

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

3 11 21 29 46
Meganumber: 5
Jackpot: \$19 million

FANTASY 5

2 4 16 19 35

DAILY 3

Daytime: 4 3 5
Evening: 5 1 1

DAILY DERBY

1st: 07 Eureka!
2nd: 12 Lucky Charms
3rd: 02 Lucky Star

RACE TIME: 1.44.47

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NEWS OF THE WEIRD

BY CHUCK SHEPARD

The Guo-Li-Zhuang opened recently in Beijing, exclusively serving delicacies made with animal penises and testicles, exploiting the traditional Chinese belief that such foods enhance virility. (Women can prosper, as well, because penis is good for the skin, according to a nutritionist cited in a February London Daily Telegraph dispatch.) Showcase dishes include "Dragon in the flame of desire" (which is yak) and the "hotpot" (six types of penis plus four of testicle). The most expensive is Canadian seal penis, at the equivalent of about \$400.

TODAY IN HISTORY

Today is the 74th day of 2006.
There are 291 days left in the year.

In 44 B.C., Roman dictator Julius Caesar was assassinated by a group of nobles that included Brutus and Cassius.

In 1493, Christopher Columbus returned to Spain, concluding his first voyage to the Western Hemisphere.

QUOTE OF THE DAY

"People are, if anything, more touchy about being thought silly than they are about being thought unjust."

E.B. WHITE
AMERICAN AUTHOR AND HUMORIST

INDEX

Horoscopes

As you wish Libra 2

Snow & Surf Report

Water temperature: 53° 3

Local

Santa Monica on fire 3

Commentary

Introducing "In the 'Hood" 5

State

California in brief 8

National

A border-crossing tragedy 12

Comics

Laugh it up 16

Classifieds

Have some class 17-19



Photo courtesy of SMFD

Recovery crews on Monday night lift the nose of the A-36 Beechcraft Bonanza airplane into the back of a truck on Santa Monica Beach. The aircraft will be transported to a private facility where it will be examined by National Transportation Safety Board officials. The plane was piloted by Peter Tomarken and his wife, Kathleen. It crashed into Santa Monica Bay on Monday morning.

Investigation begins into crash that killed former TV host, wife

BY KEVIN HERRERA

Daily Press Staff Writer

The Los Angeles County Coroner's Office is expected today to release the exact causes of death for Peter and Kathleen Tomarken, who were killed Monday morning when their single-engine airplane smashed into the chilly waters of Santa Monica

Bay a few miles south of the pier.

Meanwhile, a search for a possible third victim was called off early Tuesday morning after it was determined that a third passenger did not exist. The flight manifest reported three on board at take off, but authorities believe the third person had not boarded the Beechcraft Bonanza and was most likely someone the

Tomarkens were going to pick up once they arrived in San Diego.

The two were to transport a cancer patient from San Diego to UCLA Medical Center for treatment as part of Angel Flight, a nonprofit organization comprised of pilots who offer free flights for those who are ill and in need of

See CRASH, page 7

Iraqi woman pleads with SMC audience

BY KEVIN HERRERA

Daily Press Staff Writer

SMC — She isn't a politician or a diplomat.

Faiza Al-Araji is simply a wife, mother and concerned citizen of Iraq who came to Santa Monica College Tuesday to offer her version of the war raging back home. She hopes and prays that her stories of death and despair will encourage more to oppose the war effort.

Her goal in encouraging this opposition is to force President Bush to withdraw U.S. troops and end what Al-Araji and many of her countrymen call the "occupation and domination" of Iraq, which began three years ago this month and has led to the deaths of at least 2,300 U.S. soldiers and countless more civilians.

"I feel it is my responsibility to come here and speak the truth and defend the innocent Iraqi families

who are unknown," Al-Araji, wearing a white Muslim head scarf, or hejab, told a crowd of roughly 70 at an SMC lecture hall. "Your responsibility is to open your eyes. The media is not telling you the truth ... This war was not about liberation or oil. It is about the desire to dominate."

Al-Araji, an engineer and mother of three who recently fled Baghdad

See IRAQI WOMAN, page 6

Fraud hearing trudges forward

BY RYAN HYATT

Special to the Daily Press

DOWNTOWN LA — Attorneys on Tuesday questioned a second investigator in the case against six former Honda of Santa Monica employees who allegedly bilked hundreds of thousands of dollars from car buyers.

Ali Asghar Hussain, Hamid Reza Khaki, Ahtamet Uersunthornwattana, Yaprem Zohrab Yaralian, Yaser Alkasem and Thomas Holterhoff all face felony counts related to the overcharging of customers, according to the District Attorney's office.

The alleged scam, which is said to have occurred from 2000 to 2002, primarily involved finance managers tacking on charges of "theft etch" to customers' contracts without their knowledge. Theft etch marks a vehicle's parts with traceable numbers in the event of a theft.

Tuesday's portion of the preliminary hearing focused on testimony from Mary Brooks, a county consumer affairs investigator who met with James Alexandre, the whistleblower on the Honda case.

Alexandre worked as general manager at Honda of Santa

See FRAUD, page 6



Kevin Herrera/Daily Press

Iraqi citizen Faiza Al-Araji urged an audience at SMC to oppose the war.

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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)

★★★★★ Though others could be complicated in their responses, you can be sure you will have the impact you want. Subtle but strong logic will work. Best would be that others think they hatched an idea you cook up. Tonight: Say yes.



TAURUS (April 20-May 20)

★★ Easy does it. You might not always understand what it takes to nudge events to your liking. Closing down and being stubborn will not help. Work through your resistances by focusing on each individual. Tonight: Let go of your stuff.



GEMINI (May 21-June 20)

★★★★★ You might be rather serious at first, but when you lighten up, you are all laughs. Eventually, others will ease up and back off of their positions, too. Conversations might accomplish more in this atmosphere. Tonight: Play away.



CANCER (June 21-July 22)

★★★★★ Settle in and build a budget on your basic needs. You might opt to say no to an investment as a result. Sometimes you overextend yourself (we all do). Investigate what needs to happen with a real estate or domestic expenditure. Tonight: Anchor in at home.



LEO (July 23-Aug. 22)

★★★★★ You might need to rethink a recent conversation. Lately, you have had a tendency to be a little out of it or upset. You might want to think in terms of gains. Listen well to others with an eye to keeping ideas and communication flowing. Tonight: At your favorite spot.



VIRGO (Aug. 23-Sept. 22)

★★ You could see life quite differently if you get past a negativity that filters through your mind. You could be uptight about your spending and your choices. You might want to rethink an important decision. Tonight: Pay bills.



LIBRA (Sept. 23-Oct. 22)

★★★★★ Finally, you hit your peak days, though someone could be making touchy or hard comments. Take a serious look at your long-term desires, not your rote answers about what is important. Then make decisions. Tonight: As you wish.



SCORPIO (Oct. 23-Nov. 21)

★★★ Review an important issue. Think positively about what you want and need. Verify facts, and don't expect all solutions or information to immediately drop in your lap. Your daily life could be a touch weighty. Tonight: A must show.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ You might want facts and only facts, but unfortunately that isn't what you are going to get. Emphasize your long-term goals, and you will come out on top. Think positively and work with people and events. Tonight: Where the crowds are.



CAPRICORN (Dec. 22-Jan. 19)

★★★ The time has come for you to do what you do best -- lead. If you want to change your direction or pace, you will be a lot happier if you take responsibility. A partner could be negative or threatening. Yes, my dear Goat, you have what it takes. Tonight: A must show.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Recognize that everyone has limits -- even the broad-minded Aquarian. Someone might actually be testing how much you will take from him or her. You will want to detach and decide the best path. Much bubbles up. Tonight: Go along with someone else's plans.



PISCES (Feb. 19-March 20)

★★★★★ An associate wants to make your life easier. What is stopping you? Perhaps a discussion establishing limits and obligations needs to happen first. The smart Fish will not get tied up in anything uncomfortable. Tonight: Be a duo.



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COMMUNITY BRIEFS



Photo courtesy of SMFD

Firefighters enter the front of a home that went up in flames early Tuesday. The fire began shortly before 6 a.m. in the single-family home in the 2900 block of Kansas Avenue. Santa Monica firefighters extinguished the blaze within 15 minutes, said SMFD Capt. Scott Ziegert. The blaze, the cause of which is unknown, caused extensive damage to the front portion of the single-story home, Ziegert added. An elderly Santa Monica couple living in the house was treated at a local hospital for smoke inhalation and minor cuts.



Photo courtesy of SMFD

A firefighter investigates an electrical panel that burst into flames on Tuesday at Exhale Spa at 1424 Second St. Firefighters, who responded to the electrical fire at 10:39 a.m., were able to extinguish it within minutes. Because it was an electrical fire, firefighters opted not to use water but instead used a powdery substance and carbon dioxide to extinguish the flames. While the fire was contained to just the electrical box, it forced the spa to close until Southern California Edison and the city's building and safety department determine it is safe to operate in the building. Exhale representatives in Chicago, where calls were being referred, said they expected the Santa Monica spa to be open by Friday.

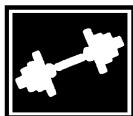
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SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 36" - 72"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 27	LIFTS OPEN 9/12
CONDITIONS: Powder, Packed Powder, Machine Made, Machine Groomed				

JUNE MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 72" - 120"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 50	LIFTS OPEN 6/6
CONDITIONS: Powder, Packed Powder, Machine Groomed, Variable				

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 156" - 188"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 140	LIFTS OPEN 25/28
CONDITIONS: Powder, Packed Powder, Machine Groomed				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 41	LIFTS OPEN 10/16
CONDITIONS: Powder, Packed Powder, Machine Made, Machine Groomed				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 24" - 35"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 20	LIFTS OPEN 4/4
CONDITIONS: Packed Powder, Machine Made, Machine Groomed				

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 36" - 72"	LIFT HOURS 8:30 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 12/14
CONDITIONS: Powder, Packed Powder, Machine Groomed				

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 48" - 54"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 21	LIFTS OPEN 5/11
CONDITIONS: Powder, Packed Powder, Machine Groomed				

CONDITIONS

WATER TEMP: 53°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (1-2 FT)

Today we have a WNW swell due from a system we've been watching on the models since last week dropping down from the Gulf of Alaska. This same system is bringing a slight chance of rain this afternoon, should remain dry, yet quite cool. This swell will bring in some 12-14 second periods at the coast with size running chest to head high on

LONG RANGE SYNOPSIS

NW swell increases Today..

NW peaks in NCal Wednesday, but increases in SoCal Thursday...

Smaller surf but better weather next week...

TIDE FORECAST FOR SANTA MONICA

MONDAY				
LOW TIDE	2:13AM	1.3FT	2:47PM	0.2FT
HIGH TIDE	8:12AM	5.2FT	9:03PM	4.4FT
TUESDAY				
LOW TIDE	2:43AM	0.9FT	3:06PM	0.0FT
HIGH TIDE	8:52AM	5.1FT	9:20PM	4.6FT
WEDNESDAY				
LOW TIDE	3:13AM	0.7FT	3:30PM	0.3FT
HIGH TIDE	9:13AM	5.0FT	9:38PM	4.8FT
THURSDAY				
LOW TIDE	3:46AM	0.6FT	3:49PM	0.6FT
HIGH TIDE	9:47AM	4.5FT	9:57PM	4.9FT
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 City Council has put the brakes on a plan to expand parking in Santa Monica by 1,712 spaces. Some councilmembers are calling for the plan to shift to providing only 712 additional spaces instead. They cite community sentiments that call for limited development downtown and say that if development is limited, the extra 1,000 parking spaces will not be necessary. Under the plan for less spaces, existing parking structures would be enhanced rather than building new ones.

So this week, Q-Line wants to know: **"Do you support the building of new parking garages in Santa Monica? Why or why not?"**

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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LETTERS TO THE EDITOR

Gangs have no value in society

Editor:
Re: “Gang members are people too,” (SMDP, March 9, page 4).
The writer of this letter seems to miss society’s point: Gangs are bad.
Granted, gang members are people, have families, may work, etc. But sadly their similarities to valued, law-abiding society pretty much end there.
Gangs account for more than 50,000 deaths/murders (shootings, drug overdoses, stab- bings, etc.) a year in our nation, not to mention those sent to prison. For some reason soci- ety has tolerated this needless, senseless, costly drain on America’s young people.
Gang values are contrary to our community and nation’s health and beliefs. Gang members are ingrained with not stopping another from committing a crime, nor divulging the identity of even murders, victimization, violence — including their own family members and friends. Intimidation, retaliation, graffiti and often sub- stance abuse are their accepted values. If an editorial referred to them as “punks” or “bad guys,” it was probably mild when you think about it.
We all need to work together, with the police and gang intervention groups like Homeboy Industries (Father Greg Boyle) to enlighten the young people to the total- ly devastating, life destroying spiral encountered with gang membership. We cannot accept them as a normal, routine part of society. Nothing can be worse then for soci- ety, mothers and fathers, to continue to lose such an important segment of our com- munities to senseless gangs. If it means “taking back our streets one corner at a time,” so be it.
Each year Santa Monica Police coordinate a crime night out celebration in the heart of the city. This, the Police Activities League, Police Explorers, anti-graffiti program, etc. hardly sound like police harassment to me.

Steven H. Brackett
Lake Balboa, Calif.

Skateboarders out of control

Editor:
It is most unfortunate that a citizen of Santa Monica is unable to walk the streets of Santa Monica safely without being knocked over by an out-of-control skateboarder.
Wednesday, March 8, 3:30 p.m., at the southwest corner of Wilshire Boulevard and Sixth Street, my friend was waiting to cross Sixth along with another pedestri- an when a skateboarder came flying down the south side of Wilshire at about 50 mph (no kidding) crossing the street and ran into both pedestrians knocking my friend, let’s call her Reese, to the ground. Her coat and purse, not to mention Reese, flying all over the sidewalk. I was there along with several other people chatting. We ran to help Reese while the boarder was busy screaming at her for grabbing at him in order to steady herself. I won’t mention where she grabbed, but use your imagination.
Reese is very sore. She hurt her ankle, not to mention the whole body. Most of us do not bounce the same way we did when we were 10.
So, what is the city of Santa Monica going to do about this obscene situation? Nothing, zilch, nada.
There will be three openings on the council soon. Let’s try and change this deplorable situation.

Sandy Jacobson
Santa Monica

Shriver, et. al the problem?

Editor:
Kevin Herrera’s article (SMDP, March 8, page 1) on the homeless census in Santa Monica is one of the finest piece of journalism I have ever read. Imagine, a 28 per- cent increase of homeless people in Santa Monica caused by what? “The services we provide” says Stacy Rowe, director of the city’s homeless unit. Really, Stacy?
How about doing away with all of the services and redirecting my tax dollars to the schools or the roads or the parks or the beach or the bay or any number of worth- while endeavors, rather than squandering it on bums who have made bad choices in life and are now living off of the sweat of other hard-working Santa Monicans?
Kevin, a little advice: Why don’t you ask Bobby Shriver and Stacy Rowe what they are doing to reduce the services to the homeless? It is clear and obvious that it is the idiotic policies of the City Council that have attracted so many of them to our beautiful community, and I guarantee not a single Santa Monica resident would say “I want more homeless people in our community,” so what is our governing body doing to achieve this reduction? As a journalist, did it occur to you to ask that ques- tion? Your article restates the obvious over and over again without one iota of criti- cal thought. Kevin, did it occur to you to ask Bobby Shriver what he means by “now we have a good thing going.” What the hell does that mean — we have a good thing going? Bobby, I got news for you, the wacko legislators continue to run this city into the ground. I say end all homeless services now. The result will be a 28 percent reduction in homeless people in less than a year, mark my words.
To all Santa Monica’s who agree, write to the Daily Press. Come on folks, what do you want your hard-earned tax dollars spent on, homeless services or schools?

John Zarchen
Santa Monica

GUEST COMMENTARY BY JOHN W. WHITEHEAD

Three words worth fighting for

Hashmel Turner is a man with a ser- vant’s heart. He has served his country, his family, his government and the peo- ple of his community. And now, by tak- ing a stand for his free speech rights, he is once again putting himself in the line of fire in order to serve his nation.
After his mother passed away, 17- year-old Hashmel Turner, the eldest of 10 children, was placed in the foster home of a Christian woman. It was there that he became a Christian.
Turner served in the Army in the swel- tering jungles of Southeast Asia from 1969-1972. After returning home, the Vietnam veteran helped each of his nine siblings get a start in life. He even gained custody of his youngest brother, who had been in foster care, and raised him.
Rev. Turner is also the interim pastor at First Baptist Church of Love in Fredericksburg, Va., and a civilian employee (he works as a full-time motor vehicle operator and safety training instructor) with the U.S. Army.
Turner is obviously a man who takes his obligations seriously — his duty to his family, his employer, his constituents and his God — and his life reflects those priorities. Thus, when an opportunity arose to represent the needs of his com- munity by serving on the local City Council in Fredericksburg, where he’s lived for more than 40 years, Turner, who is African-American, rose to the challenge. And when Turner was elected to the City Council in July 2002, he asked to be included in the rotation of council members who open the meet- ings with a brief prayer — a time-hon- ored practice of the Fredericksburg City Council and countless other legislative bodies across America.
Several council members had signed up to offer invocations, and once every three and a half months or so each took a turn in doing so. When it was his turn, Turner spoke from his heart and, like his fellow council members, asked that God would guide the decisions and actions of the City Council. And in keeping with his religious beliefs, Turner ended his prayer, as he ends all his prayers, “in Jesus’ name.”
In the state where Thomas Jefferson penned the Virginia Statute for Religious Freedom to protect the likes of three Baptist preachers jailed for uttering unlicensed prayers, it may seem strange that ending a prayer with three small words could ignite a legal brushfire. Yet it has. About a year after Turner joined the prayer rotation, the Fredericksburg City Council received a letter from the American Civil Liberties Union objecting to the way in which Turner ended his prayers. The letter issued a stark warning: Either prohibit Turner from closing his prayers “in Jesus’ name” or face a law- suit.
Refusing to either compromise his faith or censor his speech, Turner initial- ly removed his name from the prayer rotation. But after further consideration, he realized that forfeiting his constitu- tional right to pray according to his con- science was not serving anyone, includ- ing the citizens of Fredericksburg. As Turner stated, “In the state our nation is in, and the world, my belief is that our nation and service personnel around the world need prayer. We should be asking for that protection and guidance.” So Turner re-submitted his name for the prayer rotation.
Once again, the ACLU threatened to sue over Turner’s use of “in Jesus’ name.” And once again, Turner abstained from offering a prayer until the legal question could be more fully explored. After con- sulting with constitutional attorneys and determining that he had a legal right to pray according to his conscience, in November 2005 Turner asked to be placed back in the prayer rotation. But during that same meeting, the City Council, hop- ing to avoid a lawsuit from the ACLU, voted 5-1 to adopt a policy of offering non-denominational prayers devoid of any Christian or other specific religious references. And in the months that fol- lowed, Turner’s request to be included in the prayer rotation was ignored.
That’s when the long-suffering Turner decided that the matter should be decid- ed by the courts — not by the strong- arm tactics of the ACLU. Believing that his constitutional rights were being vio- lated, Turner, with the help of The Rutherford Institute, filed a lawsuit and asked a federal court to affirm his First Amendment right to freely pray accord- ing to his conscience. After all, other members of the City Council are able to pray in the manner they choose and describe God in their own words. Apart from three small words, the other coun- cil members’ prayers are not much dif- ferent from Turner’s.
So why all the fuss? Why would a group like the ACLU, which claims to champion free speech, take on the role of censor? And now the well-financed group People for the American Way and a high- powered Virginia law firm have joined the ACLU in an effort to silence Turner.
In a hypocritical double standard, the ACLU in 2002 argued in defense of the First Amendment right of a Wiccan witch to pray at city council meetings. The ACLU’s arguments were curiously simi- lar to Turner’s — that the Wiccan had been unfairly discriminated against because of her beliefs and was excluded from prayer.
The people of Fredericksburg should be grateful for a representative who knows how to stand his ground and fight for the things that matter. And with a re- election campaign on the horizon, the 56-year-old councilman realizes that this lawsuit could hurt his chance of being re-elected to serve those in Ward 4. But there are some things in life that cannot be compromised. For Hashmel Turner, his faith, his integrity and his civil liberties are three more things worth fighting for.

(Constitutional attorney and author John W. Whitehead is founder and presi- dent of The Rutherford Institute. He can be contacted at johnnw@rutherford.org.)

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 locat- ed at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are sub- ject to editing for space and content.

COMMENTARY



Residents of Sunset Park can be your friends or foes



(Editor's note: "In the 'Hood" is a regular column written by residents who represent organized neighborhood groups throughout Santa Monica. Published each Wednesday in the Daily Press, residents will cover the pressing issues facing their neighborhoods and call upon their neighbors to get involved. They'll sometimes scrutinize policies and actions of local government, or bring to light a subject that needs attention in their respective environs.)

BY CHARLIE DONALDSON

Special to the Daily Press

Friends of Sunset Park: Don't let the name fool you.

The Friends of Sunset Park can be very unfriendly if you threaten the safety of residents or challenge the quality of life in Sunset Park — that primarily residential section of Santa Monica stretching from Pico Boulevard to the south city limits, and from Lincoln Boulevard to the east city limits.

The "Friends" will be your foes if you promote congestion-causing construction that would run more traffic through Sunset Park, or if you fly more jet aircraft in and out of Santa Monica Airport.

This nonprofit city-recognized neighborhood organization represents 7,000 households. Member dues, augmented by small city grants, fund its volunteer efforts.

The Friends of Sunset Park's eight elected directors — Tom Cleys, Charlie Donaldson, Eric Gabster, Susan Hartley, Emmalie Hodgins, Zina Josephs, John Reynolds and Lorraine Sanchez — meet once a month in a rented room at Mount Olive Lutheran Church on Ocean Park Boulevard. These meetings, which run from 7 p.m. to 9 p.m., are open to all.

"If you're a resident of Sunset Park, please feel welcome to attend our board meetings," said Friends of Sunset Park board president Zina Josephs. "If you feel strongly about issues affecting our neighborhood, please consider volunteering your efforts."

Community concerns are identified during these monthly meetings, and committees track these concerns. Newsletters, postcards, occasional flyers and e-mail alerts are used to keep Sunset Park residents informed.

The organization got its start in 1989. Groups that later became the Friends of Sunset Park and the Pico Neighborhood Association met at Grant Elementary School to voice concerns about a large commercial development proposed for the northwest corner of Pico and Cloverfield boulevards. That effort stopped the development, and that same location 16 years later saw the December 2005 grand opening of the newly expanded Virginia Avenue Park.

Friends of Sunset Park held its first annual

general membership meeting in 1990. In 1991, the organization focused on airport noise and safety, reducing traffic in the neighborhood, crime prevention, the city's alcohol policy and R-1 zoning requirements. Friends also successfully lobbied the City Council for a preferential parking program around Santa Monica College.

After the 1994 earthquake, the neighborhood association also held earthquake preparedness meetings and collected more than 500 pints of blood during seven annual blood drives.

More recently, the Friends Airport Committee, chaired by Cathy Larson, successfully lobbied the city for stricter aircraft noise enforcement and increased fines. It also began monitoring a Southern California AQMD study of air quality around the airport. In addition, the committee is urging the FAA to enforce its own guidelines for 300-foot safety zones at either end of the runway.

The Friends of Sunset Park successfully called for a "Monster Mansion" ordinance to prevent the construction of oversized homes in Sunset Park and worked to maintain the public hearing process in approving hillside homes. When the city began the process of updating the General Plan, Friends of Sunset Park sent a detailed questionnaire to all Sunset Park residents in January 2005 asking for their views. Nearly 350 residents responded, and the results were sent to City Hall.

Friends of Sunset Park has worked to slow down cut-through traffic in the neighborhood in order to protect pedestrians, especially school children. To accomplish this, City Hall has added crosswalks, crossing guards, stop signs, traffic signals, speed humps, islands and chokers. Recently, Friends of Sunset Park successfully urged City Hall to direct SMC Bundy Campus traffic onto Centinela Avenue rather than onto residential streets in Sunset Park.

The neighborhood group is still trying to get a crossing guard at Ocean Park Boulevard and 16th Street, an intersection used by many Will Rogers and John Adams Middle School students, and the scene of numerous accidents.

On Feb. 28, 15-year-old Eddie Lopez, an honor student at Samohi, was shot at Pico and 26th. A resident of Pico neighborhood, Eddie attended school in Sunset Park and had close friends in both neighborhoods. The Friends will be flyering the entire neighborhood this week to encourage residents to participate in the "Community Forum on Gang Violence in Santa Monica," co-sponsored by State Sen. Sheila Kuehl, the city and the school district. It's scheduled for Saturday, March 18, 10 a.m. to noon, in the JAMS cafeteria.

(For more information, check the Friends of Sunset Park Web site at www.friendsofsunsetpark.org, send e-mail to FriendsofSP@yahoo.com or call 310-358-7117.)

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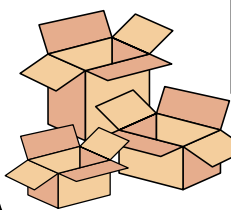
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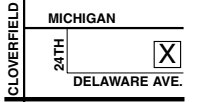


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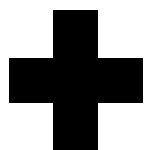


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LOCAL

Preliminary hearing likely to continue through Friday

FRAUD, from page 1

Monica for three months from February to April of 2002, after which he was terminated. Alexandre, who argued he was wrongfully terminated, settled with his former employer in an arbitration hearing.

He wrote a letter to the DA's office detailing allegations of the abuses taking place at Honda. The letter was received July 9, 2002. The next day, the investigation was launched.

According to Brooks, Alexandre claimed he received several complaints of overcharges within the dealership's finance department. Some of the complaints included "packing," whereby after-market products were being added onto sales contracts without buyers' permission. Alexandre claimed to have discovered a packing "glitch" operating within Honda's computer system that he claimed could be traced to Hussain's home computer.

According to the DA's Office, 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 cited as part of the alleged scam.

On Oct. 7, 2002, Alexandre contacted Brooks and told her he had met with Holterhoff, his predecessor, at a hotel near LAX the previous month. At that meeting, Holterhoff allegedly admitted to Alexandre illegal financial practices were occurring at Honda of Santa Monica while he was general manager there. According to Brooks' testimony, Holterhoff told Alexandre he wanted to address the problem "slowly" because "he didn't want to make a big deal of it."

Alexandre's motivation for informing authorities about the bilking scheme was that "huge corporations indicate huge corruption indicates huge profits," Brooks told the court. According to her testimony, customers were being mischarged, overcharged and flat-out lied to about charges that had been added to their contracts that they supposedly hadn't requested or specifically indi-

cated they didn't want.

On Oct. 8, 2002, the DA's office invited Holterhoff to meet and discuss Alexandre's claims. According to testimony, Holterhoff came of his own volition. He told Brooks and Los Angeles Deputy District Attorney Jeff McGrath, a prosecutor for the case, that adding charges to contracts did occur at Honda of Santa Monica while he was general manager there.

Holterhoff allegedly claimed they were practices that had been going on prior to his assuming his responsibilities and he "allowed them to continue," Brooks told the court.

Holterhoff's attorney, John Passanate, indicated during his cross-examination of Brooks that his client oversaw several aspects of the dealership that went beyond the finance and sales departments. As a result, Holterhoff dealt with customer complaints regarding sales only when those complaints were presented to him by those customers. Likewise, none of the customers who complained to Brooks during her investigation complained to Holterhoff about their dissatisfaction around the time of their purchase.

More than \$500,000 of theft etch was sold at Honda of Santa Monica by its six fired employees, according to the DA's office. Under a recent settlement, an estimated 1,500 customers who were ripped off can expect to be reimbursed in the next few months by Kramer Motors Inc., the parent company of Honda of Santa Monica.

The civil complaint's settlement, which was signed by a judge on Feb. 8, is separate from the criminal cases against the six defendants.

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 pay back about \$829,000 in reimbursements.

Testimony on Wednesday is expected to include more cross-examination of witnesses. The preliminary hearing is expected to continue until Friday and possibly into next week.

Iraqi woman asks residents to call for U.S. troop withdrawal

IRAQI WOMAN, from page 1

for Amman, Jordan, left her family behind earlier this month and joined five other Iraqi women as part of a delegation to Congress, where they intend to hand over millions of signatures from women who oppose the war.

They're also speaking to ordinary folks whenever they can about the damaging toll the war has taken on Iraqi families and, in particular, women who often bear the brunt of the violence.

The delegation is sponsored by anti-war groups CodePink and the Women Say No To War campaign as part of Women's History Month and the third anniversary of the war in Iraq, to be acknowledged this Saturday with a march in Hollywood.

Each woman has visited cities across the United States, with Al-Araji giving speeches and interviews on the West Coast.

During her speech at SMC, Al-Araji was passionate, and at times emotional, as she told of her son's kidnapping at the hands of rogue cops looking for ransom, something that occurs daily in Baghdad.

"For four days he was held. You can't imagine my life in those days, horrible," she said. "I've lived through bombings, wars ... but nothing can compare to this. The streets are no longer safe. The university is no longer safe. There is no security. Imagine not being able to go to school, your job, the market, not even your own backyard. Everything — life — it's frozen."

Al-Araji said her family had to pay "thousands of dollars" for the release of her son.

A critic of the war and the interim Iraqi government, Al-Araji writes a blog on the Internet called "A Family in Baghdad," which can be accessed at www.afamilyinbaghdad.blogspot.com. She said when her son was kidnapped from Baghdad University, she pulled all of her blogs immediately because she feared if those responsible found

out who she was, they would have killed Al-Araji's son.

"I was lucky," she said. "I had the money to pay for my son, but what about the regular Iraqis who don't have that kind of money?"

A Shia married to a Sunni Arab, Al-Araji said she is appalled by news stories that promote sectarian violence and report that the country is headed toward a civil war among the three main ethnic groups there: Shia, Sunni and Kurd.

"The Iraqi people refuse the idea of a civil war," she said. "We have lived together for thousands of years. My husband is Sunni. How can he be my enemy?"

Al-Araji believes corrupt officials here and in Iraq, as well as terrorists from outside the country, are responsible for fueling the recent surge in bombings against both the Shia and Sunni, including attacks on mosques and the mass assassinations of young men from both groups. The purpose is to incite a civil war so the United States can continue to build bases in Iraq and launch offensives against neighboring counties in the Middle East, Al-Araji said.

"If you really care about the future of Iraq, you would tell your administration to put a deadline on the removal of troops and stop building bases," Al-Araji said. "We don't want your sacrifices. Get your hands out of Iraq and leave it up to the Iraqi people ... You say you want to give us freedom. Well, thank you, my dear. I don't need your freedom."

Al-Araji also said people should donate money to Iraqi families who are struggling to eat within a war zone. Al-Araji said \$50 to a family in Iraq would mean another month of survival.

"There is a saying in my country: Under (former President) Saddam Hussein, we were living under one thief," she said. "Now there are thousands of thieves. I can't be a dreamer and say everything is going to be OK (if troops leave). But I know that it has been three years since the invasion, and what do we have to show for it except more violence?"

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LOCAL



Photo courtesy of SMFD

The plane that crashed into Santa Monica Bay on Monday was hauled off the beach after crews cut the aircraft into sections with a chainsaw.

Lifeguards, agencies praised for speedy response to crash in SM Bay

CRASH, from page 1

emergency medical care.

Tomarken, 63, and his wife, 41, took off from Santa Monica Airport at 9:35 a.m. en route to Brownfield Municipal Airport. Five minutes later, Tomarken radioed the control tower and reported engine trouble. Sources involved in the recovery of the plane said that the engine blew up in mid air, causing it to lose altitude quickly.

Witnesses said they saw the plane flying south over the bay when it tried to turn back toward the airport. Due to the angle of the plane's descent, it became clear to onlookers that the plane wasn't going to make it to land, let alone the airport. The plane slammed into the water with a large splash. It rested on the surface for a minute or less and then sank rapidly, witnesses said.

Tomarken, the host of the mid-'80s game show "Press Your Luck," was pronounced dead at the scene. His wife was transported to a local hospital, but died before she arrived, authorities said.

Without a flight data recorder on board, investigators hope the autopsy will give them a better idea of what happened before and after the crash. They also hope the autopsy will determine the physical condition Peter Tomarken, believed to be the pilot, prior to take off.

The National Transportation Safety Board (NTSB), which is responsible for determining the cause of the crash, wants to know if Tomarken suffered from a heart attack or seizure before the accident and whether that caused his death, or if he and his wife drowned after the plane sank.

Officials are also examining a video taken by Japanese tourists of the accident. The video may provide clues as to what Tomarken was doing prior to the crash — whether he was trying to make an emergency landing or had simply lost control of the aircraft.

"We aren't sure if the video will be helpful, but we look at every piece of evidence," said Jeff Rich, regional director of the NTSB. "Sometimes there are video and audio recordings we can use to look at the sound spectrum and the frequencies to tell us the speed the engine was running, things like that. Sometimes it can be very useful. Sometimes videos aren't."

The first step in the investigation was pulling the plane out of the surf, where it settled in about 19 feet of water, roughly 400 feet off shore.

Los Angeles County Lifeguard divers surveyed the plane, took underwater photos for NTSB officials, and then tied balloon-like floaters to lift it slowly off the ground. They then tied ropes around the aircraft, and a bulldozer was used to drag it to shore, where the engine was washed thoroughly to remove any salt water.

"Salt water immediately begins to corrode anything

that it touches, so if you don't rinse (the engine) with fresh water and preserve it with diesel oil or some kind of oil, you really won't have anything to look at," Rich said. "In three or four days, salt water can turn the engine into white powder."

The wings were then cut off so that it could be transported by truck to a private facility in Pair Blossom, Calif.

Investigators will now deconstruct the aircraft, starting with the engine and internal controls. They will also comb over flight records, the plane's maintenance history, the Tomarkens' health records, as well as their flying records. Weather conditions the day of the accident will also be considered, Rich said.

The investigation is expected to take at least six months, Rich said.

"We only have eight investigators for Arizona, Nevada ... Hawaii ... and about 350 incidents a year," Rich said.

NTSB officials praised the many agencies involved in the rescue and salvation operation. Kristi Dunks, who is leading the investigation into the crash, said the aircraft was recovered quickly, and that there was "excellent cooperation" among agencies, which included the Los Angeles County fire and sheriff's departments, the Santa Monica Police and Fire departments, the U.S. Coast Guard and Santa Monica's harbor patrol.

As soon as the Tomarkens' Beechcraft smashed into the 53-degree waters, lifeguards were already responding to the accident and were in the water within minutes, according to bystanders who witnessed the crash as well as investigators.

Other agencies quickly joined in the rescue attempt.

"Before the plane even hit the water, the lifeguards were on it," said John Trumbull, who was walking his dog on a path near the beach and saw the plane hit. "There was no delay at all. They were there in a heartbeat."

Authorities said the swift response was due in large part to the advanced warning they received from Santa Monica Airport, as well as the close proximity of the crash to a lifeguard working near the area.

Lifeguard specialist Dave Estey, who witnessed the plane having trouble from the lifeguard station at the pier, said lifeguards are trained to deal with plane crashes in the ocean and had trained just weeks prior to the crash in nearly the same location the Tomarkens' plane went down.

"Our dive team trains twice a month, practicing drills just like this in the event a small plane goes down," Estey said. "But they never go quite like the rehearsals do."

For resident Tyrone Thompson, the rescue team performed above and beyond what was expected. "The plane just went down so fast, I don't think there was anything they could have done," he said. "They were incredible though. They deserve all the credit in the world."

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LNG terminal's future uncertain

By The Associated Press

VENTURA — An environmental impact study shows an offshore liquefied natural gas terminal wouldn't endanger Oxnard or other communities.

But the 2,528-page report released Monday by the California State Lands Commission said an accident or terrorist attack could reach into fishing areas and shipping lanes.

The project's safety features mitigate those dangers, the report said.

A vapor fire could affect an area about 7.3 miles away from the offshore LNG terminal, which would be about 14 miles off the Oxnard coast.

An Australian mining company wants to build the floating LNG terminal. The report said BHP Billiton would change a pipeline route to bypass an elementary school and the firm would get air quality exemptions.

"We have to go through it (the report) very, very carefully," environmentalist Susan Jordan said. "There's never been a facility done like this anywhere in the world. That's why analyzing it is both difficult and extremely important."

LNG is conventional natural gas chilled to about 260 degrees below zero, at which point it turns to liquid and shrinks to one-six-hundredth of its original volume, making it feasible to transport by ship. It would be converted to gas again at the floating terminal and sent to shore in pipelines.

The project needs approval from the Lands Commission, the U.S. Coast Guard and the U.S. Maritime Administration. Gov. Arnold Schwarzenegger could veto the plan but has said he supports the concept.

Monday's report, prepared by the state with input from federal agencies, reflects that new information. It also begins a 45-day review process that will include public hearings in Oxnard, Malibu and Santa Clarita.

Beach reopens following cleanup

By The Associated Press

MANHATTAN BEACH — A stretch of beach fouled by sewage two months ago was finally reopened by health officials who assured beachgoers the sand was safe.

Supervisor Don Knabe had told Los Angeles County health and sanitation officials he wanted to review test results and cleanup procedures personally before reopening the beach to the public.

In a statement Monday, Knabe said he was satisfied. Yellow tape barricades were removed from a football field-sized area south of the pier and the beach reopened.

"I have reviewed the test results by both departments and I am satisfied by their reports that efforts to clean up the beach have been successful," Knabe said.

On Jan. 15, an estimated 2 million gallons of sewage flowed onto the sand and out to the ocean because of a pumping plant failure. Officials reopened it Jan. 25 after two days of chlorinating the area and exposing it to sunlight.

But test results revealed an elevated level of fecal bacteria in the sand, forcing a second closure of the area.

Ventura considers emergency status

By The Associated Press

VENTURA — The county may declare a state of emergency so dredging permits can be obtained to remove a growing sandbar that threatens to seal off Channel Islands Harbor.

A tall sailing ship got stuck on the sandbar a year ago and recreational boaters and the U.S. Coast Guard would be stranded if the harbor entrance was blocked.

The Board of Supervisors this week considers declaring a state of emergency that would allow the Army Corps of Engineers to exempt Ventura County from state environmental rules and dredging could start as early as Thursday.

The \$700,000 dredging contract would go to Seattle-based Manson Construction, which just finished dredging work in Ventura Harbor. Harbormaster Jack Peveler

said it means Manson will waive a \$1 million charge required to move dredging equipment in place.

The Federal Emergency Management Agency would pay 75 percent of the cost, the state would pick up 18.75 percent and the county would pay 6.25 percent, or \$43,750.

Last winter's rains are to blame for the sandbar. Large deposits of sand from the Santa Clara and Ventura rivers were carried by unusually strong currents to the harbor's entrance.

In March 2005, the 90-foot-tall sailing ship Irving Johnson capsized on the sandbar. No one was injured, though some of its 10 crew members and 10 passengers fell into the water as the vessel bobbed in the waves.

Feds want AIDS funds back

By The Associated Press

SANTA ANA — Federal officials have demanded Orange County return nearly \$150,000 in misspent AIDS funds.

Orange County health officials have been in negotiations for a year with the federal Health Resources and Services Administration over a two-year grant given pastor Aubrey Keys and his New Millennium Community Coalition.

New Millennium, a county-funded service contracted to do AIDS outreach in the black community, did not keep adequate records of clients' race or HIV status, federal officials said.

County officials were under a federal mandate to use minority-run organizations to help minorities, but the county was unable to tell if New Millennium helped anyone.

Federal officials said county healthcare managers did such a poor job overseeing New Millennium that the county should pay back \$143,328.

County Executive Officer Tom Mauk conceded "there were problems" with New Millennium but he called the healthcare agency "the best, if not one of the best, run departments in the county."

While county officials admit some general problems in overseeing the grant, they mainly blame a federal mandate in 2000 that required AIDS minority funds to be managed by nonprofit organizations run mostly by minorities.

"That's un-American," Supervisors Chairman Bill Campbell said. "What is American is if you want to deliver a service to someone, you find the best person to deliver it. The federal government is at fault for putting the program in place in the first place."

Tire-shooting cop put on leave

By The Associated Press

PALM SPRINGS — A police officer who shot the tires of a burglary suspect allegedly trying to run him down has been placed on paid administrative leave.

The officer, whose name was withheld, wasn't hurt and his placement on paid administrative leave was described as routine after a shooting.

The officer shot the tires of a Ford Crown Victoria at about 3 a.m. Monday after the driver allegedly tried to run over the officer investigating a car burglary report at the Coco Cabana condominiums, officials said.

The driver, Alberto Felipe Ramirez, 26, of Indio, was arrested and booked for investigation of assault with a deadly weapon on a peace officer, attempted auto theft and auto burglary, police said.

Convicted woman gets life sentence

By The Associated Press

RIVERSIDE — A Corona woman convicted of shooting to death a 21-year-old mother because she allegedly slashed her car tires could be sentenced to 103 years to life in prison.

Jurors on Monday convicted Valeria Gloria Juarez of first-degree murder, which carries a 25-years-to-life sentence. But she faces the additional prison time because she used a gun and has a prior conviction.

She will be sentenced April 14.

Deputy District Attorney Michelle Paradise said Juarez was one of the most glib defendants she ever prosecuted.

STATE



Google launches interactive mapping tool of Red Planet

BY ALICIA CHANG

AP Science Writer

LOS ANGELES — First there was Google Earth, then Google Moon.

On Monday, Google Inc. expanded its galactic reach by launching Google Mars, a Web browser-based mapping tool that gives users an up-close, interactive view of the Red Planet with the click of a mouse.

The Martian maps were made from images taken by NASA's orbiting Mars Odyssey and Mars Global Surveyor.

Google Mars doesn't provide driving directions, but users can see the planet in three different formats: The Martian elevation map is color-coded by altitude; the visible-imagery map shows the surface in black-and-white pictures; the infrared map indicates temperature, with cooler areas dark and warmer areas bright.

Users can also zoom in on any of the three maps to view geographical features such as mountains, canyons, dunes and craters. The maps also pinpoint the locations of unmanned space probes that have landed on Mars.

The up-to-date maps even include the locations of the NASA rovers Spirit and Opportunity, which have been exploring opposite ends of the planet since 2004, said Phil Christensen, an Arizona State University planetary geologist who operates an infrared camera on the Mars Odyssey. Arizona State partnered with Google to create the maps.

While countless Mars images are already available on the Internet — mostly through NASA's Mars mission Web sites — the developers of Google Mars said this is the first time that members of the public can explore Mars on their own.

"The idea is to look at Mars and not think of it as a mysterious alien place," Christensen said.

Christensen said the Martian maps would most likely be updated every few weeks.

Last week, another spacecraft, the Mars Reconnaissance Orbiter, successfully slipped into orbit around the planet, joining the Mars Odyssey and Mars Global Surveyor.

"We hope you enjoy your trip to Mars."

CHIKAI OHAZAMA
Google Earth team member

Since the Reconnaissance Orbiter is the most powerful spacecraft ever to orbit Mars, Christensen said, scientists may eventually incorporate its data into Google Mars.

Last summer, the Mountain View-based Internet search engine unveiled Google Earth, a three-dimensional, satellite-based mapping service that allowed browsers to interactively explore their neighborhood or far-flung places.

Google Earth was followed by Google Moon, which showed the locations of all six Apollo moon landings.

Google launched its Martian mapping service on what would have been the 151st birthday of astronomer Percival Lowell, who studied the Red Planet for more than two decades.

"We hope you enjoy your trip to Mars," Chikai Ohazama, a Google Earth team member, wrote in a blog.

Funding halted for reintroduction of bald eagles to Catalina Island

By The Associated Press

SANTA CATALINA ISLAND — Funding to restore bald eagles to Santa Catalina Island was cut out of a \$25 million plan to deal with the lingering effects of tons of DDT dumped into the ocean.

The 25-year-old effort to reintroduce the birds to Catalina will no longer receive money from a fund established to dole out about \$140 million in DDT lawsuit settlements, it was announced Monday.

No more support will be given to five breeding pairs of bald eagles on the island until it is determined whether they can survive and flourish on their own.

"We are extremely disappointed," said Ann Muscat, president of the Catalina Island Conservancy. "We don't think it's the best thing for the eagles or for the island's ecosystem."

Funding will continue for the reintroduction of the birds on Santa Cruz and other nearby Channel Islands that already have about two dozen birds.

Bald eagles once flourished on the islands off the Southern California coast but they disappeared in the 1960s as DDT dumped in the ocean polluted their food chain. The now-banned pesticide made the birds' eggshells brittle.

Since 1991, money to reintroduce the birds to Catalina has come from a fund created by Montrose Chemical Co., other companies and about 100 municipalities that used the ocean for dumping. Three federal and three state agencies oversee the money.

An estimated 100 tons of DDT remain on the ocean floor off the Palos Verdes Peninsula, and the chemicals continue to accumulate in marine life. The contamination is worse on Catalina than on other islands and the eggs there are so fragile they have to be incubated.

Even then, only about one in five produced chicks last

year, said Annie Little, bird biologist for the Montrose Settlements Restoration Program.

The hatching rate hasn't improved over the years, said Greg Baker, program manager for the restoration program.

Funds provided for Catalina eagle work will be suspended but the birds will be monitored to determine if they can survive on their own, he said.

The funding announcement was a blow to Dave Garcelon, who began the reintroduction program and formed the Arcata-based Institute for Wildlife Studies.

The Catalina program costs about \$120,000 a year and without the settlement money, "the program will have to be somewhat scaled back," he said. "But we're going to do the best we can."

The California Coastal Commission supported keeping the Catalina funding in a vote last December. It does not have direct authority over the settlement money but does have the option of seeking mediation or suing.

The commission will discuss its options at an upcoming meeting, said Mark Delaplaine, federal consistency supervisor for the state agency.

"The commission and the federal agencies are equal partners" in the settlement money program, he said.

"That means we're supposed to work things out," he said. "The law says they have to be consistent, but the law is silent on who gets the final say."

The \$25 million wildlife plan announced Monday would include money to remove feral cats from San Nicolas Island to protect colonies of western gulls and double-crested cormorants. Santa Cruz Island projects would help two other species, Cassin's auklet and the ash storm-petrel.

Some money also will be used for coastal wetlands restoration.

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Real Estate

'Tenant in common' has broad meaning



IN YOUR SPACE

BY CHRISTINA S. PORTER

Holding title as a Tenant In Common (TIC) is defined as a form of asset ownership in which two or more persons have an undivided fractional interest in which the ownership interests are not required to be equal, can be inherited and each co-owner has a separate deed. The IRS has provided 15 guidelines by which a TIC ownership interest will qualify for a tax deferred 1031 exchange. These guidelines can be found in Revenue Procedure 2002-22 and are as follows:

1. Tenant In Common ownership: There can be no other way of holding title to the property other than Tenants In Common.

2. Number of co-owners: There can be no more than 35 persons who acquire interest in the property. The only exceptions to this is that a husband and wife are treated as a single person, as are all persons who acquire interests from the co-owner through inheritance.

3. The co-ownership may not be treated as a single entity: The group of co-owners cannot treat itself as a partnership. Example: A partnership will file a single tax return and have one name for the entire group. The IRS will generally not approve of a property if the co-owners held title to the property in a partnership or corporation just prior to the formation of the TIC ownership.

4. Co-ownership agreement: The co-owners may, but are not obligated to, enter

into a limited co-ownership agreement that may run with the land. As an example: The agreement could include among other things that a co-owner must give the other co-owners first right of refusal to purchase their interest, which must be at fair market value and determined on the date the right is exercised.

5. Voting: There must be unanimous approval by the co-owners of the negotiation/renewal of a contract for, and hiring of a property manager; the sale of the property, any lease for a portion or all of the property, and any "blanket loan" (mortgage); and any negotiation/renewal of such. For all other actions the co-owners may agree to be bound by the outcome of a vote decided by those holding 50 percent or more of the undivided interests.

6. Restrictions on alienation: In general, each owner must have the right to transfer its interest in the property without approval of any person. Exceptions to this rule are any restrictions required by a lender as long as they are consistent with customary commercial lending practices. Example: The lender may require that the whole property be refinanced to allow one of the owners to transfer their interest in the property. If you think you will sell prior to the end of the holding period, be sure to check this point with the sponsor prior to signing loan documents.

7. Sharing proceeds and liabilities upon the sale of the property: When the property is sold, all debt must be paid off prior to distribution of any profits to owners. Neither the manager, the sponsor nor other co-owners are permitted to advance funds for the expenses to a co-owner unless the advance is "recourse" to the co-owner and for a term of less than 31 days.

8. Proportionate sharing of profits and losses: Each owner must share in all of the income and expense associated with the property according to the proportionate share of its undivided interest.

9. Proportionate sharing of debt: Each owner must share in a debt that is secured by a mortgage on the property, in proportion to its undivided interest.

10. Options: Any co-owner may issue an option to purchase its interest provided that the price reflects its fair market value of the property at the time the option is exercised.

11. No business activities: The co-owners' activities must be limited to those customarily performed in maintaining and repairing the property. This rule does not apply if the co-owner owns an undivided interest for less than six months. This part of the rule is meant to allow for a sponsor to prepare the property to be sold as a TIC.

12. Management and brokerage agreements: The fees charged for all brokerage and management agreements must be at fair market value, must be renewed no less than once a year, and can be the sponsor or a co-owner but not a lessee. The fees negotiated for these services may not be dependent on the amount of income received from the property.

13. Leasing agreements: All lease agreements must be valid for federal tax purposes and reflect their fair market value for the specific type of use specified in the lease. The amount of rent cannot depend on the amount of any income or profits produced by the property with the exception of an amount based upon a percentage of sales receipts of the lessee (percentage rent).

14. Loan agreements: Any lender for

debt that encumbers the property may not be a related person to the sponsor, any co-owner, the manager or any lessee of the property.

15. Payments to the sponsor: Any payment to a sponsor for the acquisition of the TIC interest must reflect the fair market value for the service and the value of the interest at the time of the purchase.

Although holding title in the form of TIC has been around for a long time, for most of us the concept is new. The above guidelines are provided by the IRS to structure TICs in a way that will qualify them for a 1031 exchange, providing another avenue for an investor to continue to increase their cash flow and net worth.



(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. TM 1031 Exchange successfully did more than \$100 million of 1031 exchanges in 2005.)

Patriotism can't be dictated by association



THE HOA ADVISOR

BY MICHAEL CHULAK

Question: May our homeowner association prohibit us from displaying the American flag on our property?

Answer: No. A homeowner association may not adopt a rule that prevents a person from displaying a flag of the United States on private property unless it is used in conjunction with an advertising display. They may prevent you from attaching the flag to the common areas.

Question: In reviewing the bylaws and Covenants, Conditions and Restrictions (CC&Rs) of our homeowner association,

our board has noted several conflicts. Which document takes precedence?

Answer: CC&Rs take precedence over bylaws when a conflict occurs.

Question: Will transferring title to my home to a living trust cause a reassessment under Proposition 13?

Answer: Absolutely not.

Question: Will transferring title to my home to a living trust put me in danger of having my lender call the loan due?

Answer: No. Under California law, a lender may not accelerate the maturity of a loan as a result of the owner transferring title to a living trust.

Question: The board of directors of our townhome association has decided to rent out several guest parking spaces to indi-

vidual members of our association. Can they legally do this? Their action has created a shortage of visitor parking spaces.

Answer: Absent a highly unusual provision in your CC&Rs, the answer is no. The common area is owned by all members of the association and may be used by or for the benefit of all members of the association.

In addition, many cities prohibit the conversion of guest parking spaces to non-guest use. You may check with your local city or county building department concerning such restrictions.

Question: I live within a large homeowner association that includes a lake that is surrounded by homes. My home is not within view of the lake, nor do we use it. It seems unfair for us to be assessed for the maintenance of the lake when we can't even see it. Do we have

any recourse?

Answer: Other than moving, no. If your CC&Rs require that you pay a share of the maintenance, you must do so. It is a contractual obligation you agreed to when you purchased your home.

Even if you cannot see the lake or don't use it for recreational purposes, it is a unique amenity that increases the value of your property.

(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 these two Web sites: www.CSQDLaw.com and www.HoaQandAnswer.com.)

Walking to the nearest newsstand increases circulation.

Santa Monica Daily Press

When it doubt on your real estate, exchange it



DAYS ON THE MARKET

BY JODI SUMMERS

An Ocean Park senior citizen was startled when a real estate agent brought an unsolicited offer for the corner storefronts he'd owned for decades. Now he was torn. He didn't really want to sell because he enjoyed the monthly income, but if he sold, it would free him from responsibility. But then there was the issue of capital gains. He talked to his accountant about it. His accountant suggested a 1031 exchange.

"It used to be that on a scale of one to 10 in importance in estate plans, real estate was about a five. Now it's at eight," notes attorney Yaron Hassid. "Real estate values have been going up so rapidly that it's now seen as a safe investment. Five years ago, the stock market was perceived to be safe with 10 percent returns."

If you own (or want to own) an investment property, a 1031 exchange can become the basis for increasing your real estate wealth by making periodic trades up for larger properties.

Suppose you purchased a triplex north of Wilshire during the real estate dip of in the early '90s. These days, the property is valued more than \$1 million, but thanks to rent control, you're bringing in about \$40,000 per year in revenues. As authorized by Internal Revenue Code 1031, you can exchange that property for something more desirable — say a three-unit shopping center with a billboard bringing in \$168,000 per year in revenues.

Internal Revenue Code 1031 has allowed tax-deferred exchanges of investment and business properties since 1921. To qualify for tax-deferral when selling a property, an individual is required to trade an income-generating property used for investment or business for a "like kind" property (or properties) equal to or greater than the equity of the one they are selling.

A qualified tax-deferred trade up is viewed, tax wise, as one continuous investment. So, if you exchange your property, you avoid paying taxes.

There is no limit to the number of times or the frequency you can use IRC 1031 to escalate your real estate wealth without paying capital gains taxes. Buy a fixer on Tuesday, sell it Thursday, by a bigger fixer next Tuesday. As long as it's an investment property and not a primary residence, you're good to go.

Noted real estate columnist Bob Bruss cites at least 10 reasons for exchanging real estate:

1. Pyramid your investment equity without tax erosion of your sale profit.

2. Minimize or eliminate the need for new mortgage financing on the property acquired.

3. Get rid of an undesirable property that is difficult to sell and acquire a better property.

4. Increase the investor's depreciable basis.

5. Acquire a property that better meets the investor's needs, such as more cash flow or easier management.

6. Partially defer profit tax by trading down to a smaller property that suits the owner's needs.

7. Avoidance of depreciation recapture tax when selling a property.

8. Refinance either before or after the trade to take out tax-free cash.

9. Accept an unexpected purchase offer to sell a currently owned property without owing tax.

10. Completely avoid capital gains tax by still owning the last property in a chain of tax-deferred trades when you die.

Commonly known as a Starker Exchange, Internal Revenue Code 1031(a)(3) allows an investor to sell property and have the sales proceeds held by a qualified third party while they purchase their replacement property or properties. IRS time limits give the investor 45 days to choose the next properties, and 180 to complete the tax-deferred transaction.

"If you don't have everything lined up, you can miss those deadlines," says Margaret McDonnell, president of 1031 Corp. "It sounds like a long time, especially the fact that you have 180 days to close on a new place, but it's really very short."

Another option is a reverse exchange. As of late 2000, IRS Revenue Procedure 2000-37 has allowed the replacement property to be acquired by the third-party

"It used to be that on a scale of one to 10 in importance in estate plans, real estate was about a five. Now it's at eight."

YARON HASSID
Attorney

accommodator and held until the old property is sold.

Death is the ultimate tax shelter. Any capital gains tax you would have owed if you sold your real property (and other assets) is forgiven upon your death, and your property heirs receive a new "stepped-up tax basis."

For details, consult your accountant.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. For your real estate needs, e-mail her at jodis@boardwalkrealty.com, or call 310-309-4219.)



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Santa Monica Daily Press



INTERNATIONAL



U.S. plan to line canal with concrete sparks opposition

BY ELLIOT SPAGAT
Associated Press Writer

MEXICALI, Mexico — Despite its name, the All-American Canal has been leaking water to the Mexican side of the desert border for more than 60 years, nourishing alfalfa, onion and cotton crops that might otherwise wither.

Now the U.S. government is preparing to line the earthen channel with concrete. Mexican farmers' loss will be California's gain: Scarce water that will no longer be able to seep away instead will help flush toilets and water lawns more than 100 miles west in San Diego.

And that would affect thousands of families whose fields cover thousands of acres around Mexicali, an industrial city of 800,000 that is gobbling up farmland on its outskirts. That's because the lining would prevent the replenishment of about 100 rural wells they use, according to critics of the project.

Nazario Ortiz, who farms 100 acres about three miles inside Mexico, worries that his hardscrabble community won't survive.

"Everything comes from the canal, so everything is going to be ruined," said Ortiz, 46, who lives in a village where old pickup trucks and unleashed dogs share dirt roads. "How are people going to make a living?"

It will be hard, Ortiz says, to stop his sons — ages 22, 18 and 16 — from illegally crossing the border to join relatives in Los Angeles.

For many of its 82 miles the canal's green waters trace the U.S.-Mexico border, running through sand dunes and verdant fields to California's Imperial Valley, where it is the lifeblood for 500,000 acres of U.S. farmland.

The project to line 23 miles of the canal is slated to begin this summer and be completed in 2008. Project managers expect that the refit canal will capture enough water for 135,000 new homes, mostly in San Diego and its suburbs.

The deal is not, however, ironclad. A group of Mexicali farmers and businesses has sued in federal court in Las Vegas to stop construction; a hearing is scheduled April 24.

Nearly 3,000 acres in Mexico depend entirely on the All-American, according to the Mexicali Economic Development Council. California also relies on water the canal siphons from the Colorado River as one of the West's major water sources winds from the Rocky Mountains to the Gulf of Mexico.

For years, water consumption spurred by breakneck growth in Southern California prompted Western states to

complain they weren't getting their share. The resolution was a water-redistribution deal that included the \$225 million lining project, which will ease some of the pinch California feels from being able to gulp less water from the Colorado.

Mexico already gets 489 billion gallons of Colorado River water each year. Supporters of the lining project say that that should suffice — that the canal's seepage is water Mexico isn't entitled to get.

"We don't mind sharing, but enough is enough," said Stella Mendoza, who serves on the board of the Imperial Irrigation District, which oversees the canal and solicited construction bids last month.

Colorado River water first flowed to California's arid southeast in 1901 on the Alamo Canal, which dipped into Mexico. California farmers soon decided they needed a canal completely within the United States, leading to completion of the All-American in 1942.

Mexicans remember fishing on the Alamo in the 1970s. Now it's a bone-dry ditch — full of old tires, empty jugs, soda cans and carcasses of dogs, cats and cows — that winds around sleepy villages in the Mexicali Valley.

Farmers aren't the only Mexicans fretting about the concrete casing. Opponents say lost seepage threatens about a dozen hidden lagoons in Mexicali enjoyed by outdoor lovers and hunters.

Critics also say migrants may die crossing the canal because the concrete lining will deprive desperate swimmers of tall grasses to grab. While the canal appears calm, migrants who cram onto inflatable rafts can be swept away by a fierce undercurrent.

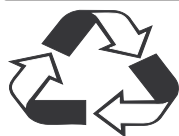
Nine people died in the canal last year, down from 29 in 2001, according to the Imperial County coroner's office.

The drop tracked a shift in border crossings to Arizona, and deaths could rise if more migrants return to crossing in California. To prevent such deaths, crews will build ladders 750 feet apart on both sides of the concrete lining.

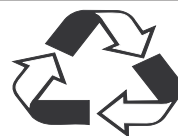
While Mexican farmers protest the project most loudly, fearing that to recover lost water they'll have to dig deeper wells and pay higher electricity bills, there is surprising resistance in one California border town. The city council of Calexico, Calif., voted in January to oppose the project, echoing the opinion of some Imperial Valley farmers.

"I'm a farmer and those guys are farmers," said Tom Brundy, 49, a Calexico farmer who sends his four children to a private Catholic school in Mexicali. "I'd hate to have it happen to me."

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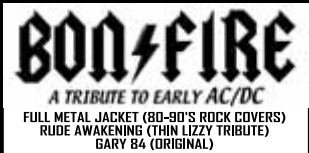
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Police find at least 85 bodies in 24 hours

BY ALEXANDRA ZAVIS

Associated Press Writer

BAGHDAD, Iraq — Police in the past 24 hours have found the bodies of at least 85 people killed by execution-style shootings — a gruesome wave of apparent sectarian reprisal slayings, officials said Tuesday.

The dead included at least 27 bodies stacked in a mass grave in an eastern Shiite neighborhood of Baghdad.

The bloodshed — the second wave of mass killings in Iraq since bombers destroyed an important Shiite shrine last month — followed weekend attacks in a teeming Shiite slum in which 58 people died and more than 200 were wounded.

Iraq's Interior Ministry announced a ban on driving in the capital to coincide with the first meeting of the new parliament Thursday. The ban takes effect at 8 p.m. Wednesday and lasts until 4 p.m. Thursday.

Squabbling over the composition of a new government has delayed the inaugural session since the results of Dec. 15 elections were confirmed more than a month ago.

Leaders of Iraq's main ethnic and religious blocs, meanwhile, began a series of marathon meetings Tuesday to try to break the deadlock. U.S. Ambassador Zalmay Khalilzad, who has been shuttling between the main factions, joined the session hosted by Shiite leader Abdul-Aziz al-Hakim.

The stakes are high for Washington, which hopes a strong and inclusive central government can stabilize Iraq so U.S. forces can start drawing down in the summer.

Most of the corpses were found in Baghdad, while three were found in the northern city of Mosul, police said.

Acting on an anonymous tip, police found a 6-by-8-yard hole in an empty field. It contained at least 27 dead men — most of them in their underwear — in Kamaliyah, a mostly Shiite east Baghdad suburb, said Interior Ministry Lt. Col. Falah al-Mohammedawi. He estimated they had been dead for three days.

Residents offered scarves to help cover the bodies, which were laid out on the ground. Police guarded the site as members of a Shiite militia dug for more corpses. An Associated Press photographer took pictures of the grave but was warned not to publish them.

An abandoned minibus containing 15 bodies was found Tuesday on the main road between two mostly Sunni neighborhoods in west Baghdad, not far from where another minibus containing 18 bodies was discovered last week, said Interior Ministry official Maj. Falah al-Mohammedawi.

At least 40 more bodies were discovered in various parts of Baghdad, including both Sunni and Shiite neighborhoods, he said.

They included four men shot in the head execution-style and hanged from electricity pylons in Sadr City, where two car bombs and four mortar rounds shattered shops and market stalls at nightfall Sunday as residents shopped for food.

Scores of frightened Shiite families have fled predominantly Sunni parts of Baghdad in recent weeks, some of them at gunpoint. More than 100 families arrived between Monday and Tuesday alone in Wasit province, in the southern Shiite heartland, said Haitham Ajaimi Manie, an official with the provisional migration directorate. More than 300 Baghdad families are now

sheltering in the province, he said.

The violence since the Feb. 22 bombing of the famed golden dome atop the Shiite Askariya shrine in Samarra has complicated negotiations for Iraq's first permanent, post-invasion government. A caretaker government has been in charge since the December elections, and U.S. and Iraqi officials fear the vacuum in authority is fueling the bloodshed.

Under pressure from Khalilzad, leaders of the main ethnic and religious groups agreed Sunday to meet daily until they can unblock the political negotiations.

Among the most contentious issues is Shiite Prime Minister Ibrahim al-Jaafari's candidacy for a second term. Kurdish, Sunni and some secular leaders argue he is too divisive and accuse him of doing too little to contain reprisal attacks on Sunni mosques and clerics after the Shiite shrine was destroyed.

The Shiite United Iraqi Alliance is itself divided over al-Jaafari. He won the nomination by just one vote last month in large part because of the support of radical Shiite cleric Muqtada al-Sadr. Al-Hakim favored Adil Abdul-Mahdi, one of two current vice presidents.

Also present at Tuesday's meeting were President Jalal Talabani and Massoud Barzani, leaders of the main Kurdish parties; Dhafir al-Ani, an official with the main Sunni bloc; and former Prime Minister Ayad Allawi, a secular Shiite.

President Bush said insurgents were trying to ignite a civil war by escalating the violence.

"I wish I could tell you that the violence is waning and that the road ahead will be smooth," Bush said in the first of a series of speeches to mark the third

anniversary of the start of the U.S.-led war in Iraq. "It will not. There will be more tough fighting and more days of struggle, and we will see more images of chaos and carnage in the days and months to come."

Bomb blasts and shootings in Baghdad and north of the capital, many of them targeting Iraqi police patrols, killed at least 15 more people Monday and wounded more than 40. They included a U.S. soldier who died in a roadside bombing, the military said. A U.S. Marine was reported killed Sunday in insurgent-plagued Anbar province.

The American deaths brought the number of U.S. military members killed to at least 2,308 since the beginning of the Iraq war in March 2003, according to an Associated Press count.

Britain, the United States' largest military partner in Iraq, announced a 10 percent — about 800-troop — reduction by May.

In Paris, a high-ranking U.S. official expressed concern about security in Iraq's oil sector.

Stuart W. Bowen Jr., U.S. special inspector general for Iraq reconstruction, compared the rebuilding program to a three-legged stool built on governance, security and infrastructure: "Each of those legs is a little wobbly right now," he said.

Iraq currently produces 1.7 million to 1.8 million barrels of oil per day — far short of the capacity of 2.8 million and down from a post-invasion peak of 2.4 million last summer, he said.

"The drop, since then, is connected primarily to attacks," he said, adding that U.S. expectations on oil production were too high. "There was an assumption that has proven not to be accurate — that is, that the Iraqis would be able to fund recovery through their oil income."

Israeli forces raid Jericho jail, sparking shootout

BY SARAH EL DEEB

Associated Press Writer

JERICHO, West Bank — Israeli forces driving bulldozers and firing tank shells burst into a Palestinian prison Tuesday and removed dozens of inmates in a raid targeting prisoners convicted of killing an Israeli Cabinet minister.

Furious Palestinians attacked offices linked to America and Europe, torching the British Council building in Gaza City and kidnapping a foreign employee of the Red Cross in Gaza. Gunmen also seized four guests — including two South Korean journalists and a French woman — from a Gaza City hotel.

The Palestinians blamed the Jericho raid on the British and Americans, who removed their monitors from the jail just before the Israeli raid. There were a total of 200 prisoners and guards in the jail at the time of the raid.

Israel forced 170 prisoners out of the jail wearing only their underwear. But one of the main targets of the raid, Popular Front for the Liberation of Palestine leader Ahmed Saadat, held out inside.

"We are not going to surrender. We are going to face our destiny with courage," he told Al-Jazeera television from the jail.

The operation was the most high-profile Israeli incursion into a Palestinian town in months and came just two weeks before Israeli elections. Palestinians condemned the raid as a campaign stunt, and Palestinian President Mahmoud Abbas blamed the United States and British gov-

ernments.

American and British observers who had monitored the jail for the past four years withdrew just before the raid, citing security concerns. The Israeli government ordered the raid because the monitors were withdrawn, the army said. Israel said the Palestinians were to blame for violating an agreement on detaining the Palestinians accused of killing the Israeli minister in 2001.

Saadat told Al-Jazeera, which broadcast the raid throughout the Arab world, that he held Abbas partly responsible, saying he should have gotten him out of prison sooner. As he spoke, an explosion was heard in the background, and Saadat said: "I can't continue. The situation is very difficult." Then he hung up.

In Jericho, dozens of prisoners in their underwear came of the prison building and were searched and blindfolded by Israeli troops. Some of them were taken away. Israeli officials said a number of prisoners were being targeted for arrest, including the five involved in the assassination.

A senior Israeli military official said the inmates must surrender or face death.

Hundreds of Israeli troops entered the town Tuesday morning and surrounded the prison, calling over loudspeakers for prisoners to give themselves up. The troops then burst through the front gate of the jail with a bulldozer, drove inside in armored personnel carriers and engaged in a shootout with Palestinian police, said local security commander Akram Rajoub.

One policeman standing near the gate was killed, as was a prisoner, security officials said.

Two large explosions were heard at the prison and thick smoke filled the sky. Helicopters flew overhead.

Youths in the town threw rocks at the Israeli soldiers, and Palestinians burned tires in the roads. Troops were later heard calling for all the prisoners and guards to come out of the jail.

Saadat is being held for ordering the assassination of Israeli Tourism Minister Rehavam Zeevi in 2001. Saadat was elected to the Palestinian legislature in January.

Israel also demanded the surrender of four other members of the PFLP, including the gunman who killed Zeevi, and Fuad Shobaki, the alleged mastermind of an illegal weapons shipment to the Palestinian Authority several years ago.

Zeevi's son, Palmach, told Israel's Channel 10 TV the raid was "an extraordinary and very important decision" by the government of acting Prime Minister Ehud Olmert, who is running for prime minister at the head of the new, centrist Kadima Party.

The six men were being held at the jail under the supervision of British and American wardens in accordance with a deal worked out between President Bush and Israeli Prime Minister Ariel Sharon in April 2002. The agreement allowed the prisoners to be transferred from Yasser Arafat's besieged compound in the West Bank city of Ramallah, where they were holed up during Israel's operation

Defensive Shield in April 2002.

Israeli hard-liners chafed at the deal, believing it allowed an assassin to escape justice, and Palestinians disliked a deal that forced them to jail one of their top militant leaders under Israeli pressure.

Israeli political analyst Yossi Alpher said the upcoming Israeli elections were one of the reasons behind the raid, but the main catalyst was fears that Hamas, which won Jan. 25 parliamentary elections, would free Saadat. Soon after the election, Hamas political chief Khaled Mashaal said the group planned to release Saadat.

On March 7, Abbas said he was willing to free him but would not take responsibility for any action Israel would take against him later.

Britain said it had repeatedly warned Abbas, who was in Europe Tuesday, that it would withdraw its monitors from the prison.

Foreign Secretary Jack Straw said in a written statement that Britain and America had repeatedly told the Palestinian Authority about security problems at the prison and urged it to do more to ensure the monitors' safety. The authority is responsible for security at the jail under a 2002 agreement.

Straw said Britain and America wrote to Abbas on March 8 telling him the countries would withdraw their monitors unless security improved immediately.

Israel's Channel Two television reported that the Israeli troops began the raid 20 minutes after the foreign monitors left.

PEOPLE IN THE NEWS

Connery sues country club for \$1M

By The Associated Press

LOS ANGELES — Sean Connery is suing a country club for allegedly using his “world-wide celebrity” to fatten its reputation and refusing to pay money owed him after he ended his membership.

Connery, who starred as James Bond in films including “Dr. No” in 1962 and “Diamonds Are Forever” in 1971, is seeking more than \$500,000 for breach of contract and more than \$500,000 for “unjust enrichment” from the Sherwood Country Club in Thousand Oaks, according to a lawsuit filed Monday in Superior Court.

The lawsuit claims the golf club was aware of the actor’s lucrative status as an “internationally renowned celebrity and famously avid golfer” when it invited him to join in 1990 at a special initiation fee of \$35,000.

His celebrity boosted the club’s value and attracted new members, the lawsuit states.

In 2004, Connery terminated his membership. But according to the lawsuit, his contract allowed him to collect 80 percent of the “going rate” of membership — more than \$500,000 — which the club has refused to pay.

Club membership manager Karen Jacobs declined to comment Tuesday on the lawsuit.

“The lawsuit was not our first choice,” Connery’s lawyer, Louis “Skip” Miller, said Tuesday. “But they won’t honor their obligations, so we had no choice but to file.”

Connery, 75, won an Oscar in 1988 for his role in “The Untouchables.” He has been recovering from surgery for a kidney tumor.

NEW YORK — Watch out Brad, Michael Douglas is taking some shots regarding your divorce from Jen. At you and girlfriend Angelina Jolie.

“I don’t know about Brad Pitt, leaving that beautiful wife to go hold orphans for Angelina,” Douglas snipes in GQ’s April issue, hitting newsstands March 21.

“I mean, how long is that going to last?”

Pitt and ex-wife Jennifer Aniston divorced in October 2005. Since then, Pitt has adopted Jolie’s children, Maddox and Zahara, and is expecting a child with the bombshell actress this summer.

Calls by The Associated Press to Pitt’s representative, Cindy Guagenti, and Jolie’s manager, Geyer Kosinski, were not immediately returned Tuesday.

The 61-year-old actor also took swipes at actresses Renee Zellweger and Julia Roberts: “I mean, don’t ask me what happened with Renee Zellweger. I don’t know how you get married for four months. And Julia with Lyle.”

Zellweger annulled her four-month marriage to country singer Kenny Chesney last fall, while Roberts divorced singer-songwriter Lyle Lovett in 1995 after a two-year marriage.

As for his seven-year marriage to actress Catherine Zeta-Jones, Douglas says he’s “been fortunate. You learn to respect something of value and nurture it and treat it well.”

Douglas and Zeta-Jones, 36, were married in 2000 and have a son, Dylan, 5, and a daughter, Carys, 2. Douglas also has a son, Cameron, 27, from a previous marriage.

After a three-year hiatus, Douglas will return to the big screen this year in the psychological thriller “The Sentinel,” starring opposite Kiefer Sutherland, Kim Basinger and Eva Longoria.

LAS VEGAS — The Killers and their lawyer-manager have asked a federal judge to throw out a \$16 million breach-of-contract lawsuit from the band’s former manager.

In documents filed in U.S. District Court on Monday, members of the rock band and their manager, lawyer Robert Reynolds, accused former manager Braden Merrick of Los Angeles of incompetence and dishonesty.

Merrick’s lawsuit, filed Feb. 21, alleges that he was fired in May, after the Las Vegas-based band became successful. The two sides had been negotiating a settlement.

In a separate action filed Friday, the band asked the California Division of Labor Standards Enforcement to void any agreements between The Killers and Merrick.

A spokeswoman at the agency’s San Francisco headquarters said Monday she was n’t immediately aware of the band’s petition and didn’t know when a hearing would be scheduled.

Merrick’s lawyer, Howard King of Los Angeles, said the band’s contract with

Merrick, which was to have run through 2007, was in Nevada.

Although he hadn’t seen Friday’s or Monday’s actions, King said they were expected. “You gotta take your shot if you don’t want to pay what you owe,” he said.

Reynolds didn’t immediately respond Monday to a request for comment.

The Killers, formed in 2002, signed with Island Def Jam records and had a hit with their first release, “Hot Fuss.” They recently began recording a second album.

LOS ANGELES — Nora Aunor, one of the Philippines’ most popular film and music stars, has left a drug court treatment program and will enroll in a different program that allows her to travel for concerts, officials said.

“The woman was in full compliance” during her time in drug court, said Aunor’s lawyer, Claire Espina. “She tested clean every time.”

Aunor, 53, was arrested March 30 at Los Angeles International Airport after security screeners allegedly found 8 grams of methamphetamine and a glass pipe in her carry-on bag. She was accepted into the county’s drug court program in December, at which time criminal proceedings against her were suspended.

On Thursday, Los Angeles Superior Court Judge Bernard Kamins granted a motion by Aunor’s lawyer to let her leave drug court. He scheduled a hearing on March 29 before another judge so she can enter a drug diversion program.

Criminal charges against Aunor will be dismissed if she successfully completes that program, according to the district attorney’s office.

Aunor, whose real name is Nora Cabaltera Villamayor, has upcoming concerts in San Francisco, Boston, Washington and Ohio, and also must travel to meet the requirements of her visa, Espina said.

She retains her Philippine citizenship, but has spent much of her time in recent years at her home in Linda Vista, several miles north of San Diego.

Known as “The Superstar” to her fans, she has appeared in more than 170 films and recorded more than two dozen albums, including scores of hit singles.

On-screen, she has starred with leading men of her time, including Joseph Estrada, who became the country’s president.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR WEDNESDAY, MARCH 15, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

Capote
1:45pm 4:30pm 7:15pm 10pm
The Hills Have Eyes
2:15pm 5:15pm 8pm 10:30pm
Curious George
1pm 3:30pm 5:45pm
Night Watch (Nochnoi Dozor)
7:45pm 10:15pm
Transamerica
1:30pm 4:15pm 7pm 9:45pm

Mann’s Criterion Theatre
1313 3rd Street
(310) 395-1599

Aquamarine
11:40am 2:10pm 4:40pm 7:10pm
9:40pm
Ultraviolet
12:30pm 2:50pm 5:10pm 7:30pm
9:50pm
Firewall
4:50pm 10:10pm
Munich
11:30am 3pm 6:30pm 10pm
The Pink Panther
11:50am 2pm 4:30pm 7pm 9:20pm
The Libertine
2:20pm 5pm 7:40pm 10:20pm
Syriana
1:50pm 7:20pm

AMC7 Santa Monica
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(310) 289-4262

Eight Below
1:30pm 4:20pm 7:10pm 9:50pm
16 Blocks
2:15pm 4:45pm 7:25pm 10:05pm
Date Movie
2:40pm 5:05pm 7:15pm 9:40pm
Dave Chappelle’s Block Party
1:50pm 4:40pm 7:35pm 10:15pm
Failure to Launch
2:25pm 4:55pm 7:30pm 10pm
The Shaggy Dog
2pm 2:40pm 4:30pm 5:10pm 7pm
7:40pm 9:30pm 10:10pm

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 2nd Street
(310) 394-9741

Mrs. Henderson Presents
1:50pm 4:25pm 7pm 9:35pm
The Three Burials of Melquiades Estrada
4pm 9:35pm
Ask the Dust
1:20pm 4:10pm 7:10pm 9:55pm
Good Night, and Good Luck
1:35pm 7:20pm
Duck Season
12:45pm 3:05pm 5:25pm 7:45pm 10pm

Aero Theatre
1328 Montana Avenue
(323) 466-FILM

See No Evil
Wednesday, March 15
7:30 PM
Narrow Margin & Violent
Thursday, March 16
7:30 PM
Brick
Friday, March 17
7:30 PM
Boston Strangler & 10 Rillington Place
Saturday, March 18
7:30 PM
20,000 Leagues Under/Sea
Sunday, March 19
3:00 PM
Fantastic Voyage & Soylent Green
Sunday, March 19
6:30 PM

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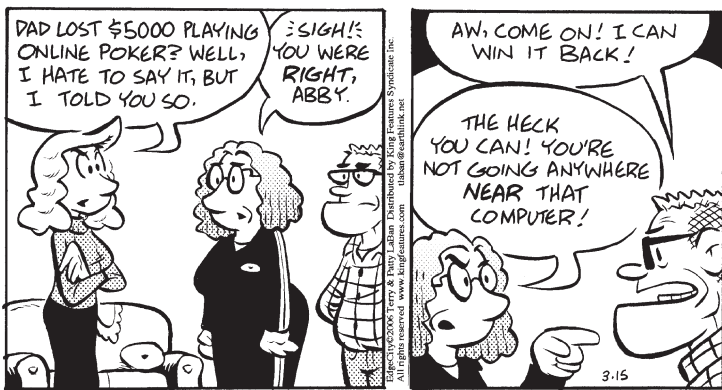


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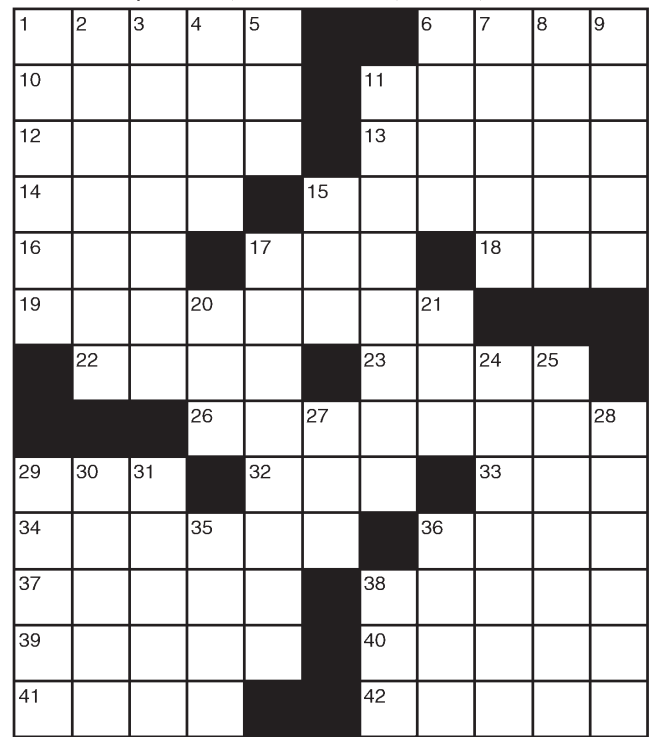
- 1 Puts in order
- 6 Watch part
- 10 Count on
- 11 Ingenu-ous
- 12 Conces-sion stand buy
- 13 New York's — Island
- 14 Angers
- 15 See 12-Across
- 16 Ready to go
- 17 Disen-cumber
- 18 Pro-nounce
- 19 Cared for
- 22 Family fight
- 23 Washday amount
- 26 Irked
- 29 Furious
- 32 Floral ring
- 33 La Brea goo
- 34 Noted golf event
- 36 Carnival attraction
- 37 Temptress
- 38 Heston role
- 39 Fiat

- 40 Dale of Westerns
- 41 Editor's base
- 42 Friend of Peter

DOWN

- 1 Bigot's problem
- 2 Not obli-vious to
- 3 "No No" girl
- 4 Young ones
- 5 Hog haven
- 6 Mall event
- 7 Pagoda roofing
- 8 Madonna movie
- 9 Like a slob
- 11 Indian capital
- 15 Polite address
- 17 Odorous
- 20 Center
- 21 Buck's mate
- 24 Craftsman
- 25 Cul-de-sac
- 27 Finger count
- 28 Formal
- 29 Pondered
- 30 Tangential comment
- 31 Day in Hollywood
- 35 Farm unit
- 36 Wander
- 38 Kitten call

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FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 06 0318775 FIRST FILING. The following person(s) is (are) doing business as Alexander Candler & Company, 5625 Wilhelmina Ave, Woodland Hills, CA 91367. The full name of registrant(s) is/are : McKenzie Alexander, 132 N. Brighton St, Burbank, CA 91506, Alexandra Candler Trippe, 920 Arroyo Dr, South Pasadena, CA 91030 This Business is being conducted by, co-partners. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)2/8/2006. /s/: McKenzie Alexander, Candler Trippe
This statement was filed with the County Clerk of LOS ANGELES County on 2/10/2006. 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 3/8/2006, 3/15/2006, 3/22/2006, 3/29/2006

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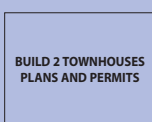
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