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Santa Monica Daily Press

FRIDAY, MARCH 2, 2012

Volume 11 Issue 95



POT RULING COMPLICATES THINGS
SEE PAGE 3

We have you covered

THE CROSSED WIRES ISSUE

Developers may get hit by new fees

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL Those who develop commercial properties could soon be on the hook for affordable housing.

The City Council Tuesday directed its staff to begin work on a study that would set the parameters for a fee on commercial development to support the production of affordable housing.

City staff recommended exploring a fee

after Santa Monica's Redevelopment Agency was dissolved in February by the state, depriving City Hall of almost 75 percent of its funding for affordable housing.

If affordable housing remains a priority in Santa Monica, it will need another source

of stable funding, said Andy Agle, director of Housing and Economic Development.

"It's important that we keep an eye on what's happening in Sacramento, and if

SEE HOUSING PAGE 8



SAY DOG BISCUIT

Canines pose for the camera Wednesday during a workshop on how to take photographs of dogs at Fitdog Sports Club.

Brandon Wise brandonw@smdp.com

'No deal' over parking ticket lawsuit

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL A Santa Monica couple suing City Hall for allegedly failing to properly notify people as to why their parking tickets were found to be valid is now saying that Tuesday's announcement of a settlement agreement in the case was premature.

Stanley and Harriet Epstein filed suit against City Hall in June 2011 claiming that Santa Monica officials had violated the California Vehicle Code by sending motorists form letters that gave no justification to those contesting parking tickets.

City Attorney Marsha Moutrie outlined the supposed settlement agreement in the opening minutes of Tuesday's City Council meeting.

It consisted of a single \$77,500 payment to the Epsteins and their attorney, \$12,500 of which would be paid by ACS, an independent contractor that processes parking tickets for City Hall.

The Epsteins would personally receive only the \$12,500, a substantial amount of which will be donated to the Public Justice Foundation, a nonprofit consumer rights group, the couple said.

City Hall and ACS would also send out letters to people who had received a citation and requested an initial review by a hearing examiner and those that had accomplished that and then gone on to an administrative

SEE SUIT PAGE 10

HIGH SCHOOL SPORTS ROUNDUP

Samohi football schedules powerhouses

BY DANIEL ARCHULETA
Managing Editor

SAMOH Coming off one of the most successful seasons in recent memory, Samohi's football team is toughening its schedule as

it hopes to grow into a power in the sport.

Traditional heavy weights Mater Dei and Hart have been added to Santa Monica High School's preseason schedule for 2012-13, Athletic Director Daniel Escalera said on Thursday.

Samohi has also added Redondo to next

season's schedule. Out are games against Centennial, Leuzinger and Anaheim Canyon.

The three new teams add to a schedule that includes traditional rival Palisades and

SEE ROUNDUP PAGE 9



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Also a big thanks to our volunteer committee for helping to organize
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Calendar

2

FRIDAY, MARCH 2, 2012

Santa Monica Daily Press

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Friday, March 2, 2012

Bergman up close
Aero Theatre

1328 Montana Ave., 7:30 p.m.

Take in a screening of Ingmar
Bergman's classic "Fanny and
Alexander." This screening is part of
the series Through a Lens Darkly:
The Films of Ingmar Bergman, which
concludes on March 8 with "Wild
Strawberries." For more informa-
tion, call (310) 260-1528.

Rocking the place
Santa Monica Place
Broadway and Third Street, 2 p.m.
and 6 p.m.

Enjoy live music at the mall's main
plaza every weekend. The artists
aren't set, but be ready for some
eclectic offerings. For more informa-
tion, call (310) 260-8333.

Sunday, March 4, 2012

Rallying behind
'Chain Reaction'

Flying Saucers Caffeine
and Art Cafe

306 Pico Blvd., 5:30 p.m.

Artists, activists, students and the
public are invited to a meeting of
Save Our Sculpture, a group that
formed to help save "Chain
Reaction." City leaders say that it
would be too expensive to fix the
damaged piece and the public is ral-
lying around Pulitzer Prize-winning
political cartoonist Paul Conrad's
sculpture located in the Civic
Center. For more information, call
(310) 399-1000.

Piano man

Crossroads School's Roth Hall
1714 21 St., 2 p.m.

Richard Grayson returns for his
annual improvisation piano recital.
Grayson joined the music faculty of
Crossroads School in 2001 after
retiring from Occidental College,
where he taught for 32 years. He
has made a specialty of classical
improvisation, taking themes on the
spot and creating pieces in styles
ranging from the Baroque period
through the 20th century. For more
information, call (310) 828-1196.

Saturday, March 3, 2012

All things Seuss
Main Library

601 Santa Monica Blvd., 10:30 a.m.

Stop by the library for the Fifth
Annual Super Seuss-Abration. The
celebration begins with a juggling
show. After that, there will be crafts
and activities for kids. For more
information, call (310) 458-8621.

Diving in

Santa Monica Swim Center
225 16th St., 3 p.m. — 5 p.m.

Kids ages 8 to 18 are invited to the
center for free synchronized swim-
ming and water polo classes.
Synchronized swimming is up first
on Saturday at 3 p.m. Water polo
takes place on Sunday at 10:30
a.m. Active Santa Monica is spon-
soring the weekend. For more infor-
mation, visit www.smgov.net/swim.

To create your own listing,
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For help, contact Daniel Archuleta at
310-458-7737 or submit to editor@smdp.com

For more information on any of the events listed,
log on to smdp.com/communitylistings



COMMUNITY BRIEFS

PUBLIC SAFETY FACILITY

Pay attention to pedestrians

The Santa Monica Police Department announced Wednesday that it will target drivers in March who fail to yield to pedestrians in crosswalks, continuing its efforts at targeting different bad driving behaviors each month.

"Our traffic division will be enforcing pedestrian safety through enforcement (citations) and possible crosswalk stings throughout the month," said Sgt. Richard Lewis of the Santa Monica Police Department.

City Hall has formed a pedestrian safety committee consisting of several departments, analyzing and implementing ways to reduce the number of traffic collisions involving vehicles, bicycles and pedestrians.

The committee is part of the "Watch the Road Campaign," Lewis said.

The SMPD has so far this year targeted drivers talking on cell phones, pedestrians jaywalking and walking against a red light or "Don't Walk" symbol.

For those unfamiliar with the "Right-of-Way" law as it applies to crosswalks, here's a refresher:

- The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

- This does not mean a pedestrian should just step out into the street without looking both ways. No pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. No pedestrian may unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.

- The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian.

— KEVIN HERRERA

HIGH SCHOOL GIRLS' BASKETBALL

Samohi's Verdugo steps down — again

BY DANIEL ARCHULETA

Managing Editor

SAMOH For the second time in just over a year, Samohi's Marty Verdugo has decided to retire.

The head girls' basketball coach at Santa Monica High School made his decision late in the season, but kept it under wraps until the Vikings' season ended late last month.

He went through the same thing last year, saying at that point that he was fulfilled with what he had done in building Samohi into a girls' hoops power that won the 2010 CIF-Southern Section Division 1A championship, the first in the sport in school history.

The Vikings were just a year removed from the title and coming off a loss to the vaunted Mater Dei program — the eventual champs — in the semi-finals of the 2011 CIF-SS Division 1AA playoffs when he hung it up for the first time.

But, the coaching bug was one he is not immune to and he un-retired, coming back to lead a team that was reloading after sending three of its starters to NCAA Division 1 schools.

"Last year, I was so excited [to retire]," Verdugo said. "But then, I re-evaluated."

He said that decision never felt "more right," as he went about the task of hopefully leading the Vikings back to the playoffs.

The decision may have resulted in a first round exit from the playoffs, but Verdugo said this year was different. He felt like this new crop of players was willing to let him teach, rather than just manage a string of college prospects.

"They grew more than any time in my six years," he said of this year's squad. "They exemplified how a basketball team is supposed to grow."

Verdugo's retirement includes leaving the classroom, where he has been a teacher at

SEE VERDUGO PAGE 8



Morgan Genser news@smdp.com

MEMORIES: Samohi's Marty Verdugo (right) poses with Thea Lemberger (center) and the late Norm Lacy after Lemberger was named to the 2008-09 Cal-Hi Sports ESPN Division 1 California All-State Team. Verdugo has decided to retire after six seasons as coach.

Ruling limits cities' power to close medical pot shops

ASSOCIATED PRESS

SANTA ANA, Calif. A California appellate court has ruled that cities cannot use nuisance ordinances to ban medical marijuana dispensaries, further adding to the confusion about how municipalities should regu-

late clinics protected under state law.

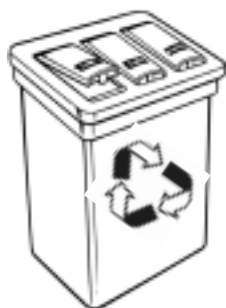
The Fourth District Court of Appeal on Wednesday struck down a 2010 preliminary injunction by a trial judge that would have shut down Evergreen Holistic Collective in Lake Forest, but a stay was granted. Evergreen was shuttered in October as part

of a statewide crackdown by federal authorities.

In its ruling, the three-judge panel said nonprofit collectives can only dispense marijuana from where it's cultivated and cannot be brought from somewhere else and dispensed at a store.

State law "requires that any collective or cooperative activity involving quantities of marijuana exceeding a patient's personal medical need must be tied to the cultivation site," the judges wrote.

SEE RULING PAGE 10

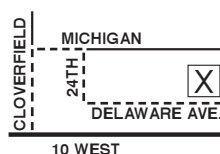


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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Righting a wrong

Editor:

We are not always given the opportunity in today's world to right a wrong from our history. Now our community has been given this gift. More than 60 years ago the city of Santa Monica, under public domain removed most of the African American residents from The Belmar Triangle and displaced them from their homes in the 1950s in order to make way for the building of the Civic Center Auditorium.

Now a brand new development called The Village at Santa Monica on Ocean Avenue will repair some of the injustice by including 160 low income housing apartments alongside its retail and luxury condos.

As a long-time Santa Monica resident and serving on various boards in the community, I see this as a step in the right direction in healing a wound from the past and I would like to personally congratulate the city of Santa Monica for including the underserved in this new project. I would like to say thank you to the city for giving us the opportunity now to demonstrate an inclusive community for all. The Rev. Dr. Martin Luther King Jr. once said, "We must all learn to live together as brothers or we will all perish together as fools."

Kathleen Benjamin

Santa Monica

No pets at dinner

Editor:

After I read your Feb. 29, 2012 article about dogs in restaurants, ("Dining out with doggy," page 1) I had occasion to talk to a few waiters. They all had some serious, and valid problems with the new law.

When the dog craps or pees in the eating area, the waitress has to stop serving her station and clean it up, and then clean herself up. If the other patrons have walked out or moved out of her serving area as a result, she loses tip income. And the disinfectant poison will smell horrible. Also, what do they do when a customer who does not want to sit next to a dog, because of germs, allergies or physical discomfort, is faced with an incoming customer with a dog who sits next to them? Servers do not want to be referees. And what happens when the dog gets loud and unruly? Now, we know that dog owners will not control the animals, by seeing that our parks are full of owners ignoring the signs that require leashes under the law, and seeing people now driving around, illegally, with dogs on their laps.

Can you imagine that the owner lobby now want dogs on beaches, where children might walk on or swim in the dog crap? Why are animal owners allowed to subject the rest of us to their personal preference of treating animals as if they were humans?

Jack Hightower

Mar Vista



Laughing Matters

Jack Neworth

Send comments to editor@smdp.com

Bin Laden's dead but GM's alive

AS THE JOKE GOES, A CONSERVATIVE, a moderate and a liberal walk into a bar. The bartender asks, "What'll you have, Mr. Romney?"

Apparently Willard's style works because this week he won primaries in Arizona and then barely in his birth state of Michigan. And now he's the front-runner in next week's crucial Super Tuesday. (Yawn.)

These elections have been ongoing since last May but frankly I can't remember a weaker field. (Then again, only today's GOP could hold a Congressional hearing on women-related health issues with no women on the panel.) So, if you'll indulge me, I'd like to "reminisce" (vent) about the early days of this strange Republican presidential nomination battle.

Remember Texas Gov. Rick Perry? At a TV debate in Iowa he boldly announced that he'd abolish three federal agencies. The only problem was that he forgot the name of the third agency. It was agonizing to watch him nervously flip through his notes and sheepishly lament, "Oops." (Buh-bye, Perry.)

Or how about Michele Bachman? A self-proclaimed historian, Bachman claimed that Lexington and Concord were in New Hampshire. This, of course, was shocking news to folks in Massachusetts.

But my favorite was Herman Cain, who wasn't sure who the leader of Libya was. Playing with his tie like Oliver Hardy, his excuse was, "I've got so many things twirling around in my head." Ouch. (Go to YouTube and type "Herman Cain Libya," it's hilarious!)

Back to the GOP "Final Four." Let's start with Rick Santorum. Last weekend he attacked JFK's 1960 campaign quote, "I believe in an America where the separation of church and state is absolute." Santorum said the speech made him want to "throw up." (Want a scary thought? Imagine sweater-vest Santorum handling the Cuban missile crisis. Yikes!)

Rick is also an outspoken critic of any form of contraception. This led a female pundit to observe, "Santorum has a fine mind... for the 13th century." Given his religiosity and Neanderthal stance on women's rights, Santorum would seem to have a lot in common with the clerics in Iran. (A country he'd probably like to bomb.)

Keeping up gaffe for gaffe was Romney who, while campaigning in Michigan, bragged to an audience that his wife drives not one, but two Cadillacs. With an estimated worth of \$250 million, earlier this month, Romney raised eyebrows with a comment that he's "not concerned about the very poor."

Frankly, Romney had some nerve campaigning in Michigan at all given his opposition to the GM bailout. Of course General Motors is once again the largest automobile manufacturer in the world, though no thanks to Willard.

But Romney does have an extraordinary memory. Also in Michigan, he nostalgically recalled being at Detroit's 50th anniversary of the automobile. (Marking one of Henry Ford's final public appearances.) Swell, except for the small detail that the event occurred nine months before Romney was born! As Rick Perry would say, "Oops."

Apparently, the only thing that the Republican candidates can agree on is how much they despise Barack Obama. Not that I don't have my own criticisms, but for his part, all Obama did was say that we'd get out of Iraq, and we're out of Iraq.

He also said he'd get rid of "Don't ask, don't tell" and we got rid of it; and he said he'd hunt down Bin Laden, and sure enough Osama bit the dust. (Actually he bit the bottom of the Arabian Sea.)

Poor Bin Laden, the day after he was killed so many tourists flocked to his residence that street vendors began selling ice cream cones. And now the Pakistani government is demolishing his house. Is nothing scared? (For Tea Partiers, that's a joke, so please no angry e-mails.)

Like him or not, in 2008 Obama inherited perhaps the worst set of circumstances in presidential history. We were involved in two horrific and deeply controversial wars and George W. Bush left a country in near economic ruin. Few realize how close we were to an actual depression. (And yet I can still remember Bush's farewell TV interview when he reflected on his presidency. "Laura and I had the time of our lives" he said, like he'd just been to Disneyworld.)

From his first days in office Obama was warned by the obstructionist GOP that they would block his every initiative. And then they had the chutzpah to complain he "didn't get anything done." Worse, Congressman Doug Lamborn (R-Colo.) had the exceptionally poor taste to say working with Obama "is like touching a tar baby." Classless.

Bin Laden's dead and GM flourishes. (The Dow is over 13,000 and unemployment is down to 8.1 percent.) You'd think these things would count for something but not according to the "honorable" Doug Lamborn. Then again, I have a hunch he's not that honorable.

Jack can be reached at Jnsmdp@aol.com.

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The Santa Monica Daily Press
is published six days a week,
Monday through Saturday.

19,000 daily circulation, 46,450
daily readership. Circulation is audited
and verified by Circulation Verification
Council, 2011. Serving the City of Santa
Monica, and the communities of Venice
Beach, Brentwood, West L.A.,
Members of CNPA, AFPP, CVC,
Associated Press, IFPA, Santa Monica
Chamber of Commerce.

Published by Newlon Rouge, LLC

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DAILY PRESS EDITORIAL

Unfortunately it's time for the nativity tradition to end

WHETHER IT'S LIGHTING THE MENORAH on the Third Street Promenade, carving pumpkins purchased at the Farmers' Market or grooving to the tunes at the Twilight Dance Series, we all have our own traditions that we cherish. Traditions help define who we are by reminding us of our roots, and provide comfort and some certainty at a time when both are in short supply. Honoring traditions is critical. Without them, it's easy to drift off course.

For nearly 60 years, many Santa Monicans have enjoyed the nativity scene displays erected in Palisades Park by a coalition of churches and the police officers' union. Generations of families have flocked to Ocean Avenue to see the crèches, some recognizing the religious significance of the Christmas holiday and the role the Catholic church has played in Santa Monica's history, while others walked simply for entertainment and a chance to view the park in a different light with their loved ones. It was all about basking in the holiday spirit and taking part in a time-honored tradition.

Unfortunately, that tradition has been tarnished. A group of atheists from outside Santa Monica hijacked the holiday displays last year by flooding City Hall with applications, forcing staff for the first time to hold a lottery to determine who would get the 21 spaces available for displays during the month of December. The atheists, who were offended by the presence of Christ and religion in a public space, were smart and filed several applications separately, thus increasing their chances of being granted as many spots as possible. And they were successful, securing 18. The nativity coalition was left with only two spots, far from the 14 they feel they need to properly tell the story of Christ's birth.

The emergence of the atheists and the outcry of the faithful now have the City Council contemplating doing away with all winter displays regardless of content, a recommendation made by the City Attorney's Office out of concern with the increasing costs of administering the lottery and the potential problems that could arise as more groups seek a coveted spot in Palisades Park to promote whatever cause they choose.

There are those who want City Hall to find a way to preserve the nativity displays by tailoring the law so narrow that the atheists wouldn't be able to meet the criteria. Others say stick with the status quo. It's content neutral and gives everyone a fair shot at landing a spot.

After careful consideration — weighing concerns about pricey litigation and the risk of eradicating a time-honored tradition — the Santa Monica Daily Press feels the best solution, given the legal restraints, is to elim-

inate all displays in Palisades Park.

If the council were to change the law to make it more narrow or more cumbersome, the atheists would surely file suit, forcing City Hall to spend taxpayer money defending a law that essentially protects religious expression at the expense of all else. That is clearly not in the best interest of the city and would certainly not be in line with Santa Monica's penchant for free speech.

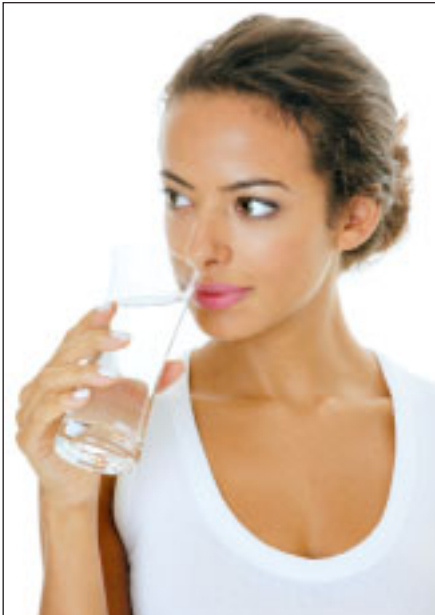
Others would like for the council to extend the area in Palisades Park where displays are allowed with the hope that more spaces would mean more opportunities for the 14 nativity scenes. But judging from the atheists' enthusiasm and the interest shown by other groups to use that space (PETA was trying to get in on the act this past year), increasing the number of spots would most likely mean more spaces for outsiders to erect their dioramas, and more opportunities for possibly offensive messages. There would never be a guarantee that the nativity coalition would be able to erect its 14 displays since the lottery system is set up to be impartial.

And think of all the parking spaces Santa Monica would lose if the number of display sites was expanded.

In a perfect world, we would respect one another's beliefs and give the freedom and space to express them. However, that world doesn't exist. We wish the atheists would see how important the displays have become in the lives of many and give them a pass during a time of year when were supposed to show love for our fellow man, but that's not the reality. We wish the atheists would be content with setting up a table in the park near the nativity scenes and hand out literature and protest in that way. But that apparently is not enough.

So in light of the realities we face, the Daily Press suggest eliminating the displays, but not entirely. We feel a great solution would be for the coalition of groups to erect the displays on private property throughout town or in one space if there's room. The churches and their followers could organize a walk from one display to the next and sing carols along the way or read scripture. While it may be difficult to get all the displays side by side, at least it's an option.

Sometimes tradition changes from its present form into something else. The time has come to consider creating a new tradition using the crèches, one that still honors the past but recognizes that times do change and we must adapt or perish. Let's create a new tradition, one that focuses on the true spirit of the season and not let ourselves continue down this dangerous road of divisiveness.



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NOTICE OF PUBLIC HEARING SANTA MONICA ARCHITECTURAL REVIEW BOARD

DATE/TIME: March 5, 2012, 7:00 p.m.
LOCATION: Council Chambers, (wheelchair accessible)
Santa Monica City Hall, 1685 Main Street

PROPERTIES:

- ARB 11-330, 328 Santa Monica Boulevard: Retail
- ARB 11-451, 1750 10th Street: Residential
- ARB 12-027, 2515 Lincoln Boulevard: Automobile Dealership
- ARB 12-039, 1350 3rd Street Promenade: Retail
- ARB 12-063, 1227 3rd Street Promenade: Automobile Dealership

More information is available on-line at <http://santa-monica.org/planning/planning-comm/arb agendas.htm> or at 310/458-8341 en espanol tambien). Plans may be reviewed at City Hall during business hours. Comments are invited at the hearing or in writing (FAX 310-458-3380, e-mail planning@santa-monica.org, or mail Santa Monica Planning Division, 1685 Main St., Rm. 212, Santa Monica, CA 90401). The meeting facility is wheelchair accessible. For disability-related accommodations, please contact 310-458-8701 or TTY 310-450-8696 a minimum of 72 hours in advance. All written materials are available in alternate format upon request. Big Blue Bus lines, 2, 3, Rapid #3, 7, & 9 serve the Santa Monica Civic Center and City Hall.

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The Q-Line

Making cuts

Officials with the Santa Monica-Malibu Unified School District are considering cutting \$2 million from next year's budget. There has been talk of reducing staff and an increase in class sizes.

So, this week's Q-Line question asks:

If cuts have to be made, where do you think are logical places to look and why?

Contact qline@smdp.com before **Friday at 5 p.m.** and we'll print your answers in the weekend edition of the Daily Press. You can also call **(310) 458-7737 ext. 102.**



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NOTICE OF A JOINT PUBLIC HEARING TO BE HELD BY THE SANTA MONICA PLANNING COMMISSION & ARCHITECTURAL REVIEW BOARD

TIME/DATE: 7:00 p.m., WEDNESDAY, MARCH 7, 2012

LOCATION: Council Chambers, Room 213,
Santa Monica City Hall,
1685 Main Street, Santa Monica

A Public Hearing will be held by the Planning Commission of the City of Santa Monica at the above noted time and place in regard to the following request:

A joint study session of the Planning Commission and Architectural Review Board to review, discuss and provide input on design and development review processes as part of the Zoning Ordinance Update project. Discussion to include, but not be limited to, review of how similar cities review design and development, options for review thresholds and procedures, use of guidelines and standards, and involvement of design professionals and design review bodies in the process. The discussion will include input and recommendations from the Zoning Ordinance Update consultants. [Staff: Jory Phillips, Consultants: Vivian Kahn, John Kaliski]

Any person may comment at the Public Hearing, or by writing a letter to the City Planning Division, Room 212, P. O. Box 2220, Santa Monica, CA 90407-2220. For more information, please contact the City Planning Division at (310) 458-8341. Pursuant to California Government Code Section 64009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing. The meeting facility is accessible. If you have any disabilities related request, contact at (310) 458-8341 or TTY (310) 458-8696 at least three (3) days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, Rapid 3, #7, and #9 service the City Hall and the Civic Center.

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Entertainment

6

FRIDAY, MARCH 2, 2012

Santa Monica Daily Press

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The Palette

Exploring **Creative**
Santa Monica

Screening of 'The Big Sleep' Part of the Santa Monica Public Library's Citywide Reads

Ocean Park Library, 2601 Main St.

SATURDAY, 2 P.M.

In this film adaptation of Raymond Chandler's classic first novel, Humphrey Bogart stars as private dick Philip Marlowe, who is hired by a wealthy older man to investigate the mob-backed bad guys who are blackmailing his wild, misbehaving daughters (Lauren Bacall and Martha



Vickers). Following the film, documentary filmmaker Elaina Archer will discuss the film and its legendary leading man. Part of the Citywide Reads program. Cost: free. For more information: (310) 458-8683.

Celebrate Women's History Month

Santa Monica's Commission on the
Status of Women

EVENTS THROUGHOUT THE
MONTH OF MARCH

Join the Commission on the Status of Women, Santa Monica Public Library, Rosie's Girls, Santa Monica Chamber of Commerce, Santa Monica Women's Bay Club, Westside Family Health Center, WISE & Health Aging, and YWCA to pay tribute to women's history month, and how women's dreams and achievements have played a vital role in our personal lives and the history of Santa Monica. First event: Women's History in Pictures at the Santa Monica History Museum (1350 Seventh St.) beginning March 1. For more information, call (310) 395-2290.

California Ocean and Coastal Amateur Photography Exhibit

Santa Monica Pier Aquarium, 1600
Ocean Front Walk

THROUGHOUT THE MONTH OF
MARCH

TUESDAY – FRIDAY: 2 P.M. — 5 P.M.;
WEEKENDS: 12:30 P.M. — 5 P.M.

From gorgeous coastlines and beautiful birds to underwater sea life and happy kids, photographs from the California Ocean and Coastal Amateur Photography Contest are coming to Heal the Bay's Santa Monica Pier Aquarium for viewing during the month of March. The California Coastal Commission, the Thank You Ocean Campaign, and Fairmont Hotels & Resorts spon-

sor the annual contest. The photos selected for the exhibit represent winning entries from over the years. Admission: Kids 12 and under are free; all others: suggested donation of \$5. For more information: (310) 393-6149.

Michael Krebs — Surplus

Gil Kofman — Passages: Case Studies in
Euclidean Seduction

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SUITE J1

MARCH 3-APRIL 14

ARTIST RECEPTION: SATURDAY, 6
P.M. — 8 P.M.

In Surplus, Krebs explores his view that a war of consumerism is taking place. In this war, the victims are consumers who are manipulated into pursuing artificially created needs. Citizens become dependent on their income to buy goods they do not need to remain competitive in today's society. Using powerful references to iconic war photographs, Krebs visualizes the modern western consumer's struggle. With Passages — Case Studies in Euclidean Seduction, Kofman investigates a new way he has been looking at the geometry of ordinary hallways, or passages. Mindful of the rigid organization imposed by conventional perspective, he examines the common objects in the hallways — chairs, clocks, doors, knobs and garbage cans — as independent forms free from the constraints of vanishing points, horizon lines and orthogonals. Cost: free. For more information: (310) 315-3551.

Courtesy of Santa Monica Cultural Affairs. Sign up to receive The Palette weekly via e-mail at www.smgov.net/arts.

Photography by Steve Christensen

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CRIME WATCH

BY DAILY PRESS STAFF



And it's not even the Fourth of July

Crime Watch is a weekly series culled from reports provided by the Santa Monica Police Department. These are arrests only. All parties are innocent until proven guilty in a court of law.

FRIDAY, FEB. 24, AT 3:55 P.M.,

Santa Monica police officers responded to the corner of Lincoln and Pico boulevards regarding a report of a fight in progress. When officers arrived, they saw several groups of students congregating in the area, but no one was fighting. While watching the group, they saw someone riding his bike on the southwest sidewalk in front of Tommy's burgers. Officers made contact with the suspect near the corner of Lincoln Boulevard and Bay Street to issue him a citation for riding on the sidewalk. During their conversation with the suspect, the officers asked if they could search him. He consented. During their search, officers said they found 80 illegal fireworks in the suspect's pockets. He was placed under arrest for possession of dangerous fireworks and riding a bicycle on a sidewalk. The suspect was identified as Ronnie Lynn Vaughn Jr., 18, of Venice, Calif. His bail was set at \$500.

FRIDAY, FEB. 24, AT 5:14 A.M.,

Officers were on routine patrol in the 2500 block of Main Street when they conducted a periodic check of a business where homeless people were known to camp. In doing so, officers said they found two people camping at the rear of the business. Officers made contact with the campers, one of whom was new to the area. He was warned that camping is illegal in Santa Monica and released. The second camper was a regular in Santa Monica and had been advised several times before about the camping law. Officers placed the man under arrest. While searching the suspect, officers said they found a fraudulent California driver's license. The suspect was eventually booked for trespassing and possession of deceptive government identification. He was identified as Derek Earl Taylor, 56, a transient. His bail was set at \$1,000.

WEDNESDAY, FEB. 22, AT 1:25 P.M.,

Officers responded to the 1400 block of Second Street – Jinky's Café – on a report that a woman was refusing to pay for her food. When officers arrived, they contacted the manager who said the suspect entered the restaurant, placed her order and after eating asked staff if she could have an "IOU." The suspect had no money to pay for her meal and she was placed under arrest. Once at the police station, the officers determined that the suspect had a warrant for a prior theft. The suspect was booked for defrauding an innkeeper and the warrant. She was identified as Taneshia Sandershaynes, 35, a transient. Her bail was set at \$500.

WEDNESDAY, FEB. 22, AT 8 A.M.,

Officers responded to the 800 block of Idaho Avenue regarding a theft that just occurred. When officers arrived, they learned that a man had just stole a beach cruiser that was locked to a pole in the 800 block of Idaho and proceeded to walk away toward Wilshire Boulevard with the bike. Officers located the suspect and the bicycle at a nearby bus stop. A witness identified the suspect as the one who stole the bike. Officers placed the suspect under arrest for possession of stolen property and a warrant for public intoxication. The suspect was identified as Jeffrey Ward Hill, 50, of Culver City, Calif. His bail was set at \$750.

MONDAY, FEB. 20, AT 11:15 P.M.,

Officers were on routine patrol in the 2100 block of Alley 8 when they saw a suspicious man walking away from an area where there had been several auto burglaries recently. Officers made contact with the suspect and learned that he was on probation and subject to a search by officers. A probationary search was conducted and officers said they found a glass pipe commonly used to smoke meth. The suspect was placed under arrest and booked for possession of drug paraphernalia. He was identified as Michael Patrick Winnen, 32, a transient. His bail was set at \$10,000.

news@smdp.com

Editor-in-Chief Kevin Herrera compiled these reports.



Kate Bransfield

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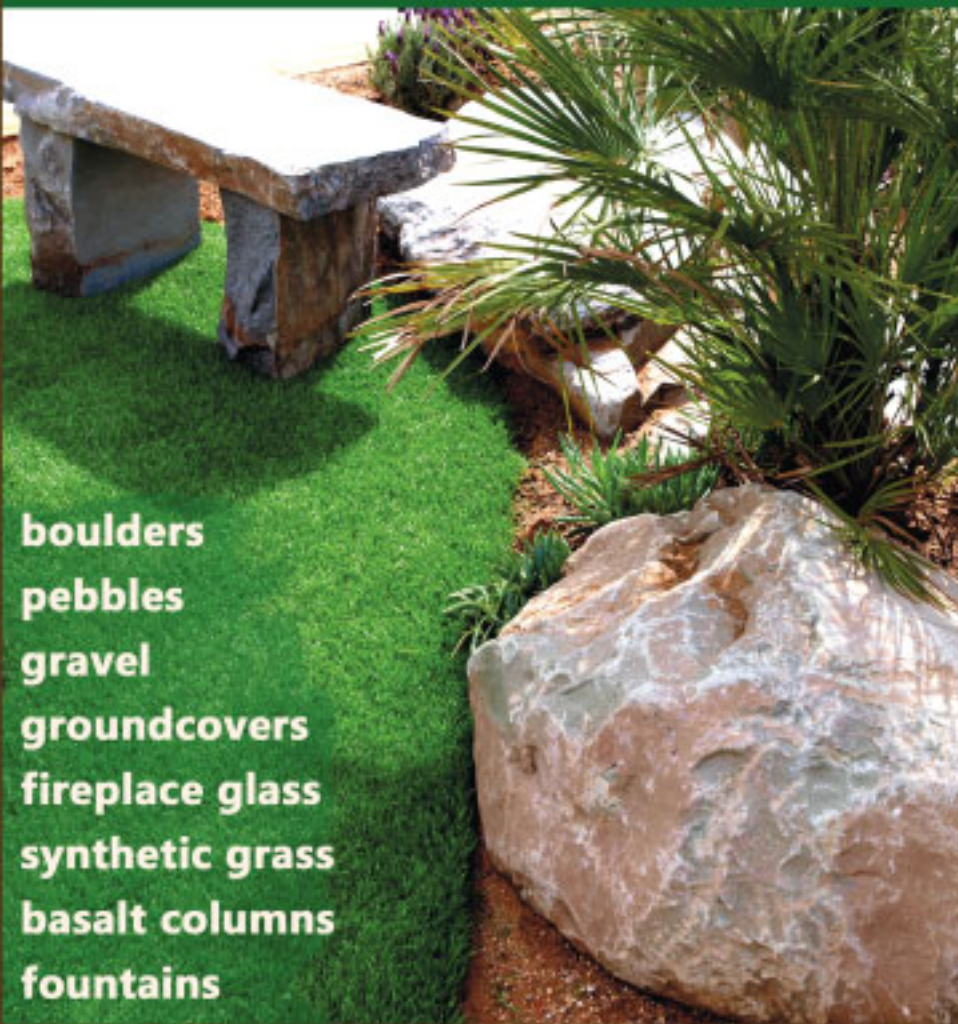
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Local

8

FRIDAY, MARCH 2, 2012

Santa Monica Daily Press

We have you covered

HOUSING

FROM PAGE 1

that's not successful, are there sources we can identify locally to continue to fund housing?" he said, referring to two bills currently in the State Assembly and Senate which could preserve some money for affordable housing.

Local funds for affordable housing are dependent on private developers and the kinds of projects they're looking to build in Santa Monica.

Developers interested in building housing projects in the city already have to pay an "affordable housing production fee," as do those who build office space. Additionally, development agreements give city officials the ability to add affordable housing requirements to specific projects at their leisure.

The policy does not apply to other developments, including hotels, retail or creative office space.

Those are the developments that would be targeted by the proposed fee.

The nexus study is required by law to establish that the fee in question would be used on something connected to the project and that the requirement was reasonable.

Even hotel and retail projects create a demand for affordable housing, said James Kemper, housing administrator with City Hall.

"It's from the notion that you can develop land, but there's going to be these impacts. You have an obligation to offset them, but not to the point that it makes their land undevelopable," Kemper said.

City Hall will search for firms capable of completing the study, and hopefully come back to the City Council with a contract for the study sometime in May, said City Manager Rod Gould.

It's time that developers did their part to support Santa Monica's stated goals to house workers and businesses' customers within the city, said City Councilmember Kevin McKeown.

"Going forward, we are going to have to expect more of those who want to build in Santa Monica," McKeown wrote in an e-mail Thursday.

Paying for housing was one consideration — what housing to build in the future was another.

According to the staff report, Santa Monica has become a community of smaller, graying households.

The median age increased over the last decade from 37.9 years to 40.4 years, considerably higher than the 34.8 median age seen in Los Angeles County as a whole in 2010, and the average household size is 1.8 people.

Correspondingly, 82 percent of the over 50,000 multifamily units in the city are composed of one and two-bedroom units.

"What's interesting when we look at this, is that it's a chicken and egg issue," Agle said. "Do we have small households because we have small units, or small units because people drawn to Santa Monica have small households?"

The department opened its affordable housing waiting list to new applications in mid-2011. Over 33,000 applications flooded in, and 78 percent of those were for one and two-bedroom households at extremely low or very low-income levels.

At the same time, an analysis of the market revealed that units for moderate-income individuals cost less than the upper rent ceiling proscribed by City Hall.

That indicates that the market is producing moderate-income housing without any encouragement from public policy, Kemper said.

Tuesday represented the first step in what could evolve into a new focus to produce housing fit for very low-income households and multiunit apartments fit to attract and retain young families.

"We've been serving moderate income people who have not needed the help as much as we thought they did," said McKeown, going on to say that new policy should focus on the "destitute."

Several council members agreed that it may be time to explore "social engineering," or creating the kind of housing that could make Santa Monica affordable to small families.

"We need to build a community of the future where people will be able to live here and not get forced out of the city when they have to find affordable housing for their families to grow," said City Councilmember Bob Holbrook.

There are inherent challenges for governments trying to incentivize one kind of housing over another, but the attempt demonstrates Santa Monica's core values, Kemper said.

"It's great to live in a community where the council and community put such a priority on the diversity of the population and mechanics that get you there," Kemper said.

ashley@smdp.com

VERDUGO

FROM PAGE 3

Samohi since 2003.

"It was fun," Verdugo said of the run. "But, I'm feeling like there is closure."

Verdugo's departure will make keeping Samohi a power in the sport that much more difficult, but Athletic Director Daniel Escalera is confident it can be done.

The search for Verdugo's replacement began this week, with Escalera expecting the process to end in early April with the announcement of a new coach.

"Being a program that is high-powered makes a difference in the landscape of girls' basketball at our level," Escalera said of candidates.

Escalera praised Verdugo's efforts to date, saying he's "grateful" that he helped place the school's athletic program on the map.

"They have played some pretty good games here," he said. "We want to keep that up."

The search will be open to all comers, but Escalera said that finding somebody on campus is always a plus. Also, faculty positions are hard to come by in a public school environment suffering through tough economic times.

Escalera isn't sure if a staff position will come available to help lure a coach to campus. He's currently working that over with the administration.

Both Verdugo and Escalera brought up the name of Marisa Silvestri as a possible candidate. She was an assistant under Verdugo during the title run and part of the faculty. She left the position following the 2010-11 season, but still teaches at the school.

She could not be reached for comment. "I know she's going to throw her hat in the ring," Escalera said. "That's good for us, very important. Having somebody already on board makes a difference."

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ROUNDUP

FROM PAGE 1

another Southern California power in Valencia.

"We're trying to be on par with other major programs," Escalera said.

The 2011-12 season was highlighted by a 9-1 regular season record and a trip to the semifinals of the CIF-Southern Section Western Division playoffs, the first such appearance in a decade.

The aggressive scheduling is keeping in line with other programs at Samohi that traditionally take on some of the area's top teams.

Both the girls' and boys' basketball teams play in the elite CIF-SS Division 1AA and regularly tangle with serious squads like Fairfax and Mater Dei.

Softball, too, has a history of beefing up its preseason opponents.

The preseason schedule may have

changed, but the football teams' Ocean League slate remains the same with games against Morningside, Beverly Hills, Culver City, Hawthorne and Inglewood.

CROSSROADS TO PLAY FOR SOCCER TITLE

Crossroads' boys' soccer team will play Desert Mirage for the CIF-SS Division 6 title at Downey Warren High School on Saturday.

The Roadrunners' surprising run to the final started with the team as a wild card, having to win a game just to qualify for the regular playoffs. They followed that with wins over Tarbut V'Torah and Ontario Christian in the first two rounds.

Then came a 4-3 overtime win over Rosamond in the quarterfinals. Finally, Crossroads topped Desert Hot Springs, 2-1 to set up the matchup with Desert Mirage, which qualified for the final with a 2-1 overtime win over Citrus Hill in the semis.

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NOTICE OF PUBLIC HEARING TO BE HELD BY THE SANTA MONICA ZONING ADMINISTRATOR ON APPLICATIONS FOR VARIANCES

TIME: 10:30 a.m., Tuesday, March 13, 2012

LOCATION: Council Chambers, Room 213, Santa Monica City Hall, 1685 Main Street, Santa Monica

A Public Hearing will be held by the Zoning Administrator of the City of Santa Monica at the above noted time and place in regard to the following requests:

Use Permit 11-UP-010, 1702 Pico Boulevard. The applicant, Westower Communications, proposes to install, operate, and maintain an unmanned wireless telecommunications facility on the multi-story building at 1702 Pico Boulevard in the City of Santa Monica. The proposal includes replacing the previously approved exiting six panel antennas with six new panel antennas and one new panel antenna per each sector, bringing the total of panel antennas to nine. In addition, the applicant proposes to install twelve remote radio units (RRUs) and six DC surge suppressors that will be completely screened. The proposed antennas do not comply with the requirements for non-parabolic antennas contained in Santa Monica Municipal Code (SMMC) Section 9.04.10.06.110(a). Pursuant to SMMC Section 9.04.10.06.110(b), the Zoning Administrator may approve modifications to the requirements for non-parabolic commercial antennas through the approval of a Use Permit application. [Planner: Lily Yegazu] **APPLICANT/OWNER:** Chip Clustka, PDC Corporation on behalf of AT&T Mobility/Santa Monica Community College District.

This public hearing was continued from the November 8, 2011 Zoning Administrator Hearing.

Use Permit 11-UP-015, 1821 Wilshire Boulevard. The applicant requests a modification to an existing facility, by replacing nine existing non-parabolic antennas with one (1) GPS antenna, twelve (12) new, non-parabolic antennas and one (1) indoor equipment cabinet. The antennas will be mounted on the roof and located behind new roof screening that will replace the existing screening. The screening for the antennas will be 12 feet in height. All of the proposed screening will be setback at least two feet from the edge of the building. As proposed, the project does not comply with the requirements for non-parabolic or parabolic antennas contained in Santa Monica Municipal Code (SMMC) Section 9.04.10.06.110 and 9.04.10.06.160. Pursuant to SMMC Section 9.04.10.06.110(b) and 9.04.10.06.161, the Zoning Administrator may approve modifications to the requirements for non-parabolic or parabolic commercial antennas through the approval of a Use Permit application. [Planner: Dennis Banks] **APPLICANT/OWNER:** PDC Corp., Chip Clustka/Xemit, LLC.

Use Permit 12-UP-001, 717 Euclid Street. The applicant requests approval to allow vehicular access onto the subject property from Euclid Street by retaining and enlarging an existing curb cut. The existing 8-foot wide curb cut would be increased to 14-feet in width and is in conjunction with the construction of a new single-family residence with an attached two-car garage. Pursuant to SMMC Section 9.04.08.02.040(d), the applicant may request a Use Permit to allow a curb cut for purposes of providing street access to an on-site parking garage on parcels located within the North of Montana Neighborhood with an adjacent rear alley having a minimum right-of-way of 15-feet. The subject property is located in the North of Montana Neighborhood and adjacent to a rear alley (Euclid Court) that is 20-feet in width. [Planner: Grace Page] **APPLICANT/OWNER:** Tryggvi Thorsteinsson, Minarch, Enzo Der Boghossia & Dawn Sestito.

Variance 12-VAR-001, 802 Navy Street. The applicant requests a Variance for modifications to development standards in the OP-1 (Ocean Park Single Family) Zoning District for a proposed approximate 902 square foot addition (including garage addition) to an existing, two-story, single family residence. The applicant requests a parcel coverage modification to exceed the maximum 50 percent allowed in the district, requests a modification to wall heights in the front yard setback; and requests multiple variances to required front, side, and rear yard setbacks for the proposed addition. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.20.10.030(d), the applicant may request modifications to parcel coverage, and required front, side, and rear yard setbacks on parcels having a depth of 90-feet or less and a width of 39-feet or less. The subject parcel is 25-feet in width and 80-feet in depth (2,000 square feet). Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.20.10.030(c), the applicant may request a modification to fence/wall heights. [Planner: Steve Mizokami] **APPLICANT/OWNER:** Robert Rotman.

Reduced Parking Permit 12RPP-001, 1801-1831 Wilshire Boulevard. The applicant requests approval to allow the shared use of 50 parking spaces on the subject property which would allow the leasing of existing/vacant tenant spaces for medical office and restaurant uses. Specifically, 127 parking spaces are required to support the leasing of 14,945 square feet of medical office and 8,022 square feet of restaurant uses. As proposed, 77 parking spaces will be provided on-site with the remaining 50 spaces fulfilled by the shared use of the existing parking on the subject property. The subject property, which features approximately 80,653 square feet of commercial/office space, provides 336 parking spaces, which also serves for the required parking for existing tenants (medical offices, general offices, mental health, trade school, health club, and pharmacy) located on the site. The applicant has submitted documentation in an effort to substantiate the reasons for the requested parking reduction. An applicant may request a reduced parking permit for shared parking pursuant to Santa Monica Municipal Code Section 9.04.20.26.030(a). [Planner: Grace Page] **APPLICANT/OWNER:** Karen Chun, Xemit, LLC/Xemit, LLC

HOW TO COMMENT

The City of Santa Monica encourages public comment. You may comment at the Zoning Administrator public hearing, or by writing a letter. Written information will be given to the Zoning Administrator at the meeting.

Any person may comment at the Public Hearing, or by writing a letter to the City Planning Division, Room 212, P.O. Box 2220, Santa Monica, CA 90407-2220. Plans are available for public review at the City Planning Division. For more information, please contact the City Planning Division at (310) 458-8341. Pursuant to California Government Code Section 64009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing. The meeting facility is accessible. If you have any disabilities related request, contact at (310) 458-8341 or TTY (310) 458-8696 at least three (3) days prior to the meeting. Santa Monica "Big Blue" Bus Lines #2, #3, Rapid #3, #7 and #9 serve the City Hall.

*Esto es un aviso sobre una audiencia publica para revisar aplicaciones proponiendo desarrollo en Santa Monica. Esto puede ser de interes para usted. Si desea mas informacion, favor de llamar a Carmen Gutierrez en la Division de Planificacion al numero (310) 458-8341.

SUIT FROM PAGE 1

hearing.

There are approximately 9,500 people in the first class, according to the Epsteins. It is unclear how many people did not receive a report from their administrative hearing.

All of those people would get more information about why the ticket against them was upheld. Those wanting another chance to fight their ticket would be given that opportunity.

Finally, City Hall would agree to send out a joint press release about the lawsuit and the settlement with no admission of liability by officials.

Council members voted unanimously to approve the settlement.

This all came as a surprise to Stan Epstein, who was watching the City Council meeting at his home, not expecting to hear anything about his lawsuit in open session.

In his eyes, there were several substantive points that still needed to be worked out, and without those, there was no agreement.

According to Stan Epstein, the council was only to approve the agreement after all of the details were worked out. Then it would be off to a judge who would likely dismiss the case.

The class action component of the case would remain, which means anybody who received a citation between Jan. 1, 2009 and May 2011 can challenge City Hall over the matter.

Instead, the council was asked to vote on an incomplete agreement, forcing the supposed settlement into the public record before all matters had been resolved, the Epsteins said.

"In every lawyer's experience, considerable number of deals fall apart at the last stages," Epstein said. "There was no reason to bring it to council until we had a deal."

The Epsteins also felt that the city attorney's

ney's characterization of the settlement gave the false impression that they would receive the entirety of the \$77,500 and a small percentage of that would be paid by them to their lawyers.

The City Attorney's Office stated in an e-mail that it could not comment on the case.

"There now is no signed settlement agreement. The City Council approved the basic terms of a settlement with the Epsteins, but those terms must be reduced to writing for a settlement to be finalized. Until that occurs, I am unable to discuss the case," wrote Deputy City Attorney Jeanette Schachtner in an e-mail.

This isn't the first time that City Hall and the Epsteins have butted heads over the settlement agreement.

In February, talks broke down because city officials refused to publish the joint press release in Seascapes, a City Hall publication that informs residents about city programs and services.

The Epsteins threatened to take City Hall to court, a process they estimated in February would cost taxpayers anywhere from \$1 million to \$1.5 million, not including attorney fees.

The issue began in February 2011 when Harriet Epstein was issued a citation for parking at a local park and then leaving to run errands. Parking enforcement issued her the ticket because only park patrons can leave their cars at the park.

She was fined \$64.

Laying aside questions of innocence or guilt, the ticket revealed what the Epsteins believed to be a violation of the California Motor Vehicle Code, which was amended in 2009 to require explanations on why citations were ruled valid.

"This has always been a public interest lawsuit," Harriet Epstein said. "We wanted the people who had been treated badly by the city to get their day and their say in court."

ashley@smdp.com

RULING FROM PAGE 3

The ruling is the latest in a string of cases that attempts to interpret the state's medical marijuana law and provide guidance for cities and counties that are trying to curtail pot shops.

A Los Angeles-based appellate court last year struck down Long Beach's attempt to license pot stores, ruling the local ordinance conflicted with federal law.

And another appellate court upheld Riverside's right to close and prohibit dispensaries despite the state's medical marijuana law.

Given the various rulings at the appellate level, the California Supreme Court will review the cases, possibly later this year, to determine how municipalities should handle dispensaries.

Recognizing the ongoing debate over medical marijuana, the Fourth District judges said they realize their decision might disappoint those on opposing sides.

"We emphasize that these are policy outcomes outside our power to reach or grant

because we are constrained by the voters' and the legislature's enactments," the panel wrote.

The ruling also comes amid a stronger enforcement by the federal government to harness pot clinics in California. While pot remains illegal under federal law, California became the first state to legalize marijuana for medical use in 1996.

Earlier this week, the U.S. attorney's office in Los Angeles mailed about 50 letters to dispensaries to three cities in San Bernardino County, ordering them to close or face possible criminal charges and fines. About 140 dispensaries in more than 20 Southern California cities have been told to shut down since October when federal authorities began their statewide effort.

Meanwhile, a judge in Sacramento this week dismissed a lawsuit that challenged the crackdown. U.S. District Judge Garland Burrell rejected an argument by a collective that the Obama administration had reneged on a promise to let states set their own medical marijuana policies.

A lawyer for the collective said it plans to appeal.

Photography by Brandon Wise

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Foreclosures comprised smaller slice of '11 sales

ALEX VEIGA

AP Real Estate Writer

LOS ANGELES Bank-owned homes and short sales last year accounted for the smallest slice of overall sales in three years but still made up nearly a quarter of all U.S. homes sold in 2011.

Some 907,138 sales were made last year of foreclosed-upon homes and others that were in some stage of the process. They represented about 23 percent of all home sales in 2011, foreclosure listing firm RealtyTrac Inc. said Thursday.

As a percentage of all homes sold, sales of bank-owned properties and other homes on the foreclosure track last year were back down to 2008 levels. But they remained an outsize portion of total sales compared 2005, when sales of previously occupied homes peaked and foreclosure sales comprised less than 1 percent of all sales, the firm said.

The sales peaked in 2009 at about 1.1 million and made up about 37 percent of all sales.

The decline in foreclosure-related sales last year coincided with a sharp drop in the number of homes taken back by lenders as the banking industry wrestled with foreclosure-abuse claims.

Those claims, which included allegations that banks and mortgage servicers processed foreclosures without verifying documents, led banks to temporarily put foreclosures on hold, refile others and put off taking action against borrowers behind on their mortgage payments.

That helped slow the flow of foreclosed properties available for sale in Las Vegas, Detroit and other markets.

A \$25 billion settlement reached earlier this year between the nation's biggest mortgage lenders and 49 state attorneys general has begun paving the way for more foreclosures this year, however.

"That wave of new foreclosures that we're seeing is going to translate into more short sale listings and more bank-owned listings in the next three to six months," said Daren Blomquist, a vice president at RealtyTrac.

At the end of January, there were 645,000 bank-owned homes in the U.S. that had yet to be sold, representing a 17-month supply at the current sales pace, Blomquist said.

In addition, another 710,000 homes were in some stage of the foreclosure process.

Other estimates put the number of homeowners who are either behind on their

mortgage payments or in foreclosure at the end of last year more than 6 million.

That represents a glut of potential homes that could still hit the market in coming months — good news for bargain hunters, as foreclosures typically sell at big discounts to other properties. Homes in the foreclosure process also sometimes sell for less than what the previous owners owed on their mortgage, a transaction known as a short sale.

More foreclosure sales also means potentially more pain for homeowners, who could see the value of their homes erode further as neighboring foreclosures sell.

Combined, bank-owned homes and those still in the foreclosure process sold for an average of \$164,349 last year, 33 percent less than the average sale price of all other homes. In 2010, they sold at a 32 percent discount, RealtyTrac said.

Patrick Newport, an economist with IHS Global Insight, said he expects that foreclosures, in addition to weak demand for homes, high unemployment and other factors, will push U.S. home prices down as much as 10 percent this year.

Others say modest increases in sales over the past few months could stop prices from falling by late winter or early spring.

Sales of all previously occupied homes rose last year to 4.26 million from 4.19 million in 2010. Sales of new homes, which account for less than 10 percent of the housing market, totaled 304,000 last year — the fewest on records dating back to 1963.

Bank-owned homes, which are sold after being repossessed, made up nearly 14 percent of all home sales last year and averaged 40 percent less than properties not in foreclosure.

Homes in some stage of the foreclosure process — in default or scheduled for auction — comprised 9 percent of all sales in 2011. On average, they sold for 22 percent less than other types of homes.

All told, foreclosure-related sales nationwide declined 2.2 percent from a year earlier, RealtyTrac said.

Nevada led all states with foreclosure-related sales making up 54 percent of all home sales last year, up 17 percent from a year earlier. California had the highest number: 246,780, or 43 percent of total home sales in the state.

Foreclosure-related sales also comprised at least 20 percent of all home sales last year in Arizona, Colorado, Florida, Georgia, Idaho, Illinois, Michigan and Oregon.

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SURFREPORT

MATT WILKINSON

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SURF CONDITIONS

WATER TEMP: 61°

SWELL FORECAST

It's looking at the peak of the NW, chest to head high at west facing breaks in the early AM with pluses at standouts. Size backs off later in the day.

LONG RANGE SYNOPSIS

SATURDAY THIS SWELL IS EXPECTED TO BACK DOWN TO WAIST TO CHEST MAX AT WEST FACING BREAKS.

TIDE FORECAST FOR TODAY IN SANTA MONICA

BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **February 22, 2012**

HEAL THE BAY • 1444 9th Street, Santa Monica, CA 90401 • www.healthebay.org • bro@healthebay.org • 800 HEAL BAY

QUICK STATS

(for the last 30 days)

Number of sewage spills — 2

Number of beach closures due to a sewage spill — 0

Number of wet days — 3

Number of A grades for dry/wet weather — 22 / 16

Number of (C,D,F) grades for dry/wet weather — 0 / 0

The Beach Report Card is made possible by: The Diller — von Furstenberg Family Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closures and Health Warning Protocol.

LOCATION	DRY	WET
Los Camille Beach, at Arroyo Sequit Creek mouth.	F	A+
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	A+
El Pescador State Beach, between Luchessa and Los Alamos creeks.	m	m
Escondido Canyon at El Matador State Beach.	A+	A+
Basel Beach at Tresser Creek mouth.	A+	A+
Zuma Beach at Zuma Creek mouth.	A+	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A	A+
Escondido Creek, just west of Escondido State Beach.	A	B
Ledge Canyon Creek mouth.	A	C
Solstice Canyon at San Brucker County Beach.	A	A+
Puerto State Beach at creek mouth.	A+	B
Marine Canyon storm drain at Puerto Beach, at 24572 Malibu Rd.	A	A+
Sunflower Beach at Malibu Colony fence.	F	A+
Sunflower Beach (beach location) - daily.	F	F
Malibu Pier - 50 yards east.	A	m
Cabrero Beach at Sunsetwater Canyon.	A+	A+
Los Flores State Beach at Los Flores Creek (joint river).	A+	A+
Big Rock Beach at 19548 PCH stairs.	F	B
Pena Creek at Los Tunes County Beach.	A+	A+
Tuna Canyon.	A+	m
Topanga State Beach at creek mouth.	B	F
Candlerock Storm Drain at Castle Rock Beach.	A	A+
Santa Ynez Storm Drain at Castle Rock Beach.	B	F
Will Rogers State Beach at 17208 PCH (1/4 mile west of Sunset drain).	A+	B

LEGEND

DRY

— each location is graded on an A — F scale based on bacterial pollution levels present in the surf zone

WET

— grades for days of recorded rainfall and the following 3 days

na — no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

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The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of these areas surveyed. Our swimmers are happy.

MLB

No deadline for deal on playoffs

RONALD BLUM

AP Sports Writer

NEW YORK

The Braves are remembered for one of baseball's epic collapses.

Too bad for Atlanta the playoffs weren't expanded a year earlier.

Negotiators for baseball players and owners are working toward an agreement to increase the postseason field to 10 teams this season. They had hoped to reach a deal by Thursday, but both sides said talks could continue if they needed additional time to deal with the details of adding a second wild-card team in each league.

The sides spoke on condition of anonymity to The Associated Press because the talks have not been public.

If there had been additional wild-card teams last season, the Braves would have made the playoffs in the NL, while the Boston Red Sox would have qualified in the AL. Instead, each missed the postseason by a game, both going down with historic September swoons.

"I would've taken it last year," Atlanta manager Fredi Gonzalez said Thursday.

The sides have said for weeks a deal is likely. When players and owners signed their agreement for a new labor contract in November, the section covering the postseason established a March 1 goal for deciding whether the playoffs would increase by two teams for 2012 or 2013.

The deal would establish a new one-game, wild-card round in each league between the teams with the best records who are not division winners, meaning a third-place team could win the World Series.

Don't count on it, said Braves pitcher Tim Hudson.

The wild-card winner would face a major disadvantage going through the rest of the playoffs, according to Hudson. Last season, St. Louis passed the Braves for the wild card on the final day and went on to capture the World Series. Hudson said it would've been much harder for the Cardinals or the Braves to advance if they had played an extra game

against each other first.

"The only good thing about it is one more team (in each league) gets in the play-offs," he said. "But it totally handicaps the wild-card team. Both teams will probably have to expend their best pitcher to win that game. Plus, it's another day they have to use their bullpen. Even if you get by that one game, the chances of winning the next round are not very good."

The Cardinals became the fifth wild-card team to win the World Series since the play-off field doubled in 1995, going from two division winners in each league to three division winners and a wild card. Other wild-card champions were the Florida Marlins in 1997 and 2003, Anaheim in 2002 and Boston in 2004.

Adding two more playoffs teams this year has been complicated because the regular-season schedule was drafted last spring and summer, and the extra game has to be put in place in a manner that doesn't disrupt the World Series schedule. In a further complication, the sides reached a consensus that ties for division titles would be broken on the field with a tiebreaker game under the new format, and not by head-to-head record.

Head-to-head record has been used since 1995 to determine first place if both teams are going to the postseason. But the sides decided with the start of a one-game, winner-take-all wild-card round, the difference between first place and a wild-card berth is too important to decide with a formula and that a tiebreaker game should be played.

Late last month, Commissioner Bud Selig said playoff expansion for this season was on track.

"Clubs really want it. I don't think I've ever seen an issue that the clubs want more than to have the extra wild card this year," he said. "We're working on dates right now. That'll all take place. It looks to me like we'll have it because I've told everybody we have to have it. It'll be exciting. One-game playoff — it will start the playoffs in a very exciting manner."

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MOVIE TIMES

Aero Theatre 1328 Montana Ave. (310) 260-1528	AMC 7 Santa Monica 1310 Third St. (310) 451-9440	Artist (PG-13) 1hr 40min 1:55pm, 4:30pm, 7:20pm, 9:55pm
Double feature: Cries and Whispers (NR) 1hr 31min and Autumn Sonata (NR) 1hr 39min 7:30pm	Dr. Seuss' The Lorax (PG) 1hr 35min 10:30am, 1:00pm, 3:30pm, 6:00pm, 8:30pm, 11:00pm	My Week with Marilyn (R) 1hr 36min 5:00pm
AMC Loews Broadway 4 1441 Third Street Promenade (888) 262-4386	Safe House (R) 1hr 57min 11:10am, 2:00pm, 4:40pm, 7:40pm, 10:30pm	Forgiveness of Blood (NR) 1hr 49min 1:40pm, 4:40pm, 7:30pm, 10:10pm
Ghost Rider: Spirit of Vengeance (PG-13) 1hr 35min 11:55am, 5:15pm, 10:30pm	Project X (R) 1hr 28min 11:30am, 12:30pm, 2:05pm, 3:05pm, 4:40pm, 5:40pm, 7:15pm, 8:15pm, 9:50pm, 10:50pm	In Darkness (R) 2hrs 25min 1:30pm, 8:00pm
Journey 2: The Mysterious Island (PG) 1hr 34min 11:45am, 5:00pm, 10:20pm	Act of Valor (R) 1hr 51min 10:45am, 11:30am, 1:30pm, 2:10pm, 4:15pm, 5:00pm, 7:00pm, 7:50pm, 10:00pm, 10:45pm	AMC Criterion 6 1313 Third St. (310) 395-1599
Secret World of Arrietty (Kari-gurashi no Arrietty) (G) 1hr 34min 11:35am, 2:20pm, 4:50pm, 7:30pm, 10:05pm	Dr. Seuss' The Lorax 3D (PG) 1hr 35min 11:45am, 2:20pm, 5:00pm, 7:30pm, 10:00pm	Hugo 3D (PG) 2hrs 07min 12:30pm, 3:40pm, 6:45pm, 9:40pm
Ghost Rider 3D: Spirit of Vengeance (PG-13) 1hr 35min 2:45pm, 8:00pm	Laemmle's Monica Fourplex 1332 Second St. (310) 478-3836	Wanderlust (R) 1hr 38min 11:45am, 2:30pm, 5:15pm, 8:00pm
Chronicle (PG-13) 1hr 23min 11:50am, 2:15pm, 4:45pm, 7:15pm, 9:40pm	Let the Bullets Fly (Rang zidan fei) (NR) 2hrs 12min 9:45pm	Vow (PG-13) 1hr 44min 11:30am, 2:15pm, 5:00pm, 7:45pm, 10:30pm
Journey 2: The Mysterious Island 3D (PG) 1hr 34min 2:30pm, 7:45pm	Descendants (R) 1hr 55min 1:20pm, 4:10pm, 7:00pm	This Means War (PG-13) 2hrs 00min 11:10am, 1:45pm, 4:20pm, 7:00pm, 9:50pm
		Tyler Perry's Good Deeds (PG-13) 2hrs 09min 11:00am, 1:50pm, 4:40pm, 7:30pm, 10:25pm
		Gone (PG-13) 1hr 25min 11:55am, 2:40pm, 5:20pm, 8:10pm, 10:30pm

For more information, e-mail news@smdp.com

Say 'yes' to the right invitation, Taurus

ARIES (March 21-April 19)
★★★★ You are more on top of your work than you realize. The immense amount of work you have already cleared out allows you to head home early. Nearly everywhere you go, you might encounter the unexpected. Tonight: Be spontaneous. Invite everyone over to your house.

TAURUS (April 20-May 20)
★★★★ Sometimes you underestimate how much you have to offer. Though a misunderstanding could arise from out of nowhere, stop and be aware of how much you care about people. Tonight: Say "yes" to the right invitation.

GEMINI (May 21-June 20)
★★★★ You could feel as if you are out of control in the morning. You bounce from one item to another. Someone you counted on could disappoint you and create a last-minute flurry. Understand what you can and cannot do. Tonight: Join friends.

CANCER (June 21-July 22)
★★★★ The unexpected occurs with a parent or higher-up. Know that you can handle it, no matter what occurs. Do not make a big deal of what goes on, as another party could become embarrassed later on. Be as gracious as possible. Tonight: Expect to be popular.

LEO (July 23-Aug. 22)
★★★ Play it low-key. Some of you might decide to cancel appointments or call it an early weekend. People will notice, but you simply might need some quiet time to get your work done or handle a personal matter. Tonight: Put out your unavailable sign.

VIRGO (Aug. 23-Sept. 22)
★★★★ Consider alternatives in a meeting to resolve a problem concerning an associate. In fact, the issue could evolve in a meeting. Allow more brainstorming. You cannot always be so controlling! Make sure you are on budget. Tonight: Where people are.

LIBRA (Sept. 23-Oct. 22)
★★★ You could be off and tense about an appearance in the near future. You want to assume the lead, but complications in your dealings worry you. Relax and work with the unpredictable. Know that success can be yours. Tonight: Could go to the wee hours.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ You might want to try another approach. Finish up some research, and realize when you cannot go any further. An element of the unexpected punctuates your plans. Be ready to regroup and rebuild. Opt for a new path. Tonight: Distance yourself from the day.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You might want to switch gears, partially because it is Friday, but also because a partner needs your time. Realize that you might disappoint others by not following your normal routine. Tonight: Dinner for two.

CAPRICORN (Dec. 22-Jan. 19)
★★★ What you thought you would do yesterday is far different from what you will choose today. Somehow, someone close to you can't seem to understand why you cannot be with him or her more. As a result, you could witness some acting out. Tonight: Defer to a partner or loved one.

AQUARIUS (Jan. 20-Feb. 18)
★★★ You could be left holding the bag when dealing with others. It seems that someone wants much more than you want to give. Do not be surprised when he or she acts out. Tonight: Off to the gym, then home. Clear your mind.

PISCES (Feb. 19-March 20)
★★★★★ Others admire your intrinsically caring manner and enormous creativity. How you see a situation could change radically because of a sudden financial change. Verify what is happening first. Tonight: Be with your favorite person.

Happy birthday

This year creativity surges. You also will have a tendency to romanticize situations. Test reality by brainstorming with family and/or friends. Confusion could surround communication, as your mind often will drift. You pull the wild card financially. You can expect swift changes either way. If you are single, be aware of how much you are projecting your dreams and desires onto a new person. If you are attached, the two of you are likely to go on a second honeymoon.

JACQUELINE BIGAR'S STARS	
The stars show the kind of day you'll have:	
★★★★★ Dynamic	★★ So-So
★★★★ Positive	★ Difficult
★★★ Average	



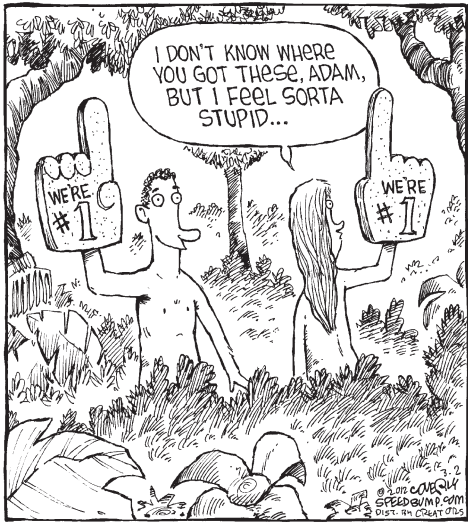
MYSTERY PHOTO

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to editor@smdp.com. Send your mystery photos to editor@smdp.com to be used in future issues. Hint: It's on Second Street!

Daniel Archuleta daniela@smdp.com

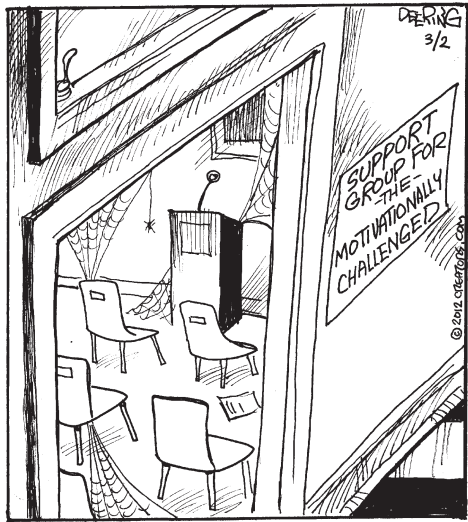
Speed Bump

By Dave Coverly



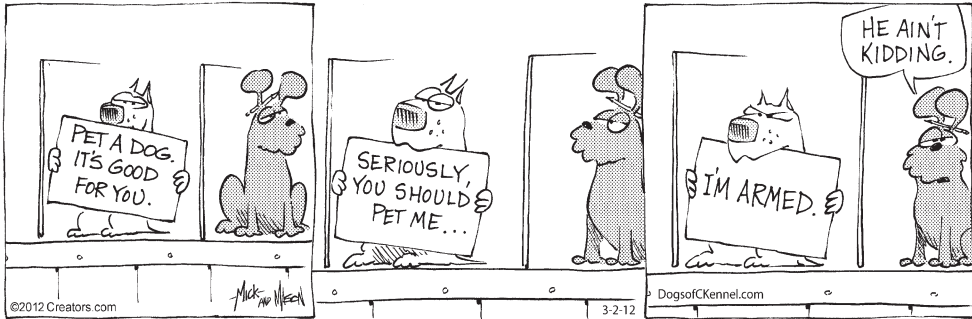
Strange Brew

By John Deering



Dogs of C-Kennel

By Mick and Mason Mastroianni



Garfield

By Jim Davis



The Meaning of Lila

By John Forgetta & L.A. Rose



Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★★★★

4			1	9	5			6
	1	2				3	8	
		5				7		
6				4				5
		8				1		
	3	6				8	1	
8			3	6	7			2

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

9	4	3	6	1	7	2	8	5
5	8	7	9	3	2	6	4	1
6	2	1	8	4	5	7	9	3
8	6	4	5	9	1	3	2	7
7	3	5	2	6	8	4	1	9
2	1	9	3	7	4	5	6	8
3	5	6	1	2	9	8	7	4
4	9	2	7	8	3	1	5	6
1	7	8	4	5	6	9	3	2

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CROSSWORD

By THOMAS JOSEPH

ACROSS 40 Designer

- 1 “Water-loo” group
5 Research spots
9 Eye drops
11 Bumbling
13 Espresso order
14 Flight unit
15 Blond shade
16 Uncertain
18 Overtaxes
20 Team backer
21 Recital highlights
22 Was a fink
23 Galley item
24 Soap unit
25 Engine parts
27 Obscene stuff
29 Cart puller
30 Appends
32 Movie
34 Pool need
35 Some messages
36 Aspect
38 Audition goals
39 Did shoe work

- 41 Hardy heroine

DOWN

- 1 Book of maps
2 Wild ones
3 Diet aid
4 Gallery fill
5 Catalogs
6 Aardvark’s lunch
7 Wind-measuring range
8 Nautilus shape
10 Grad-to-be
12 Pollster’s find
17 Switch settings
19 Weary word
22 Radio format
24 Forearm muscles
25 Bank job
26 “Foundation” author
27 Way off
28 Congress has two
30 Oklahoma city
31 Is lacking
33 Layer
37 All the rage

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1	2	3	4		5	6	7	8	
9				10		11			12
13						14			
15				16	17				
18			19					20	
	21					22			
		23			24				
25	26				27			28	
29				30					31
32			33					34	
35						36	37		
38						39			
	40					41			

3-2

F	A	C	E		L	E	M	O	N
A	V	O	W	S		A	G	A	P
C	A	R	E	T		D	O	N	U
T	I	E		O	L	D	S	A	L
O	L	D	B	O	Y			G	E
			A	G	E	S		E	N
	M	O	R	E		T	A	R	T
S	A	N		S	L	I	D		
N	I	A			O	L	D	S	A
O	L	D	W	E	S	T		L	I
O	M	A	H	A			O	H	A
Z	E	T	A	S			N	E	V
E	N	E	M	Y			R	E	D

Yesterday’s answer

DAILY LOTTERY

MEGA MILLIONS

Draw Date: 2/28
6 15 29 39 51
Meganumber: 36
Jackpot: \$108M

Super LOTTO

Draw Date: 2/29
11 13 17 24 47
Meganumber: 10
Jackpot: \$8M

Fantasy 5

Draw Date: 3/01
2 8 13 29 35

DAILY 3

Draw Date: 3/01
MIDDAY: 8 2 2
EVENING: 0 4 1

DAILY 4

Draw Date: 3/01
1st: 02 Lucky Star
2nd: 12 Lucky Charms
3rd: 11 Money Bags
RACE TIME: 1:48.42

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 at <http://www.calottery.com>

NEWS OF THE WEIRD BY CHUCK SHEPARD

■ Mayor Jim Preacher of the town of Norway, S.C., was pulled over by a state trooper in January for speeding. Preacher was unable to convince the trooper that his speeding was necessary in the performance of a mayoral duty, and their encounter apparently ended bitterly. As soon as the trooper drove off, the mayor turned on his own blue lights, chased the trooper down and accused the trooper of speeding. (Norway disbanded its police department last year, and a question remains whether the mayor has police powers.)
■ The Price Is Right: (1) Ms. Khadijah Baseer was arrested in Los Angeles in January on suspicion of prostitution. According to several men, Baseer had opened their car doors in the drive-thru lane at a McDonald's, offering them oral sex in exchange for Chicken McNuggets. (2) Misty Kullman, 25, was arrested for prostitution in Shelby, N.C., in January after police stopped a man who said Kullman performed an act for the agreed-upon price of \$6. The man said he paid Kullman with a \$2 bill, three \$1's and coins.

TODAY IN HISTORY

- 1953 - The Academy Awards are first broadcast on television by NBC.
1955 - King Norodom Sihanouk of Cambodia abdicates the throne in favor of his father, King Norodom Suramarit.
1956 - Morocco gains its independence from France.
1962 - In Burma, the army led by General Ne Win seizes power in a coup d'état.
1962 - Wilt Chamberlain sets the single-game scoring record in the National Basketball Association by scoring 100 points.

WORD UP!

alembic \ uh-LEM-bik \ , noun;
1. Anything that transforms, purifies, or refines.
2. A vessel with a beaked cap or head, formerly used in distilling.

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Notice is hereby given that application has been filed with the Federal Deposit Insurance Corporation ("FDIC") and Office of the Comptroller of the Currency ("OCC") for written consent to merge Wells Fargo Capital Finance, LLC, Santa Monica, California with and into Wells Fargo Bank, National Association, Sioux Falls, South Dakota under the charter and title of Wells Fargo Bank, National Association.

At the consummation of the merger, Wells Fargo Bank, National Association will retain the main office of Wells Fargo Capital Finance, LLC as a back office operations facility of Wells Fargo Bank, National Association.

This notice is published pursuant to Section 18(c) of the Federal Deposit Insurance Act and 12 CFR 5. This notice will appear three times over a 30-day period beginning on March 2, 2012 and ending on April 1, 2012.

Any person wishing to comment on this application may file his or her comments in writing with the regional director of the FDIC at its regional office which is located at 25 Jessie Street at Ecker Square, Suite 2300, San Francisco, California 94105 and, if applicable, with the Large Bank Licensing Lead Expert, Mail Stop 7-13, Comptroller of the Currency, 250 E Street SW, Washington, DC 20219 not later than April 1, 2012. To expedite the comment and response process with the OCC, comments may also be submitted to the following email address: largebanks@occ.treas.gov.

The nonconfidential portion of the application is on file and is available for public inspection during regular business hours at the regional office of the FDIC and at the OCC. The nonconfidential portion of the application file will be made available upon request to the regional director of the FDIC or the Large Bank Licensing Lead Expert of the OCC.

Wells Fargo Bank, National Association
101 North Phillips Avenue
Sioux Falls, South Dakota 57104

Wells Fargo Capital Finance, LLC
2450 Colorado Avenue, Suite 3000 West
Santa Monica, California 90404

DBAS

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2012006023 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 01/11/2012 The following person(s)

DBAS

is (are) doing business as M.S. INFORMATION TECHNOLOGY SERVICES. The full name of registrant(s) is/are: Michael J. Shivers 816 S. Bundy Dr. #5 Brentwood, CA 90049. This Business is being conducted by: . The registrant has not yet commenced to transact business under the fictitious business name or names listed above. /s/Michael J. Shivers. This statement was filed with the County Clerk of LOS ANGELES County on 01/11/2012. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 02/13/2012, 02/20/2012, 02/27/2012, 03/05/2012.

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