

FREE

WEDNESDAY, APRIL 2, 2003

Volume 2, Issue 120

Santa Monica Daily Press

A newspaper with issues

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FANTASY 5

05, 10, 17, 28, 29

DAILY 3

Afternoon picks: 6, 9, 8

Evening picks: 0, 7, 3

DAILY DERBY

1st Place: 12, Lucky Charms
2nd Place: 09, Winning Spirit
3rd Place: 05, California Classic
Race time: 1:41.40


**NEWS OF
THE WEIRD**
by Chuck Shepard

■ The Department of Health in Great Britain (which has the highest teen pregnancy rate in Western Europe) drew criticism for its latest school sex education program, which suggests to kids the merits of oral sex instead of intercourse. And a woman was detained for shoplifting from a Price Chopper grocery store in Rutland, Vt., with about 100 unpaid-for items (including ice cream, meats and videotapes), all skillfully tucked into her coat, purse and bag. And a state child welfare agency seized half of an 11-year-old boy's \$220 savings account (built up by doing chores) because his father (whose name was on it, too) was behind on the kid's child support payments (Des Moines, Iowa).

**THOUGHT OF
THE DAY**

A man is known by the company he avoids.

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Future of Montana theater questioned

BY JOHN WOOD

Daily Press Staff Writer

The future of the historic Aero Theatre on Montana Avenue will never be secure as long as it's not a city landmark.

That's according to 11-year operator Chris Allen, who said he doesn't understand why the 1939 art deco building hasn't been landmarked.

Allen, whose stepmother bought the theater in 1979 and sold it to Jim Rosenfeld in 1996, questioned Rosenfeld's motives for not landmarking the property. "He's a developer," said Allen, who struggled last year to meet his \$10,000 monthly rent. "That's his job, that's what he's supposed to do — he's supposed to maximize money per square foot on the buildings that he has. There's nothing different about the Aero. It's just another building."

American Cinematheque, a non-profit organization that runs the Egyptian Theater in Hollywood, recently signed a 10-year lease to take over operation of the Aero in less than two weeks.

Rosenfeld, who brokered the deal after years of searching for

the right tenant, has told the Daily Press he is committed to preserving the historical value of the building — making landmark status unnecessary.

"I don't think the building's in any danger of being demolished. But what's happened with so many theaters of that nature is they've turned into men's clothing stores or shoe stores."

— ROGER GENSER
Landmarks commissioner

"I'm a preservationist at heart," said Rosenfeld, who also serves on the city's Landmark Commission. "Sometimes voluntary preservation is even better."

Rosenfeld said he was against landmarking the property because it would add a layer of bureaucracy.

See AERO, page 4

Battling to clear the way for assault on Baghdad

BY DAVID ESPO

AP Special Correspondent

Army ground forces attacked Republican Guard units Tuesday near Karbala, scarcely 50 miles from Baghdad, part of around-the-clock combat pointing toward an assault on the capital. An American POW was rescued in Iraq.

Defense officials said Army units attacked elements of the Medina Division of the Republican Guard in the clash near Karbala, hitting an elite Iraqi force weakened by heavy air bombardment over several days.

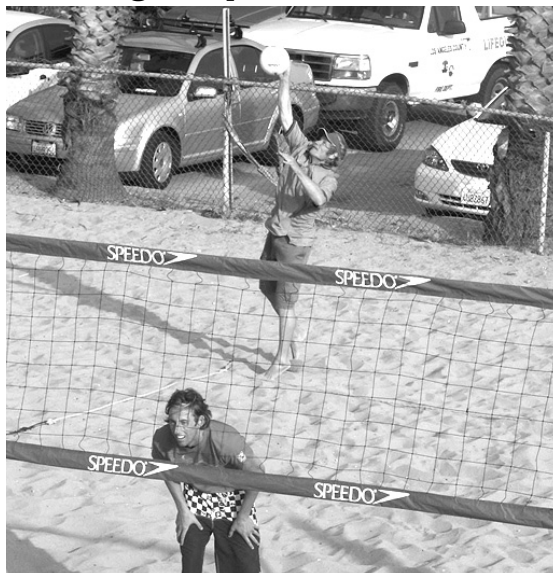
Pfc. Jessica Lynch, a 19-year-old supply clerk from Palestine, W. Va., was the POW freed after 12 days in Iraqi hands. Her condition nor the details of her rescue were immediately available.

Coalition forces have conducted a successful rescue mission of a U.S. Army prisoner of war held captive in Iraq. The soldier has been returned to a coalition-controlled area," Brig. Gen. Vincent Brooks said in the briefest of appearances at U.S. Central Command in Qatar. Other officials provided her name.

The developments unfolded as huge explosions rocked Baghdad, Saddam Hussein's seat of power and the site of repeated bombing in the two weeks of the war. Plumes of white smoke rose from the southern end of the Old Palace on the west bank of the Tigris River.

See WAR, page 10

Serving it up



Del Pastrana/Daily Press

Volleyball players practice south of the pier on Tuesday.

Plastic surgery TV show lawsuit settled

BY DAVE DANFORTH

Daily Press Staff Writer

The idea for a television show that never saw a script could have cost a Beverly Hills anesthesiologist more than \$3 million.

But a lawsuit over the concept was settled last week in Santa Monica for \$10,000 after the doctor's lawyer blamed a producer who "became embarrassed that he had shot his mouth off to all his friends and now had nothing to show for it."

The idea for a reality-based show on plastic surgery landed on the steps of the Santa Monica Courthouse after Ted Fox, of West Hollywood, sued Howard Siegel, claiming Siegel backed out on his promise to put up \$1,560,000 to make 26 episodes of the show.

Dr. Siegel, who'd become mesmerized by an E! Channel segment on which he appeared in 2000, said there was no written contract for the show, and that only \$623 was ever spent on it.

His lawyer claimed Fox had to save face with "a small group of his other unemployed industry friends" that he had asked to work on the program.

"It was exactly what we wanted. People who make deals need to honor them."

— RICHARD NEIDORF
Superior Court Judge

How a show that ran up \$622.91 in car wash and cell phone bills resulted in a lawsuit of more than \$3 million appears part-Hollywood and part-aggressive lawyering.

It began when Dr. Siegel, an anesthesiologist who practices with plastic surgeons, appeared on the E! series of two shows that followed three patients through sepa-

See SUIT, page 5



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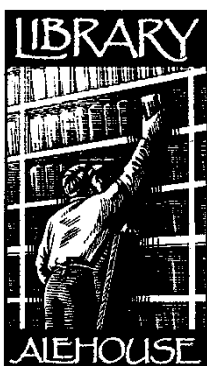
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★★-So-so ★-Difficult

HAPPY BIRTHDAY for Wednesday, April 2, 2003:

Express more of what you want to your friends, family and associates. Others become highly responsive to your thoughts and ideas. You also could be surprised by all that you hear. Not everything is true. Verify information rather than taking what others say literally. Examine your long-term desires. Be confident that you can have what you want. Excitement surrounds possibilities and new beginnings. If you are single, you're bound to meet someone any day now, if you haven't already. Romance soars with attached couples. Make more of what you want happen. A fellow ARIES understands you.

ARIES (March 21-April 19)

★★★★★ Express your dynamic personality. Swap ideas, being open to the idea that someone might have a better plan. Create together. Work as a team. Others acknowledge you for your efforts. You're bright and full of energy. Others admire your abilities. Tonight: Be in the limelight.

TAURUS (April 20-May 20)

★★★★★ Take your time with a project, whether you're comfortable or not. A boss might not be as clear as you'd like. Loosen up and help this person crystallize his or her idea. Your efforts do count. Trust your sixth sense and explain what you feel and think. Tonight: Take your time.

GEMINI (May 21-June 20)

★★★★★ A friend has a lot to say, whether he or she knows it or not. Ask questions, and you could be bolted by the plethora of information that spills forth. Be willing to seek out different sources and proceed in a new direction. Tonight: As you like it.

CANCER (June 21-July 22)

★★★★★ Realize more of what is necessary to make you comfortable when dealing with others. Consider more carefully your options that surround a child or loved one. You come from a place of caring. An associate might be confused but gets your message. Tonight: Leader of the gang.

LEO (July 23-Aug. 22)

★★★★★ Keep reaching out and gaining a new perspective. Your imagination combined with an associate's ability to visualize allows a project to go through. Make calls and reach out for others. Ideas come from different sources. Allow what you want to happen. Tonight: Catch up on a relative's news.

VIRGO (Aug. 23-Sept. 22)

★★★★★ You might inadvertently trigger a problem by pushing someone too hard for his or her taste. Brainstorm with a partner. You both might be amazed by what imagination does for a work project. Confidence helps you walk into the unknown. Tonight: Say "yes."

LIBRA (Sept. 23-Oct. 22)

★★★★★ Others support your superb imagination and creativity. Review decisions with an eye to the future. An opportunity that seems about to happen actually will if you loosen up some. Let an associate babble — sprinkled in are words of wisdom. Tonight: As you like it.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ Don't get stuck on the details. If you relax, you could find that you'll enjoy yourself a lot more, even with the presence of a stiff partner. A co-worker is full of ideas. Think twice about what you want and expect. How realistic are you ultimately? Tonight: Off to the gym.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Express your imagination. Share some of your wildest ideas, knowing you will be greeted by someone's positive vibes. Speak your mind, and others will listen. Be more direct with your dealings involving a child or loved one. Tonight: Play the night away.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Deal with the basics when handling a domestic matter. The information that comes forth might not be logical or on-target. You don't need to be overly serious; simply be direct in your dealings. Investigate a financial offer. Tonight: Order in.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ You inspire others, consciously or subconsciously. Just flow with the moment, realizing more of what you want and expect. Digest news that might come in the form of a call or a friendly word or two. You might want to discuss some strong feelings. Tonight: Hang out.

PISCES (Feb. 19-March 20)

★★★★★ Deal with finances with your normal precision. Listen to what a family member suggests, but ultimately don't think that his or her suggestion is the only way to go. Discuss a fleeting thought, as there might be more logic here than you realize. Tonight: Happy at home.

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LOCAL

Elsie Saye, 98, dies in Az.

By Daily Press staff

Elsie G. Saye, 98, passed away March 24, 2003, at Country Home in Camp Verde. She had lived with her daughter and son-in-law in Sedona Shadows, Sedona, Ariz., for 13 years.

Mrs. Saye is survived by daughter Frances McNabb Gray (Mrs. Wallace F.) of Sedona, Ariz., and son Gordon McNabb of Bellingham, Wash., as well as eight grandchildren, 27 great grandchildren and four great-great grandchildren, many of whom were at her funeral services on March 28 in Sedona. She is also survived by one brother and three sisters.

She was a life-long member of the Church of Jesus Christ of Latter-day Saints.

Mrs. Saye was married to Donald McNabb of Santa Monica, Calif., who died in 1939. Later she married Jim Saye of Escondido, Calif. He died in 1988.

Mrs. Saye previously lived in

Escondido, Calif., where she was employed by Palomar Community College in nearby San Marcos as the bookstore manager, and earlier in Santa Monica, Calif., where she was employed by the Santa Monica City Board of Education as a secretary.

For her last 40 years of life she was blind, but she was able to continue employment at Palomar College, becoming the switchboard operator and receptionist.

In spite of her blindness she was able to keep in touch with her family and friends by writing letters using a manual typewriter. She was a spiritual inspiration to her children and grandchildren and friends. She loved them and they loved her.

She was born in Salt Lake City, Utah, and attended the LDS Business College there.

Internment was at Woodlawn Cemetery in Santa Monica.

Club takes on advertisers that objectify women in the media

BY REBECCA GROSS

Special to the Daily Press

Local high school students are fed up that girls their age are portrayed as perfect in magazines and they intend to do something about it.

The Women's Issues Club at Crossroads High School this month plans to launch a campaign against what members consider negative messages in teen magazines. For Crossroads junior and club president Shauna Miller, the campaign is about raising awareness that some ads can be harmful to a girl's self esteem.

"The absolute goal would be for them to change the way they format the magazine, decreasing the number of advertisers that are objectifying the female body," said Miller, 17.

She said she wants the magazine industry to change its advertising content to reflect realistic images of teen-agers. The 20-member high school club will first contact West Coast magazine executives and ask them to be conscious of what they put on every page. They plan to go through the magazines page by page, pointing out negative articles and advertisements, as well as contradictory messages.

The club has compiled binders of what they consider both positive and negative images. Members plan to show those



This advertisement is an example of the negative images a high school club is campaigning against.

binders to magazine officials and attempt to hold them accountable for publishing the negatives ones, Miller said.

One negative ad shows a girl in a short, sexy mini-skirt with a highlighter in her pocket. The ad makes it seem like girls should use highlighters because it makes them look sexy, Miller said.

Another negative ad features a girl wearing Victoria Secret lingerie standing in a very sensual position that reads "What is Sexy?" Miller said that's a negative message because it's telling girls that wearing Victoria Secret lingerie is sexy, rather than how they feel about themselves.

"It was trying to portray sexy in a way

See CAMPAIGN, page 4

surf report

Information compiled by Jesse Haley

Southwest swell impacts beaches today. Surf will make an abrupt jump into the chest high range during the early afternoon. By sundown good spots should be cranking.

Expect southwest spots to average chest-to-head-high, with increasingly consistency as swell builds.

Thursday, swell peaks and size should be better.

However, weather looks to cause problems for surfers today and through the weekend, as a cold front moves in.

In the morning south winds are predicted, replaced by onshores in the afternoon. So, expect choppy waves.

Be mindful, this swell will make for some powerful surf and winds add to the treacherous conditions. Today is not a good day for beginners.



Today's Tides:

Low-	3:33 a.m.	0.33'
High-	9:28 a.m.	4.35'
Low-	3:31 p.m.	0.65'
High-	9:33 p.m.	4.84'

Location	Wednesday	Thursday	Water Quality
County Line	3-4'/Fair	4-6'/Fair	B
Zuma	3-4'/Fair	4-6'/Fair	A
Surfrider	2-3'/Fair	3-5'/Fair	D
Topanga	2-3'/Fair	4-6'/Fair	C
Breakwater	2-4'/Fair	3-7'/Fair	A
El Porto	3-5'/Fair	5-7'/Fair	A

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The Q-Line

Last week, the Santa Monica City Council voted unanimously to ban smoking in all 15 city parks because of concerns about the health risks associated with second-hand smoke and the likelihood that children might ingest discarded cigarette butts.

The council is scheduled to review the law a second time in April, 30 days after which it will go into effect. Smokers who are cited under the law will be fined \$250.

This week, Q-Line wants to know: "Is the smoking ban in parks a good law, a bad law or a waste of time and money?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.

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LOCAL

Concern over future of WWII-era Aero Theatre

AERO, from page 1

cy to the theater and thereby deter potential renters.

"There is no need for it, fortunately," he said. "Ironically, it would hurt, not help, the process."

Landmark commissioners said they are content with Rosenfeld's guarantee and have no plans to pursue landmark status for the movie house.

"It clearly qualifies for landmark," said Landmark Commission Chair Ruthann Lehrer. "We didn't pursue designation because at this time it doesn't appear to be necessary. This is an owner completely

devoted to preserving the building."

Lehrer added that landmark designation is done on an individual basis and that such a status is not always the best way to protect a neighborhood's architectural heritage.

"It's not necessary to treat every situation the same way," she said. "You have to be flexible and take many different variables into account."

"I guess you just have to go with your best judgment."

But Allen and others who have followed the plight of the movie house questioned Rosenfeld's role as landmark commissioner.

"It gets back to what's the point of the

commission," Allen said. "If all you need is a verbal agreement, then there really is no need for the commission."

Commissioner Roger Genser said the larger issue surrounding the Aero Theatre doesn't concern the Landmarks Commission at all. The high cost of rent along Montana Avenue makes it hard for a movie theater to compete with boutiques and restaurants, a fact he said has some residents concerned.

"I don't think the building's in any danger of being demolished," Genser said. "But what's happened with so many theaters of that nature is they've turned into men's clothing stores or shoe stores ... and the thing is, (the Landmarks Commission) doesn't control that."

Even though the Aero Theatre is not currently landmarked, a demolition request for any building over 40 years old must be reviewed by the Landmarks Commission. If the building were given a landmark status, either tenants or the owner would have to seek official approval for more minor upgrades and remodels.

Commissioners said they were happy to do as Rosenfeld requested as long as the building was preserved.

"We don't want to force landmarking on anybody," said Landmarks Commissioner Nina Fresco. "The Landmarks Commission is not out to get control over buildings and houses and properties."

Fresco said the eyes of the community were on the Aero and the commission would discuss landmark status in the future if it became an issue.

"If we feel that it is on jeopardy then we will landmark it," she said.

Meanwhile, a resigned Allen — who ran up \$38,000 in personal debt trying to keep the Aero afloat — said that ultimately "it's all politics" and added he was just glad the theater would continue for now to screen movies.

After a last-ditch April 12 fundraiser to try and recoup some of his lost money, Allen said he plans to rework his resume and start looking for a new job.

"I only had 11 years," he said. "If I had another 11, I'd turn it around."

Rallying against negative ads

CAMPAIGN, from page 3

that was only benefiting their own product. That to me was very gross and disturbing," she said. "No one can define what it means to be sexy, it's a very subjective thing."

Other negative messages include ads that promote excessive thinness, Miller said.

"Negative (is) displaying this kind of stereotype of girls, of this person who always has to be sexual, to be submissive to men and to be not caring of things of the intellect and mind but only caring of things of fashion and make-up and clothing," she said.

Miller and her counterparts would rather see ads that are more realistic and feature girls of all sizes, races and looks.

Some magazine companies already take steps to monitor advertisement content.

YM Magazine, a teen magazine based in New York City, took a no-diet stance two years ago. The magazine will not print diet-related content and tries to portray real women, according to publisher Laura McEwen.

"We encourage advertisers to use girls that have very realistic body types," she said.

YM tries to use models of all backgrounds and ethnicities, as well as plus size models, she said. The magazine also will not print any advertisements relating to cosmetic surgery.

McEwen said YM's models don't look like typical runway models — they may have big noses or funny hair.

"The goal is to show girls that beauty is both inside and outside," she said. "(Our advertisers) are making efforts to make the images positive and appropriate for girls."

But as the Crossroads club may soon realize, magazine executives know that girls in mini-skirts sell more highlighters than a plus-sized girl reading a book.

"Sex sells ... That's what their business is based on," said Jacob Gershbock, a 15-year-old Los Angeles resident and a student at Milken Community High School. "The chance of changing opinions on what to put in magazines is, shall we say, low."

Miller said she has always been interested in the mass media and how it affects society. When discussing women's issues with her friends at school, Miller said the

conversation frequently came back to the images portrayed in magazines.

"I was kind of like, that's it, I need to do something about this," she said.

For her, the campaign is a feminist's call to action to try and make men and women more equal in society.

"By attacking the media's way of portraying women ... it can help neutralize the society we live in," she said.

Carole Winters, the chair of the history department at Crossroads, sponsors the women's issues club.

"The goal is to show girls that beauty is both inside and outside."

— LAURA MCEWEN
YM Magazine publisher

"(The club's) intention is to become more of a political force in dealing with the infrastructure in many areas," Winters said.

Amanda Moret, a 16-year-old junior and member of the organization, said she expects negative feedback at first from magazines and the public, but thinks the campaign is an important step.

"When you try to critique anything that has been a norm for so long you are not going to have a positive effect," she said. "It might take people a while to adjust ... but it's a change for the better."

This is the first effort the club has planned outside of the community. Within Crossroads school, the club has conducted sexual harassment educational programs and launched a "say no to crack campaign" on girls wearing thong underwear and jeans, said Zach Meredith, one of three boys in the club.

The say "no to crack" campaign looked at the way girls portray themselves through their dress.

"(Girls) don't even think about the fact that their pants are hanging off their butt and their thong is showing," Meredith said.

Meredith said he joined the club because he has noticed that women are objectified even in high school.

"The club isn't a feminist club," he said. "It's for equality between the two sexes."

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LOCAL



Doctor, producer differ over each other's roles

SUIT, from page 1

rate procedures for a facelift, breast augmentation, and liposuction.

"People love to find out what's new and exciting," Siegel recalled about the program and how "everybody wants to look good."

Siegel ran into Fox, who has two film credits from the early 1990s to his name, in a gym. Siegel did a treatment for an expanded series based on the E! program, and registered it under the name "Howard M. Siegel Productions."

Fox and Siegel differ over what happened next. Siegel said he wanted to make a "pilot" for the show. But Fox said Siegel committed to back 26 episodes — an entire season — at a budget of \$60,000 per show.

According to Fox, Siegel wanted to finance the entire production at a cost of \$1,560,000. Siegel countered that it was "unheard of" to make an entire series upfront and that Fox's \$60,000 per-episode budget was twice what had been suggested by the E! Channel producer who shot the episodes on which Siegel appeared.

Had it worked, Fox maintained, each would have cleared another \$2 million or so.

But after tossing around the idea in March and April of 2001, Siegel decided not to do the program after his family suggested it wasn't a good investment. Besides, Siegel maintained, "I didn't have that kind of money."

Fox's friends had submitted about \$10,000 for their work to date. When Siegel said there was no agreement and no obligation to pay, Fox took him to court.

"Ted Fox needs to win this suit for them to get paid," Siegel's lawyer, Mark Rosen, told a Santa Monica jury last week during opening arguments in the case. Rosen said it was ridiculous for Fox to sue with no written agreement and no discussion except a couple of speakerphone conversations.

Fox claimed vindication after agreeing to take \$10,000 at the end of closing arguments before Superior Court Judge Richard Neidorf.

"It was exactly what we wanted," he said. "People who make deals need to honor them."

The jury in the case, which had been warned to hunker down for up to nine days, whooped and cheered when Judge Neidorf told them it had been settled and they were free to go.

The case got nasty when both lawyers began maneuvering for trial. Fox's lawyer, Lee Williams, announced he intended to use a pair of disciplinary complaints against Siegel at trial. But Neidorf ruled them irrelevant, and wouldn't permit evidence of Siegel's "character or subjective intent" at the trial.

Enter Playboy magazine's Miss April 1994, whose lawyer said Fox had met after he paid her \$200 for a half-hour lap dance at Las Vegas' Crazy Horse Too club in early 2001. The Playmate, Ingrid Almandarez, had become intoxicated while at Fox's Los Angeles residence and had agreed to make a statement which wasn't true, her lawyer later claimed.

After Williams issued a subpoena for her, the Playmate's lawyer, William Toppi, warned both lawyers she wouldn't lie. If called to testify, she would say that Fox had threatened to jail her if she didn't testify that she'd met Siegel doing a lap dance and that Siegel had boasted of the

deal with Fox, who'd known her since 1994 and had "credibility" in her eyes. Fox also lent her \$2,500, Toppi contended.

The statement Almandarez repudiated had her saying of Siegel, "This is not the first time I have ever heard a guy telling me he is a producer, trying to see if that would interest me." In fact, her lawyer said, she had never met Siegel, and knew nothing about the proposed show on plastic surgery.

The record isn't clear on whether Judge Neidorf ever heard of the disagreement over the Playmate. But both lawyers agreed to refer the episode to the district attorney's office for an investigation of "the corruption of these proceedings."

When the lawyers told the judge about their settlement deal Thursday, one of them pointed to a reporter and asked if he was the investigator for the D.A.'s office. Neidorf then suggested that the lawyers needn't spend lots of time working up a confidentiality agreement since the details of the \$10,000 settlement had come out in open court.

A central question in the case was whether Fox had been hired for his expertise or had merely been working as directed by Siegel. When asked why he would agree, as an experienced producer, to make 26 episodes of a show in advance before interesting anyone in even a pilot, Fox said, "It wasn't an issue of what makes sense. We're talking about the deal." Fox likened his role to a home-builder following an architect's instructions.

That model wasn't the relationship portrayed by Siegel, who admitted he was fired up about pushing a cosmetic surgery show but unsure of how to do it. He maintained the show was little more than talk, and that he had been involved in a pair of speakerphone conversations in which Fox outlined the \$60,000-per-episode deal with an accountant and producer assisting him.

Siegel said he listened in as Fox went over the budget and said only "I understand."

But Fox said Siegel had agreed to back the entire show, wanted to be the only financial backer, and pushed to get the show into production by May, 2001 in time for airing that autumn. The show was intended to be marketed to independent stations in the largest U.S. markets, or to a cable channel. Fox said his assistants would testify at trial that although the deal was oral, it was a firm deal.

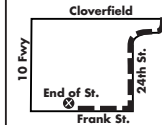
Rosen ridiculed that notion before the jurors. He noted that Fox had said the pair had "pretty much agreed" to do the entire 26-show series. But "pretty much" agreeing does not make a legal contract constituting a full "meeting of the minds" at which all key terms are completed, Rosen noted.

The budget called for Fox to take a 10 percent "producer's fee" or \$6,000 per show, for a total of \$156,000. Williams contended. Siegel said such an arrangement was never his intent.

Rosen said he had made the \$10,000 settlement offer on behalf of Siegel, but that it would expire when opening arguments ended. At that moment, the lawyers requested the judge call a short recess and then agreed on the deal. Williams later said Siegel had cast doubt on his ability to pay a sizable amount and had said his practice had declined since the onset of the post-2000 recession.

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OPINION

LETTERS

Bush can't have his cake and eat it, too

Editor:

My former congressman in upstate New York, a member of the House progressive caucus who has distinguished himself with a fine voting record on issues of economic justice, the environment, peace, telecommunications, and women's rights recently shared his views on the U.S.-Iraq war and other matters with his constituents.

The congressman's criticisms of the Bush Administration's frightening and reactionary policies are on the mark, as is his stated opposition to the war. But along with some in the anti-war movement who oppose Bush's illegal, immoral and unconstitutional war upon the Iraqis, he wants to oppose the war and embrace those who carry out its horrific policies. He can't have it both ways.

He states that "we should be very proud of the men and women of our military who are serving our country overseas. In wartime, we Americans pull together. We support our troops and we all try to do our part to ensure the war's rapid and successful conclusion." He goes on to argue that because "we [also] have a responsibility to make our opinions known," he continues "to oppose the war in Iraq."

The war against Iraq violates Article I, Section 8 of the Constitution: Congress shall declare war. It was not declared by Congress and its lame resolution last fall cannot serve as a substitute — it cannot delegate this power to the president.

The war violates the U.N. Charter, which was ratified by the Senate and is thus the supreme law of the land. The war violates both national and international law; the representative's recent vote for the House resolution to support the troops, therefore, puts him on record as endorsing it. Will he vote for the \$75 billion war funds that Bush wants from Congress and tell us that he still opposes the war? He holds an untenable position: He cannot embrace the troops and claim to be against the war.

In this illegal and unconstitutional war of aggression, American soldiers are being asked to violate U.S. and international law. Thus, they can legally and morally refuse orders from the Commander in Chief or their superiors. They are obligated to follow U.S. and international covenants, not an almost-elected president and congressional representatives who have broken their constitutional oaths of office.

Anti-war activists face the same dilemma as my former representative: We cannot condemn the slaughter of Iraqis and then call for the support of those who carry out illegal and violent acts. Such a position rests on the principle that American life is more precious and worthy than that of Iraqis. This view cannot be defended on any philosophical or religious ground. The only anti-war "support the troops" position is to have them stop the killing now, today, and bring them home.

In an illegal, unconstitutional and murderous war against an already ravaged people, these are not our troops, this is not our government.

John Marciano
Santa Monica

Why put so much in library?

Editor:

What's wrong with this picture?

When I voted for the library bond I was bamboozled into thinking that the library bond was \$25,000,000. The projected cost was to be around \$50,000,000.

Of course for some reason, unforeseen at the time of the last election, the new improved library will now be a bargain at over \$70,000,000. (read: sooner or later \$100,000,000).

How do the members of the appointed Library Board, the planners and the Council excuse this "oversight?" Or rather, how would they explain it if there were any

responsible public entity in town to ask them?

It is well known that our coffers are short over \$20,000,000 in projected revenues. City departments have each been told to cut 2.5 percent or else.

Our schools are forced to kill arts and music programs in response to less monies available. Class sizes will be larger. These are just two impacts on the educational system. Education will be even less complete, less effective.

Dr. Warren Wolcott
Santa Monica

April 1 edition a breath of fresh air

Editor:

Just read your April 1st edition. Great stuff, especially considering how depressing news is lately. Thanks for the very creative work. I appreciate the regular issues as well. Thanks.

Karl Bruskotter
Santa Monica

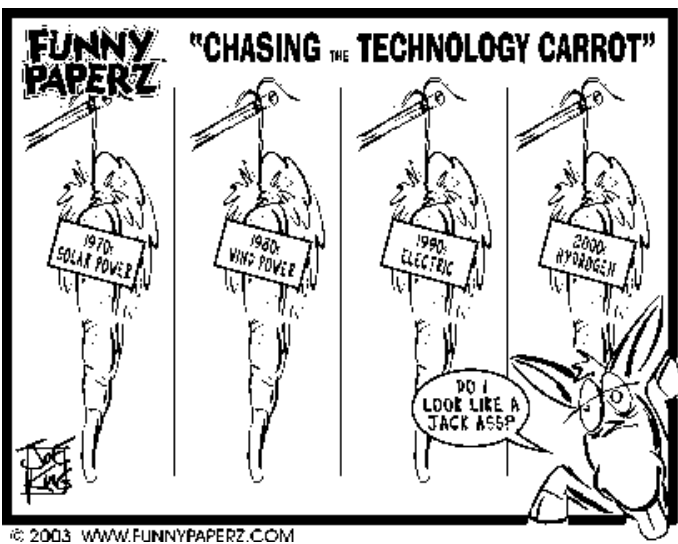
Laughing over fool's issue

Editor:

Hahahahahahahahaha.

Kudos on your April 1 issue, the funniest prank issue I've ever read. I laughed out loud as I sat in the Promenot, amidst "home of the homeless" bubble bathing denizens

See LETTERS, page 7



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Compared to Blair, Bush is strictly bush league



INCITES

By Ed Silverstein

We've all had an experience as a child, or even as an adult, when we receive something new. Maybe it was a diaper wetting doll or your brother's two wheeler, 10-speed bicycle you always coveted, or even your first brand new Corolla. We can hardly wait to parade our new acquisition around the neighborhood so that others can be properly envious. And then it happens. The girl at school gets the doll that wets and cries. Or some kid gets a BMX dirt bike. Or your neighbor pulls up with a shiny new Lexus. Suddenly the thing that you treasured above all else suddenly seems somewhat tarnished. In fact, it wasn't special at all. What could

you have been thinking?

One would think that the president of the United States with an entire staff of the best and brightest, dedicated solely to insuring that the president is always pictured in the best possible light, would know better. But it is obvious that they don't have a clue. If they did, they would never have allowed George W. Bush to be seen speaking side by side with Tony Blair.

I recently watched a joint news conference held by these two leaders. They were asked by a British reporter why our traditional allies in Europe, such as France and Germany, were not supporting the war in Iraq. George Bush, as is typical, did not answer the question. Instead he insisted that the United States had a huge coalition with countries represented from every continent. But when the President imprudently attempted to name those countries he stumbled badly. In an excruciating attempt to recover, Bush assured the reporter that he could get him a list. Not only did the President come off as evasive

and not particularly articulate; it was readily apparent that he had no idea as to the identity of our allies — which should not be particularly surprising as he doesn't seem to think we need them.

Blair, by comparison, addressed the question head on. He admonished the reporter that Europe was not against the war, but freely admitted that there indeed was a split. He suggested that those countries had their own reasons for not supporting the war and that they, the objecting countries, would be best able to express those reasons. Prime Minister Blair then proceeded to launch into an off-the-cuff, several minute discourse as to the provocation for war in Iraq. The argument was among the most thoughtful and persuasive justification for the war that I have heard to date. Blair eloquently detailed the tragedy of 4,000 Iraqi children dying in the last five years of preventable malnutrition, due wholly to the policies of Saddam Hussein's regime. In contrast to Bush's view at that time, Blair

voiced his strong desire for the United Nations to participate in Iraq; immediately for humanitarian aid and in some capacity after the war.

Where the President came off much like a petulant child, Blair was erudite, compelling and commanding. Suddenly our President seemed somewhat tarnished. Not very special at all. What could we have been thinking?

ASIDES: A war protester fell to his death while trying to hang a banner over the side of the Golden Gate Bridge. Does anyone else have a problem with a person being able to carry a large parcel onto what many consider a prime terrorist target during a code orange?

(Ed Silverstein is a freelance writer living in Santa Monica who believes that George Bush is living proof that any child can someday be president. Comments can be e-mailed to: edsincites@aol.com).

OPINION

America's arrogance of power will lead to problems

I believe in this beautiful country. I have studied its roots and gloried in the wisdom of its magnificent Constitution. I have marveled at the wisdom of its founders and framers. Generation after generation of Americans has understood the lofty ideals that underlie our great Republic. I have been inspired by the story of their sacrifice and their strength.

But, today I weep for my country. I have watched the events of recent months with a heavy, heavy heart. No more is the image of America one of strong, yet benevolent peacekeeper. The image of America has changed. Around the globe, our friends mistrust us, our word is disputed, our intentions are questioned.

Instead of reasoning with those with whom we disagree, we demand obedience or threaten recrimination. Instead of isolating Saddam Hussein, we seem to have isolated ourselves. We proclaim a new doctrine of preemption which is understood by few and feared by many. We say that the United States has the right to turn its firepower on any corner of the globe that might be suspect in the war on terrorism. We assert that right without the sanction of any international body. As a result, the world has become a much more dangerous place.

We flaunt our superpower status with arrogance. We treat U.N. Security Council members like ingrates who offend our princely dignity by lifting their heads from the carpet. Valuable alliances are split. After war has ended, the United States will have to rebuild much more than the country of Iraq. We will have to rebuild America's image around the globe.

The case this administration tries to make to justify its fixation with war is tainted by charges of falsified documents and circumstantial evidence. We cannot convince the world of the necessity of this war for one simple reason. This is a war of choice.

There is no credible information to connect Saddam Hussein to 9/11. The twin towers fell because a world-wide terrorist group, Al Qaeda, with cells in over 60 nations, struck at our wealth and our influence by turning our own planes into missiles, one of which would likely have slammed into the dome of this beautiful capitol except for the brave sacrifice of the passengers on board.

The brutality seen on Sept. 11 and in

other terrorist attacks we have witnessed around the globe are the violent and desperate efforts by extremists to stop the daily encroachment of western values upon their cultures. That is what we fight. It is a force not confined to borders. It is a shadowy entity with many faces, many names, and many addresses.

But, this administration has directed all of the anger, fear, and grief that emerged from the ashes of the twin towers and the twisted metal of the Pentagon towards a tangible villain, one we can see and hate and attack. And villain he is. But, he is the wrong villain. And this is the wrong war. We will probably drive him from power. But, the zeal of our friends to assist our global war on terrorism may have already taken flight.

The general unease surrounding this war is not just because of "orange alert."

There is a pervasive sense of rush and risk and too many questions unanswered. How long will we be in Iraq? What will be the cost? What is the ultimate mission? How great is the danger at home? A pall has fallen over the Senate chamber. We avoid our solemn duty to debate the one topic on the minds of all Americans, even while scores of thousands of our sons and daughters faithfully do their duty in Iraq.

What is happening to this country? When did we become a nation that ignores and berates our friends? When did we decide to risk undermining international order by adopting a radical and doctrinaire approach to using our awesome military might? How can we abandon diplomatic efforts when the turmoil in the world cries out for diplomacy?

Why can this president not seem to see that America's true power lies not in its will to intimidate, but in its ability to inspire?

I continue to hope that the cloud will lift. Perhaps Saddam will yet turn tail and run. Perhaps reason will somehow still prevail. I along with millions of Americans will pray for the safety of our troops, for the innocent civilians in Iraq, and for the security of our homeland. May God continue to bless the United States of America in the troubled days ahead, and may we somehow recapture the vision which for the present eludes us.

(Ed Sharrow is a Santa Monica resident.)

Guest Commentary

By Ed Sharrow

LETTERS

LETTERS, from page 6

waiting for their pink towels. Even the traffic cop laughed as he gave my SUV a \$300 parking ticket. Keep up the good work.

Rich Martini
Santa Monica

Gotcha!

Editor:

At first I could not believe my eyes. Then, I realized that your article was an April Fool's Day joke. In fact, it appears that all the stories in like humorous vein. At first I did not get it, but, then, when I re-read some of the stories, I noticed the names of the reporters, etc., and realized that the entire edition of April 1, 2003 was nothing but prank stories. I was all set to respond on the increase of parking tickets to \$300, and then realized that you got me. All in good fun!

Julia Reeves
Santa Monica

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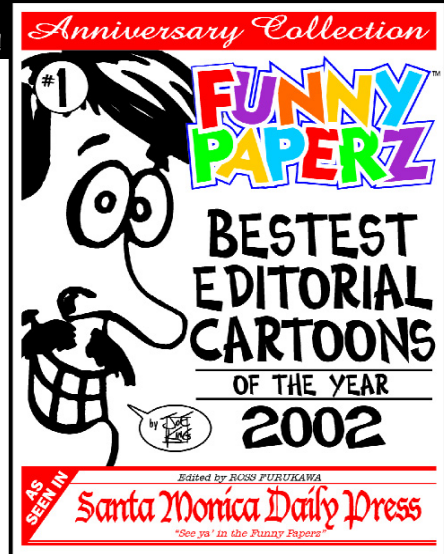
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—The Publisher

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—The Councilman

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For further information regarding the survivor's reception and lap, contact survivor chairperson Judy La Patka at (310) 579-7100 or judylapatka@aol.com Tracey Mayer at the American Cancer Society (310) 348-0356 option 3/ext. 246 or tracey.mayer@cancer.org.

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Eric Risberg/Associated Press

Marine Corps reservist Stephen Funk, second from left, with his mother, Gloria Pacis, left, turns himself in at his reserve unit in San Jose, Calif., Tuesday. The 20-year-old Marine reservist who got called to active duty refuses to serve in the Iraqi conflict, claiming conscientious objector status.

Marine reservist refuses to serve, declares as conscientious objector

BY KIM CURTIS
Associated Press Writer

SAN JOSE — With his sister carrying his duffel bag and his mother holding his hand, a 20-year-old Marine reservist surrendered to the military Tuesday and declared himself a conscientious objector.

Wearing camouflage fatigues, Lance Cpl. Stephen Funk turned himself in at the locked gates of the Marine Corps reserve center where he was assigned, weeks after refusing to report when called up to active duty.

"Ultimately, it's my fault for joining in the first place," said Funk, who didn't show up when his unit was deployed to Camp Pendleton. "It wasn't as well thought out as it should've been. It was about me being depressed and wanting direction in life."

Funk said he's attended every major San Francisco Bay area anti-war rally since finishing his military training last fall. He insisted his decision had nothing to do with the war in Iraq.

Those applying for a conscientious discharge must submit a detailed letter explaining how their feelings have changed since joining the military. Then there are interviews with a military chaplain, a psychiatrist and an investigating officer. The final decision is made by top military commanders.

Applications for conscientious discharges always increase during wartime. There were 111 granted during the 1991 Gulf War. Only 28 were granted last year, military officials said.

"The Marine Corps understands there are service members opposed to the war," said Capt. Patrick O'Rourke, spokesman

for Funk's unit, adding that he hadn't received Funk's application yet. "He'll be treated fairly."

Funk, who grew up in Washington state, enlisted when he was 19 and living on his own for the first time. He said he caved in to pressure from a recruiter who capitalized on his vulnerability.

**"The Marine Corps
understands there are
service members
opposed to the war."**

— CAPT. PATRICK O'ROURKE
Funk's unit spokesperson

"They don't really advertise that they kill people," Funk said. "I didn't really realize the full implications of what I was doing and what it really meant to be in the service as a reservist."

Funk said he began doubting his fitness for military service during basic training last spring when he felt uncomfortable singing cadence calls that described violence and screaming "Kill, kill, kill."

Funk's father, Robert Funk, enlisted in the Navy reserves and was called up to active duty in 1970 to serve in Vietnam. He said he wishes his son hadn't joined in the first place.

"I don't think he realized how close we were to getting involved in this conflict," Robert Funk said from his home in Everson, Wash. "I thought his views didn't line up with military service and he should wait and really look at it."

**FIND OUT YOUR FORECAST IN TODAY'S
HOROSCOPE'S ... PAGE 2**

Santa Monica Daily Press

NATIONAL



Mystery illness not much of threat in U.S. yet

BY MALCOLM RITTER

AP Science Writer

An airliner from Asia was briefly halted on a tarmac in San Jose, Calif., on Tuesday — the most dramatic sign yet that a mysterious illness blamed for more than 60 deaths worldwide is provoking worry in the United States.

As it turned out, none of the five passengers who caused concern among the flight crew had the disease.

Seventy cases of the illness, severe acute respiratory syndrome, called SARS, are suspected in the United States, but no one has died. Worldwide there are about 1,800 cases.

The California airport incident was the first time a plane has been stopped in the United States for fear of passengers spreading the disease. Some passengers and health officials called it an overreaction.

U.S. health officials are not considering quarantines so far because the disease is not spreading as rapidly as in Asia and the related outbreak in Toronto.

In Hong Kong, for example, some 240 residents of an apartment complex where SARS has spread were taken away to quarantine camps on Tuesday. But such measures don't yet appear warranted in the United States, said Tommy Thompson, secretary of the U.S. Department of Health and Human Services.

"We are in the business of protecting the public health of all citizens," Thompson said Tuesday in Atlanta. "If there is a virus that is explosive...and the only way to control it is by quarantine, we have to consider it. But we're not there yet."

Health officials say there's no sign that SARS is spreading freely throughout any American community. The disease, which originated in Asia, seems to be confined mostly to international travelers, to health care

workers who have taken care of SARS patients, and to those in close contact with SARS patients.

They also say the SARS germ, not yet firmly identified, appears to spread mostly from droplets spewed out through coughing or sneezing. But it's possible it might also spread more broadly by airborne transmission, or by lurking on surfaces like doorknobs that other people later touch, the experts said.

Short of quarantine, authorities around the country have taken other steps.

At the airport in San Jose, Calif., an American Airlines flight from Tokyo was held on the tarmac after the captain reported five people on board appeared to have SARS-like symptoms. The disease causes a fever, sometimes with chills, headache and body aches, and can lead to a cough and shortness of breath.

A man sitting near three of the passengers said they showed no signs of illness.

"It's an overreaction of some sort," said Bob Beom of Grants Pass, Ore.

Federal health authorities are handing out warning cards to travelers who arrive in the United States from Asia, including those who may just passed through infected countries.

The cards advise the passengers arriving by plane or by ship to monitor their health for at least 10 days because of possible exposure to SARS. "If you become ill with fever accompanied by cough or difficulty in breathing, you should consult a physician," the card advises.

Airports aren't the only places where SARS has prompted precautionary steps. Syracuse University in New York state cut short its semester-long study-abroad program in Hong Kong and called 31 students home Tuesday. The university also has decided to cancel two upcoming summer programs in mainland China.

Fifteen of the recalled students are enrolled at Syracuse, while the rest are from other U.S. colleges. They had already completed most of their course work, but were originally scheduled to return home May 21 after a five-week internship, usually at a multinational corporation in China.

Meanwhile, the Greenwich Country Day School in Greenwich, Conn., asked more than 40 students and staff members to stay home a few days because they'd visited China for two weeks recently on a class trip or visited the

Far East during spring break.

None of the students or staff members have shown symptoms of SARS, the school said Tuesday. Headmaster Doug Lyons decided on Sunday to ask them to stay home after reading newspaper accounts about the disease in Asia. The students and staff were to return to school Wednesday if they continued symptom-free.

"This is probably the most conservative position that any school in the United States is taking," Lyons said. "A reasonable person might say, 'Doug you're overreacting,' and I would accept that and say, 'You may be right. Forgive me.'"

Starbucks pulls out of Israel, ends joint-venture

By The Associated Press

SEATTLE — Starbucks Coffee Co. on Tuesday closed all six of its shops in Israel, blaming "operational challenges" and not the turmoil in the Middle East.

The coffeehouses were in Tel Aviv and employed about 120 people.

"In Israel, it was clear to us that this was not a very good time to build the business," Chairman Howard Schultz said Tuesday.

Neither Starbucks nor the Delek Group of Israel would disclose why Starbucks chose to dissolve their partnership. The two had formed Shalom Coffee Co., which was 80.5 percent owned by Delek and 19.5 percent by Starbucks Coffee International, a Starbucks' subsidiary.

Shalom opened its first store in August 2001, several months into a recession that continues.

Analysts said the closings aren't a major setback for the company, which eventually wants to have 25,000 stores worldwide. Starbucks has other outlets in the Middle East, including in Bahrain, Lebanon, Qatar and Saudi Arabia.

NYC agrees to settle suit from homeless advocacy group

By The Associated Press

NEW YORK — New York City agreed to settle a lawsuit that accused the police department of making an effort to arrest homeless people rather than providing them with shelter or social services.

The police department agreed in the settlement to issue directives to units that deal regularly with homeless people, such as the police division that patrols the subways. Among other things, officers will be instructed to treat people spotted violating a law the same "regardless of whether the person is homeless or not."

An advocacy group, Picture the Homeless, sued the city last November, saying arrests of homeless people were on the rise and accusing the police department of changing its policy to emphasize arresting, rather than assisting, the homeless.

A lawyer for the city, Gail Donoghue, denied that the police department had ever changed its policy and said more homeless people were arrested last year "because there was

more activity."

City officials said they are not conceding any wrongdoing by reaching the settlement, which must be approved by a federal judge.

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INTERNATIONAL

Karbala attack marks first major ground battle



Tam McDonald/HO/Associated Press

A Royal Marine from 3 Commando Brigade stands in the back of a landrover, passing through the suburbs of the recently secured town of Abu al Khasib, southwest of Basra in southern Iraq as a T55 tank burns in the background.



Simon Walker/Pool/Associated Press

A British manned checkpoint to the north of Umm Qsar on Tuesday. Lights went on for the first time in months in the port city of Umm Qsar, now firmly under British control.



Iraqi TV via APTN/Associated Press

Mohammed Saeed al-Sahhaf, Iraqi Information Minister, is shown delivering a message in Baghdad to the nation from Iraqi President Saddam Hussein, in this image from video, which appeared on Iraqi TV on Tuesday.

WAR, from page 1

home to a camp for the Republican Guard. Saddam summoned his country — via a spokesman — to a “jihad,” or holy war, against the invaders. But American and British officials used the occasion to raise fresh doubts about the fate of a man seen in public only on videotape since the war began.

The attack on forces near Karbala marked the first major ground battle against Saddam’s Republican Guard, and capped a day of aggressive American and British military actions.

Marines staged a nighttime raid on Nasiriyah, a column of amphibious assault vehicles rolling into town under a moonless sky — and finding Iraqis had abandoned a huge, walled police compound.

In Basra, a city of 1.3 million, warplanes dropped 500-pound and 1,000-pound laser-guided bombs on an Iraqi intelligence complex in an effort to dislodge die-hard defenders who have kept British forces at bay for days.

“What you’re seeing today on the battlefield in Iraq is a continuation of prepping the battlefield for a major encounter with the Republican Guard,” said Navy Capt. Frank Thorp.

Commanders refused to say when that might come, or whether the attack near Karbala represented the beginning of a push toward the capital. But senior American officials said the ceaseless pounding on Saddam’s elite Republican Guard was taking its toll. “Some of them have been degraded to pretty low percentages of combat capability, below 50 percent in ... at least two cases, and we continue to work on them,” Gen. Richard Myers, chairman of the Joint Chiefs of Staff, said at the Pentagon.

Despite the summons to jihad issued in Saddam’s name, British officials said two would-be suicide attackers had turned themselves in to troops in Umm Qsar. “They didn’t want to be suicide bombers any more,” said British Col. Steve Cox. “We are accommodating them.”

Other British and American officials said there was a growing list of examples of Iraqi civilians shedding their initial reluctance to assist forces fighting Saddam’s regime.

Troops worked to win the trust of Iraqis, keeping in mind that many still recall promises of liberation in the 1991 Gulf War, only to find Saddam’s forces returned unhindered when coalition forces withdrew.

Lights went on for the first time in weeks in the port city of Umm Qsar, firmly under British control. Some British forces in southern Iraq were wearing berets in public, shedding their more warlike helmets in areas deemed safe.

Lynch, a supply clerk, was reported missing nine days ago along with 11 other U.S. soldiers from the 507th Maintenance Company after an ambush near Nasiriyah. Military officials said she was rescued from an Iraqi hospital.

Separately, the Navy said two pilots were rescued, both in good condition, after their F-14 Tomcat crashed in southern Iraq. The plane was on a combat mission, but the crash was not believed due to

hostile fire.

The American and British bombing was constant — large explosions reverberated around Baghdad — punctuated by a series of small ground engagements on a sweeping arc to the south of the capital.

A Marine official said heavy bombing was carried out around Kut, southeast of Baghdad, adding that ground forces have secured an air base further to the south, at

“They were shooting from buildings, from dugout positions, from holes, from everywhere.”

— CPL. PATRICK IRISH
U.S. Marine Corps

Qalat Sukkar, that could be used as a staging ground.

Further to the southwest, Marines claimed to have killed at least 80 Iraqi soldiers and taken dozens of prisoners in fighting near Diwaniyah. According to reports from the field, troops on a reconnaissance mission found fortified Iraqi positions along a line leading several miles to the city.

“They were shooting from buildings, from dugout positions, from holes, from everywhere,” Cpl. Patrick Irish said of the Iraqis.

Marines took no chances with prisoners, bulldozing a pit, then surrounding it with barbed wire. Before a POW was put inside, he was blindfolded and searched, one Marine pinning down his feet, another his arms, and a third pointing an M-16 rifle at his head.

One day after American forces killed at least seven civilians at a checkpoint, Iraqi officials said U.S. Apache helicopters attacked a neighborhood in the central Iraq city of Hillah, killing 33 people and injuring more than 300.

The U.S. Central Command said it was investigating, but said no Apaches could have been involved in any incident.

At the Pentagon, Rumsfeld and Myers, the nation’s top uniformed officer, emphatically defended the American battle plan, which has sparked controversy.

“Forces are coming (toward Baghdad) from the north, they’re coming from the south and they’re coming from the west, and the circle is closing” on Saddam, Rumsfeld said.

In a speech read in Saddam’s name, Information Minister Mohammed Saeed al-Sahhaf urged Iraqis to wage a holy war against U.S.-led forces. “Strike at them, fight them. They are aggressors, evil, accursed by God, the exalted.”

“It does seem very strange that he (Saddam) hasn’t appeared at this time,” said a British spokesman in London.

Saddam has made no known public appearances since the night of March 19, when American missiles hit a complex in Baghdad where he and his two sons were believed to have been sleeping.

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SPORTS



Pittsburgh's Howland nearing move to UCLA

BY ALAN ROBINSON

AP Sports Writer

PITTSBURGH — The arena isn't as nice, the money would be about the same, and the players — at least now — wouldn't be as good. All those disadvantages apparently won't prevent Pittsburgh coach Ben Howland from leaving for UCLA.

Howland, who met with UCLA officials Sunday, was talking about a contract Tuesday, and it wasn't with Pitt. Sources close to Howland said his representatives were finalizing the details that would make him the Bruins' next coach — UCLA's eighth since John Wooden coached them to 10 national championships from 1964-75.

Pitt was willing to improve the \$5.9 million, seven-year contract Howland signed only last year, but the sources, speaking on condition of anonymity, said there were no discussions between Howland and the school Tuesday.

The Los Angeles Times reported on its Web site Tuesday that Howland would be introduced as UCLA's coach as early as Wednesday, following a meeting with

chancellor Albert Carnesale. UCLA sports information director Marc Dellins declined to comment on the report.

That would follow the timeline Howland spelled out Monday when he met with his Pitt players and told them he wanted the issue resolved by Thursday, when he's leaving for the Final Four in New Orleans.

Howland was an avowed UCLA fan while growing up in Southern California — he played at Cerritos High — and only last week he called the position with the Bruins his "dream job."

Howland is nearing the upper echelon of Division I coaching salaries. Pitt is willing to guarantee him about \$1.1 million per year, and UCLA cannot substantially improve on that. However, it can offer the prestige of one of the most storied coaching jobs in any sport, a more fertile recruiting base than Pittsburgh and a greater opportunity for ancillary income, such as commercial endorsements.

Howland's biggest concern about UCLA appeared to be the arena issue. While Pitt just opened a \$96 million, luxury-laden arena that is one of the best in

college basketball, UCLA has spent decades in Pauley Pavilion, which is filled with history but lacking in amenities.

Howland said last week that Pauley needs substantial upgrades that might force the Bruins to play one season off-campus. However, lining up the money for an upgraded arena at a state-supported university might prove difficult in the immediate future, especially given the current economic climate.

Howland also wants to take his assistant coaches to UCLA, two of whom — Jamie Dixon and Chris Carlson — are native Southern Californians. Dixon, however, is under consideration for the Wright State and Illinois State jobs, and he might be a top candidate at Pitt should Howland leave.

Dixon is Howland's top recruiter — Pitt's incoming class of four recruits is by

far its best under Howland — and also handled some of the coaching in practice.

While Howland weighed his tough decision, Pitt also faces one with his impending departure. The school would have to decide whether it can afford to hand over the job to a promising but untested assistant coach such as Dixon, an on-the-rise Division I coach like Howland was 1999, or an established winner who's already a head coach.

Howland's departure would be Pitt's second major personnel loss in only four months. Athletic director Steve Pederson left for alma mater Nebraska in December after overhauling Pitt's athletic program. He made numerous personnel changes, built the new basketball arena and football practice facility, and tore down Pitt Stadium, moving the Panthers' home football games to Heinz Field.

Doherty resigns with three years left on N.C. contract

BY DAVID DROSCHAK

AP Sports Writer

CHAPEL HILL, N.C. — Matt Doherty resigned Tuesday as basketball coach at North Carolina, ending a bumpy three-year run marked by his failure to lead a storied program back to national prominence or even the NCAA tournament.

The Tar Heels failed to make the tournament in two of his three seasons. He leaves with three years left on a six-year contract that paid him \$855,000 a season.

Doherty's resignation came after athletic director Dick Baddour held a series of meetings with players and parents, some of whom complained about the coach's intense practices and drastic mood swings. Three players transferred last season and others talked about it this year.

But sophomore Jawad Williams defended his coach and his methods.

"Any coach across America has an anger problem. You have to, dealing with guys coming into such a high-profile program," Williams said.

The 41-year-old Doherty was a Tar Heel fixture long before he took over the program, having played with Michael Jordan in the early 1980s.

He left Notre Dame and returned to North Carolina to succeed Bill Guthridge, and for the first season, things were fine. North Carolina went 26-7, but it slipped to 8-20 last season — the worst record in the program's history.

This year, his young team finished 19-16. Baddour picked the inexperienced Doherty after Roy Williams — a former assistant to Hall of Fame coach Dean Smith — turned down UNC to remain at Kansas. It's unclear whether Williams, whose team is in the Final Four, will be a candidate again.

But there was tension from the start, especially when Doherty didn't retain Phil Ford, Dave Hanners and Pat Sullivan as assistant coaches. Instead, he brought in his own staff from his lone season at Notre Dame.

That move disappointed Smith,

Guthridge and others at North Carolina.

In 2001, when Doherty was The Associated Press' coach of the year, the team won 18 games in a row and was ranked No. 1 nationally. But even that team fizzled down the stretch, going 4-5 over its final nine games, including a second-round loss to Penn State in the NCAA tournament.

Off-court problems surfaced when star sophomore Joseph Forte decided to go pro, citing his inability to get along with Doherty as one of the reasons for leaving. Then came the disastrous 2001-02 season.

The team lacked the overall talent of past North Carolina clubs because of the recruiting gap that stretched from the end of the Guthridge era to the start of Doherty's program. Still, many believe the Tar Heels should have been better.

Three transferred — Adam Boone, Brian Morrison and Neil Fingleton — and some of Doherty's initial recruiting class also contemplated leaving.

Doherty was able to smooth things over and this season brought in a top recruiting class that included Raymond Felton, Sean May and Rashad McCants. The team got off to a 5-0 start and was ranked in the top 25.

But May broke his foot in late December and the Tar Heels began to struggle. But they managed to get it together late in the year, beating Duke in the regular-season finale and Maryland in the Atlantic Coast Conference tournament before going three rounds in the NIT.

After the team's final game last Wednesday night, most of the players said they would return and supported their coach. The next day, Baddour met with them as a group and then individually.

Now players, like Jawad Williams, just wanted to stay out of the fray.

"I'm staying away from all this madness," he said. "It's a tough situation but something I have to deal with. A lot of players face this. It's not like I wanted him to leave, but it's something I have to deal with."

BY JOSH DUBOW

AP Sports Writer

TORONTO — Even the highest payroll in baseball couldn't prepare the New York Yankees for what they face now — playing without leader Derek Jeter for at least a month.

Jeter was placed on the 15-day disabled list Tuesday after dislocating his left shoulder on opening night. The Yankees expect to be without their All-Star shortstop for much longer, and it could be up to four months if he needs surgery.

"We miss him when he's out of the lineup for one game," manager Joe Torre said. "To have him out for an extended period of time, we're lucky we haven't had that happen before. This will probably be a month or more. There will be a big void."

Jeter will fly with the team to Tampa, Fla., after Wednesday night's game and have an MRI test conducted by Dr. Allen Miller on Thursday. The Yankees, who open a three-game series with the Devil Rays on Friday, hold spring training in Tampa and have extensive facilities there.

"I'm sure there will be a second opinion after that. Then the doctors will get together and consult and determine a course of action," general manager Brian Cashman said. "It's six weeks minimum. It could be sooner. It certainly could be later."

The test will show the extent of the damage and whether Jeter needs surgery, said Dr. Jonathan Glashow, a shoulder specialist.

Glashow, an orthopedic surgeon at New York's Lenox Hill Hospital, said Jeter could be back in four-to-six weeks if he doesn't need surgery or three-to-four months if he does need an operation.

"Thursday will be the day we'll get at least some sign to the course of action and the ultimate downtime," Cashman said.

Cashman said the Yankees were more comfortable having their doctors in Florida examine Jeter than having tests in Toronto. The team also figured it would be easier for Jeter to stay with the team that to fly to New York on his own for the tests.

"I don't think it really makes a difference if we do it now or Thursday," Jeter said. "I want to find out. Obviously, something is wrong, because something is out of place. Something probably has to be torn."

Erick Almonte will get most of the time there while Jeter is hurt, although Enrique Wilson started at shortstop Tuesday and went 2-for-3 with an RBI in

the Yankees 10-1 win over Toronto.

Jeter hurt his shoulder in the third inning Monday night when he slid head-first going from first to third on an infield groundout.

Toronto catcher Ken Huckaby, covering third because of an overshifted infield, landed on Jeter's shoulder in a violent collision. Jeter was down for more than 10 minutes, writhing in pain as concerned teammates surrounded him.

Some of the Yankees thought it was a dirty play. Huckaby called it a "freak" play and left a message on Jeter's cell phone, apologizing.

Torre said Huckaby was just being aggressive, and Jeter said he wasn't sure whether the catcher could have avoided the collision.

"I'm just angry I'm going to miss a long time. I'm not happy about it," Jeter said. "I've never done this before. I have no idea how long it will take. I'll be cautious because it's early in the season."

With a payroll of about \$150 million — at least \$30 million higher than any other team and more than double what most teams pay — the Yankees usually have the depth to overcome injuries.

They have seven starting pitchers, an experienced closer in Juan Acevedo to step in when Mariano Rivera hurt his groin, and many players on the bench who were starters elsewhere.

At shortstop, the Yankees aren't as deep. Jeter, a five-time All-Star, has been the Yankees' leader during their run of four World Series titles and five AL pennants since 1996.

He has played at least 148 games each season, going on the disabled list only three times with minor injuries.

Almonte was unpacking his car in Columbus on Monday night when Rob Thomson, the vice president of minor league development, called and told him to be ready.

Almonte drove to Cincinnati on Tuesday morning to meet someone at the airport who brought his passport from Tampa. Almonte arrived in Toronto about three hours before the game.

"I wasn't expecting it. I always want to play in the big leagues. I never expected a guy like Jeter to go down," he said. "He's a guy who is a future Hall of Famer. He's my idol. I enjoy watching him play. I watch him play all the time. He's fun to watch. I'm just going to try to do my job and play well."

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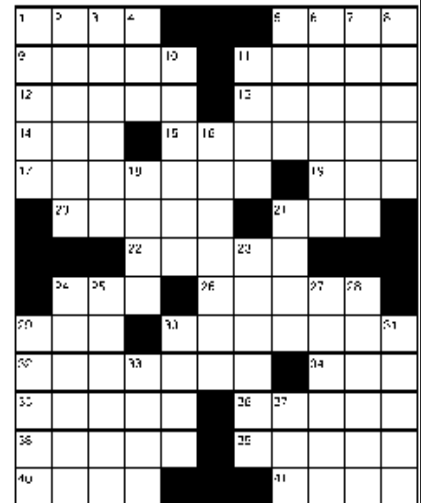
By Dave Coverly



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ACROSS	40 "Jurassic Park" beast
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5 Oscar category word	DOWN
9 "Paper Moon" star	1 Some courses
11 "The Color Purple" heroine	2 Diamond period
12 Cousin's dad	3 Sweet drink
13 Wise up	4 Lass
14 Abyss	5 Keg contents
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cious, 2bdrm/2ba, stove, dish-
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shire. Security parking availa-
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cluded.

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maculate Unit, new carpet, origi-
nal ceramic tile in kitchen and
bath separate kitchen, laundry,
facility, refrigerator, stove, street
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R/S, quiet, parking, utilities &
cable included.

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included.

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SM \$1,995 Townhouse Condo
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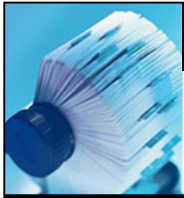
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SANTA MONICA SCENE your guide to dining, entertainment and events

WEDNESDAY, APRIL 2, 2003

EVENTS

LAP TIME presented by the Santa Monica Public Library. Mondays at 9:30am. Joslyn Park, Craft Room, 633 Kensington Road. A series for children up to 24 months old. An early introduction to language and reading for parents and babies, co-sponsored by the SMMUSD Infant and Family Support Program. No fee or registration required. For more information, call (310)452-6132.

TODDLER TIME, 10 a.m. Barnes & Noble at the Promenade and Wilshire. (310)260-9110.

SANTA MONICA STRUTTERS, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

SENIOR SUPPERS - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

HARVELLE'S BLUES CLUB present Sports Happy Hour, 5pm to 8pm. 100 inch movie screen with high definition LCD projector, JBL surround sound, drink specials, \$3.00 Happy Hour Buffet. 1432 4th Street. Between Broadway and Santa Monica Blvd. (310)395-1676

UNURBAN COFFEE HOUSE presents

Hot Topics Night hosted by Ali every Monday evening. Signup is at 8pm. Open panel discussion and open forum. 3301 Pico Blvd. (310)315-0056.

DINING

EL CHOLO - Famous for award-winning margaritas & green corn tamales. Enjoy our lively bar, comfy dining rooms or sunny patio for lunch and dinner daily. 1025 Wilshire Blvd., 310.889.1106

LIBRARY ALEHOUSE - A gathering place for great food, hand crafted beer and friendly service. Beautiful garden patio. Daily specials. 2911 Main St., 310.314.4855

THE LOBSTER - A legend redefined! A local favorite serving classic American seafood, specializing in live Main Lobster. Open 7 days serving lunch & dinner. 1602 Ocean Ave., Reservations recommended. 310.458.9294

DK DONUTS - Best fresh baked donuts in Santa Monica. Also serving excellent breakfast sandwiches & muffins. Classic favorites include: refreshing ice blended mochas, smoothies and bobs. New sub sandwiches & more. Open 24hrs. a day, 7 days a week. 1614 Santa Monica Blvd., 310.829.2512

OMELETTE PARLOR - Best breakfast in LA. This is where the locals go! 2732 Main St., 310.399.7892

PANINI GARDEN - "The Locals Favorite" for gourmet European breakfast, lunch & dinner. Featuring fresh crepe, panini grilled sandwiches and delightful salads. dine on our charming patio, or call for delivery. 2715 Main St., 310.399.9939

THE SLICE - New York style pizzeria also serving pasta, salads, subs and wings. Voted best pizza in Los Angeles by AOL. Sit on our beautiful patio for great pizza and movie star sightings. 915 Wilshire Blvd, for fast delivery call 310.351.7542

WOLFGANG PUCK CAFE - Enjoy Wolfgang's favorite entrees, famous wood-fired pizzas, pastas, fresh salads, sandwiches, and of course, unforgettable desserts! Fun Happy Hour: 1323 Montana Ave., 310.393.0290

SONNY MCLEAN'S - A perfect Irish pub that attracts a variety of people. It's the hotspot to kick back, enjoy a beer and watch a ball game. Good Happy Hour specials. 2615 Wilshire Blvd., 310.828.9839

ORIGINAL THAI DISHES - Best Thai food in Santa Monica! Family owned restaurant since 1980. A local favorite serving classic Pad Thai noodles, pineapple fried rice and seafood specialties. All dishes can be made vegetarian. 1910 Wilshire Blvd., 310.828.5634

EARTH, WIND & FLOUR - "Great Italian cooking. Just slightly west of Italy." This restaurant celebrates 22 years in the neighborhood for its friendliness and freshness. Pizza, pastas, salads, subs and more. Lunch and dinner specials and happy hour. 2222 Wilshire Blvd., 310.829.7829

ACADIE'S - Voila! Fresh from the south of France, Homemade Crepes have just arrived in Santa Monica! Located right off the 3rd St. Promenade, this authentic French storefront radiates charm and ambience with indoor seating and a quaint side patio for an outdoor experience. The menu offers a range of options to suit your individual mood. 213 Arizona Ave. (310)395-1120

MOVIE GUIDE

LOEWS CINPLEX BROADWAY CINEMA

1441 Third St. at Broadway
View From the Top (PG-13) 12:15, 2:35, 4:55, 7:15, 9:45. The Hours (PG-13) 10:30, 1:15, 4:00, 6:45, 9:30. The Core (PG-13) 11:05, 12:40, 2:15, 3:50, 5:25, 7:00, 8:35, 10:10.

MANN CRITERION

1313 Third St.
Bringing down the House (PG-13) 11:30, 2:05, 4:50, 7:25, 10:15. Basic (R) 11:15, 11:45, 1:45, 2:15, 4:20, 5:00, 7:10, 7:45, 9:45, 10:30. Dreamcatcher (R) 12:30, 1:00, 4:15, 7:00, 7:30, 10:45. Old School (R) 12:15, 2:30, 5:05, 7:40, 10:00. Tears of the Sun (R) 3:45, 10:10.

AMC THEATRE SM 7

1310 3rd Street
Piglet's Big Movie (G) 1:25, 3:15, 5:05, 7:00. Agent Cody Banks (PG) 1:40, 4:10, 6:45, 9:25. Chicago (PG-13) 1:50, 4:30, 7:10, 9:45. The Hunted (2003) (R) 1:40, 4:45, 8:00, 10:20. The Life of David Gale (R) 1:20, 7:15. Boat Trip (R) 2:20, 4:40, 7:05, 9:35. Gangs of New York (R) 4:00, 10:00. Head of State (PG-13) 2:10, 4:55, 7:25, 9:50.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
The Pianist (R) 3:45, 7:00, 10:15.

LAEMMLE MONICA

1332 2nd St.
Irreversible (NR) 12:45, 3:00, 5:15, 7:30, 9:50. Bend it Like Beckham (PG-13) 12:00, 2:35, 5:10, 7:45, 10:20. Talk to Her (R) 2:00, 4:40, 7:15, 9:55. Assassination Tango (R) 1:30, 4:15, 7:00, 9:45.

BACK PAGE



Serving up succotash ice cream

By The Associated Press

FREDONIA, N.Y. — An ice cream maker is inviting April fools to line up for a taste of his newest flavor: suffering succotash.

Scott Aldrich mixed corn and lima beans with vanilla ice cream and threw in pimientos for color.

The concoction continues his 20-year tradition of making a bizarre flavor in honor of April Fools' Day.

"I don't know how we came up with it, we just picked it," he said.

With 35 gallons on hand, Aldrich Beef and Ice Cream Parlor, about 40 miles southwest of Buffalo, is offering free samples beginning first thing Tuesday.

Past flavors have incorporated, among other things, sauerkraut, bacon and eggs, creamed corn, pork and beans and beef gravy.

Police proximity nabs burglar

By The Associated Press

CHIPPEWA FALLS, Wis. — An officer walking out of the police department couldn't miss a woman shouting for someone to stop a fleeing man.

As the man ran around a corner and in front of the police station, the officer jogged along the ramps at the entrance, met the man at the end of a ramp and took him into custody, Police Chief Joe Coughlin said.

The 41-year-old man was held on suspicion of burglary after Thursday's incident.

According to the police report, the man claimed that someone owed him money and he went to a residence to get it, but he entered the wrong residence and left with some candy and costume jewelry.

Public asked to watch for monarchs

By The Associated Press

SAN LUIS OBISPO — Biologists want the public's help in watching for thousands of monarch butterflies bearing tiny tags that may reveal the mystery of where the colorful insects spend their summers.

Biologists tagged more than 20,000 monarchs between November and February, when they clustered in wintering grounds in coastal Marin, Monterey, San Luis Obispo and Santa Cruz counties.

The white, round tags are attached to the hindwing of the butterflies. Each is imprinted with an identification number and a toll-free telephone number — (877) 897-7740 — that anyone spotting the tagged insect is asked to call with details of the sighting.

The tags weigh between 1 percent and 2 percent as much as a butterfly itself.

The purpose of Project Monarch Alert is to track the butterflies as they head east and north during the spring and summer, said Dennis Frey, a professor of biological sciences at California Polytechnic University, San Luis Obispo. The university is leading the project with the Ventana Wilderness Society.

Monarchs winter in tight clusters in more than 300 known locations along the California coast. During the summer, the butterflies fan out, making them more difficult to track.

Crazy Horse statue recovered

By The Associated Press

STILLWATER, Minn. — A bronze statue of Crazy Horse that was stolen from a South Dakota museum a decade ago has been recovered, authorities said Monday.

An investigator for the Crazy Horse Memorial Foundation told the Washington County Sheriff's Office that the statue, valued at more than \$40,000, was in Stillwater Township, said Capt. Don McGlothlin.

Authorities found the 3-foot, 90-pound statue last week.

The statue is one of 10 by Korczak Ziolkowski. It is a model for the monument being carved out of stone on a hillside in the Black Hills.

The Crazy Horse Foundation had received anonymous information in July that a Stillwater Township man who attended an artists workshop stole the statue. Washington County authorities were notified, and the statue was recovered from the suspect last Tuesday.

"They were extremely happy to find we found it," Sgt. Gary Swanson said. "It's a beautiful piece of art."

Ziolkowski, who won a first prize in sculpture at the 1939 World's Fair, started working on the monument to the storied Indian leader in 1949. The artist died in 1982 and his children took over the project.

The man who had the statue is under investigation on suspicion of possessing stolen property, Swanson said.

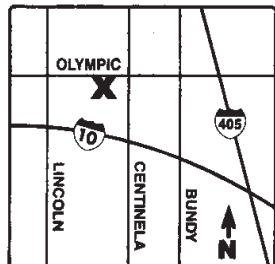
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