feb. 27, page 4) again speaks volumes as to the amount of hate these folks have toward Bush and the amount of hypocrisy they are willing to spew. There are 300-plus million people in this country, and if your crowd at your vigil really thinks the feds are worried about what they type in a Google search engine, well I have some more swamp land to sell these folks. As for the one lady who "thought" her phone was tapped, she probably has a drawer of aluminum helmets to keep the government from reading her thoughts too.

Please, I implore you, read some of your American history. What is being done by this president, during a time of war, is right in line with what every other president and administration has done.

And as for this quote from the Constitution, "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated ..." The "..." you have in your version of the quote leaves out something interesting: "upon probable cause supported by oath or affirmation." In fact, in 1928, the Olmstead case concluded that wiretapping was not within the confines of the Fourth Amendment. The Federal Communications Act, passed six years later, upheld this but restricted the public distribution of information obtained within the wiretap. Later, in the Katz vs. United States case, the courts upheld the idea that the government could not directly wiretap citizens without a warrant. It did not include the wiretapping of phone calls originating from outside of the United States.

Imagine if you will, people like Joseph being around during the American Civil War or the American Revolution. Would Lincoln be as loved today if there were vigils held trying to tell people he was a criminal for doing what he had done? I think Joseph and his underlings are missing the bigger picture. If we do not protect this country and protect our freedoms, we will have no country left for him to hold his vigils. Next time he has one, it may be under the rule of some Muslim faction and he may very well find himself being put to death for his views instead of just having his search engine's searches logged.

Billy Woody
Santa Monica

OPINIONS EXPRESSED are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to editor@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.

Living in a state of complete confusion

THE WITNESS STAND
BY CLIFF NICHOLS

One might say that the times in which we are now living are confusing.

The warrantless wiretapping of American citizens is now OK they say, if it is done to protect our democracy from terrorists who would threaten things like our right to be free of unwarranted government intrusions upon our privacy. That's OK. There are worse things that could happen. Look at Europe. Their democracy is in an upheaval that would seem to be moving it quickly toward becoming a unified Arab nation. Other than for the shortened life-expectancy of some Danish cartoonists, however, it may be too early to tell if that's a bad thing. After all, are we not dying and killing in another Arab nation for the purpose of instilling in those people a love for the democratic process? Never mind that we're outraged at the Palestinians for recently embracing that very same process to elect flagrant terrorists to become their leaders. Maybe John Lennon was on to something. Didn't he suggest in one song that we imagine whirled peas? Or was that world peace? Whatever. Perhaps we should give that a try — just so long as while we're at it we remain steadfast in our condemnation of people like Pat Robertson who want to avert wars by assassinating the leaders of some nations. You know, like those who only claim to be exercising their right to free speech when they tell the world over and over and over again that they really do intend to nuke countries like Israel off the face of the globe sometime soon.

After all, tolerance and compassion for all is mandatory we are told — except apparently on those occasions that we decide it's necessary to torture somebody in the interests of national security or to rid ourselves of unwanted children. Hey, but that's OK. Our society as a whole is making demonstrable progress, evidenced by the fact that cowboys who herd sheep can now proudly be gay. It really doesn't seem to matter anymore that cowboys used to be defined as boys that dealt in some way with cows or that people who deal with sheep have for centuries been referred to as sheepherders — who, by the way, have always been considered suspect to some degree. Talk about social progress. At least now we are able to understand why some housewives are desperate.

Speaking of progress — coffee is now a good thing once again, so long as we call it by some other name and forgo the whipped cream. Science has enlightened us. We now are all aware of the fact that anything we consume that is white — like rice, bread, potatoes and cocaine — is bad for us. Take cigarettes, for example. By now, everyone knows they represent the worst evil mankind has ever known, even though cigars remain trendy. That leaves us with meat, vegetables and sex. But sex and meat are also dangerous today, so that leaves us really only with vegetables. Perhaps that is one reason mankind as a whole seems to be drifting toward becoming more spiritual yet not religious, whatever that means.

Meanwhile, blacks and Hispanics are fighting and killing each other in our jails on the basis of race, and we are told by some that to separate them until things calm down would be unconstitutional racial segregation. What are we supposed to do with that? Isn't the Constitution a living document capable of adapting to the times? So, why isn't it adapting now to enable common sense to both save lives and be considered legal at the same time?

Perhaps Al Gore has the answer. But even if he did, would it really matter if, in the final analysis, we are not able to garner Jimmy Carter's support for his solution? After all, just look at all the negativity that has happened to our world as a direct consequence of the Clintons' decisions in the 2000 presidential election to not support Gore when they had the opportunity to do so. Had they chosen to do the right thing, one might reasonably ask whether global warming would be the problem some say it is today. If just that one malady had been averted, just think about all the catastrophes we might have avoided, like Katrina, the tsunami, Paris Hilton and, most recently, the Philippino landslide. One can only imagine the havoc that could be wreaked upon mankind if Carter was to make a fateful error of judgment similar to that of the Clintons. The potential catastrophic effect would be unpredictable. Our ozone hole could conceivably be ripped a new one, possibly creating a magnetic field that would, in turn, redirect an asteroid on its way to France toward Hollywood and in one fell swoop end for all eternity our ever getting to see another rerun of Law and Order. Talk about the end of civilization as we know it.

But we have more important things to worry about than that, do we not? Our borders must be secured to protect our homeland we are told, except in the case of those who simply wish to immigrate here illegally to take our jobs or sell narcotics to our children. But, what the hey? At least what has always been good in the past for the goose now seems to be good for the gander as well. Billboards are now appearing in our border towns warning our country's sexual deviants who are traveling south that Mexico disfavors pedophilia just as much as the country they are leaving in order to practice their proclivity. Doesn't that just make you want to say, "God bless globalization."

So, where does all of this leave us? You never know. The way things are going, could we soon expect to see someone wanting to award the Pearl Harbor tourist concession contract to a Japanese firm? No, even in the state of confusion the world now seems to be in, that's just too far-fetched, isn't it? That would be like someone wanting to give control of all our major ports over to an Arab company just so some Muslims will like us while we find ourselves needing to bomb some of them. I take comfort in the fact that at least there are few things we can sleep well knowing could never happen no matter how confusing the world seems to be getting.

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com.)

COMMENTARY

GUEST COMMENTARY **BY LEONARD PEIKOFF**

Religious terrorism versus free speech

The Ayn Rand Institute has released this 1989 editorial — originally published as an advertisement in the New York Times — because the same essential issues underlie the Rushdie debacle and the current uproar over cartoons of Mohammad. In both cases, the ultimate target is not "blasphemy" but man's faculty of reason and the principle of free speech — values our leaders are too gutless to defend as absolutes. In both cases, Islamic leaders have incited violence and issued death threats against Westerners — but have met with a pathetically appeasing response (Khomeini's fatwa against Rushdie still stands, and has just been reaffirmed). And today as in 1989, the West's craven response is motivated by the same fundamental cause: failure to combat such self-righteous barbarism invites further aggression — a lesson history continually teaches, but which Western leaders refuse to learn.

Ayatollah Khomeni's attack on Salman Rushdie and his publishers represents religious terrorism. Americans oppose the Ayatollah's death-decree, but our government is doing nothing to combat it.

President George H.W. Bush has issued a limp condemnation coupled with the vague statement that Iran would be held "accountable" if American interests are harmed. But two California bookstores have already been bombed, a New York weekly newspaper has been demolished by firebombing, at least 178 threats of death or destruction have been received by booksellers nationwide, major American publishers (primarily Viking) are barricaded at ruinous cost behind an army of private security guards — and every American author, speaker and reader must wonder if and when he will become a target of armed Islamic fundamentalists with orders to kill heretics.

Has Bush become the new Jimmy Carter? Carter wrung his hands and did nothing while Iran held Americans hostage. This time Iran is attempting to hold our minds hostage.

A religious motive does not excuse murder; it makes the crime more dangerous. It took the West centuries to move from medieval mysticism to the Enlightenment, and thereby discover the only safeguard against endless, bloody, religious warfare: the recognition of man's inalienable right to think and speak as he chooses. Civilization depends on reason. Freedom means the freedom to think, then act accordingly; the rights of free speech and a free press implement the sovereignty of reason over brute force. If civilized existence is to be possible, the right of the individual to exercise his rational faculty must be inviolable.

The ultimate target of the Ayatollah, as of all mystics, is not a particular "blasphemy," but reason itself, along with its cultural and political expressions: science, the Industrial Revolution and the American Revolution. If the assault succeeds, the result will be an Age of Unreason — a new Dark Ages. As Ayn Rand wrote in Philosophy: Who Needs It, in her prescient 1960 essay "Faith and Force: The Destroyers of the Modern World":

"The conflict of reason versus mysticism is the issue of life or death — or freedom or slavery — or progress or stagnant brutality ... Reason is the only objective means of communication and of understanding among men. When men deal with one another by means of reason, reality is their objective standard and frame of reference. But when men claim to possess supernatural means of knowledge, no persuasion, communication or understanding is possible."

Many people have denounced the Ayatollah's threats, but have then undercut their own stand by offering apologies to those whose "sensibilities" the book has "offended." No apology is necessary. No creed, Islamic or otherwise, which leads to "holy terror" can demand respect from civilized men.

Whether Rushdie's book in particular is good or evil, noble or depraved, is now irrelevant. Once death is threatened, there is only one issue to discuss and defend: an individual's right to speak, whether anyone or everyone likes what he says or not. "Blasphemy" violates no one's rights. Those who feel insulted do not have to listen to or read the insults. In defending religious liberty, Jefferson observed that "the operations of the mind" must not be made "subject to the coercion of the laws," adding:

"The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say there are 20 gods, or no God. It neither picks my pocket nor breaks my leg."

If blasphemy is the issue, we submit that a religious dictator inciting murder is blasphemy against the sanctity of human life. It is said that Rushdie's book impugns the faith of believers. So does science. It is said that the book is offensive to the values of the Ayatollah's followers. So is the United States of America.

Why has the outrage felt by the American public not been translated into a call for action against Iran? The protests from both the right and the left in this country ring hollow because both groups have betrayed the philosophic ideas necessary to act.

Conservatives have become dominated by religionists, who openly base their views on mystical dogma and want the government to impose their dogmas by force, which is just what the Ayatollah is doing. Homegrown fundamentalists are in no position to lead a crusade for free thought. Can these groups maintain that it is wrong to ban Rushdie, but right to ban Darwin?

Terrorism unpunished is terrorism emboldened. The Ayatollah has already broadened his attacks. He is now threatening death to anyone who criticizes Islam. If he is not stopped, who can predict where the next threat to our publishers and bookstores will come from?

(Leonard Peikoff is the founder of the Ayn Rand Institute in Irvine. The Institute promotes the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead.")

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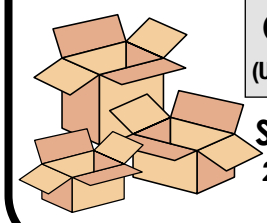
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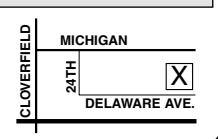

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Criminal cases against six employees pending

HONDA OF SM, from page 1

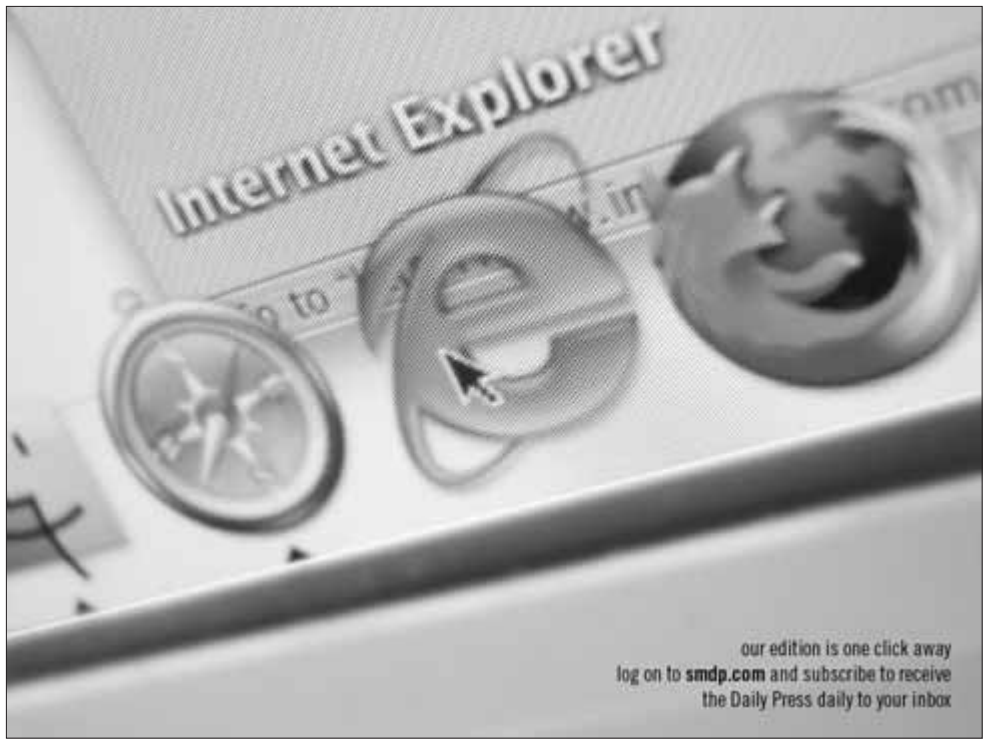
pay back about $829,000 in reimbursements.

Kramer Motors has turned over a list of eligible customers to the DA's office. This list has been checked against its own internal list of names that stemmed from investigators' probe into the dealership, Aratani said.

Kramer Motors has three months from the Feb. 8 settlement to notify customers that they are eligible for reimbursement. Customers must fill out the notice and release, and send it back to Kramer Motors within six months of the Feb. 8 judgment in order to be eligible. Once the claim has been sent in by the customer, Kramer Motors has 30 days to send the reimbursement check, according to the settlement agreement.

The North Carolina-based automotive company already has sent a check to the DA's office for $548,000. That's for civil penalties and costs associated with violating provisions of the Business and Professions Code. Of that amount, $73,000 is for costs of the investigation, which began in July 2002, as well as the prosecution of the case, which began in October of 2005 and still continues.

Part of the money will go into a general fund that could be used in the future to investigate and prosecute other consumer fraud cases, Aratani said.



CAUSES FOR ACTION SETTLED

The settlement, which is not to be construed as an admission of liability, claims that Kramer violated the Business and Professions Code by making untrue and misleading statements relating to charges of theft etch, describing it as "VT" registration. Kramer also misrepresented prices and quotes that included significant undisclosed charges, which inflated the monthly payments, according to the complaint for injunction filed by the DA's office last month.

The complaint also states that Kramer misrepresented car sales and leases by failing to adequately disclose that charges for the theft etch were included in the gross capitalized cost of the vehicle. The dealership also failed to fully explain to customers that they were being charged for aftermarket, and finance and insurance products.

The second cause of action in the complaint states that Kramer violated the Business and Professions Code with unfair competition practices by lying to customers about their contracts and charges. Kramer made customers sign documents that were blank, or partially completed, which were different than what was orally negotiated. The car dealership also failed to activate the theft etch or honor obligations it made in the agreements, the complaint states.

Under both sections of the Business and Professions Code, Kramer has been assessed $2,500 for each act of misleading or untrue statements.

Honda of Santa Monica representatives didn't return calls seeking comment. In the past, they've told the Daily Press that sales representatives involved in the scam have been fired and those practices are no longer used at the dealership.

EMPLOYEE BLOWS THE WHISTLE

The DA's office launched an investigation into the dealership in July 2002, after an employee tipped investigators off to the alleged scam. The dealership was raided by investigators, including FBI agents, who seized boxes of files and computers from the finance and sales departments on Sept. 25, 2002.

The investigation was concluded last year when the DA's office filed a felony complaint against six former employees, alleging they overcharged customers to pad their own commissions. Former employees Ali Asghar Hussain, Hamid Reza Khaki, Yaprem Zohrab Yaralian, Ahtamet Uersunthornwattana, Yaser Alkasem and Thomas Holterhoff are scheduled to appear in court on March 9 for a preliminary hearing, when it will be determined by a judge if there is enough evidence to go to trial.

Sales representatives at Honda of Santa Monica also attached overcharges and fake charges for LoJack systems, and what was called a "California tire fee/doc fee," "Touch of Class" and "tint." Wheel locks also were part of the alleged scam, according to the complaint filed by the DA's Office in October of 2005.

The 25-page complaint details 114 overt acts in which the defendants allegedly took part. There also are 24 additional counts that charge the defendants with grand theft of personal property exceeding $400.

CLASS ACTION STILL PENDING

On the same day of the raid in 2002, a class-action lawsuit was filed against the dealership in downtown Los Angeles Superior Court. That suit has been put on hold until the criminal investigation is complete, said Dan Hoffman, the attorney representing the plaintiffs.

Customers who have signed onto the lawsuit allege they had been given favorable deals in the showroom only to have the dealership's finance department renegotiate the deals afterwards. Such a practice is forbidden by state law, according to the lawsuit.

Hoffman said he will proceed with the class action suit despite the settlement between Kramer Motors and the DA's office.

However, the notice and release being sent to customers includes language that appears to make any future claims against Kramer Motors null and void: "I/we understand that acceptance of the restitution check will constitute full settlement, compromise, waiver and release of any and all claims, legal and equitable, known or unknown, including any and all claims asserted in individual suits, class actions ... against Kramer Motors Incorporated ..."

STATE BRIEFS

FAA downplays collision threat

By The Associated Press

LOS ANGELES — There was little chance of a collision when an air traffic controller directed three aircraft to use the same runway at Los Angeles International Airport on Feb. 17, a Federal Aviation Administration spokesman said.

The incident occurred when the controller cleared a departing SkyWest turboprop to use a runway on which a Southwest Airlines jet was about to land. The controller also cleared an Air Canada jet to cross the other end of the runway.

That incident led to two safety violations known as runway incursions, said FAA spokesman Les Dorr. The violations were categorized as Class D, the FAA's least severe classification.

Dorr said the incident posed "little or no chance of a collision," and he praised the SkyWest pilot for stopping short of the runway when he saw the Southwest jet.

The two incursions were the airport's first in more than six months. Last year it recorded six incursions.

Anaheim vying for election conventions

By The Associated Press

ANAHEIM — The city's efforts to host an election-year national convention has gotten a boost, with both major parties inviting it to enter a bid.

Anaheim is competing with 30 cities to host the Republican convention and 10 cities vying for the Democrats' meeting.

The Republican National Committee announced last week that Anaheim was one of the five California cities invited to bid on the convention. The Democrats invited the city to bid on Monday.

The traditionally conservative city seemed a likely site for the Republican convention, but the idea of hosting the Democratic convention "raised a few eyebrows," said Councilman Richard Chavez, who lobbied Democrats at their 2004 meeting in Boston.

"I think the Democratic National Committee may see that as an interesting challenge, that they're right in the middle of the other party's stronghold," said Chavez, a Democrat.

Officials from both parties plan to narrow their choices by the summer before visiting the cities left on their lists.

Navy shifts its submarines to Pacific from Atlantic

BY AUDREY MCAVOY
Associated Press Writer

HONOLULU — The Navy will move six more submarines to the Pacific by 2010 while shrinking its Atlantic-based undersea fleet, officials said Monday.

The move reflects the importance to the U.S. of maintaining a robust military presence in an a region that is home to a growing share of the world's trade and to potential security flashpoints on the Korean peninsula and Taiwan.

The shift will put 60 percent of the Navy's submarine fleet in the Pacific and 40 percent in the Atlantic. Currently, the submarines are evenly divided between the two oceans.

Two Navy officials told The Associated Press on condition of anonymity that Hawaii's Pearl Harbor would gain one submarine to raise its total to 18. San Diego will see its submarine force grow to seven from four. Bremerton, Wash., will gain two more subs for a total of three.

Navy bases in Norfolk, Va., and New London, Conn., will lose ships.

The shift follows changes outlined earlier this month in the Quadrennial Defense Review, a key Pentagon policy paper, which said the Navy would boost its presence in the Pacific.

Norman Polmar, a naval analyst and author, said the change underscores Defense Department concerns about security threats from North Korea and Iran. It also shows that some officials are worried about China's military might, he said.

"We're recognizing from a viewpoint of national security, and our future military operations, the Pacific is the main theater. It's no longer Europe and the Mediterranean, primarily because of the demise of the Soviet Union," said Polmar.

"So it makes sense to put more of our naval assets — and this is true of aircraft carriers, cruisers, destroyers, as well as submarines — to put more of them in the Pacific instead of the Atlantic."

Mohan Malik, a professor at the Asia Pacific Center for Security Studies in Honolulu, said the move shows the United States wants to ensure it has a significant deterrent capability to prevent the outbreak of major conflict in the region.

"There is a renewed emphasis on maintaining a stable balance of power in the Pacific," Malik said. "There is a concern that China is expanding its military and that has implications for other countries in the region."

The boost to the submarine force is in line with a gradual increase in U.S. ships and planes in the Pacific region.

Last year, the Air Force started rotating F-15s and B-2s to Guam from the mainland U.S. Next year, it will start basing five Global Hawk remotely controlled planes on Guam, a U.S. island territory hours by air from East Asia.

The Navy, meanwhile, has said it is mulling moving an aircraft carrier to either Guam or Hawaii to position it closer to potential security threats.

The submarines affected by realignment include the USS Jacksonville, which will head to Pearl Harbor from Norfolk.

The USS Hampton will move from Norfolk to San Diego, while the USS Albuquerque will head to San Diego from New London, Conn. The California base will get one other submarine that hasn't yet been identified, Navy officials said.

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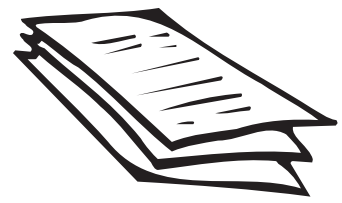

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Santa Monica Daily Press

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- Virginia Park, Thelma Terry Center, 2200 Virginia Ave, Santa Monica (use Lines 5, 7, and 11)

Thursday, March 2
- 12:00 noon – 2:00 pm
- UCLA Athletic Dept., J. D. Morgan Center, Press Room (use Lines 1, 2, 3, 8, 12, and Super 12)

Saturday, March 4
- 10:00 am – 12:00 noon
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LOCAL

Skyrocketing prices keep renters renting

TORCA, from page 1

The Santa Monica legislation allowed the unlimited conversion of existing apartment buildings into condos, provided that two-thirds of the tenants in those buildings approved of the conversion and there was a sufficient number who agreed to purchase their units.

On June 30, 1996, the law expired, but property owners who submitted conversion applications prior to that date and have kept them current remain eligible for conversion.

RENTERS NOT BUYING IN

Tenants who have lived in their units prior to submitting their conversion applications — known as participating tenants — are protected from owner-occupancy eviction if the unit is sold. Non-participating tenants such as Vidal, who moved in after the conversion was approved, have no defense against owner-occupancy evictions.

Santa Monica Rent Control Board officials said 3,243 units have been approved for conversion. Of those units, 60 percent were purchased and are now owner-occupied by people who originally approved the conversion, or moved in afterwards. Twenty percent are occupied by participating tenants who have not yet purchased their unit, and the remaining 20 percent are non-participating.

The intent of the law was to allow tenants to be the first to purchase their units, thereby increasing the number of homeowners in a city that is dominated by renters.

Nearly a decade after the sunset of TORCA, housing officials, as well as supporters and opponents say the law has failed in its original intent, since only about 10 percent of tenants living in their apartments at the time of conversion have purchased their units — a fraction of the 60 percent of owner-occupied condos.

"That's not to say that the converted units didn't provide the opportunity for people to enter homeownership," said Mary Ann Yurkonis, administrator of the Rent Control Board. "But it also decreased the potential supply of affordable rental units, so there is a trade off … If you are asking me if TORCA has served its purpose, no it didn't. At least not the purpose it was originally put forward to do, which was to provide tenants with an opportunity for ownership, because less than 10 percent were ever purchased by those people, which means the sale resulted in dislocation in many cases."

BUILDING ABUSIVE LANDLORDS

There have been other ill effects besides evictions and relocations, the law's opponents said. The city's affordable housing stock has decreased, some say by 8 percent, while the harassment of tenants by landlords has increased, driving out a working class that has made Santa Monica what it is today.

The City Attorney's office, which investigates claims of landlord abuse, has seen an increase in complaints from tenants who are both participating and who are not participating in the program, said Eda Suh, a deputy city attorney. Complaints have ranged from tenants claiming their landlords don't make routine repairs to outright threats by property owners who want tenants out so they can sell the units and make large profits.

"The market is really driving the harassment, and TORCA has made it even easier for owners to abuse the process," said Denny Zane, co-founder of Santa Monicans for Renters' Rights, which for decades has tried to protect the city's affordable housing stock. "We have had reports where property owners are offering to pay people move-out money or they are neglecting the unit. They are doing whatever they can to get people out because the profits are just too high to pass up.

"They are renting one-bedrooms for, say, $1,100 or even $1,500, but can sell them for $600,000 to even $800,000 per unit. Take a building with 10 or 15 units and you're talking about quite a bit of money. The temptation is just too great."

Vidal, who moved into her apartment in 1995 before landlords were allowed to raise the rent to market rate once a rent-controlled tenant moved out, said she has felt the pressure from her landlord to move, including being offered thousands of dollars to relocate.

Beyond being told by her landlord daily that her eviction is imminent, Vidal said the property owner told her he would make it easy on her if she moved out within 30 days.

She received a letter Jan. 24 from her property owner that offered to delay selling the unit for 45 days if she agreed to leave. Vidal refused, and she said since then the landlord has allowed prospective buyers to come into her apartment three to four days a week for several hours at a time.

"It's like they're selling the apartment as if it was empty," she said. "It's never-ending harassment … and on top of that, it's forcing me to work toward my eviction. By letting (buyers) in, I'm helping the owners sell my place right out from under me."

Vidal's neighbors said they also have been harassed, including Robert Friedman, a participating tenant with eviction protections under TORCA. Friedman agreed to the conversion several years ago but never bought the unit. As a result, the condo was sold to a buyer who was allegedly told by the landlord that Friedman was moving to "the desert." When the buyer found out that Friedman had no intention of leaving, she begged him to move. The request soon turned to threats, including anti-Semitic insults and statements suggesting that he would be forced out, Friedman says.

"I understand why she's upset," Friedman said. "If I was paying a $3,000 a month mortgage on a place that was only bringing in $1,300 a month in rent, I would be angry too, but the threats have to stop."

Repeated phone calls to the property owner seeking comment went unreturned.

TENANTS SEEK SHELTER

Vidal and others said they have complained about the harassment to the Rent Control Board and the City Attorney, but many feel their complaints have gone unanswered.

"Every time I call, it's like, 'Get a lawyer,'" said Robert Illes, a renter in Vidal's apartment complex. "I don't see them doing much … If they don't do something soon, (the Rent Control Board) won't have any more constituents left to protect."

Officials in the City Attorney and Rent Control offices said they are aware of the complaints and are investigating.

"Should a landlord attempt to effect a fraudulent owner-occupancy eviction … both the affected tenant and the board can file an action against the owner pursuant to the rent control law for wrongful eviction and seek both actual and punitive damages," said David Daniels, general counsel for the rent control office at City Hall. "The board's legal staff continues to assess whether there are cases that warrant prosecution for wrongful eviction."

Suh, the deputy city attorney, said her office has the resources to adequately monitor complaints and does so each time one is levied.

MARKET MAYHEM

No one knows exactly why so many tenants who approved the conversions have not yet purchased their units. Some say the prices have skyrocketed beyond what those tenants could pay when they first agreed to condos. Others may have moved for business or personal reasons.

Zane said many tenants are still renting because the selling price negotiated between the tenant and property owner was only fixed for two years after the conversion, and has since skyrocketed.

"What's the hurry for the seller, especially if the market goes way up?" Zane said. "That provision just undermined the whole intent of the law … Somebody got a good deal, but not the Santa Monica renter."

TORCA'S TWO FACES

Not everyone is ready to call TORCA a complete loss.

Paul DeSantis, an attorney who helped author TORCA legislation, said the law has added protections for tenants who would normally be evicted by new condo construction.

Older apartment buildings also have been spared, preserving classic architecture while providing homeownership opportunities to young professionals and middle-class families who cannot afford homes here or recently constructed condos that are selling for $1 million or more.

"It really has become TORCA or nothing for many new buyers," DeSantis said. "It's either TORCA or Mar Vista … TORCA is allowing young people and families to stay in Santa Monica. TORCA has helped maintain the economic diversity of the city, and we have saved a number of turn-of-the-century craftsman homes with big, beautiful courtyards. Without TORCA, those units would certainly have been lost and those renters and young families would have moved to the (San Fernando) Valley."

Under TORCA, a city tax equal to 12 times the maximum allowable rent is placed on units that are converted to condos, which generates revenue used for the construction of low- to moderate-income housing and to finance loans for tenants looking to buy, city officials said.

To date, about $25 million has been collected from the condo conversion tax, as well as equity received from the sale of city-financed condos, said Jim Kemper, senior administrative analyst for City Hall's housing division. According to the most recent data from City Hall, as of June 2005, $16 million had been spent on housing projects, including the rehabilitation of homes and apartments, and for homeownership loan programs. The remainder has been allocated to other capital improvement project accounts.

Kemper said the tax from conversions and equity generated from the loan program has brought in at least $1 million annually for the last four years. Loans have been limited, however, as the costs of condos have risen.

DeSantis is aware of the harassment by landlords, but he said that represents only a small fraction of property owners in Santa Monica.

"The City Attorney's office has done an excellent job of enforcement, and we have one of the strongest laws against harassment," he said. "I'm not saying harassment isn't done, but it is done a lot less down here than in other cities."

DeSantis said he supports low-income apartments, but he also said Santa Monica suffers from too many renters and TORCA has helped strike a balance.

"Two-thirds of the people living in Santa Monica are renters who on the average stay in one place for 14 to 15 months," he said. "People in TORCA units stay on average seven years or more. What this does is create a greater sense of community. You have people who really have a stake in what happens here and are committed to the future of the city. They are your backbone."

But what about long-time renters like Vidal?

"We are just as much an important part of the community as (those who own their homes)," she said.

Vidal's grandson was once a fragile young boy, but has come to love his life in Santa Monica and has blossomed. He is an aspiring cellist, a member of his school's orchestra and a strong student as well, Vidal said proudly.

"When his mother left us, I was naturally concerned about him, how he would handle this situation of living in a new place without his mother with him," she said. "Today, he is doing so well … but who knows what will happen to us when we have to leave."

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NATIONAL

Disputes hindered Red Cross response

BY HOPE YEN
Associated Press Writer

WASHINGTON — Years before its uneven response to Hurricane Katrina, the American Red Cross struggled unsuccessfully to resolve internal disputes that beset its Sept. 11, 2001, relief efforts, internal documents show.

In an Oct. 29, 2001, e-mail, board member Bill George chided Red Cross management for not embracing change. At the time, the nation's largest charity was reeling from CEO Bernadine Healy's resignation amid charges it had mismanaged Sept. 11 donations.

"The worst thing we could do is to gloss over the split on the board, make some superficial changes in governance, and see the whole scenario repeated three or four years from now," George wrote.

"I do not think the board can continue kidding itself that it wants a strong leader and then not giving that person the authority to lead," he said. Four years later, the group's next CEO, Marsha Evans, would resign in the aftermath of Hurricane Katrina, citing board friction.

Thousands of pages of Red Cross e-mail, corporate documents and whistleblower complaints paint a picture of an organization hampered by its mammoth structure, which gives local chapters extensive control and limits the powers of a CEO in a major disaster.

Sen. Charles Grassley, R-Iowa, calling for immediate changes, warned the Red Cross board Monday that "'business-as-usual' cannot continue." He said the documents raise questions about the Red Cross' ability to keep close watch on billions of dollars in donations.

"This type of culture, a culture that discourages people from coming forward, management that does not want to hear the bad news, and is more concerned about good press than good results, is a theme that I am hearing too often," said Grassley, who, as Finance Committee chairman, oversees charitable organizations.

His committee released the documents Monday.

In a statement, the Red Cross said it would fully cooperate with the committee's review. The charity has said it responded to Katrina the best it could in circumstances almost unimaginable, while acknowledging that it stumbled in "technology, logistics and coordination."

"The American Red Cross is committed to learning from our prior challenges and making the necessary changes," the charity said Monday, noting it had recently launched an independent audit to review operations.

A House report earlier this month on the Katrina response found the Red Cross was overwhelmed by water, food and supply shortages as well as a disorganized shelter process. Some lawmakers have called for a change to the national response plan that gives the Red Cross the primary role and the dollars that flow with it.

Replying to a Senate inquiry, the Red Cross said this month it was working to improve coordination with FEMA and local charity groups.

It said it had no "fixed deadline" for hiring a new CEO to replace Evans, who took over in August 2002 as the organization was shaking off criticism over how it handled Sept. 11 donations, some of which were quietly set aside for future terror incidents.

In dozens of letters to Grassley's office, former Red Cross employees and volunteers detail a culture of inefficiency in which poor communications, layers of bureaucracy and resistance to change contributed to waste and chaos after Katrina struck.

Typical of the complaints: Red Cross trucks rolling in with goods or sitting idle in parking lots, but not always accounted for; volunteers staying in hotels rather than shelters, holding them for use in case it was needed for someone "with more privilege in the organization"; orders placed for food well in excess of need; extensive travel paid for at retail rather than pre-negotiated volume cost.

"We ask for the Red Cross to be more accountable for donor funds," wrote Christee Lesch, a hurricane volunteer from Adel, Iowa. "They tell the public how much money has been spent on disaster relief, but not how well it is spent."

Documents also show Red Cross leaders eager to repair the group's image following its fundraising flap, but at times uncertain how to navigate among the local chapters, which represent 30 of the charity's 50-member board. Ultimately, Evans was counted on — unsuccessfully — to smooth out problems.

In a June 18, 2002, letter, Bill Van Eman, chairman of the Brazos Valley, Texas, chapter complained that the charity's national leaders were unfairly asking the chapter, following media criticism, to lower its administrative costs below 10 percent of funds raised.

"Allowing us to have a small portion of the funds raised was a wise idea," Eman wrote. "It could have been phrased as a 'special administrative cost' and not a soul would have said anything. ... If all we get as local chapters is bad publicity and additional paperwork, I do not feel this is a wise use of funds."

David McLaughlin, then-Red Cross' chairman, responded: "Withholding some funds to cover chapter expenses makes infinitely good sense. With our new president on board, I suspect that we will be undertaking a thoughtful analysis of how we fund disaster response."

Documents show pattern of spending at Red Cross

By The Associated Press

As part of a Senate inquiry into its governance structure, the American Red Cross submitted thousands of pages of corporate memos, internal e-mail and responses to questions by Sen. Charles Grassley, R-Iowa, the chairman of the Finance Committee. According to the documents, the Red Cross:

■ Spent $1.77 billion of the roughly $2 billion it raised for the 2005 Gulf Coast hurricanes; it says its disaster relief effort will cost $2.12 billion.

Of that unaudited cost estimate, about 6 percent will cover administrative costs of fundraising and management; the amount does not include $265 million the charity expects to receive from FEMA as reimbursement for housing.

■ Acknowledged it had spent $169.3 million, less than one-third, of the $570.1 million it raised for disaster relief following Indonesia's tsunami in December 2004. The remaining money will be disbursed over the next five years for rebuilding efforts, including disease control, job growth and disaster readiness.

"We will continue to revisit these allocations over the course of the program to ensure that they are appropriate," the Red Cross stated. "We are also committed to addressing emerging humanitarian needs, which may include responses to small-scale disasters in tsunami-affected areas."

■ Reported it had no fixed deadline for hiring a CEO to replace Marsha Evans, who stepped down last December, and noted that searches often take between six and 12 months. Interim CEO Jack McGuire will serve in the meantime as the group strengthens its disaster response programs.

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Want to reduce your capital gains taxes?

DAYS ON THE MARKET
BY JODI SUMMERS

Bobby was in a quandary. He had been in the automotive business for more than 20 years. Each time he changed locations, he bought a new commercial property and he'd lease out the old location. Now he was looking to lessen his responsibilities. The issue was, when he looked into selling, he realized he'd have to give the government 15 percent capital gains tax and state withholding taxes on the sale, on top of various other tax fees.

"They were taking a huge chunk of the profits from the sale, but other than trying to find an exchange property, I didn't really know what else I could do about it," Bobby says.

His accountant suggested he think about an installment sale. An installment sale is a viable option for investment property holders whose net gain is more than $500,000 on the sale of their property.

"You get the use of the tax amount that you would normally pay and you get to turn interest on this," says Donald Schmidt, a certified public accountant and real estate broker for Richland Properties. "The installment sale process should be used more."

Real estate installment sales, which are reported on tax form 6252, work like a loan from the seller to the buyer. The two parties determine the time period of the loan and a fair interest rate for the money that will be paid out.

"The real benefit of an installment sale is that it enables a buyer who doesn't qualify for a mortgage to purchase property," says John W. Roth, a tax and business law analyst.

From the seller's point of view, an installment generates a steady income stream. It also might allow a property owner to sell for a higher price to someone who might not qualify for a mortgage — or to dispose of a piece of property that has been difficult to sell.

Schmidt notes that in the current market, the seller could get a rate of about 8 percent. He also says that fees and closing costs are significantly less since lenders do not get involved.

THE DETAILS OF INSTALLMENT SALES

If you have a taxable profit on the sale of real estate, business property or personal effects, the tax law allows you to be paid in installments that may stretch out over years. The advantage is that you don't have to report the gain on your tax return until you receive the money, so the sale won't push you into a higher tax bracket or boost your income to a level where you lose tax benefits. The disadvantage is that you don't get all of the money right away.

The terms of the loan or "carryback" vary, depending on the agreement between the seller and buyer. Typically, in an installment sale, the buyer puts down 20 percent to 30 percent of the sale price up front and pays the remainder in regular increments for a designated length of time, or in a lump sum at the end of the loan period. The seller collects interest on a regular basis throughout the life of the loan. As a result, he or she must pay capital gains tax on the lump sum amount in the first year, but not on the dollars still outstanding.

In each year following, the seller pays capital gains tax on the amount that came in from the sale in that particular year, plus income tax on the interest.

A very basic example is if the total sale were $400,000, with the buyer paying 25 percent, or $100,000 up front. The remaining $300,000 would be due at the end of a 10-year term and the seller would make $30,000 per year in interest income — at an annual interest rate of 10 percent.

> **"The real benefit of an installment sale is that it enables a buyer who doesn't qualify for a mortgage to purchase property."**
>
> **JOHN W. ROTH**
> Tax and business law analyst

Each interim year, the seller would get taxed only on the $30,000. In the 10th year, the seller would pay taxes on this interest income plus a capital gains tax on the $300,000 changing hands.

The major risk involved in this type of sale is the possible default by the borrower. Experts advise the seller to require 20 percent to 30 percent up front so the buyer has some equity in the property, should the borrower default — forcing the seller to foreclose. That equity could cover the cost to the seller of foreclosing and reselling the property.

The seller also might consider that if the borrower pre-pays the loan, it would defeat the purpose, since fewer dollars would be collected in interest. Many installment sales contain a clause penalizing or prohibiting pre-payment.

The installment-sale process can be applied to any income-producing property, including residential investment properties. It also could be applied to a primary residence, but it is generally more beneficial for home sellers to take the available tax deduction of either $250,000, for single taxpayers, or $500,000, for married filers, on the principal.

Another option to defer taxes is a 1031 exchange. Many owners of investment properties benefit from the 1031 tax-deferred exchange, which states that the seller can defer taxes on the sale if he rolls the gain into the purchase of another property — or if he trades his property for another seller's property. In the first case, the seller would not be taxed on the gain from the sale until he sells the new property he just bought.

To report an installment sale, use IRS form 6252, Installment Sale Income, to report installment income each year. You will need to file form 1040, and may need to attach form 4797 and form 1040, schedule D. For additional information, refer to publication 537, "Installment Sales." For making installment sales and other tax scenarios work for you, consult your accountant.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call 310-309-4219. Visit her Web site at www.santamonicalandmarks.com.)

Get your bonus depreciation before it ends

IN YOUR SPACE

BY CHRISTINA S. PORTER

Investors should check with their tax advisors to make sure they have maximized their bonus deprecation before the valuable deduction ends.

One of the more valuable tools used to increase cash flow on an investment is depreciation. The House and Senate passed the Jobs and Growth Tax Relief Reconciliation Act of 2003 (JGTA) in May of 2003. The intent of the act is to provide incentives to stimulate investment and consumption. The JGTA represents an acceleration and extension of tax reductions enacted in 2001.

There are several provisions made in the JGTA, but one of them directly relates to commercial real estate and is called "Title II: Growth Incentives For Business: Section 201: Increase and Extension of Bonus Depreciation."

Section 201 provides for an increase and extension of the 30 percent accelerated depreciation of all equipment and leasehold improvements as enacted in March of 2002. The 30 percent bonus depreciation was increased to an amount equal to 50 percent of the cost of the improvements that can be taken in the first year that the improvements were made, in addition to the regular straight-line depreciation — 1/39th.

The "close out" provisions of current law remain in effect, so remaining balances may be deducted at the termination of the lease. The 50 percent bonus depreciation provision applies only to leasehold improvements that were made after May 5, 2003, and before January 2005. The 30 percent bonus depreciation applies to leasehold improvements made prior to May 6, 2003, and after Sept. 11, 2001.

When using the bonus depreciation for leasehold improvements, the building must have been "in service" — meaning it must have been leased, but not necessarily to the lessee that the property is currently leased to — for at least three years prior to taking the bonus depreciation, and only the person paying for the improvements may take that depreciation. Here's an example: An owner may not take the bonus depreciation for leasehold improvements paid for by the tenant and vice versa.

The bonus depreciation does not apply to residential income or owner/user properties. Hopefully most of you remembered to use this accelerated depreciation in your 2004 tax reporting. Please consider this a reminder if you did not. Additionally, it is possible that your property may qualify for one of the "limited circumstances" that allows it to remain eligible for the bonus depreciation through January of 2006.

As always, the above information should be discussed carefully with your tax professional to weigh the advantages or possible disadvantages of taking such accelerated depreciation.

(You can reach Christina Porter at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit.)

Sample Investment Properties

Sample Investment Properties

Industrial

City	State	SF	Price	Cap Rate
Saint Louis	MO	126,000	$2,400,000	10.00%
Ephraim	UT	60,000	$2,900,000	8.00%
Indianapolis	IN	62,500	$3,400,000	10.00%
Hialeah	FL	25,961	$4,300,000	7.81%
Phoenix	AZ	138,160	$12,450,000	7.4%

Tenant In Common (No Management)

Type	State	Minimum Investment	Year One Cash On Cash	Year Five Cash On Cash
Retail Center	NC	$100,000.00	7.00%	8.00%
Medical Office	AL	$100,000.00	7.00%	8.00%
Garden Apartments	OR	$450,000.00	6.70%	8.88%
Food Lion Rtl Center	SC	$560,000.00	9.00%	11.00%
Office	NV	$750,000.00	7.00%	8.50%
Residential Golf Dvlpmt	AR	$300,000.00	NA	NA

(20% Annual Accrued Return, not compounded)

The above is a sample of the types of properties that are selling across the country.
The cash on cash amounts quoted are estimated and not guaranteed.

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Answering questions on the rights of both owners and associations

THE HOA ADVISOR
BY MICHAEL CHULAK

Question: Our homeowner association has serious water intrusion problems in the common areas. We have attempted several times to obtain a set of plans from the developer without success. What should we do?

Answer: Sections 19850 and 19851 of the California Health and Safety Code require that every city or county maintain a copy of the plans for every common interest development during the life of the building(s) for which the building department has issued a permit. Those plans and specifications are open for inspection and may be copied, with some limitations. Your association board also should contact an attorney who specializes in construction defects as soon as possible. The "statutes of limitation" extinguish the legal rights of the association after the passage of time, as set forth in the various statutes.

Question: I own a townhome, however, I don't reside in it. Am I still eligible to be a member of the board of directors?

Answer: It depends upon your bylaws. Some bylaws permit non-resident owners to be members of the board. Some do not. There is nothing in the California Corporations Code to prohibit you from being a member.

Question: Our association has recently adopted an amendment to our CC&Rs that requires purchasers of homes in our community to put at least 50 percent down. The intention is to discourage buyers who cannot afford to pay our association's assessments. We are tired of dealing with delinquency problems. Is this amendment enforceable?

Answer: Probably not. Courts will not enforce unreasonable restraints on alienation — the sale or leasing of property. A 50 percent down payment requirement will probably be considered unreasonable because most second trust deed lenders do not require such large down payments or equity positions. Your association is effectively in the same position as a second trust deed lender, in terms of risk.

Question: One of the members of our homeowner association refuses to pay her monthly assessments because the developer has not made repairs to the interior of her individual home. The developer is still in control of the association. What should the board do?

Answer: The board must enforce the established delinquency policy and should assume no responsibility in assisting the owner in her dispute with the developer. An owner's dispute with the developer is not an effective defense to the payment of assessments.

(Michael T. Chulak is a partner with Chulak Shiffman Quisenberry & Drescher LLP, Attorneys at Law. Questions can be sent via e-mail to info@CSQDLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information, visit www.CSQDLaw.com and www.HoaQandA.com.)

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NATIONAL

Senators challenge Bush plan for public land sales

BY MATTHEW DALY
Associated Press Writer

WASHINGTON — Senators from both parties on Tuesday challenged a Bush administration plan to sell more than 300,000 acres of national forest to help pay for rural schools in 41 states.

Lawmakers said the short-term gains would be offset by the permanent loss of public lands. They also said profits from the proposed sales would fall far short of what's needed to help rural governments pay for schools and other basic services.

"I just don't think we can play Russian roulette with these local communities," said Sen. Ron Wyden, D-Ore., who vowed to "do everything I can" to stop the plan.

Sen. Larry Craig, R-Idaho, had a more visceral reaction: "No, heck no," he told Bush administration at a Senate hearing Tuesday.

Wyden and Craig were co-sponsors of a 2000 law that has pumped more than $2 billion into rural counties hurt by logging cutbacks on federal land. The so-called "county payments" law has helped offset sharp declines in timber sales in Oregon and other Western states in the wake of federal forest policy that restricts logging to protect endangered species such as the spotted owl.

The law is set to expire Sept. 30. The land-sale plan would reauthorize the law for five years, but calls for a phased reduction in funding to zero by 2011.

Agriculture Undersecretary Mark Rey, who directs U.S. forest policy, called the proposed cutbacks painful but necessary. The law was never intended to be permanent, he said, but was a way to help rural counties make the transition from dependence on timber receipts to a more broad-based economy.

The lands proposed for sale are all isolated; difficult or expensive to manage; and no longer meet Forest Service needs, Rey said.

"We think this is justified as a one-time transition to help rural schools" for five more years before eliminating the program entirely, Rey told the Senate Energy and Natural Resources Committee.

Asked what rural counties in Oregon, Idaho and other states should expect, Rey was blunt: Counties that have diversified their economies and local budgets in recent years should be fine, he said.

Those that have not "are facing rather dramatic and immediate reductions in their school budgets," Rey said.

Rey's comments met with bipartisan derision.

"County payments are an extremely important funding source for counties with forest land inside their boundaries," said Sen. Craig Thomas, R-Wyo. "To propose selling off public lands we will lose forever, in exchange for a program we can pay for by other more prudent means, is simply irresponsible."

Sen. Maria Cantwell, D-Wash., said the administration "wants to eliminate a proven, balanced initiative in favor of a public lands fire sale. Washington's rural communities need our support and want the county payments program extended."

Sen. Jim Talent, R-Mo., said he was not opposed to the land sale in principle, but was concerned about how much revenue would go to Missouri schools. The Bush plan would sell 21,566 acres in Missouri's Mark Twain National Forest — the third-largest land sale in the country — but would result in a likely cut in funding for Missouri schools.

"Our schools need the money," Talent told Rey and Forest Service Chief Dale Bosworth. "We view the Mark Twain as a national treasure and a Missouri treasure."

Rey acknowledged the disparity, but said funding formulas could be adjusted as Congress sees fit. Oregon and other Western states get the lion's share of the money under the current program.

Wyden, who called reauthorization of the law his top priority for the year, said the proposed land sale had another, practical problem for local governments: Many of the sales are likely to be contested in court, meaning revenue from the sale could be delayed for months or years.

Western governors call for guest worker plan, immigration reform

BY ERICA WERNER
Associated Press Writer

WASHINGTON — The Western Governors Association on Tuesday called on Congress to pass comprehensive immigration reform including a temporary guest worker program.

The group that represents 18 western states passed the policy resolution unanimously while meeting at the National Governors Association annual conference. The vote came as the Senate prepares to take up immigration legislation this spring.

The House passed an immigration bill in December that tightened border controls and authorized fencing portions of the border, but did not include a guest worker plan. Senate Majority Leader Bill Frist, R-Tenn., has said Senate legislation will provide a framework for guest worker ideas.

The Western Governors Association's resolution — the group's first attempt to tackle the immigration issue — did not offer details on how the temporary guest worker program would work.

The resolution also calls for building regional federal prisons to house illegal immigrants who commit crimes. States now have to pay much of the cost of jailing criminal aliens.

The resolution also says that the number of employment-based visas should be increased, including the popular H1-B visas that go to high-tech and other skilled workers. It encourages enforcement of existing sanctions on employers for knowingly hired illegal workers but does not advocate new ones.

"When you think about issues that impact the West, this immigration issue is really the top issue right now," said Arizona Gov. Janet Napolitano, a Democrat, who chairs the Western Governors Association.

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INTERNATIONAL

Multiple bombings kill at least 41

BY ALEXANDRA ZAVIS
Associated Press Writer

BAGHDAD, Iraq — A suicide bomber detonated an explosives belt at a crowded gas station Tuesday — one of five attacks that rocked Baghdad in quick succession, killing at least 41 people and wounding scores, police said.

The surge of violence, including three car bombs, unsettled an Iraqi capital already shaken by fears the country teeters on the brink of sectarian civil war. Iraqis have suffered through days of reprisal killings and attacks on Sunni mosques since bombers blew apart the gold dome of the revered Shiite Askariya shrine in Samarra on Wednesday.

The Iraqi Cabinet said 379 people had been killed and 458 wounded in reprisal attacks in the week since the shrine was destroyed.

In Washington, President Bush decried the latest surge in sectarian violence in Iraq and declared that for Iraqis "the choice is chaos or unity."

Fears of civil war have been complicated by the continuing struggle among Iraqi politicians to form a new government. National security adviser Mouwafak al-Rubaie traveled to the Shiite holy city of Najaf on Tuesday to meet with Grand Ayatollah Ali Al-Sistani, the Shiite community's most revered leader.

North of Baghdad, a blast badly damaged a Sunni mosque where the father of Saddam Hussein was buried in the family's ancestral hometown, Tikrit.

The deposed leader's trial resumed in Baghdad with his defense team ending their monthlong boycott and prosecutors presenting a document they said was signed by the former leader approving the executions of more than 140 Shiites in southern Iraq after an assassination attempt in the 1980s.

The Iraqi Islamic Party said a Sunni mosque in Baghdad's northern al-Hurriyah neighborhood was destroyed in an explosion before dawn Tuesday. The Sunni organization blamed the Shiite-dominated government that, it said, "cooperates with the criminal hands that sabotaged God's houses and lighted the fires of sedition."

At a gas station in the mostly Shiite eastern New Baghdad neighborhood, a suicide attacker joined a line of people waiting to buy kerosene before detonating the explosives strapped to his body, witnesses said. The blast killed 23 people and injured 51, Interior Ministry official Maj. Falah al-Mohammedawi said.

The charred remains of metal carts used by customers to transport kerosene drums littered the scene.

In the same region, a car bomb targeting a police patrol killed nine people and wounded 17 — all civilians, police and paramedics said.

Another car bomb exploded near a Shiite mosque in the crowded southeastern Karada neighborhood, killing four and wounding 16, al-Mohammedawi said.

Police said the vehicle was parked next to a small market opposite the Timimi mosque, which was closed for repairs. But witnesses said the vehicle was driven by a suicide attacker.

Distraught residents rushed to the scene, as firefighters fought back flames from burning cars.

A roadside bomb targeting the convoy of a defense ministry adviser killed five soldiers and wounded seven others in the eastern Zaiyona neighborhood, ministry spokesman Mohammed al-Askari said. The adviser, Lt. Gen. Daham Radhi al-Assal, was not injured.

The U.S. military reported a U.S. soldier was killed by small-arms fire west of Baghdad on Monday. At least 2,292 members of the U.S. military have died since the war began, according to an Associated Press count.

In the south Tuesday, two British soldiers were killed in Amarah, 180 miles from Baghdad, the Defense Ministry reported in London. A witness said a car bomb targeted a British patrol and helicopters were seen taking away casualties.

The deaths raised the British toll in the Iraq conflict to 103.

The Baghdad bombings occurred as Iraqi leaders sought to dampen the threat of civil war between the nation's Shiites and Sunnis, but nine bullet-riddled bodies, including that of a Sunni Muslim tribal sheik, were found Tuesday off a road southeast of Baghdad, police and hospital officials said.

The Iraqi army found the bodies near two burned out minibuses along the road from Baghdad into Iraq's strife-prone Diyala province. The victims included Sheik Hamid Irbat Ghazi, of the influential Mahamdeh tribe, and two of his nephews, police said.

Al-Rubaie emerged from his meeting to tell reporters "the way to forming the government is difficult and planted with political bombs. We ask the Iraqi people to be patient, and we expect forming the government will take a few months."

He added: "The (United Iraqi) Alliance has chosen (Prime Minister Ibrahim) al-Jaafari and will not give up this choice. We expect that our partners in this country will respect this choice ... taking into consideration the election results."

That balloting gave the Shiite bloc a majority of parliamentary seats but not enough to rule alone.

Al-Jaafari, the interim prime minister, has been criticized by opponents for weak leadership that has allowed militias to carry out reprisals on Sunnis and to infiltrate the police. Al-Jaafari's links to Muqtada al-Sadr, who helped secure his nomination for another term, has alarmed some Shiites and others who fear the rise of the radical young cleric.

Leaders of all major sects and ethnic groups have appealed for calm, and U.S. Ambassador Zalmay Khalilzad told American television networks he believed "the crisis is over."

"I think the country came to the brink of a civil war, but the Iraqis decided that they didn't want to go down that path and came together," Khalilzad told CNN on Monday. "Clearly the terrorists who plotted that attack wanted to provoke a civil war.

"It looked quite dangerous in the initial 48 hours, but I believe that the Iraqis decided to come together."

On Tuesday, wailing relatives collected the bodies of their loved ones killed in last week's sectarian violence.

The Washington Post reported Tuesday that more than 1,300 Iraqis had been killed since then, but Tuesday's Cabinet statement described that account as "inaccurate and exaggerated."

The Post cited figures from the Baghdad central morgue, but an official there told The Associated Press that as of Sunday night they had received only 249 bodies tied to the violence. The Post figure appeared high based on police and hospital reports from the major population centers at the time of the attacks.

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PEOPLE IN THE NEWS

‘Bachelor’ to remain one, for now

By The Associated Press

NEW YORK — Vanderbilt emergency room physician Dr. Travis Stork kept it close to home by picking Nashville kindergarten teacher Sarah Stone in the season finale of ABC’s “The Bachelor: Paris.”

Stork presented her with a diamond ring on a necklace Monday night.

Sarah: “You’re so perfect for me.”

Travis: “You’re the one that’s perfect for me.”

The 33-year-old Stork, who is completing his residency at Vanderbilt Medical Center in Nashville, Tenn., declared at the outset of this latest “Bachelor” season that he was looking for “the woman who catches my eye — maybe with the way she smiles, the way I first react to her.”

The rejected finalist, Moana Dixon, a 26-year-old distribution manager from Los Angeles, took the bad news calmly in front of Stork, but fell apart in the limo ride.

“This pain I’m experiencing right now is so intense that I just want to crawl back in my shell and just hide,” she said.

Located outside the United States for the first time, the France-set “Bachelor” deployed 25 women to vie for Stork’s affections during a series of glamorous dates. The season began in January.

But although he selected the 26-year-old Stone, Stork’s bachelor status seemed safe for the moment: There was no explicit marriage proposal.

“Let’s see where this relationship goes,” he proposed.

NEW ORLEANS — Britney Spears spent part of Mardi Gras with a group of students whose lives were upended when Hurricane Katrina devastated the area six months ago.

Standing in the French Quarter surrounded by St. Catherine of Siena School dancers wearing “Gatorettes” uniforms, the 24-year-old pop star, a Louisiana native, talked on ABC’s “Good Morning America” Tuesday of her recent “surprise” meeting with four students from Our Lady of Mount Carmel School of New Orleans.

Spears grew up not far from New Orleans in the town of Kentwood, and she has participated in fundraisers for victims of the hurricane.

On a recent morning, the girls sat down to breakfast with City Councilman Jay Batt, thinking they were there to discuss the effects of Katrina. Then Spears walked in, greeted with squeals.

“It was awesome. I will never forget it,” said 14-year-old Lindsay Hernandez, who lived with 21 relatives and friends after her home was destroyed.

Spears took the girls shopping and to dine at one of Cajun chef Emeril Lagasse’s restaurants for some Southern comfort food, including fried chicken and red beans and rice. There, the conversation turned from shopping to Katrina.

“We had to go to a shelter,” said Auntrell Prosper, 17, who still has Beyonce posters on her bedroom walls in her devastated home. She now lives with her family in a trailer.

Spears gave the girls fleur-de-lis pins on blue ribbons. It was a surprise for the dance troupe from St. Catherine’s, a school in suburban Metairie, as well as for the four New Orleans girls.

“It was an honor to be here with all of them,” Spears said.

LONDON — Pete Doherty has been arrested again — this time on suspicion of stealing a car and being in possession of hard drugs.

Doherty, the troubled 26-year-old frontman of the group Babyshambles and ex-boyfriend of supermodel Kate Moss, was among three men arrested in Birmingham on Monday night following a report of a vehicle being stolen in London, West Midlands Police said Tuesday.

All were released on bail, police said.

Earlier this month, Doherty was sentenced to 12 months of community service for possessing drugs. He pleaded guilty to the charges on Jan. 27.

Judge Ann McLaughlin warned Doherty at the time that if he broke the drug rehabilitation requirement of his community order, he would be brought back before the court and might go to jail.

The maximum sentence for possession of Class A drugs such as heroin and cocaine is seven years in prison.

McLaughlin ordered Doherty to submit to a drug test each month.

Prosecutor Bryony Derbyshire had told the court Doherty was stopped by police in London on Nov. 30, and heroin and cocaine were found in his car.

He was stopped again four days later, when police found heroin, morphine, crack cocaine and marijuana in his car.

Doherty was again stopped by police in London on Jan. 26, when he was found to be carrying heroin. He pleaded guilty at three earlier hearings to seven counts of drug possession in relation to these incidents.

LAS VEGAS — Two Las Vegas clubs have been put on notice for allowing Paris Hilton’s underage boyfriend into their establishments on New Year’s Eve.

Tao Asian Bistro in The Venetian and Body English at the Hard Rock Hotel received warning letters last month from the Clark County Business License Department after investigators determined that Stavros Niarchos, 19, was allowed into the clubs.

Hilton, co-star of “The Simple Life” TV reality series, recently celebrated her 25th birthday.

Both clubs were told they had violated county code, but were not issued citations because operators had cooperated with county agents, the letters said.

A security guard caught on a surveillance tape escorting the couple into the club was fired and the doorman who did not ask Niarchos for identification was suspended, said Jim Bowen, vice president and chief financial officer of the Hard Rock Hotel.

Several years ago, the resort made news when it ejected an underage Britney Spears.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR WEDNESDAY, MARCH 1, 2006

Broadway Loews Cineplex
1441 Third St.
(310) 458-6232

The Matador
2:15pm 5pm 7:45pm 10pm
Running Scared
1:45pm 4:30pm 7:30pm 10:30pm
Walk the Line
1pm 4:05pm 7:15pm 10:15pm
Transamerica
1:30pm 4:15pm 7pm 9:45pm

Mann’s Criterion Theatre
1313 Third St.
(310) 395-1599

Neil Young: Heart of Gold
11:40am 2pm 4:30pm 7:20pm 9:40pm
The New World
1:40pm
Firewall
12pm 2:30pm 5:10pm 7:40pm 10:10pm
Munich
11:20am 2:50pm 6:30pm 10pm
The Pink Panther
11:10am 3pm 4:40pm 7pm 7:50pm 9:30pm
Tyler Perry’s Madea’s Family Reunion
11am 12:15pm 1:30pm 4:20pm 5:20pm 7:10pm 9:50pm 10:20pm

AMC7 Santa Monica
1310 Third St.
(310) 289-4262

Eight Below
1:20pm 4:10pm 7pm 9:55pm
Doogal
1:15pm 3:20pm 5:25pm 7:30pm 9:35pm
Capote
7:10pm 10pm
Curious George
1pm 3:10pm 5:15pm 7:20pm 9:30pm
Final Destination 3
2:20pm 4:40pm 7:15pm 9:40pm
Nanny McPhee
1:50pm 4:30pm
Date Movie
1:10pm 3:15pm 5:20pm 7:25pm 9:45pm
Freedomland
2pm 4:50pm 7:40pm 10:15pm

Nuwilshire Theatre
1314 Wilshire Blvd.
(310) 281-8228

Brokeback Mountain
12:15pm 3:45pm 7pm 10pm
Tsotsi
12pm 2:30pm 5pm 7:30pm 9:55pm

Laemmle 4-Plex Theatre
1332 Second St.
(310) 394-9741

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

Questions or comments? Email calendar@smdp.com

MORE TODAY IN HISTORY

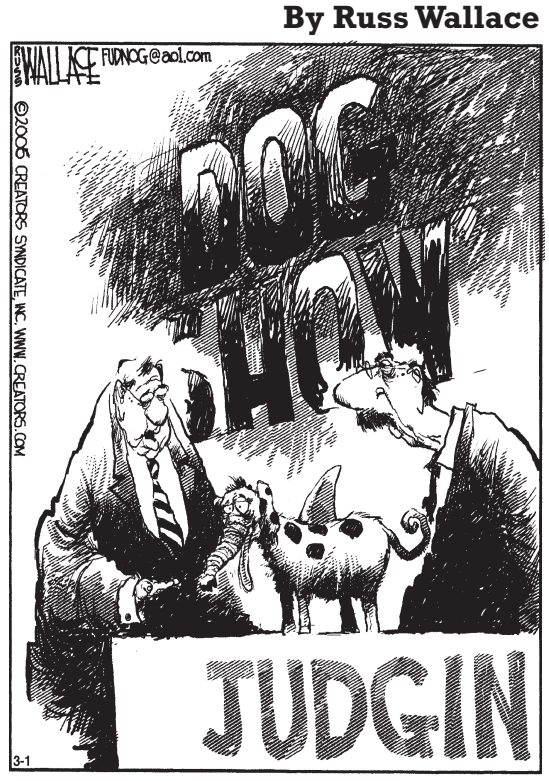
In 1781, the Continental Congress adopted the Articles of Confederation.
In 1790, Congress authorized the first U.S. Census.
In 1864, Rebecca Lee became the first black woman to receive an American medical degree, from the New England Female Medical College in Boston.
In 1867, Nebraska became the 37th state.
In 1872, Congress authorized creation of Yellowstone National Park.
In 1904, bandleader Glenn Miller was born in Clarinda, Iowa.
In 1932, 20-month-old Charles A. Lindbergh Jr., the son of Charles and Anne Lindbergh, was kidnapped from the family home near Hopewell, N.J. (Remains identified as those of the child were found the following May.)
In 1954, Puerto Rican nationalists opened fire from the gallery of the U.S. House of Representatives, wounding five congressmen.
In 1961, President Kennedy established the Peace Corps.
In 1981, Irish Republican Army member Bobby Sands began a hunger strike at the Maze Prison in Northern Ireland; he died 65 days later.
Ten years ago: President Clinton slapped economic sanctions on Colombia, concluding that Colombian authorities had not fully cooperated with the U.S. war on drugs. The Food and Drug Administration approved a powerful new AIDS drug, saying ritonavir could prolong slightly the lives of severely ill patients.

COMICS

The Dinette Set by Julie Larson

Natural Selection®

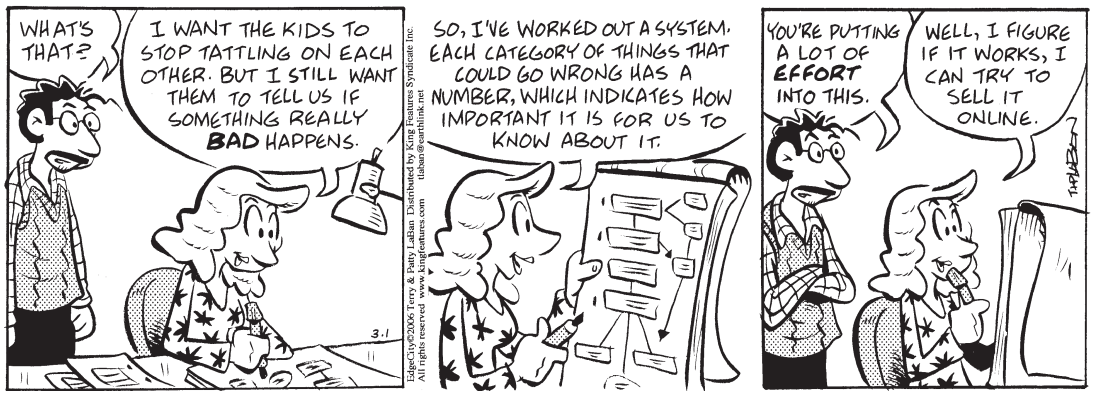
By Russ Wallace



"He's not really a pure breed, now....is he?"

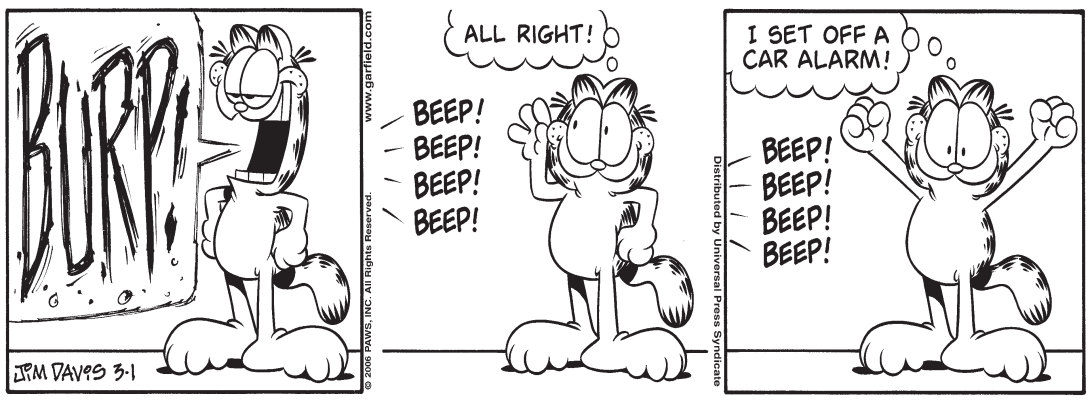
edge City

by Terry & Patty LaBan



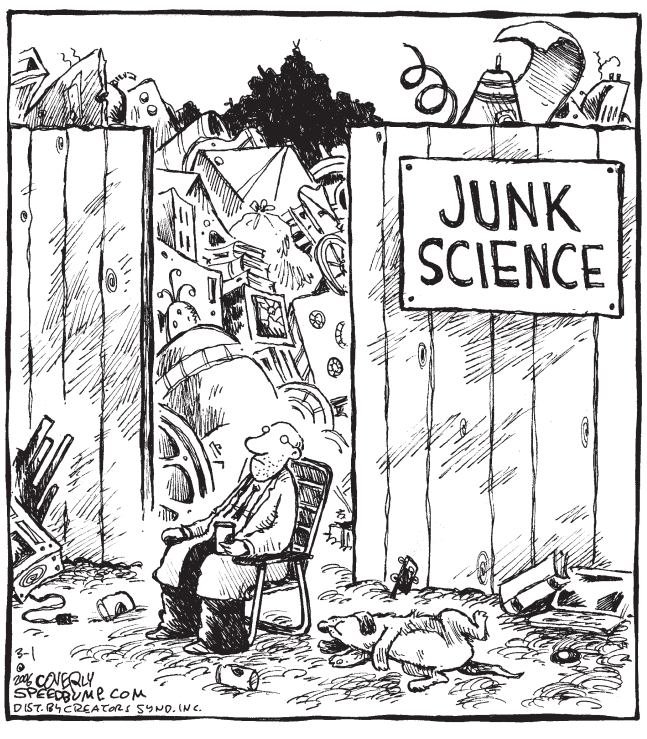
Garfield®

By Jim Davis



Speed Bump®

By Dave Coverly



CROSSWORD

By THOMAS JOSEPH

ACROSS

1 "— la vie!"
5 LePew of cartoons
9 Van Gogh painted there
11 Vegas game
12 Move furtively
13 Met show
14 Suffered from
15 Like obsidian
17 Set to wed
19 Employ
20 Friday's creator
21 Had a nosh
22 Battling
24 Roadster
26 Kind of cannonball
29 Engine part
30 Racing break
32 Stunned
34 Uno plus due
35 Crystal-ball user
36 Join forces
38 Sun-dried brick
39 Scout's job
40 Talk excitedly
41 Earth tones

DOWN

1 Secret store
2 Gofer's job
3 Hammer type
4 Casual top
5 Vatican VIP
6 Barely make it
7 Read
8 Make blank
10 Tap
11 Frog's home
16 "Golly!"
18 Miles off
21 Prepares for war
23 Studio director
24 40 percent of North America
25 Warring woman
27 Ancient Greece
28 Kramden's pal
29 Stogie
30 Do kitchen work
31 Hammer ends
33 Red-ink amount
37 Court divider

R	E	L	O	A	D	■	A	J	A	R
A	V	E	N	G	E	■	S	A	G	A
D	E	I	F	I	C	A	T	I	O	N
■	■	■	I	L	O	V	E	■	■	■
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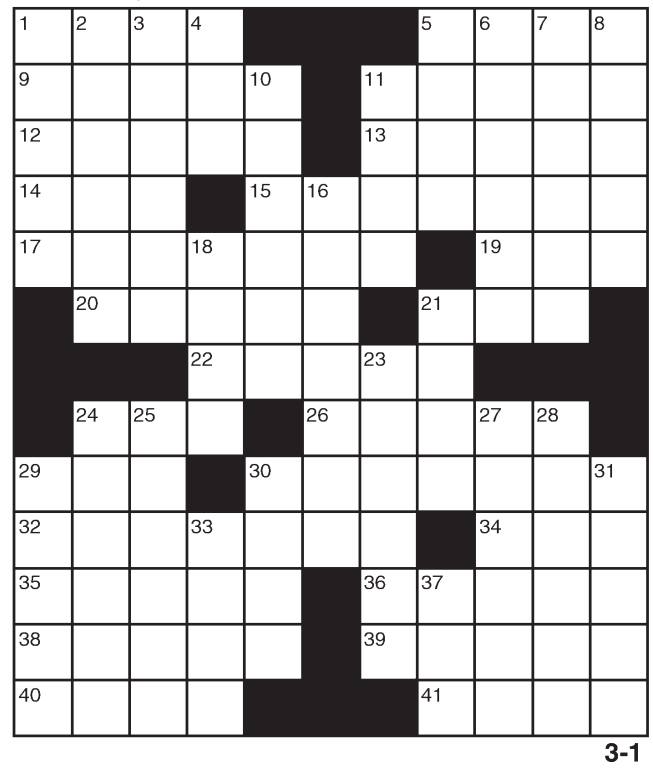

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IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY
(Juvenile Division)

TO: JASON (LAST NAME UNKNOWN) AND/OR ANY AND ALL OTHER PUTATIVE FATHERS OF A CHILD BORN ON THE 14th DAY OF FEBRUARY, 2006, IN DES MOINES, POLK COUNTY, IOWA:

YOU ARE HEREBY NOTIFIED that there is now on file in the office of the Clerk of Court of Polk County, a Petition for Termination of Parental Rights in Case No. 222442, which prays for termination of your parent-child relationship to a minor child born on February 14, 2006 at Iowa Methodist Hospital in Des Moines, Iowa. For further details contact the Polk County Clerk of Court's office or Kenneth P. Nelson, Attorney at Law, 3112 Brockway Road, P.O. Box 1020, Waterloo, Iowa 50701 (319) 291-6161.

YOU ARE FURTHER NOTIFIED that there will be a hearing on the Petition for Termination of Parental Rights before the Iowa District Court for Polk County at the Courthouse in Des Moines, Iowa, at 8:45 o'clock a.m. on the 23rd day of March, 2006.

Clerk of District Court, Juvenile Division
Deputy Clerk of Juvenile Court
Polk County Courthouse
500 Mulberry Street
Des Moines, IA 50309-4238
(515) 286-3772

NOTICE OF PETITION TO ADMINISTER ESTATE OF ANNA LOUISE EVANS

Case No. SP006762

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of ANNA LOUISE EVANS

A PETITION FOR PROBATE has been filed by Patricia A. Evans in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PRO-BATE requests that Patricia A. Evans be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administra-tion of Estates Act. (This authority will allow the personal representa-tive to take many actions without obtaining court approval. Before taking certain very important ac-tions, however, the personal repre-sentative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on April 21, 2006 at 9:15 AM in Dept. No. F located at 1725 Main St., Santa Monica, CA 90401.

IF YOU OBJECT to the grant-ing of the petition, you should ap-pear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a per-son interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and ap-praisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
MICHAEL L LYONS ESQ
LAW OFFICE OF MICHAEL L LYONS
12400 WILSHIRE BLVD
STE 1500
LOS ANGELES CA 90025
Santa Monica Daily Press
CN749414 EVANS Mar 1,2,8, 2006

NOTICE OF PETITION TO ADMINISTER ESTATE OF: CHRISTOPHER SHANNON PENN
CASE NO. SP006760

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the WILL or estate, or both of CHRISTOPHER SHANNON PENN.

A PETITION FOR PROBATE has been filed by ROY D. KAUFMAN in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PROBATE requests that ROY D. KAUFMAN be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act . (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on 04/14/06 at 9:15AM in Dept. F located at 1725 Main St., Santa Monica, CA 90401

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are 50a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code Section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner
DAVID L. WINTROUB
WINTROUB & FRIDKIS PC
2029 CENTURY PARK E., #1020
LOS ANGELES, CA 90067
3/1, 3/2, 3/8/06
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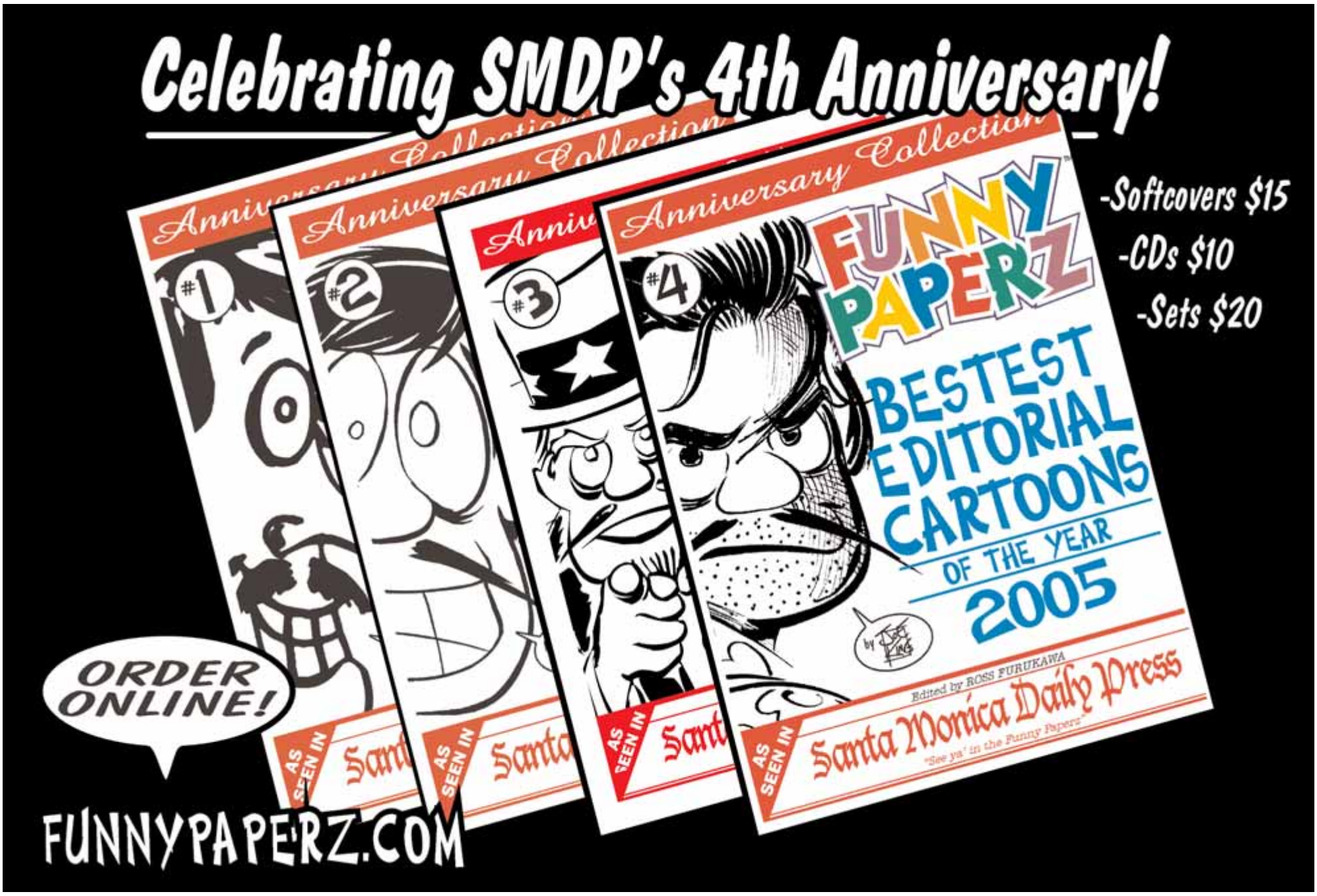

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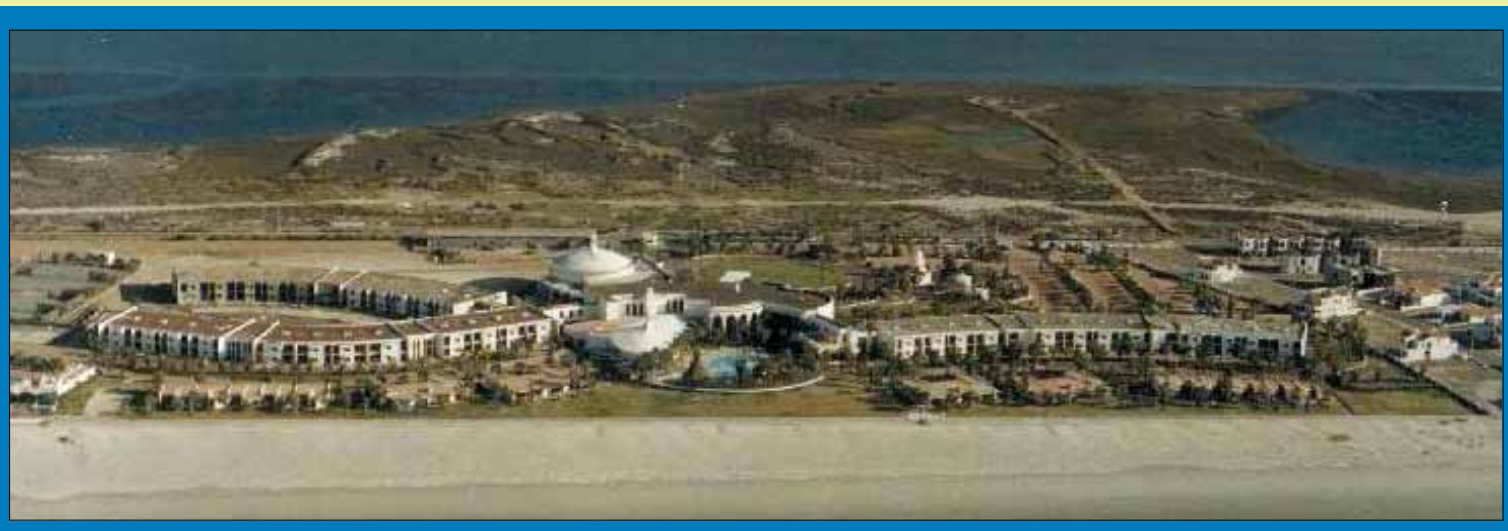

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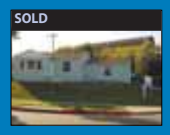
IN ESCROW	IN ESCROW	IN ESCROW NO PHOTO AVAILABLE	BUILD 2 TOWNHOUSES PLANS AND PERMITS	NEW LISTING NO PHOTO AVAILABLE	IN ESCROW	JUST REDUCED $100K NO PHOTO AVAILABLE	SOLD 	NEW LISTING! NO PHOTO AVAILABLE
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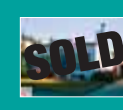
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