

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
9 23 26 31 36
Meganumber: 10
Jackpot: \$50 Million

FANTASY 5
2 12 29 33 39

DAILY 3
Daytime: 9 3 9
Evening: 0 5 1

DAILY DERBY
1st: 03 Hot Shot
2nd: 07 Eureka!
3rd: 10 Solid Gold

RACE TIME: 1:42.97

NEWS OF THE WEIRD BY CHUCK SHEPARD

"This is so embarrassing. We had never done that before, and now she's in the hospital, and my cat's dead" (said a name-withheld New York City man in January, after he and a neighbor decided to have sex but then accidentally ignited a comforter with a candle, starting a major fire in his apartment). And, said Elaine Edwards of Mink, La., one of the last remaining places in the country to be without telephone service, until lines were installed in January: "It wasn't 15 minutes after that phone was in before a telemarketer called me."

TODAY IN HISTORY

Today is the 84th day of 2005.
There are 281 days left in the year.
It is Good Friday.

On March 25, 1965, the Rev. Martin Luther King Jr. led 25,000 marchers to the state capitol in Montgomery, Ala., to protest the denial of voting rights to blacks.

In 1865, during the Civil War, Confederate forces captured Fort Stedman in Virginia.

QUOTE OF THE DAY

"In every person, even in such as appear most reckless, there is an inherent desire to attain balance."

JAKOB WASSERMANN
GERMAN AUTHOR (1873-1934)

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SM-UCLA workers poised to strike

BY CORTNEY FIELDING
Special to Daily Press

More than 100 service workers from the Santa Monica-UCLA Medical Center could walk off the job as early as mid-April if a contract dispute with the University of California school system is not resolved.

UCLA's 2,200 union-represented service workers from both its

Santa Monica and Westwood locations last week joined employees from the eight other UC campuses and five medical centers to give union organizers permission to issue a strike if the university system continues to conduct what the union calls "bad-faith bargaining."

The Local 3299 chapter of the American Federation of State, County and Municipal Employees (AFSCME), which represents the

workers, has been in a deadlock with the UC system over salaries, workload and educational services since negotiations for a new contract began in September. The two parties have met 24 times over the past six months to no avail, and are now mired in state-mandated mediation.

Wage disputes are at the center of negotiations, as the union wants UC to institute salaries they find comparable to those received by

other area workers.

According to a study by the National Economic Development and Law Center, UC workers are being paid well below their counterparts in other area institutions — up to 26 percent lower than workers in the state's community colleges.

Luz Ramon, who has worked in the catering department on the

See STRIKE, page 4

Milking it



Carolyn Sackariason/Daily Press
Kian Marashi sports a milk mustache on the Third Street Promenade Thursday during a promotional event in which free milk was doled out.

Samohi coach to be tried for alleged sex crimes against girls

BY RYAN HYATT
Daily Press Staff Writer

LAX COURTHOUSE — A Santa Monica High School coach will have to answer to nine felony charges stacked against him for his alleged sexual relationships with three teenagers, a judge ruled Thursday.

Los Angeles Superior Court Judge Steven Van Sicklen determined during a preliminary hearing on Thursday that there is enough evidence to proceed with a trial against Mike Hearn, 37, who was an assistant football and basketball coach at Samohi.

Because the three alleged victims were minors at the time of the accused crimes, the preliminary hearing was closed to the public, said Los Angeles Deputy District Attorney Kelly Read, who is prosecuting the case.

Read said the hearing was closed because of the sensitive nature of what was discussed and the psychological impact it might have on the young, alleged victims.

Read declined to comment on the case further. DA spokeswoman Sandi Gibbons said all three of the alleged victims spoke at the hearing and the testimony they provided was enough to influence Judge Van Sicklen to force Hearn to answer on all the charges.

At least one teenage female was ushered into and out of the courtroom, tears pouring from her eyes.

Hearn's defense attorney,

Daniel Davis, declined to comment on the case.

Hearn was arrested June 2 and freed on \$42,000 bond. Prosecutors have charged Hearn with six counts of unlawful sex with a 17-year-old girl, two counts for allegedly having oral sex and performing a lewd act upon a 15-year-old girl, and one count for sharing pornographic materials with a third girl, also 15.

School district administrators maintained the 17-year-old girl wasn't a Samohi student, but said, to the best of their knowledge, the

See HEARN, page 4

Burglars hit Sunset Park again

BY CAROLYN SACKARIASON
Daily Press Staff Writer

SUNSET PARK — Three home burglaries have occurred here in the past week, signifying that a three-month crime spree carried out by unknown thieves is still a reality for residents.

The most recent burglaries occurred last weekend in the 2500 block of Cloverfield Boulevard and the 1700 block of Hill Street. Both homes were burglarized while the occupants weren't home. The thieves broke into the homes and stole items small enough to carry away — laptop

computers and jewelry, said Santa Monica Police Department Lt. Alex Padilla.

On Friday, March 18, the unknown suspects broke into the home on Hill Street through a sliding glass door between 6 a.m. and 10 a.m. Later that day, thieves broke into the home on Cloverfield Boulevard through a window between 5 p.m. and 10 p.m., Padilla said.

On March 17, a garage was broken into on the 800 block of Maple Street. Thieves forced open the garage door and stole stereo

See BURGLARIES, page 5

Lords of 'Dogtown'



Danelle Rondberg/Special to the Daily Press

The creators of 'Lords of Dogtown,' a documentary about skaters in 1970s' Venice and Santa Monica, discuss the film last weekend during the Other Venice Film Festival, see page 10. From left to right: Production designer Chris Gorak, director Catherine Hardwicke, Dogtown Z-Boy skate legend Tony Alva, writer Stacy Peralta and panel moderator AJ Peralta.

Jacquie Banks

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11 High Cost Home Inspection Traps You Should Know About Weeks Before Listing Your Home For Sale

WESTSIDE - According to industry experts, there are over 33 physical problems that you will come under scrutiny during a home inspection when your home is for sale. A new report has been prepared which identifies the eleven most common of these problems, and what you should know about them before you list your home for sale.

Whether you own an old home or a brand new one, there are a number of things that can fall short of requirements during a home inspection. If not identified and dealt with, any of these 11 items could cost you dearly in terms of repair. That's why it's critical that you read this report before you list your home. If you wait until the building inspector flags these issues for you, you will almost certainly experience costly delays in the close of your home sale or, worse, turn prospective buyers away altogether.

In most cases, you can make a reasonable pre-inspec-

tion yourself if you now what you're looking for. And knowing what you're looking for can help you prevent little problems from growing into costly and unmanageable ones. To help homesellers deal with this issue before their home is listed, a free report entitled "11 Things You Kneed to Know to Pass Your Home Inspection" has been compiled which explains the issues involved.

To hear a brief recorded message about how to order your FREE copy of this report, call 1.888.465.4534 and enter ID#1003. You can call anytime, 24 hours a day, 7 days a week. Call NOW to learn how to ensure a home inspection doesn't cost you the sale of your home.

This report is courtesy of Steve Matilla, Matilla Realty, Not intended to solicit properties currently listed for sale. Copyright ©1997.

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Be with a friend, Pisces

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)** ★★★★★ Network and work with the social mood that permeates the day. Others greet a call positively. You simply might receive too many invitations. Diplomatically pick and choice. How you say "no" could make all the difference. Tonight: Just let it happen.

 **TAURUS (April 20-May 20)** ★★★★★ You are determined to clear out errands and whatever else might prevent you from launching into a wonderful weekend. Curb a tendency to go to excess, which happens easily for the Bull. Avoid becoming exhausted. Tonight: Put your feet up.

 **GEMINI (May 21-June 20)** ★★★★★ Let others run with the ball, while you act on some of your wilder ideas. Others love your wit, humor and perspective. Laugh and help others end their week on a positive note. Cook up a solution for someone in a bind. Tonight: Christen the weekend.

 **CANCER (June 21-July 22)** ★★★★★ If you can bring your work home or finish a project around the house, please do. You get more done when you are comfortable. Don't hesitate to call in or change plans. Hang out with whomever you want. Tonight: You don't have to go far.

 **LEO (July 23-Aug. 22)** ★★★★★ You could be pulled in many directions — so many people seek you out. You feel obligated. The Full Moon tests your ability to handle others' demands and the ensuing stress. Clear out what no longer works for you. Tonight: Get together with your friends.

 **VIRGO (Aug. 23-Sept. 22)** ★★★★★ Handle your finances with care. A slipup could prove to be very costly if you aren't careful. You might want to indulge a loved one, and you probably will. What will be the ultimate cost? Play the conservative role. Tonight: You don't need to go overboard in order to make someone happy.

 **LIBRA (Sept. 23-Oct. 22)** ★★★★★ You beam onto the scene a force to be dealt with. Your energy peaks just in time for you to cover all your bases. Share your humorous perspective and ability to walk through problems. No wonder everyone is looking for you! Tonight: Wish upon a star!

 **SCORPIO (Oct. 23-Nov. 21)** ★★★★★ Take your time. Your mind could be working overtime. Some of your concerns might not be grounded in reality. Schedule a walk or some downtime. Your world could look much different as a result. Your daily routine might be getting to be a bit much. Tonight: Where you want to be.

 **SAGITTARIUS (Nov. 22-Dec. 21)** ★★★★★ While others might have a difficult time dealing with the Full Moon, you are on cruise control. You enjoy being around others, whether networking or simply socializing. Your imagination feeds a relationship. Tonight: You can be found where the party is.

 **CAPRICORN (Dec. 22-Jan. 19)** ★★★★★ Others expect a lot from you, but are also more than willing to give you praise for a job well done. You handle responsibilities with a finesse that few have. Maintain a high profile. Accept the limelight. Tonight: Out on the town.

 **AQUARIUS (Jan. 20-Feb. 18)** ★★★★★ Look at what is going on behind the scenes. You'll discover a whole different perspective, which you might want to share with others. A talk draws strong reactions. Make sure someone isn't reading more into a situation than exists. Tonight: Enjoy music and fine food.

 **PISCES (Feb. 19-March 20)** ★★★★★ A partner or dear friend goes overboard. He or she cannot do enough. Let the good feelings flow. Learn to receive as well as give. Sometimes another want to be the giver. Though you might be uncomfortable at first, you will like what happens. Tonight: Be with your favorite person.

CIRCULATION VERIFICATION COUNCIL

AUDIT PENDING

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LOCAL



COMMUNITY BRIEFS

City switches to biodiesel for a heavy duty clean-up

By Daily Press staff

The city of Santa Monica is cleaning up its act. The city has switched to biodiesel — a cleaner, more environmentally preferable fuel for 80 of its hardest working, heavy duty vehicles and equipment. The move is part of a larger program to promote alternative-fuel vehicles, an effort that has transformed 70 percent of the fleet to clean-air fuel technologies. The move is a step in protecting the public and the operators from the damaging effects of diesel emissions, officials said.

Biodiesel is a renewable source of fuel that is less toxic than petroleum diesel, naturally biodegradable, and free of aromatic hydrocarbons. It is made from organic fats and oils such as virgin and recycled vegetable oil. The use of biodiesel dramatically reduces hydrocarbon emissions, particulate matter, carbon monoxide and sulfur, all of which contribute to poor air quality and have a negative effect on the health of children, officials said. Nitrogen oxide (NOx), a contributor to smog, is the only pollutant that is expected to increase slightly.

Though currently a pilot program, the sustainable fuel is seeing a wider acceptance in the market and city officials hope the switch will eventually be made permanent.

“If everything goes well with B20, we’ll introduce B100, or 100 percent biofuel,” said Rick Sikes, superintendent of fleet operations. “Then, people may actually enjoy the smell of diesel engine exhaust.”

The environmental attributes of the new fuel are especially significant for the city’s beach maintenance crew, which relies on diesel fuel for its daily operations and for pressure-washers used to clean the streets and sidewalks of retail districts throughout the city.

“This equipment is deployed seven days a week on our beaches and streets, so this change is a huge step forward in making our operations more sustainable,” said the city’s solid waste supervisor, Wes Thompson.

For more information on the program, contact Sikes at (310) 458-8514.

Elks provide \$500 worth of therapy

By Daily Press staff

At the recent Elks installation, Ken Miller, president of the Santa Monica Emblem Club, presented a check for \$500 to newly installed Exalted Ruler Ray Beers of the Santa Monica Elks. The money was donated to the California-Hawaii Elks Association Major Project, which funds 32 physical therapists that teach the parents and siblings of handicapped children how to administer therapy in their home. After bi-weekly exams, the therapy is updated.

They also fund eye exams for pre-school children and numerous scholarships for handicapped children who live in rural areas, where those types of services are not readily available. The donation puts the Santa Monica Elks well over triple their per capita quota, Elks members said.



SURF REPORT

The last of the NW wind swell makes its way through the coastal waters today. Expect waist- to chest-high surf. The tide is somewhat of an issue as we are in the midst of a tidal swing from a full moon that’s due today. Look for variance in wave size during high and low tide times over the next few days.

OUTLOOK: Conditions are looking to improve, although surf will be smaller. This weekend, expect a light, small mix of NW and SW. Both are about equal in energy from opposite hemispheres, and should produce knee- to waist-high surf most everywhere. South facing breaks may see the best wave shape.

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

Today the water is:

57°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	N/A	N/A	12:32	1.0	4:47	4.3	7:37	3.6
SUNDAY	12:07	2.7	1:04	-0.1	5:47	4.5	7:49	3.8
MONDAY	12:42	2.2	1:31	-0.2	6:30	4.8	8:02	4.0
TUESDAY	1:13	1.8	1:54	-0.3	7:06	5.1	8:17	4.2
WEDNESDAY	1:42	1.4	2:16	-0.2	7:39	5.2	8:33	4.5
THURSDAY	2:07	1.0	2:40	-0.3	8:04	4.7	9:02	4.0
FRIDAY	2:31	0.7	3:02	-0.1	8:34	4.2	9:30	3.4

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The Q Line

A protest was held last week at Santa Monica College by area students who are upset that the Armed Forces are recruiting on campus.

Some argue that college campuses are not the appropriate place for recruitment while others are against it simply because they are against the war in Iraq.

So this week, Q-Line wants to know, “Do you

believe it’s appropriate the Armed Forces to recruit on college campuses?”

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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A Public Workshop

You are invited to a public workshop to learn about the issues regarding fences, hedges, and walls throughout the city and to provide feedback on current and future regulations pertaining to this matter. Your feedback will help develop recommendations to be shared with the community. Once the conceptual recommendations are finalized, they will be presented to City Council for adoption as an interim ordinance.

WHEN: Wednesday, March 9, 2005
7:00 PM

WHERE: Ken Edwards Center
1427 Fourth Street, Santa Monica

WHO: City Planning, Transportation Management,
and Building and Safety staff...and you!

Questions? Need more information? Call the City Planning Division at (310) 458-8341 or send an email to tony.kim@smgov.net.

Ken Edwards Center is accessible by Big Blue Bus lines 1, 2, 3, 4, 5, and 9. Parking is available by entering on Fourth Street. Ken Edwards Center is wheelchair accessible. To request disability-related accommodations, please contact Kyle Ferstead at (310) 458-8341 or (310) 458-8696 TTY at least 72 hours in advance.

Para informacion en espanol, pregunte por Carmen Gutierrez, (310) 458-8341.



LOCAL

Hospital still expected to
layoff employees to meet
financial projections

STRIKE, from page 1

UCLA campus for nine years, said she must collect recyclable cans to supplement her income and support her three daughters.

“It is so hard,” she said, adding that she is paid so little that she can’t afford to give her family any luxuries. “When they ask me to take them to Disneyland, I have to say, ‘what about the (city) park?’”

The NED&LC study reported that 98 percent of single UCLA service workers with children live below the California self-sufficiency standard of \$35,056 a year.

“Many workers fall below what it takes to pay for basic family needs like rent, food, child care and transportation,” the report said.

Ramon said she spends her days worrying about how she will pay college tuition for her daughters.

According to UC representative Noel Van Nyhuis, the figure the union is asking for is well beyond anything the universities could actually pay. AFSCME wants about two times what the system actually has, he said.

Union officials say they also are unhappy with UC’s unwillingness to guarantee an across-the-board raise for service workers in the new contract. The university would like to guarantee raises, but it can’t without money from the state, Van Nyhuis said.

While Gov. Arnold Schwarzenegger made what’s known as a “compact agreement” with the UC system that will include money for service worker raises in the state’s upcoming budget, it must still pass through the legislature. If it fails to pass, the university system cannot guarantee there will be money available for systematic raises.

“We just don’t know at this point,” Van Nyhuis said.

Union officials remain unconvinced. “Every professional would expect to have a guaranteed raise included in their contract,” said Nicole Moore, spokesperson for Local 3299. The union is only asking for the same, she said.

Union officials called UC’s decision not to guarantee a raise disrespectful. While service workers throughout the state have not been given a universal raise

in two years, medical executives throughout the system were given \$2.4 million in bonuses in October of 2004, according to UC documents.

Former CEO Michael Karps was given a \$63,000 bonus for the 2003-2004 fiscal year, while at the Santa Monica medical center, chief medical officer Michael Herbst was given a bonus of \$15,500, according to UC documents.

In an attempt to work through the stalemate, the dispute has been turned over to a government-mandated mediator. The parties are now in the “fact-finding” stage, where each side gets a chance to make their case to the mediator, who will most likely deliver a recommendation by mid-April, according to union officials.

Neither party, however, is required to follow the contract recommendation, and once mediation comes to an end, the union is legally allowed to strike.

Employees don’t want to walk off their jobs, said Moore, but they are prepared to do so if administrators don’t meet their demands.

Although she is struggling financially, Ramon said she is willing to forgo her paycheck for as long as it takes.

“This is my struggle,” she said. “I do it for my girls.”

AFSCME officials said 92 percent of those who voted approved the potential strike, but they wouldn’t release the total numbers of service workers who participated in the week-long vote, saying only that there were twice as many members who voted than in previous elections.

Van Nyhuis said the refusal to release the numbers might suggest not many of the union’s 7,300 service workers actually voted.

UCLA and the other UC campuses have not made any specific preparations in the event of a strike, Van Nyhuis said.

“Right now, the system wants to focus on negotiating a fair contract,” he said.

The proposed strike comes one month after UCLA announced that it would be laying off approximately 40 workers from the Santa Monica site in response to declining profits. While the hospital should bring in about \$11 million in profits, the figure is way below what officials had anticipated, said hospital spokesman Ted Braun.

Hearn maintains his innocence

HEARN, from page 1

other two alleged victims were. The girls’ identities were not released because they are alleged victims of sex crimes and are minors.

Hearn, who is married and has children in local schools, has been placed on home assignment until the matter is resolved.

A status conference in the case was held at the end of August. Hearn was ordered not to harass or assault the three alleged victims, and he must stay at least

100 yards away from the three girls and the Samohi campus.

The alleged victims have been treated at the Stuart House in Santa Monica, which often deals with sexual abuse cases. The Stuart House is overseen by officials from the Rape Treatment Center, based at the Santa Monica-UCLA Medical Center.

Gibbons said Hearn will face a second arraignment on April 7 at the Airport Courthouse when he will enter another plea. He has pleaded not guilty.

THIRD DAY RISE AGAIN + THE SON OF MAN MUST BE DELIVERED INTO THE HANDS OF SINFUL MEN, AND BE CRUCIFIED, AND THE

2005 HOLY WEEK & EASTER

MASSES & SERVICES

Monday, March 21st, Tuesday, March 22nd & Wednesday, March 23rd
+ 6:30 a.m. + 8:00 a.m. + 12:10 p.m. + 6:00 p.m. +

HOLY THURSDAY
March 24th
Mass of the Lord's Supper
+ 7:30 p.m. +
Adoration at the Altar of Repose
+ After the 7:30 p.m. Mass until
Midnight in the Auditorium +
Night Prayer at Midnight

GOOD FRIDAY
March 25th
Solemn Liturgy, Holy Communion,
& Veneration of the Cross
+ 12:15 p.m. +
Homily given by Dr. Lloyd Ogilvie.
Stations of the Cross
+ 2:30 p.m. +
Solemn Liturgy, Holy Communion,
& Veneration of the Cross
+ 7:30 p.m. +
Homily given by Dr. Lloyd Ogilvie.

HOLY SATURDAY
March 26th
Easter Vigil Liturgy
+ 7:30 p.m.
There will not be a 5:30 p.m. Mass on this day.

EASTER SUNDAY
March 27th
Mass in the Church
+ 6:30 a.m. +
+ 8:00 a.m. +
+ 9:30 a.m. +
+ 11:30 a.m. +
+ 1:15 p.m. +
Mass in the Gymnasium
+ 8:00 a.m. +
+ 9:30 a.m. +
+ 11:30 a.m. +
Mass in the Auditorium
+ 9:45 a.m. +
There will not be a
5:30 p.m. Mass on this day.

ST. MONICA CATHOLIC CHURCH

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Parking will be limited in our own lot on Easter Sunday. Extra parking will be available at Crown Parking on 7th Street near Wilshire Boulevard and Santa Monica College Madison Campus (shuttled to and from 11th and Santa Monica Boulevard from 7:00 AM to 1:00 PM).

AGAIN + THE SON OF MAN MUST BE DELIVERED INTO THE HANDS OF SINFUL MEN, AND BE CRUCIFIED, AND THE THIRD DAY RISE AGAIN + THE SON OF MAN MUST BE DELIVERED INTO THE HANDS OF SINFUL MEN, AND BE CRUCIFIED, AND THE

INTERESTED IN YOUR DAILY FORECAST?
CHECK OUT THE HOROSCOPES ON PAGE 2!



Santa Monica police offer free home inspections

BURGLARIES, from page 1

equipment sometime between midnight and 8 a.m., Padilla said.

There have been 23 home burglaries in the neighborhood since Dec. 4 and five attempted break-ins. Of the 28 burglaries or attempted break-ins in the Sunset Park neighborhood — which stretches from Lincoln Boulevard to Centinela, and Pico Boulevard to the southern city limits — nine occurred in December, 10 in January, five in February and three in March, police said. In December, the most active days were Tuesdays and Thursdays. In January, the most active days were Monday and Wednesdays, police said.

Police have not yet been able to link the burglaries to one suspect because there have been no witnesses to the crimes — most of them have occurred during the day when people typically aren't home.

The burglars have taken mostly items small enough to fit into a bag, backpack or pocket. Some of the items stolen have been a laptop computer, an iPod and jewelry.

Police urge residents to immediately report any suspicious persons stopping or loitering in the area. They believe the suspects might be on foot. High ranking officers continue to meet with residents in the area to discuss possible leads and how they can protect themselves.

Beyond beefed up patrols — by car as well as on foot and bicycle — police are working with the neighborhood group Friends of Sunset Park to organize community watch efforts and get the word out that residents should lock doors and gates at all times, not store hidden keys outdoors, and try to keep outside lights on at night. Undercover officers also are patrolling the neighborhood.

Police are performing free security inspections of people's homes, which can be requested at the SMPD's community relations division (310) 458-8474. If residents would like to organize a neighborhood watch with police, they are asked to call the community relations division. For updated information, residents can log onto the SMPD's Web site, santamonicapd.org.

Peterson defense charged county \$229,000 for experts

BY BRIAN SKOLOFF

Associated Press Writer

FRESNO — Scott Peterson's attorneys ran out of money during his more than six-month double-murder trial last year, and charged Stanislaus County more than \$200,000 for experts, a county auditor said Wednesday.

The case was moved from the Central Valley town of Modesto to San Mateo County, south of San Francisco after a judge decided the former fertilizer salesman couldn't get a fair trial in the couple's hometown.

About halfway through the trial, defense lawyer Mark Geragos sought Stanislaus County money to pay for experts under a state law that provides such "indigent defense" funds in capital cases. The statute provides funds to pay for "investigators, experts and others for the preparation or presentation of the defense."

The specific amounts paid to experts remains sealed.

However, Larry Haugh, Stanislaus County's auditor-controller, said the county paid \$229,000 for Peterson's experts.

"In the defense of Peterson or anyone else, a panel of judges makes the determination as to what's necessary to carry out a proper defense," Haugh said.

In Peterson's case, the roster of defense consultants was extensive, from tidal experts, to DNA and forensic anthropology analysts, to experts on dog tracking, boating, fishing and cement.

"I think at some point, Peterson and his family just ran out money," said Loyola University Law School Professor Laurie

Levenson. "It's not unusual for an attorney to say, 'I took on this representation, but I didn't agree to go broke.'"

"Experts are very expensive, whether or not you ever use them at trial," Levenson added. "I think \$10,000 is probably a starting point."

Geragos wouldn't comment Wednesday on his request for funds, citing a state law that keeps details of such transactions secret.

It's unclear exactly how much Geragos was paid, and he refused to say.

Geragos said his law firm continues to spend money on the investigation, claiming his client was wrongly convicted.

His firm has set up a fund that accepts donations to help pay for investigators.

"There's been a tremendous response," Geragos said. He wouldn't say how much money has been donated.

Meanwhile, Haugh said Stanislaus County continues to tally costs.

"The county has incurred to date about \$1.6 million in costs for the prosecution of the case, including housing Peterson in San Mateo, maintaining the prosecution team there and the cost for the prosecuting attorneys," Haugh said.

"And we haven't even finalized all of the total costs yet," he added.

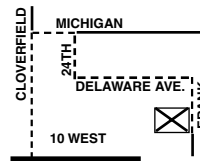
Haugh said the \$1.6 million does not include actual court costs owed to San Mateo County, which court officials estimate at more than \$700,000.

The Modesto Police Department said it spent about \$1 million investigating the case.

Peterson was convicted Nov. 12 on two counts of murder in the deaths of his pregnant wife, Laci, and the fetus she carried. A judge formally sentenced him to death last week.

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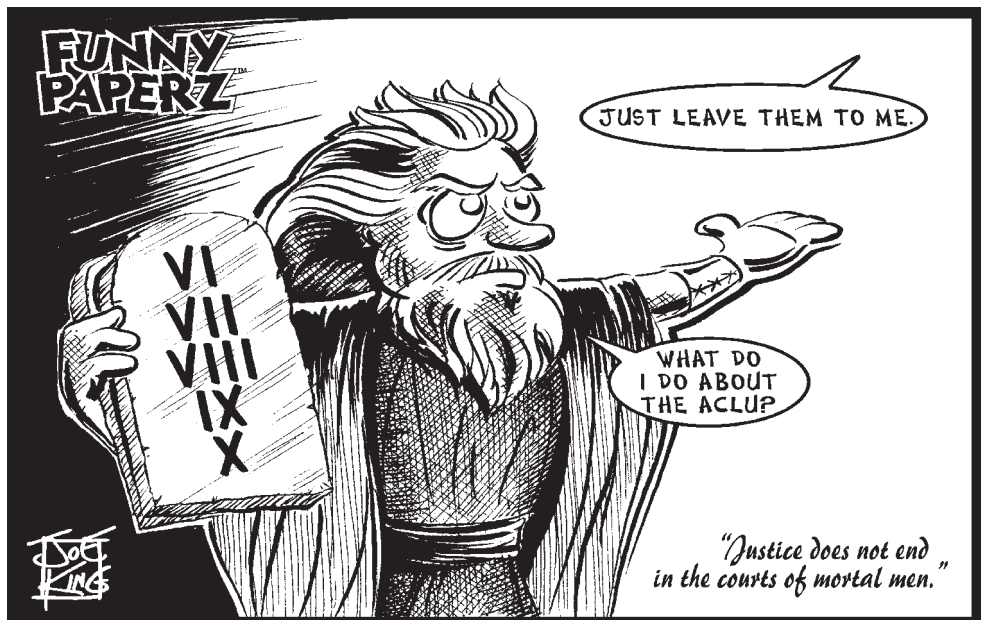
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NEED A BELLY LAUGH?

CHECK OUT THE COMICS ON PAGE 16!



OPINION



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LETTERS TO THE EDITOR

City Council a clown act

Editor:

Tuesday's City Council meeting again revealed a couple of things about our brave leaders. One, they don't like each other much. Two, the Santa Monicans For Renters Rights people can be inflexible conservatives on the two big issues of the day: vagrancy and development, the low and the high.

On Tuesday night, the SMRR majority lost its attempt to delay for two years or longer a common-sense request to give homeowners who want to remodel faster answers to questions about variances from the city's design standards. The strict standards themselves weren't at issue. It's that if you want to make your home, say, 18 inches wider to accommodate a staircase, why must you spend upwards of \$25,000 and months, if not years, simply to get the city staff's opinion?

The majority, led by Councilman Ken Genser, lost because the "emergency" ordinance, which had already simmered for two years, required more than four votes to pass. The minority got its way, asking city staff for more information about streamlining this variance process, and giving itself until August to sort it all out.

The issue kept the council way past its bedtime. It ended after the vote with Mayor Pam O'Connor pleading with Genser — she's seen that look in his eyes — his arms locked across his chest — not to piss all over the winning side, newcomer Bobby Shriver in particular. But Genser spewed away, a demagogue's invective of monster-mansion fear and doom. (The hair made it through OK.) But once Genser was allowed to speak, of course Shriver and Herb Katz answered. It was ugly, it was personal, and it didn't bode well for the future, as the city grapples with the inevitable tsunami of market forces, individual property rights, and neighborhood quality of life.

All this was the undercard for the main issue of the evening, a comprehensive report on homelessness. But by then the Cranky Pants needed their sleep. A city staffer rushed through a major presentation like a guest wanting to leave a dinner party held by fighting spouses.

Police and emergency medical officials were among the experts who patiently waited all night but weren't even asked a single question, though a council denizen did present for the record a verbal report of a her psychiatrist's inquiry into her sexual preferences. Democracy: Yes!

This critical policy discussion concluded with Councilman Kevin McKeown fed up, grumbling he's not going to talk about car camping any more! It's off the table, but not according to Councilman Bob Holbrook, for most of the night quiet like Mount St. Helens, until rumbling that car camping should be illegal in Santa Monica! Period.

These complex issues demand flexibility and compromise. There must be workable, fair balance between individual rights and community standards. But with this council? We can hope while we wait. Tuesday night's homeless policy session at least ended with unanimous agreement to — what else — send staff out for more information.

Mark Shepherd
Santa Monica

A day in the life of Santa Monica problematic

Editor:

If you think Santa Monica doesn't have a huge problem, just take a look at the front page of the SMDP, March 23, 2005.

The caption under the photo is "Mother nature continues to wreak havoc on life as usual in Santa Monica." The photo is of a homeless man. I would like to think that life as usual in Santa Monica would be mothers pushing babies in strollers, people commuting to work, tourists going to the beach. Sadly the caption and photo are correct. Life as usual in Santa Monica is the homeless population. Sesame Street said it best, "They're the people that you meet when you're walking down the street, they're the people that you meet each day." In Santa Monica that it is.

Peter Shopay
Santa Monica

See LETTERS, page 7

Democrats fail to see party's future lies within the women of today



HERE'S THE THING

BY LARA M. BROWN, PH.D

Since the election, a number of pundits have been predicting the demise of the Democratic Party. The most recent consensus is that the Democrats are not good on national security issues. They lack decisiveness and clarity. They have no coherent foreign policy. They possess few moral values, and most refuse to identify even one that is worth fighting for in the world.

These commentators fawningly describe President Bush's "you're either with us or against us" ideological stance, praising the Administration's neoconservative vision that force could be used to bring about democracy in the world. They continue on, citing recent successes, such as the voting in Iraq, the resuscitation of the Israeli-Palestinian peace talks, or Syria's troop withdrawal from Lebanon. They conclude that to most voters in the country, the Democrats look weak.

If they mention anyone in the Democratic Party who might be a source of inspiration on these issues, they mention either Sen. Joe Biden or Sen. Joe Lieberman who are both well known for their conservative beliefs.

If we accept the premise that the only way to be good on national security issues is to agree with Paul Wolfowitz (there are good reasons not to, but that's a different column), then the commentators seem to be suggesting that only two white men from the Northeast (Delaware and Connecticut, respectively) can lead the party out of the mire — 20 years of presidential voting returns aside.

It's ridiculous.

Not because Biden and Lieberman aren't conservative — they are. But because the pundits have ignored that the party is replete with hawkish idealists, and most happen to be very credible women. It isn't only Sen. Hillary Rodham Clinton, either. There also are Sens. Dianne Feinstein, Mary Landrieu and Maria Cantwell. In the House, California Representatives Jane Harman, Loretta Sanchez and Ellen Tauscher each serve on committees related to foreign affairs, intelligence and the armed services.

None of these women are weak on security issues.

Why have they been skipped over by the media? Because the Democrats aren't using the resources they have at hand. They're so turned around from so many losses that they don't seem to know how to recognize a good thing. If they were concerned about the party's national reputation, then they'd consider putting these

women in the media spotlight more often.

President Bush promotes the women around him. His Secretary of State, and former National Security Advisor is Dr. Condoleezza Rice. According to recent press reports, the State Department is turning into the Republican center for women power. Karen Hughes, the president's most trusted political advisor, has been nominated to serve as Undersecretary of State for Public Diplomacy. Dina Powell, whose stock has been rising ever since a number of news organizations profiled her in January as the guru of White House personnel, is going to work for Hughes and to serve as Assistant Secretary of State for Educational and Cultural Affairs.

As ABC's Political Note wrote: "With Rice, Hughes and Powell all at the State Department, the women who were closest to the president over the past four years (besides the First Lady, of course) will all be going to work at Foggy Bottom. Throw Liz Cheney into the mix (she started as an Assistant Secretary of State two weeks ago) and you have some real VP firepower over there as well."

What does this all mean? It means that the Republicans are preparing for the future. They're strategically cultivating women within the Republican Party so that one day, these women will have the resumes to either run or serve in the nation's highest offices, including the presidency. Republicans also believe that by promoting women — placing them in high visibility positions and getting them media exposure — they will overcome the "gender gap" in politics. And their efforts seem to be working because while more women voted for Kerry than Bush in 2004, the gap was just 7 percentage points, down from 10 percentage points in the 2000 election.

Here's The Thing:

The Democrats need to stop looking for some great patriarch to save the party. The days of Roosevelt and Kennedy are gone. No longer are people inspired by lineage and elite entitlement. It's merit and achievement that moves people's hearts, and wins their minds.

If the Democrats want to project strength, then they need to show the country, and the world, that within the party there are individuals, namely women, who have worked hard to earn the respect they now command on serious issues, like national security, foreign policy and intelligence. If they don't, then the commentators may be right: The party may be heading towards its demise.

(Lara M. Brown, Ph.D., is a political scientist from Los Angeles, and is teaching this semester at California State University, Channel Islands. She can be reached at larambrown@aol.com)

OPINIONS EXPRESSED are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.



LETTERS TO THE EDITOR

LETTERS, from page 6

Mayne a master of architecture

Editor:

It's wonderful Thom Mayne got a little of the recognition he deserves (SMDP, March 24, page 4). It is long past due. Speaking as a fellow architect, Mr. Mayne is one of the greatest living architects I know of. It is astonishing the so-called liberal Santa Monica government is so inept as to discourage his work over the years. You would assume a "progressive" community would embrace a creative genius such as Thom Mayne, but he exemplifies how our city government, planning department, commission members and activists have no idea what good architecture is. In their zeal to squash development of old and outdated properties, activists have also relegated architecture to be less than an afterthought, as if the preservation of a random typical track home built over 40 years ago somehow justifies trampling all over a property owner's rights and preventing anything new from being built. If the historic preservation advocates ever needed a cause, they have found one in Thom Mayne, whose work should be built as much as possible to be enjoyed by and inspire future generations.

He is a living maestro. You are fortunate to have him Santa Monica, yet he is not appreciated within the very community he resides.

S. Forest King
Santa Monica

Up in arms over gun-toting public

Editor:

The recent shootings in Santa Monica and across the U.S. are very disturbing. Am I safer with this administration's legislative decisions? Let's see ... the assault weapon ban has expired, we've legally sold guns to 47 people on the FBI's Terrorist Watch List, and now Congress wants to give gun dealers and manufacturers immunity from any legal action. In a period of eight days we had shootings in a school, courthouse and church service. I can only imagine what the next four years are going to bring.

Suzanne Verge
Santa Monica

Walking the path is really for believers

Editor:

In response to Ed Silverstein's column (SMDP, March 23, page 4), I read through the paragraphs of people who wrote to you for placement of their opinions about God and then the column written by Ed Silverstein.

I think it is one thing to have an opinion and then project one's own experience on to the pull-down canvas of diverse understandings. My view is my eyes and ears have been riddled with various opinions that differ from my faith and what I know to be true. I can walk away from a conversation regarding faith without anger or having to be right. If you are curious, my faith in Jesus Christ is so not because of my upbringing ... no ... I was brought up in a reformed Jewish home. I decided to follow Christ when I was in my teens. I know from experience that it takes guts to be a Christian.

There was a scene in the first "Matrix" where Mr. Lawrence Fishburn states, "there is a difference between knowing the path and walking the path." That's right.

If you want to talk about Jesus as a great prophet/teacher, speak on it with confidence, then go further and know that he is that and more. Jesus, when he walked this Earth, demonstrated God-like capacities. He raised the dead, he healed the sick, restored the destitute. To sum it up, he came to save those who recognized their need for God — unlike those who would say those Christians are just like fundamental Islamic terrorists. Excuse me, the last time I remember lopping off someone's head ... hmm ... let me see ... how about never?

It is cruel and ignorant to project prior events and then rant about how these isolated incidents represent all believers. Please get some sense in your head. That's like saying I got a splinter once now I despise everything that is made out of wood. The irony of it all is this: For a culture that is supposed to be so open-minded, why is it so challenged to accept the fact that some may be forfeiting the truth for lies and thoughts for feelings? So when someone speaks out about the most virtuous man who ever walked the earth, yes, there is that name again ... Jesus ... it is imperative to know the topic or at least see both sides of the story.

Jesus said, "when you look at me you are looking at the exact reflection of the uncreated God who is sovereign and perfect in all his ways."

Sure, this can be just my opinion but when I step to the side there is all this evidence regarding the existence of the Jesus prophesied about in Isaiah 53. Then about four or five centuries later this was fulfilled when the only son of God was crucified on the behalf of every human being, then God raised Jesus from the dead.

The tomb where they laid him is empty to this day. Out of respect for the truth behind Easter, I declare he is risen ... he is risen indeed.

Here's the deal — if anyone can produce the body of the risen Christ Yeshua (Hebrew for Jesus), I'll rethink my faith.

If that takes too much time to research, then sit in silence and remember speaking about what you don't know is disingenuous.

Then again, perhaps Jesus is who he said he was. I am a believer in Jesus Christ today because he keeps his promises, he does what he said he would do, and someday soon he will return for those who walk with him faithfully.

Let your opinions go and stop believing the hearsay ... know the truth for yourself. Make an educated decision based on the overwhelming evidence supporting the life of Jesus.

Walking the path ...

Gary Leibowitz
Santa Monica

GUEST COMMENTARY BY CHRISTOPHER M. HARDING

Housing Council refutes City Hall's propaganda

City Hall must be desperate for good news.

Last week Judy Rambeau, the city's "community relations" officer, issued a press release touting the city's "success" in at least temporarily dodging an attorney's fees request in a lawsuit brought by the Santa Monica Housing Council. Conveniently omitted from this grossly distorted release are the following facts:

- This lawsuit is the sixth time the Housing Council has been forced to sue the city for violating state housing law and the sixth time the Housing Council has prevailed, either through a court order or a capitulation by the city through a late settlement.

- In each of these cases, the Housing Council attempted to convince the city to voluntarily change its policies prior to litigation but the city refused to do so, despite the evident weakness of its legal position.

- As a result, the Housing Council has been awarded legal fees against the city totaling more than \$700,000 when the city could have easily resolved each matter without paying either these fees or absorbing the costs of its own lawyers. As one court said, the Housing Council's litigation has "dragged the city kicking and screaming into compliance with the law."

Consistent with this historical pattern, the recent Housing Council case arose from the city's contention that it was not required to comply with a state housing law mandating that cities follow their own development standards in reviewing new housing projects. Despite many months of effort by the Housing Council, the city refused to change its position and the suit was filed. Only after Los Angeles Superior Court Judge Linda Lefkowitz had rejected the city's position did the city agree to settle in a manner which provided the Housing Council with essentially all of the relief it had sought and the city had previously refused.

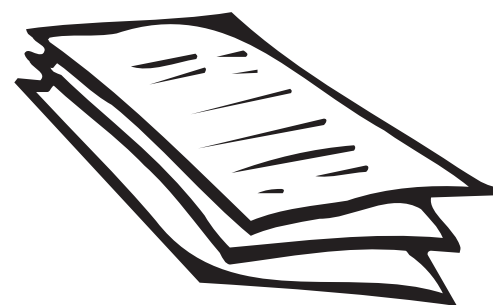
While the court did not order the city to pay the Housing Council's attorney's fees, which the Housing Council had previously paid through fundraising, Santa Monica's taxpayers and those who benefit from city services should be very concerned about the city's wasteful spending on litigation that only became necessary because the city refused to comply with the law.

As for the city's highly misleading press release, something is seriously amiss in City Hall when Santa Monica's taxpayers must pay the salaries of the city's so-called "public information" personnel, only to be fed propaganda masquerading as information. In particular, Deputy City Attorney Cara Silver's contention that "private lawyers' request for attorney's fees continued to drive lawsuits in this city" constitutes a deliberate effort to cover up the city's failings in this and other cases. As Ms. Silver knows, the city's steadfast refusal to acknowledge its obligations under state housing law generated this lawsuit. Judge Lefkowitz's ruling acknowledged that the settlement in this case resolved a "fundamental disagreement over the construction of legislation," which was the Housing Council's purpose in filing the lawsuit. Indeed, Judge Lefkowitz referred to this as a very important case when she scheduled it for trial.

The timing of the city's inflammatory press release is very unfortunate since the Housing Council believes that the city has recently done a better job of complying with the law. Nevertheless, it will continue to monitor the city's conduct and hopes the city will put its future energies into making sure its various housing policies and practices are lawful rather than ignoring the law and then issuing press releases designed to mislead and confuse the public.

(Christopher M. Harding is a private attorney in Santa Monica and represents the Housing Council.)

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Santa Monica Daily Press



STATE

Judge nixes deal to sell water to Nestle Co.

BY BRIAN MELLEY
Associated Press Writer

SACRAMENTO, Calif. — A judge scrapped a deal under which a former lumber town planned to sell more than a half billion gallons of spring water annually to Nestle, ruling that its environmental impact should have been studied. The judgment this week effectively

halts the town of McCloud's plans to sell water to Nestle for a proposed \$120 million water bottling plant that supporters said would revitalize the village at the base of Mount Shasta.

The deal would have given Nestle, the world's largest food and beverage company, up to 521 million gallons of the town's drinking water for as little as \$300,000 a year. The 50-year deal could be extended

for a century with little control by the unincorporated town.

A group called Concerned McCloud Citizens sued the McCloud Community Services District to block the deal after learning of its terms. Siskiyou County Judge Roger Kosel ruled Monday that the district abused its discretion by not performing a review of the project's environmental impact before sealing the deal.

"I think it says you can't kind of try to come in under the radar and negotiate a deal without really informing the public and doing the required environmental review before the deal is finalized," said attorney Don Mooney, who represented the citizens group.

A spokeswoman said the district did not have a comment on the ruling. Nestle said it would move ahead with its environmental review of the project.

Mooney said the district and Nestle could strike a new deal once environmental reviews are conducted.

Nestle proposed tapping into natural springs that bubble up on the side of 14,162-foot Mount Shasta and bottling the waters under its Arrowhead label at a plant that would be built on the grounds of the sawmill that closed two years ago.

Critics of the water sale said they felt blindsided when they learned details of the pact, although public officials said they disclosed outcomes of the negotia-

tions and followed the proper rules.

"There are many, many people in McCloud now who will not take their eyes off of this precious resource," said Diane Lowe, one of the women who formed the citizens group. "We have a major battle to continue, but we've passed a small hurdle."

The deal has divided the town of 1,300 people, a former company town that once provided everything from housing to Christmas gifts for children.

Supporters point to the lack of jobs and an unsteady economy since the McCloud River Lumber Co. sold out in the 1960s. They see Nestle Waters North America, the nation's biggest water bottler and a division of the Swiss multinational, as a savior of sorts. The company had expected to open the plant next year and said it would eventually employ 240 workers.

Critics have questioned whether a provision letting Nestle drill wells would dry up aquifers or whether wildlife would be harmed downstream in the McCloud River, a popular fishing spot.

Others wonder if the town is getting enough money from a company that stands to profit by selling the community's own precious resource.

"If they gave us our fair share it wouldn't be bad," said Alice DeBon, an innkeeper in town. "They can't just take us to the cleaners."

Kristine Johnson Fountain of Joy

The Kristine Johnson Fountain of Joy is seeking donations. Situated in a courtyard garden visible to the community, the fountain will be a respite for those seeking faith, peace and hope amongst the challenges of the world.

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STATE



STATE BRIEFS

Training class forces closure of LAX

By The Associated Press

LOS ANGELES — Fake explosives left behind after a bomb-sniffing dog training class led to the evacuation and shutdown of a terminal at Los Angeles International Airport.

A sergeant left a bag containing the mock explosives in a public area of Terminal 6 on Tuesday night and an FBI agent spotted the suspicious computer bag and notified airport police, according to a police report.

An airport police canine handler had his dog sniff the bag, the report said. The dog hesitated but did not sit down, as bomb canines are trained to do when they detect explosives. Officers then searched the bag and spotted what appeared to be pipe bombs containing black powder.

“We immediately stepped away from the bag and advised all of the citizens seated in the immediate area to evacuate the location,” the airport police report said. The Los Angeles Police Department bomb squad was then called in.

Bomb squad officers X-rayed the bag and determined the items inside appeared to be those that police use for training exercises. The LAPD’s airport Bomb Canine Detection Unit was contacted and it was determined the bag belonged to the sergeant who heads the unit.

The sergeant was conducting a training exercise for several officers, Sgt. Catherine Plows said.

“When they moved (the training exercise) to a different part of the airport, they left (the bag) on a shelf,” the LAPD spokeswoman said.

The LAPD is investigating the incident and may discipline the sergeant, she said. Airport police also are investigating why the dog failed to sit when it came across the black powder.

LA City Clerk: Haste makes waste

By The Associated Press

LOS ANGELES — City Clerk Frank Martinez defended his slow ballot count after the March 8 mayor’s election, telling a City Council committee, “I chose accuracy and caution over speed.”

Martinez, facing tough questioning Wednesday from the council’s Rules and Elections Committee, said he regrets not providing more information to the candidates. There was a perception of ballot tampering.

Martinez said he had decided to use an overabundance of caution.

“What I should have done is been clearer with the

different campaigns and invited them to have observers with us election night,” Martinez said.

Santa Cruz Island suit ramblin’ on

By The Associated Press

LOS ANGELES — A federal judge dismissed a rambling lawsuit filed by an Oxnard man against dozens of federal officials, including judges, over the sale of a Santa Cruz Island ranch.

U.S. District Judge A. Howard Matz tossed Francis Denby Gherini’s suit this week, calling the complaint “sprawling, confusing and sometimes inconsistent” in its claims that 42 people violated racketeering laws to ensure the federal government would get his family’s 10 percent share of the island.

The government wanted the property to establish the Channel Islands National Park, the suit said. It alleged the government tried to “fraudulently misappropriate, embezzle, and convert to their own purposes, the oil, gas and mineral rights primarily lying in submerged area (sic), a part of Santa Cruz Island, and in particular, the Gherini Ranch and its offshore areas.”

Matz said Gherini, 62, was using the federal courts to re-litigate a state probate case over how his parents’ estate was distributed.

Gherini and his sisters Andrea Gherini Gallant and Catherine Gherini Beauclair are the children of Francis Ambrose and Inez Gherini, who were the last private landowners on Santa Cruz Island, with title to about 6,200 acres of ranch land.

When the government took the Gherinis’ property after legislation established the park in 1997, the elder Gherini sued. He won a \$12.7 million judgment against the government in 1999, getting four times what his siblings received for similar-sized shares of island ranch land.

Soon after the judgment, Inez and Francis Ambrose Gherini died and the younger Gherini decided to fight Ventura probate court distribution of the estate and multimillion-dollar judgment. The three children received equal shares of their parents’ estate, money placed in a trust and doled out in monthly checks.

Gherini wanted to break the trust and get all the money at once. Ventura County Superior Court Judge Steven Hintz ruled against Gherini, who then filed a federal lawsuit and named Hintz.

Matz said the federal court has no jurisdiction over matters settled in probate court, and there was nothing to substantiate Gherini’s claims that the federal government conspired to take his parents’ property.

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Entertainment

What's playing ...

By Dan Dunn
Special to the Daily Press

THE RING 2

The only thing remotely frightening about this tension-less sequel is the filmmakers' arrant disregard for its audience's intelligence.

Starring: Naomi Watts

MELINDA AND MELINDA

Woody Allen's new film plays out much like a host of others he's made over the course of his 40-year-career, but alas it's not nearly on par with the revered filmmaker's best efforts

Starring: Radha Mitchell, Chloe Sevigny, Will Ferrell, Amanda Peet

HOSTAGE

A stylishly rendered collection of action-flick clichés that casts Willis in a familiar role: Burnt-out cop turned reluctant hero.

Starring: Bruce Willis

THE UPSIDE OF ANGER

A smart, funny, and at times heartbreaking look at one family's struggle to reinvent itself in the wake of a father's sudden, unexplained departure.

Starring: Joan Allen, Kevin Costner

THE JACKET

challenges viewers to execute such strenuous mental gymnastics, it is inevitable most will wind up completely spent by the mid-way point.

Starring: Adrien Brody, Keira Knightley

THE PACIFIER

Seeing a bald beefcake like Diesel yukking it might be funny under the right conditions, but here it isn't.

Starring: Vin Diesel

CONSTANTINE

A visually spectacular yet emotionally barren, at times gratingly inconsistent comic book adaptation.

Starring: Keanu Reeves, Rachel Weisz

BECAUSE OF WINN DIXIE

Some might be put off by the film's anachronistic unreality and manifest righteousness, while others will no doubt revel in the quixotic Bushiness of it all.

Starring: AnnaSophia Robb, Jeff Daniels

IMAGINARY HEROES

What starts out as a kind of poor man's "Ordinary People" quickly deteriorates into an unintentional comedy of errors filled with virtually every staple of the after-school special genre.

Starring: Sigourney Weaver, Emile Hirsch

HITCH

Smith and James make a good team and hit all the right comedic notes working with very funny material.

Starring: Will Smith, Kevin James, Eva Mendez

HIDE AND SEEK

What is, for a solid 80 minutes or so, a pretty hair-raising and suspenseful thriller, falls apart more quickly and embarrassingly than a drunken "Real World" cast member.

Starring: Robert DeNiro, Dakota Fanning

THE AVIATOR

The second-best biopic Scorsese has helmed, behind the exalted "Raging Bull." DiCaprio's portrayal of Hughes stands out as the finest work of his career.

Starring: Leonardo DiCaprio, Cate Blanchett

MILLION DOLLAR BABY

At its core, this is a heart-wrenching story about overcoming impossible odds and realizing dreams.

Starring: Hilary Swank, Clint Eastwood, Morgan Freeman

FINDING NEVERLAND

As moving a motion picture as we're likely to see this year, and — as the movie poster contends — one that is sure to unlock even the most immured imagination.

Starring: Johnny Depp, Kate Winslet

Santa Monica filmmaker Stacy Peralta wins big for 'Dogtown & Z-Boys'

The Other Venice Film Festival honors locals

By Daily Press staff

One of the original Z Boys got a nod last week from his peers in his old stomping grounds for his work in capturing what was once known as "Dogtown," the skateboarding and surf Mecca of Southern California.

Filmmaker Stacy Peralta was just one of many honored at The Other Venice Film Festival, a community event dedicated to screening full-length, short and animated films that embody the spirit, energy and diversity of Venice. The festival celebrated its second season March 18-20 with repeat sell-out crowds.

Opening night celebrated the "mockumentary" form, with the world premiere of the short film "Icetown" and "M-Boys," a send-up of Santa Monica resident Peralta's "Dogtown & Z-Boys," directed by Venice local Patrick Masson, which went on to win the Audience Choice Abbot Award.

A special screening of Zak Penn's "Incident" at Loch Ness starring legendary filmmaker Werner Herzog was followed by a question and answer session with Penn, Herzog, cast member Michael Karnow and co-producer and Venice-local Gary Marcus.

On Saturday night, a packed house watched Peralta's big wave surf documentary "Riding Giants" and participated in a question and answer session with the director and his editing partner, the ACE Award-winning Paul Crowder. Peralta was then presented with a Local Maverick Spotlight Abbot Award, named after Venice founding father, Abbot Kinney, from actor and Venice local Chris Mulkey, the 2004 recipient.

"It's always great coming back home to Venice, especially to receive an award like this," Peralta said. "It's even got Abbot Kinney etched on it."

The Most Excellent Feature Abbot Award went to "Road Kings," directed by Detdich McClure of Hollywood and produced by Dan Halperin of Santa Monica. The Los Angeles Times called it "wrenching and vital Easy Rider update an explosive winner."

Starring Glenn Plummer and featuring music by Snoop Dogg, ODB, Nate Dogg and Mystic, "Road Kings" will be available on DVD from Lion's Gate Films on March 29, along with the soundtrack from Liquid8 Records out in May.

"It was a great pleasure to be a part of The Other Venice Film Festival," Halperin said. "In an



Danelle Rondberg/Special to the Daily Press

TOP: Festival co-founder AJ Peralta, Stacy Peralta, his ACE Award-winning editing partner Paul Crowder and festival co-founder and programming director Gary Ellenberg.

RIGHT: Local Maverick Spotlight Abbot Award winner Stacy Peralta, a Venice native who lives in Sunset Park in Santa Monica, was honored at the Other Venice Film Festival last Saturday night for directing "Dogtown & Z-Boys." His big wave surf documentary "Riding Giants," also was screened at the festival.

expanding world of film festivals, the Other Venice Film Festival feels like home — home the way you want it to be, comfortable, efficient and way cool. How cool is it to capture the essence of Venice, California?"

At the festival's first music video competition late Saturday night, fans used up all the seats and floor space to watch 15 music videos, including the world premieres of "Revolution" by popular local band Sugarbitch and Fluid Dream from Thievery Corporation.

The highly anticipated film "Lords of Dogtown," which will be released by Sony on June 3, was the topic of Sunday's panel discussion: "From Doc To Drama: Lords of Dogtown," moderated by festival co-founder AJ Peralta (no relation to Stacy Peralta). The event was the first time that the creative forces behind the film, and its inspiration, spoke together in public about the making of the project in the town where it all began. Participating in the panel were "Dogtown & Z-Boys" director Peralta who wrote the "Lords of Dogtown" screenplay; the film's director, Venice local Catherine Hardwicke; original Dogtown Z-Boy skater Tony Alva and production designer Chris Gorak.

Winning the Audience Choice Abbot Award in the feature film

category was "Naked Brown Men," directed by and starring the Basco Brothers (Dante, Darion, Derek and Dion) and Adam G of Hollywood.

The "infectious, rowdy comedy," as described by the Los Angeles Times, features the Bascos "playing Filipino American actor brothers who share a house while pursuing their careers, women and good times."

The Most Excellent Short Abbot Award went to director Tao Ruspoli of Venice for "Just Say Know," his documentary on three generations of opium addiction. Ruspoli is the founder of LAFCO, the Los Angeles Filmmakers Cooperative, a radical experiment in nomadic and communal creativity.

More than 40 filmmakers showed their work at this year's festival, up from 17 during the sell-out inaugural 2004 season. The festival was held at two screening locations in Venice — The Electric Lodge and Switch Studios — where the new Avant-Garde/Experimental Film Series took place, programmed by filmmaker Marianne Magne of Venice. A party was held each night of the festival in celebration of the 2005 Venice Centennial.

Just some of the local artists who supported the 2005 Other Venice Film Festival include: Lori Petty, actress and artist, whose



work was on display at the Electric Lodge throughout the festival (see www.lawdknows.com for more information); local bands The Dragonfly Project and Sugarbitch, who both gave live performances; DJs Vordo, Jean-Paul Jumonville and Wiseacre, who each spun on a different night at festival parties; and electronic musicians Steve Nalepa and Sariah Storm, who provided live video art and music at the opening night party.

Event organizers say Venice has always been an epicenter for LA artists and filmmakers who continue to pave the way toward expanding the language of underground, alternative cinema. The Other Venice Film Festival bridges the community of Venice and that of greater Los Angeles together in a competitive, fun-filled weekend of movies and mayhem. For more information on The Other Venice Film Festival, go to www.veniceOfilmfest.com.

Bombay Sapphire better than any piece of literature

THE IMBIBER

BY DAN DUNN

The author Roy Blount Jr. once wrote "A good heavy book holds you down. It's an anchor that keeps you from getting up and having another gin and tonic." These days your Imbiber doesn't keep literature around the house, save for a few leaflets containing on-line betting tips. Though once a bibliophile who reveled in everything from Blount Jr. to Emily Bronte (heck, all the Brontes for that matter), I now find that reading detracts from more meaningful endeavors such as mixing gin and tonics, for instance.

When I do, I usually do so with Bombay Sapphire — the magnum opus of gins. It's often said gin is essentially vodka flavored with berries and assorted other herbs and spices, but that comparison should in no way impugn the distinct character of this stately spirit, which has long been the central ingredient of that most celebrated cocktail, the martini. Bombay Sapphire is a London dry gin, a category noted for its smooth taste (the other major gin types, German and Dutch, are much bolder/harsher and not readily available in the U.S.). Inside Sapphire's distinctive translucent blue bottle is a gin begotten from a combination of 10 botanicals — Spanish almonds and licorice roots from China among them — distilled using a special process called vapor infusion that requires the grain neutral spirit be distilled alone (rather than boiled with the botanicals) then passed through a copper basket containing the other ingredients. It sounds like an arduous process, I know, but trust me, it's nothing compared to trying to make heads or tails of "Wuthering Heights" without Cliff's notes.

OK then, let's have a drink, shall we? I suggest one of the following:

The Bronx

- 2 shots Bombay Sapphire
 - 1 shot dry vermouth
 - 1 shot rosso vermouth
 - 1 shot orange juice
 - Cherry on a cocktail stick for garnish
- Shake with ice and strain into a martini glass.

The Royal Sapphire

- 2 shots Bombay Sapphire
- 4 shots lemonade
- 4 shots cranberry juice
- Lime wedge for garnish

Pour gin, lemonade and finally cranberry juice into an ice-filled highball glass and stir. Rim the glass with the lime, squeeze and drop it in.

(E-mail questions, comments or suggestions for the Imbiber to ddunn@metro.us)

'Oldboy' an old fashioned work of director brilliance

BY DAN DUNN

Special to the Daily Press

Review

Assuming the average American knows very little to nothing about the history and proclivities of Korean cinema, perhaps it's best to contextualize director Chan-wook Park's "Oldboy" thusly: It's as intense and exhilarating as the best work of America's own Quentin Tarantino, with a third-act twist so concussive, it'll make even M. Night Shyamalan go "Whah?!" As far as psychological-action-thrillers go, "Oldboy" is as hellacious a film as this scribe's ever seen. It was honored with the Grand Jury Prize (by a panel over which Tarantino presided) at the 2004 Cannes Film Festival, and with good reason. "Oldboy" is superbly composed, and boasts a brilliant performance by lead actor Choi Min-sik.

Seoul businessman OH Dae-su (Choi) awakens after a drinking binge to find himself imprisoned in a cell made up like a sleazy motel room. He doesn't know why he's there, or how long his mysterious captors intend to hold him. His only connections to the outside world are cable television (from which he discovers he's been framed for his wife's murder) and the fried dumplings he's fed daily. Time passes — lots of it — and Dae-su attempts to maintain his mind and body by boxing (against a wall) and keeping a journal. Then one day he's set free, and a furious quest for revenge and understanding begins.

As a twisted game of cat and mouse intensifies, Dae-su becomes hell-bent on finding the teenage daughter he's not seen since she was an infant. He's aided by a pretty young sushi chef named Mido (Gang Hye-jung) who Dae-su gradually begins to suspect may know more about his ordeal than she's letting on. It would be doing the film a disservice to divulge additional plot developments, but suffice to say what transpires after Dae-su's release is mind-blowing and not for everyone — those with weak stomachs, for instance. There are no overblown martial arts set pieces: It's strictly street fighting and head trips, and it is fantastic.

(Rated R for strong violence including scenes of torture, sexuality and pervasive language. Running time: 120 minutes)

Daniel Day Lewis returns to the silver screen in 'Jack and Rose' without skipping a beat

BY DAN DUNN

Special to the Daily Press

Daniel Day-Lewis has appeared in just three films the past decade, most

Review

recently an Oscar-nominated turn as an Irish thug in Martin Scorsese's 2002 epic "Gangs of New York." The discriminating thesp returns in award-winning form in "The Ballad of Jack and Rose," an engaging, if somewhat overly dreamy elegy about innocence lost, written and directed by the star's wife, Rebecca Miller (daughter of the late playwright Arthur Miller).

Set in the mid-1980s on a picturesque, unnamed island off the coast of the eastern U.S. (the film was shot on Canada's Prince Edward Island), "Jack and Rose" tenderly imparts the story of a terminally-ill staunch idealist and his 16-year-old daughter living in isolation in an abandoned hippie commune. Young Rose (Camilla Belle) has been untouched by the trappings of modern life, and has evolved into an uninhibited beauty without emotional filters. She is undoubtedly the sun around which Jack's dying world spins, but also the source of great internal conflict as it begins to dawn on him that their feelings for each other have crossed into forbidden territory.

Throughout the film, Miller dangles the prospect of unnatural love (though never follows through) which only amplifies the disharmony that arises when Jack invites his secret lover Kathleen (the always-great Catherine Keener) and her two misfit teen sons (Ryan McDonald and Paul Dano) to move into the compound. Rose's reaction to the intrusion suggests a mental imbalance that calls Jack's unorthodox parenting methods into serious question. The actors handle the volatile material deftly, especially Day-Lewis, who reaffirms his status as one the cinema's most prodigious talents.

(Rated R for language, sexual content and some drug material. Running time: 111 minutes.)





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'Miss Congeniality 2' a guaranteed flop

BY DAN DUNN
Special to the Daily Press

Her face became widely recognizable after she nearly won the crown at the Miss United States Pageant in the first film, so obviously it would be impossible for FBI Agent Gracie Hart (Sandra Bullock) to return to undercover work in the field. Obvious, that is, to all but the bumbling FBI brass, who nearly get a bunch of people killed at the outset of the sequel before realizing Gracie needs a brand new bag. So they give her a Louis Vuitton, another makeover, and make Gracie the "new face of the FBI." And that, friends, is the harebrained hook the makers of "Miss Congeniality 2" employ to reach into your wallets and steal your hard-earned dough. Undoubtedly the funniest thing about this slapdash money-grab will be the looks on the faces of gazillions of moviegoers when they collectively realize about 30 minutes into it that they've been Punk'd. That must be it, because a movie this patently dull couldn't have been the result of mere incompetence. Somebody did this to us on purpose! Still, it says here the masses will trip over themselves en route to the box office because resistance, it seems, is futile in the face of high-powered Hollywood marketing campaigns such as the one being used to launch MC2. Plus, Sandra Bullock is still

Review

America's sweetheart. First-flick love interest Benjamin Bratt was smart enough to avoid even a cameo appearance here, leaving Gracie to nurse a broken heart. Somehow this is supposed to explain her expeditious transformation from total tomboy to gleeful glamour girl, while opening the door for another reluctant partner, butt-kicking loose-cannon Sam Fuller (Regina King). When Miss United States (Heather Burns) is kidnapped in Vegas, Gracie and her entourage, which includes the requisite flamboyant stylist (played by the numbers by Diedrich Bader), are dispatched to the scene to work publicity. Inevitably, they all wind up working the case. Most of the ineffective attempts at humor are built upon Gracie and Sam's quenchless thirsts for violence; swift kicks to the nuts, of course, being male-dominated Hollywood's idea of feminist élan. There's a chase scene through a casino involving Dolly Parton that should have been funny, but isn't (couldn't we have at least gotten a glimpse of Dolly running in full jiggle?). A detour to a drag-queen review yields a senses-throttling musical number involving a gaggle of Tina Turner impersonators. Treat Williams and that big goofy guy from "ER" are in the movie, too. So is William Shatner, and he may be best thing about it. Enough said.

America's sweetheart.

(Rated PG-13 for sex-related humor. Running time: 115 minutes)



(Rated PG-13 for sex-related humor. Running time: 115 minutes)

'Mondovino' full of acidity and finishes weak

BY DAN DUNN
Special to the Daily Press

Jonathan Nossiter's documentary about the politics of the modern wine industry has got, to put it in oenophilic terms, a subtle sweetness that is ultimately overpowered by excessive acidity. As for the finish, well, it takes entirely too long to get there. The primary focus of "Mondovino," which Nossiter shot in several countries over a three-year period, is the relatively recent boom in wine consumerism and the effect it has had on a centuries-old industry firmly rooted in tradition. In short, it's a glimpse at the battle between the wine world's New School and Old School and the billions of dollars at stake.

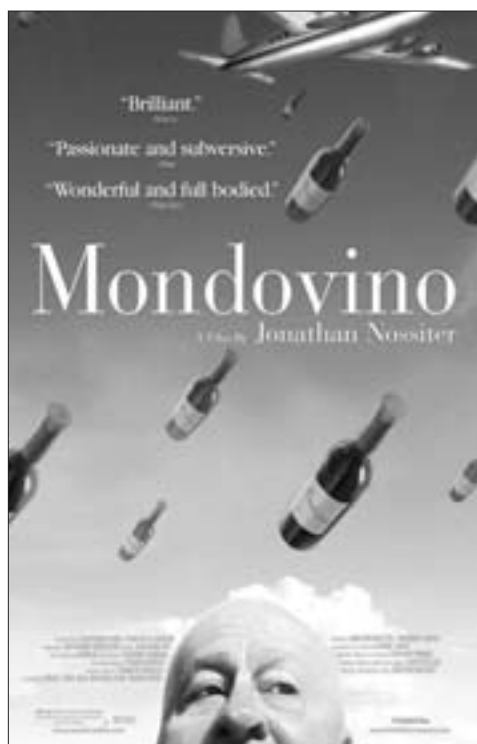
Components of the latter group deride

the encroachment of modernity in wine-making as "globalization" that puts profit above all else — they lay most of the blame for this unwelcome change at the feet of America's vino titan, Robert Mondavi. The argument that multinational conglomerates are ruining the industry is made primarily by a handful of French and Italian owners of small, family-owned vineyards and is, to say the least, too finely distilled. Yes it's true that Mondavi has played a large role in transforming the way wine is universally made and sold, but it's hard to swallow the notion — vehemently espoused here by the likes of the venerable Hubert de Montville of Burgundy — that increased accessibility for middle-class consumers spells certain doom for wine snobs and niche producers.

At 135 minutes (trimmed down from 158 at its Cannes Film Festival premiere),

"Mondovino" is as bloated and, at times, tedious as the typical food and wine critic. However, it's not without its charms. Globetrotting wine consultant Michel Rolland is featured prominently and his wit and savoir-faire are a welcome departure from the incessant carping and sterility most of the other European characters bring to the table. There are some wonderful scenes of Old World splendor, particularly in the lush winemaking regions of Tuscany and the Napa Valley. The jaunty soundtrack is incongruous with the film's slumbering aesthetic, yet you might find yourself tapping your toes all the way through ... if you make it that far.

(Rated PG-13 for brief pin-up nudity. Running time: 135 minutes) There are some wonderful scenes of BUCOLIC splendor, particularly in the lush winemaking regions of Tuscany and the Napa Valley.)



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NATIONAL



Colo. in danger of losing status as leanest state

BY JON SANCHE

Associated Press Writer

DENVER — For years, Colorado has been ranked the leanest state in the country with a reputation as a magnet for hard bodies who love the outdoors.

But over the past 15 years, the percentage of obese Coloradans has grown faster than any other state, except Virginia. Denver resident Toby Head illustrates the point. A trim 185 in 1990 when he left the Army, he's now one pound shy of 300 pounds.

"I guess friends moved away and I found X-Box and decided to drink every night and play video games," he said.

Colorado's growing weight problem has alarmed health experts and grabbed the attention of state lawmakers, who are considering bills designed to encourage children to exercise and choose healthy foods and to include obesity treatment under Medicaid.

According to the Centers for Disease Control and Prevention, 6.9 percent of Colorado residents in 1990 were considered obese. By 2002, the latest figures available from the CDC, that figure had risen to 16.5 percent.

"I still have an image of Colorado as this Mecca for outdoor activities. It is a little surprising to see the obesity numbers increasing," said Adam Hodges, a columnist for The Colorado Triathlete magazine who moved to Boulder 14 years ago to train.

For now, Colorado is still the leanest state with 47 percent of adults overweight or obese compared to 65 percent nationally (31 percent obese). Still, the state is seeing

more people like Head, who found it easier to grab a couple hot dogs and a bag of chips for lunch than to find something healthier. And like many others, he gave up exercise for a sedentary life.

"We've created just the wrong environment for our bodies if we want to be lean," said James Hill, who heads a nutrition and research center at the University of Colorado Health Sciences Center.

The problems by now are familiar: children with video games and TV instead of playing outside; adults working and shopping by Internet-connected computers. And everywhere are cheap, high-calorie goodies.

"We've basically engineered physical activity out of our lives," said Hill, co-founder of America on the Move, a group that encourages weight-loss through walking and small calorie cutbacks.

"What we have to do here in Colorado is wake up to the fact we're still arguably the leanest state but we're going in the wrong direction," he said.

Migration from other states could be to blame. From 1990-2002, 1.87 million people moved to Colorado from other states; nearly 19 percent of that total — 349,402 people — came from the 10 states listed with the highest obesity rates in 2002.

Hill said the population boom attracted a "typical cross-section" of Americans, including the overweight. Among them was Head, who moved to Denver from Virginia three years ago.

Dr. Ned Calonge, the state's chief medical officer, contends Colorado is still pulling in young, healthy people drawn by the outdoors.

"In New York or Chicago, you might meet around the water cooler and talk about the opera you went to," Calonge said. "In Colorado, you talk about how great the skiing was or the mountain biking."

According to a 1998-2000 study by researchers at RTI International and the CDC, about 5 percent of the \$874 million in adult medical expenses in the state each year was due to obesity.

The human costs are immeasurable, said Colista Lich of suburban Littleton, who lost about 170 pounds after gastric bypass surgery in 2003.

Lich, 41, told state lawmakers recently she was the "after photo, the success story." In an interview, however, she said maintaining her weight is a constant battle against genetics, past eating habits and her loathing of exercise.

It's easy to surrender, especially if embarrassment over obesity has led to depression that hurts motivation, said Lich, who came to the Denver area from Phoenix six years ago.

"It's hard to be fat in these two cities," she said. "Everybody wants you to ski or hike or mountain bike, so when you find yourself obese and unable to do those things, you're kind of left out."

As for Head, he joined a health club a few months ago when he hit 322 pounds. He's working with a personal trainer.

"I just decided I got tired of being fat. Instead of sitting around drinking every night, I wanted to get out and play golf, go skiing, but at the weight I'm at now, it's not easy to do those things," said Head. "But it's hard to change your life dramatically."

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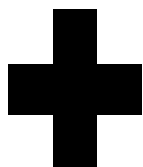
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NATIONAL

Scientists find soft tissue of Tyrannosaurus Rex

BY RANDOLPH E. SCHMID
Associated Press Writer

WASHINGTON — For more than a century, the study of dinosaurs has been limited to fossilized bones. Now, researchers have recovered 70 million-year-old soft tissue, including what may be blood vessels and cells, from a Tyrannosaurus rex in Montana.

If scientists can isolate proteins from the material, they may be able to learn new details of how dinosaurs lived, said lead researcher Mary Higby Schweitzer of North Carolina State University.

"We're doing a lot of stuff in the lab right now that looks promising," she said in a telephone interview. But, she said, she does not know yet if scientists will be able to isolate dinosaur DNA from the materials.

It was recovered dinosaur DNA — the blueprint for life — that was featured in the fictional recreation of the ancient animals in the book and film "Jurassic Park."

The soft tissues were recovered from the thighbone of a T. rex, known as MOR

1125, that was found in a sandstone formation in Montana. The dinosaur was about 18 years old when it died.

The bone was broken when it was removed from the site. Schweitzer and her colleagues then analyzed the material inside the bone.

"The vessels and contents are similar in all respects to blood vessels recovered from ... ostrich bone," they reported in a paper bring published Friday in the journal Science.

Because evidence has accumulated in recent years that modern birds descended from dinosaurs, Schweitzer said she chose to compare the dinosaur remains with those of an ostrich, the largest bird available.

Brooks Hanson, a deputy editor of Science, noted that there are few examples of soft tissues, except for leaves or petrified wood, that are preserved as fossils, just as there are few discoveries of insects in amber or humans and mammoths in peat or ice.

Soft tissues are rare in older finds. "That's why in a 70 million-year-old fos-

sil it is so interesting," he said.

Matthew Carrano, curator of dinosaurs at the Smithsonian's National Museum of Natural History, said the discovery was "pretty exciting stuff."

"You are actually getting into the small-scale biology of the animal, which is something we rarely get the opportunity to look at," said Carrano, who was not part of the research team.

In addition, he said, it is a huge opportunity to learn more about how fossils are made, a process that is not fully understood.

Richard A. Hengst of Purdue University said the finding "opens the door for research into the protein structure of ancient organisms, if nothing else. While we think that nature is conservative in how things are built, this gives scientists an opportunity to observe this at the chemical and cellular level." Hengst was not part of the research team.

John R. Horner of the Museum of the Rockies at Montana State University, said the discovery is "a fantastic specimen,"

but probably is not unique. Other researchers might find similarly preserved soft tissues if they split open the bones in their collections, said Horner, a co-author of the paper.

Most museums, he said, prefer to keep their specimens intact.

Schweitzer said that after removing the minerals from the specimen, the remaining tissues were soft and transparent and could be manipulated with instruments.

The bone matrix was stretchy and flexible, she said. Also, there were long structures like blood vessels. What appeared to be individual cells were visible.

She did not know if they were blood cells. "They are little round cells," Schweitzer said.

She likened the process to placing a chicken bone in vinegar. The minerals will dissolve, leaving the soft tissues.

The research was funded by North Carolina State University and grants from N. Myhrvold and the National Science Foundation.



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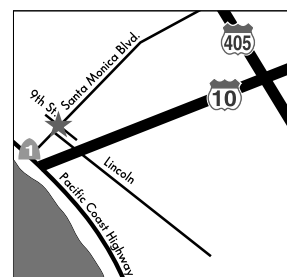
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NATIONAL



State Supreme Court sides with news media

BY REBECCA COOK

Associated Press Writer

OLYMPIA, Wash. — In a case that raised concerns about courts becoming “super-editors,” the state Supreme Court ruled Thursday that a businessman can’t sue a Spokane television reporter for omitting facts that might have made him look better in a critical story.

Defamation by implication is possible, the court said, but just because someone doesn’t like a story doesn’t mean it’s defamatory.

In the lawsuit, businessman Eliot Mohr of Spokane contended he was defamed by a KXLY-TV report about a man with Down syndrome who was prosecuted for allegedly harassing Mohr’s business in 1998.

The first story by reporter Tom Grant did not name Mohr, but named his store and showed Glen Burson, 44, talking about how the owner of the business tried to kick him out of the store and called sheriff’s deputies. Burson has the mental abilities of a 5-year-old child, according to court documents.

Burson wanted to wash the windows of Mohr’s store in exchange for candy, court records said. Mohr, upset by previous encounters with Burson, asked him to leave, documents said.

Sheriff’s deputies responded and Burson was charged with first-degree trespassing and harassment.

Grant’s story focused on the prosecution of a disabled man who did not understand the proceedings against him. Mohr refused two interview requests, as did the prosecutor.

Mohr contended the story made him look like a bully, prompting more than 30 complaints to his business, Kitchen Interior Showcase.

After the story aired, Mohr consented to be interviewed and the station ran three follow-up stories. The stories explained that Burson had threatened Mohr before and that Mohr had asked prosecutors to drop the charges against the developmentally delayed man.

Burson was eventually ruled incompetent to stand trial and the charges were dropped.

Mohr sued the station for defamation, saying the omission of facts that would have made him look more sympathetic amounted to libel by implication.

A Spokane County Superior Court judge threw out the case, but Mohr appealed and the state Court of Appeals reinstated the lawsuit last year.

Fifteen media organizations filed briefs supporting KXLY.

Nevada Senate panel kills lottery proposal

BY ELIZABETH WHITE

Associated Press Writer

CARSON CITY, Nev. — Nevada may be a gambling state but a state Senate panel decided on a 5-2 vote Thursday that a lottery is one game of chance the state can do without.

Sens. Steven Horsford, D-North Las Vegas, and Valerie Wiener, D-Las Vegas, cast the only “yes” votes as the proposed constitutional amendment for a lottery was rejected by the Senate Judiciary Committee.

Proponents argued that the state’s share of revenue from a lottery would help pay for textbooks, school supplies and smaller public school classes.

The strongest opposition came from Sen. Maurice Washington, R-Sparks, who said Nevada should fund education from other sources. For now, he suggested lawmakers commit surplus state funds for schools, besides the usual education funding.

Horsford argued that lawmakers should let voters decide. The proposal would have had to pass this session and again in 2007 before going to a vote in 2008.

While Nevada’s casino industry has opposed a lottery in the past, arguing that it would cut into other gambling-related revenues, nobody from the industry spoke for or against the latest proposal. The effort this session was the 23rd attempt since 1975 to authorize a lottery.

Nevada is one of nine states without a lottery. A poll conducted by the Reno Gazette-Journal in late January showed 76 percent of 600 likely Nevada voters support creation of a lottery.

“In effect, the plaintiff would require courts to become ‘super-editors’ by sifting through a reporter’s research and interviews and imposing damages on a truthful publication simply because the reporter has failed to ‘spin’ the facts reported in the story in favor of the plaintiff’s viewpoint,” Michele Earl-Hubbard, a lawyer representing the media groups, wrote in their brief.

The state Supreme Court found that while defamation by implication is possible — and such cases have been upheld in Washington state — Mohr’s case wasn’t strong enough.

“Merely omitting facts favorable to the plaintiff or facts that the plaintiff thinks should have been included does not make a publication false and subject to defamation liability,” Justice Mary Fairhurst wrote for the majority.

She also noted that Mohr’s refusal to talk to Grant before the first newscast helped shape the story:

“Accordingly, the only information Grant had, and the only information we can reasonably find him accountable for, is the information contained in the court file, and interviews he was able to conduct.”

The ruling was a 6-3 decision.

“I agree with the Court of Appeals that Eliot Mohr points to numerous discrete historical facts which, if believed, could lead a trier of fact to conclude that KXLY-TV knew and purposely omitted facts from its story that slanted coverage,” Justice Tom Chambers wrote in his dissent.

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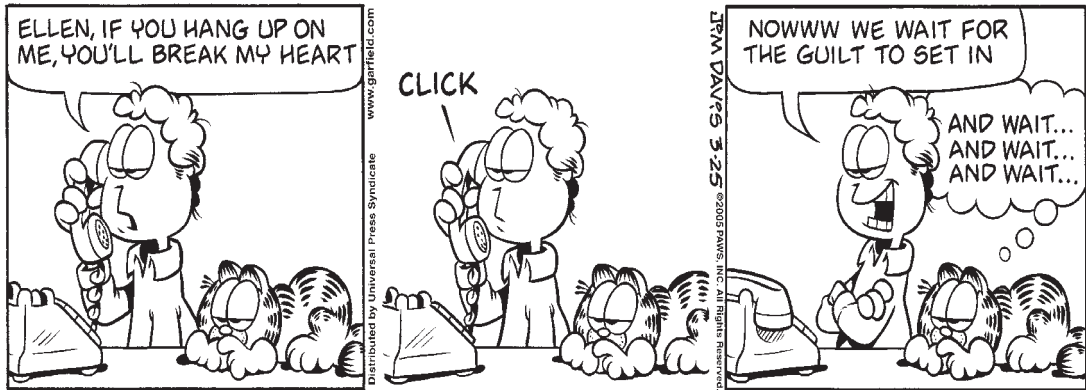
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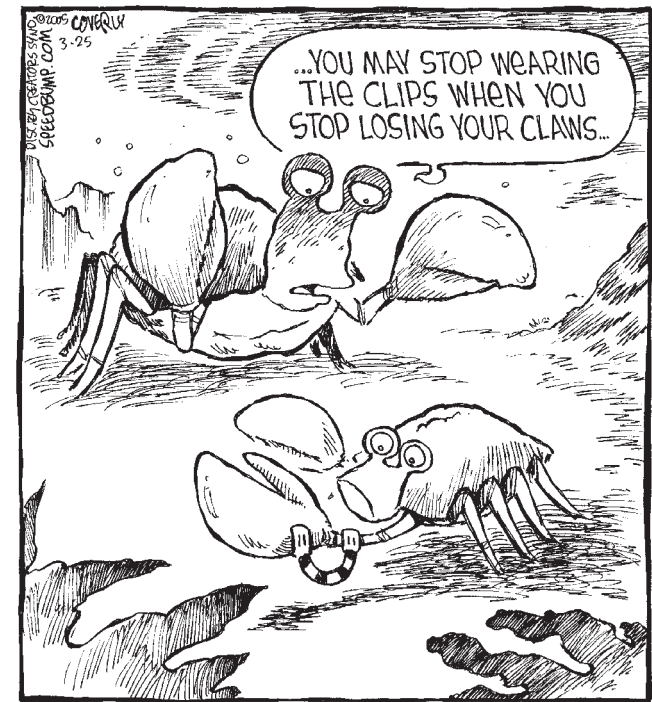
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PEOPLE IN THE NEWS

Jadakiss gets reprieve from drug and gun charges

By The Associated Press

FAYETTEVILLE, N.C. — Jadakiss will have charges of marijuana and gun possession dropped if he stays out of trouble for the next three months under a plea agreement reached in Cumberland County court.

The artist, whose real name is Jason T. Phillips, was given a deferred prosecution on the misdemeanor charges at a hearing Wednesday before District Court Judge Ed Donaldson.

Jadakiss, 29, of Yonkers, N.Y., was charged last July when he was in Fayetteville for a club performance.

An off-duty officer stopped the rapper's recreational vehicle after he spotted someone throwing firecrackers from the window and during a search found less than an ounce of marijuana and a pair of loaded .45-caliber pistols.

Jadakiss paid \$900 to cover a fine, restitution and court costs. He was due back in court June 14.

If Jadakiss, whose most recent album was "Kiss of Death," doesn't violate his probation, the charges will be dropped, a common arrangement for first-time offenders.

Under the unsupervised probation, Jadakiss must destroy the guns, submit to searches and drug testing at the request of a probation officer, not use or possess illegal drugs and not break any North Carolina laws.

A drug assessment of Jadakiss by the director of a Fayetteville alcohol and drug counseling clinic concluded his marijuana use was isolated. Jadakiss passed a drug test.

MANCHESTER, England — David Beckham suggested he could leave Real Madrid and return to England, having become upset with photographers who take pictures of his young children at school.

Beckham has spent two seasons with Real Madrid but is now reconsidering his future with one of the world's most glamorous clubs.

"I've made people well aware of what I get upset

with in Spain is the paparazzi, but I've had a couple of incidents happen in the last two weeks which have really made me sit back and think," Beckham said.

Beckham — the England team captain, fashion icon and marketing giant — joined Real Madrid in a transfer from Manchester United. He lives in the Spanish capital with his wife, Victoria, and their sons, Brooklyn, Romeo and Cruz.

"I believe that when my children go to school or nursery, they should be left alone, but they're not," Beckham said. "And that's become a problem. ... When they are on their own at their school, nursery or football school, then it is crossing the line and I don't know what to do."

Beckham has said he received death threats at Manchester United, and kidnap plots were uncovered in 1999 and 2002 against Victoria, Brooklyn and Romeo.

Real Madrid hasn't won a trophy in Beckham's two seasons, and coach Vanderlei Luxemburgo is under pressure to shake up the team. Luxemburgo has called Beckham the hardest-working player on the team.

"I've always said I love playing for Real Madrid," Beckham said this week. "It's one of the biggest clubs in the world, even though we haven't won anything."

PHILADELPHIA — An aspiring Philadelphia songwriter faces a stiff penalty for filing a lawsuit in which he claimed that he created the beat for a track on Xzibit's platinum-selling album "Restless."

A federal appeals court ruled Wednesday that music business hopeful Michael Lowe's copyright infringement lawsuit against the rapper, several record companies and one of the song's credited authors — Dr. Dre — was frivolous.

The judges also upheld a lower court's order that Lowe pay Dr. Dre's legal fees and court costs, which amounted to about \$35,000.

Lowe's lawyer didn't immediately return a phone

call seeking comment on the ruling.

The 3rd U.S. Circuit Court of Appeals ruled that Lowe's legal claim was doomed from the start, even if it were true that he laid down the beats underpinning the song "X."

Lowe's story was that he recorded the beat first, then presented it to rap producer Scott Storch in the hope that he would pass it along to Dr. Dre for use in song. In a legal deposition, Lowe said he never expected any compensation in return for the beat.

The court said that if Lowe indeed gave away the track freely, he couldn't sue over it now.

Storch consistently maintained that Lowe had nothing to do with the song.

"Restless" lists songwriting credits for "X" to Xzibit, Dr. Dre and Melvin Bradford, a rap writer who goes by the stage name Mel-Man.

NEW YORK — Alt-rocker Ryan Adams and mellow piano man Bruce Hornsby will immerse themselves in the jam band scene at the fifth annual Jammy awards, which will also feature Medeski Martin & Wood, Les Claypool and the North Mississippi Allstars.

The awards, hosted by Grateful Dead guitarist Phil Lesh, will be held April 26 at The Theater at Madison Square Garden. Other performers will include Les Claypool, Yonder Mountain String Band and Keller Williams.

The Jammys, determined by fans, honor the best music to come out of the improvisational music scene. Fans can determine this year's winners by casting their vote on the Jammys Web site.

While Adams and Hornsby might seem out of place at the Jammys, Peter Shapiro, the event's executive producer, told The Associated Press Thursday that their inclusion is part of the Jammy tradition of tapping a variety of acts.

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