

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
24 29 31 34 46
Meganumber: 26
Jackpot: \$52 Million

FANTASY 5
15 18 22 30 37

DAILY 3
Daytime: 2 2 0
Evening: 7 2 6

DAILY DERBY
1st: 06 Whirl Win
2nd: 02 Lucky Star
3rd: 10 Solid Gold

RACE TIME: 1:48.05

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ In March, New York Times fashion writers noted that the decision of several designers to shroud runway models' faces in various ways during the annual Paris Fashion Week in February and March surely must be sending some message. Among the devices designers used: masks (making some models resemble "Hannibal Lecter in drag," according to one critic), woven basket-like coverings and burqa-type swaddling. Guesses on designers' motives included a reflection of general world gloom; tributes to the plight of Muslim women; and designers' fear of beautiful faces' distracting from their designs.

■ The publisher Powerhouse Books (and its imprint Rosen Editions) is preparing for the imminent release of photographer Ellen Jong's "Pees on Earth," a series of shots of Jong urinating in prominent public spots around the world. Jong is a mainstream professional whose non-urinary work has appeared in Vogue and other publications.

QUOTE OF THE DAY

"Cats are smarter than dogs. You can't get eight cats to pull a sled through snow."

JEFF VALDEZ

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Juggling priorities



Fabian Lewkowicz/Daily Press

Karen Patterson juggles six pins with her 16-year-old son, Mike Byington, on a recent afternoon at Muscle Beach in Santa Monica. Byington is a member of the Great All-American Youth Circus, which is headquartered at the YMCA of Redlands.

Santa Monicard: Don't park without it

BY KEVIN HERRERA
Daily Press Staff Writer

CITYWIDE — The days of worrying about whether you have enough change to feed the meter are over.

City Hall has released a new debit card to pay for parking around town. The "Santa Monicard" costs \$2, with the option of adding \$10, \$50 or \$100. Each card can hold as much as \$120, and can be used at nearly any parking meter in the city. The exceptions are meters that serve multiple parking spaces and meters at the new Main Library. These will be changed over soon, according to city staff.

"(The City Council) has been discussing for years the need to better handle parking and to help those people who just don't seem to have a quarter in their pockets when they need it," said City Councilman Kevin McKeown, who does not have a Santa



Fabian Lewkowicz/Daily Press

Carrying around handfuls of quarters for parking meters may become a thing of the past for some residents now that meters also accept Santa Monicard debit cards.

Monicard because he drives a hybrid vehicle, which are allowed to park at meters for free. "People complained that we showed no mercy, we showed no quarter. Now you don't need one."

Santa Monicards work much like a gift card. A user purchases a card and adds a desired amount of money to it. To use the card, all

See SANTA MONICARD, page 7

MySpace recruits security leader

BY KEVIN HERRERA
Daily Press Staff Writer

SECOND STREET — Battling perceptions that it's an unsavory online hangout for sexual predators, social-networking giant MySpace.com has hired a former federal prosecutor to patrol the site and has launched a series of ads warning kids about the dangers of the Internet.

Fox Interactive Media (FIM), the parent company of Santa Monica-based MySpace.com, announced Tuesday the appointment of Internet safety expert and former Justice Department porn prosecutor Hemanshu Nigam, the

See MYSPACE, page 6

STATE

Governor backs plan to combat emissions

BY TERENCE CHEA
Associated Press Writer

SAN FRANCISCO — Gov. Arnold Schwarzenegger on Tuesday called for a market-based approach to reducing industrial emissions of "greenhouse" gases, endorsing a plan to combat global warming that faces opposition from business and Republican leaders.

Speaking at a climate change summit at San Francisco City Hall, Schwarzenegger said he supported creating financial incentives to curb the release of carbon dioxide and other greenhouse gases and requiring companies to report their emissions.

"Let's work together to create the world's best market-based system to limit and slash emissions," Schwarzenegger

See GLOBAL WARMING, page 7

Jacquie Banks

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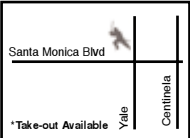
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 SAT DINNER 5:00PM-10:00PM



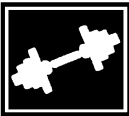
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HOROSCOPES

Early to bed, Scorpio

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)
 ★★★★★ Don't even consider running the show. Though you might feel frustrated on some level, you will ultimately be better off if you let others dominate. Study someone else's agenda. See what he or she is about. This person's choices reflect who he or she is. Tonight: In the whirlwind of life.

TAURUS (April 20-May 20)
 ★★★★★ Do what you know best -- keep order and make sure daily life flows smoothly. You will be much more together and a lot happier as a result. Think in terms of creativity and change. You might want to rethink a hassle or problem. Tonight: Relax in your favorite spot.

GEMINI (May 21-June 20)
 ★★★★★ Often, you could be overwhelmed by what goes down and others' reactions. Right now, you can step up to the plate and diplomatically help steer others. Your imagination helps you relate even more successfully. Tonight: As you wish.

CANCER (June 21-July 22)
 ★★★★★ Your steadiness will be enhanced if you don't risk and instead stay close to home base. Knowing when something is enough might be the key to your success. You dance to a different tune. You like what goes on. Tonight: Favorite dinner and relax.

LEO (July 23-Aug. 22)
 ★★★★★ Finally, your actions count. The problem might be that you are so serious you scare others away. What is going on with the normally jovial Lion? Go within and start getting some answers. Everyone will be happier once you return to normal. Tonight: Hang with a good friend.

VIRGO (Aug. 23-Sept. 22)
 ★★★★★ You might want to rethink a choice that will impact your finances. If you feel as if you are having a difficult time, you probably are. Trust your emotions. Loosen up and relax with those around you, for your sake. Tonight: No spending, please.

LIBRA (Sept. 23-Oct. 22)
 ★★★★★ You mix luck, energy and charisma right now. No one can stop you, you are on such a roll. Be positive about your alternatives, though you are unlikely to stop and consider them right now. Tonight: Fun and games.

SCORPIO (Oct. 23-Nov. 21)
 ★★ Let others display their feathers. Just watch. What might be a problem for one person might not be for another. Remain positive and optimistic. All's well that ends well. Consider some positive changes in your home environment. Tonight: Early to bed.

SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★★★ Despite the fact that you might have to jump through a hoop or two, you will gain. The truth is, success greets you with a smile and a sense of achievement. Be positive. Think positively. Open up to others. Tonight: Where the crowds are.

CAPRICORN (Dec. 22-Jan. 19)
 ★★★★★ The time has come for you to act and take a stand. No longer can you sit back and do nothing. You don't want to either. You can make a big difference financially and emotionally. Follow through on a project. Tonight: Out late.

AQUARIUS (Jan. 20-Feb. 18)
 ★★★★★ You might want to say a lot, but the "cool" move is to say little. You might want to rethink the information you have been given. Could it be wrong? You discover that there certainly is another perspective. Tonight: Surround yourself with music.

PISCES (Feb. 19-March 20)
 ★★★★★ Work with one other person, and you'll gain a long-overdue perspective. Others don't have to agree. They simply need to accept that you are transforming in front of their very eyes. Open up to new possibilities. Tonight: Easy does it.



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LOCAL



COMMUNITY BRIEFS



Photo courtesy
(Top) Dr. Joanne Jubelier receives a leadership award for her contributions to the Venice Family Clinic. (Bottom) Frank Matricardi, chair-elect of the board of directors for the Venice Family Clinic; Paul Rust of Quest Diagnostics; and Dave Daniels, another clinic board member, were some of those who attended the Silver Circle Thank You Dinner to honor sponsors of the Venice Family Clinic.

Venice Family Clinic honors sponsors

By Daily Press staff

The Venice Family Clinic held its “Silver Circle Thank You Dinner” last month to recognize and thank its most generous donors for supporting the facilities programs and services.

Held at The Fairmont Miramar Hotel in Santa Monica, the dinner commemorated a year’s worth of hard work and outstanding achievements.

This year’s highlight was the presentation of two distinguished awards. The Irma Colen Leadership Award was presented to Dr. Joanne Jubelier, a prominent clinic board member and volunteer who has made a significant impact on the clinic’s

See BRIEFS, page 7

SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

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

JUNE MOUNTAIN

NEW SNOW (24 Hrs) 2"	BASE DEPTH 120" - 144"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 50	LIFTS OPEN 6/6
CONDITIONS: Packed Powder, Machine Groomed				

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 150	LIFTS OPEN 20/28
CONDITIONS: Powder, Packed Powder, Machine Groomed				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:00 am - 10:00 pm	RUNS OPEN 29	LIFTS OPEN 8/16
CONDITIONS: Spring				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 18" - 36"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 4/4
CONDITIONS: Packed Powder, Machine Made, Machine Groomed, Spring				

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 36" - 72"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 10/14
CONDITIONS: Machine Groomed, Hard Packed, Spring				

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 42" - 72"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 24	LIFTS OPEN 5/11
CONDITIONS: Machine Groomed, Spring, Frozen Granular				

CONDITIONS

WATER TEMP: 58°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (2-7 FT)

Today the SW swell should stick around for waist to chest high sets and occasional pluses, and a hefty WNW system will be bearing down on the coast. Originally, models felt this would hit today , but models feel this won't happen until Thursday.

LONG RANGE SYNOPSIS

Rain and wind issues in the forecast...

Tracking southern hemi swell 19th...

TIDE FORECAST FOR SANTA MONICA

MONDAY	LOW TIDE	2:29AM	1.2FT	2:39PM	0.3FT
HIGH TIDE	8:21AM	4.6FT	8:57PM	4.7FT	

TUESDAY	LOW TIDE	2:58AM	0.8FT	2:59PM	0.5FT
HIGH TIDE	8:55AM	4.5FT	9:13PM	5.0FT	

WEDNESDAY	LOW TIDE	3:29AM	0.4FT	3:18PM	0.7FT
HIGH TIDE	9:29AM	4.4FT	9:31PM	5.2FT	

THURSDAY	LOW TIDE	4:00AM	0.1FT	3:38PM	1.0FT
HIGH TIDE	10:04AM	4.2FT	9:51PM	5.4FT	

FRIDAY	LOW TIDE	4:33AM	-0.1FT	3:57PM	1.4FT
HIGH TIDE	10:41AM	3.9FT	10:13PM	5.5FT	

SURF AND SNOW QUESTIONS OR COMMENTS? EMAIL ALEX@SMDP.COM

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The QLine

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Despite threats of a lawsuit, the Planning Commission has approved plans for the creation of a public beach club at the old Marion Davies estate. While the decision was warmly received by supporters of the project, a handful of neighbors near the property are demanding that certain conditions, such as 24-hour security and a new traffic signal at the club's proposed entrance, be put in place before the project moves forward.

So this week, Q-Line wants to know: **“How should city officials weigh the opinions of residents in cases like this, in which the general public supports a project but a handful of residents closest to the issue does not?”**

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

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LETTERS TO THE EDITOR

City leaders are not to blame

Editor:

A person who knew about Santa Monica only from the opinion pages of the Santa Monica Daily Press would acquire a view into a very interesting alternative reality. In that imaginary place, thoughtful and energetic citizens, city officials and elected public servants never come together to grapple with a daunting set of social problems that afflict the entire country.

In this dreamland presented in SMDP editorials and columns, and in many other letters the paper publishes, the City Council majority is portrayed as somehow deliberately creating all the ills that beset us, from traffic to parking to over-development to the public with no place to live other than the public spaces they share with residents and visitors.

According to this fantasy, certain elected officials and their supporters deliberately lure folks, down on their luck, and often besieged by substance-abuse and mental problems, to come to Santa Monica to be pampered at the expense of residents and those who visit and work here. Why they would want to do this is not explained, but the accusation is repeated so often that some people seem to actually believe it. There has been a recent extension of this fantasy that claims that certain councilmembers are taking a different tack, and are finally getting something done about the homeless (or traffic or parking, take your pick.)

But the truth is different. The legions of people who cannot manage to house themselves are certainly real. We see them every day on our streets, our alleys, our parks and our beaches right here in Santa Monica. But, they are here as the tragic result of years of mean-spirited national policies that have neglected the poorest and weakest among us while favoring the interests of a privileged few.

Contrary to the fantasy, council votes on homeless issues are most often unanimous. And they have been for years.

This concerted effort has emerged out of a growing recognition that the underlying problems, from the fundamentals of a changing economy to the skyrocketing costs of housing to the scarcity of services for the most vulnerable citizens, are national and regional in origin.

They can only be solved on a larger scale than that of a single city alone. And guess what? Things are looking up, because Councilmember Richard Bloom and his fellow SMRR colleagues on the council, later joined by Councilmember Bobby Shriver, and also with the help of County Supervisor Zev Yaroslavsky, helped persuade neighboring cities and the county of Los Angeles to take a larger role in addressing homelessness on a regional basis.

There is nothing to be gained by politicizing this, unless there are political agendas being pursued. And it would certainly seem that are.

Marilyn Korade
Santa Monica

‘Leak’ should have been exposed years ago

Editor:

President Bush didn’t “just” leak Valerie Plames’ name and position. For two years he caused enormous taxpayer funds to be spent on what turns out to be a wild goose chase.

We taxpayers paid investigators, attorneys, stenographers and a myriad of professionals to “find” who leaked the information.

For years Bush caused these expenditures for no reason whatsoever, except to imply he was not involved.

Flo Ginsburg
Santa Monica

The truth, the whole truth — and nothing



THE
WITNESS
STAND
BY CLIFF NICHOLS

I recognize that there are those who think when my I.Q. reaches 50 I would be well advised to sell. While we await that happy event, however, humor me this Easter and riddle me this: What do old fish bones, Mars and The Da Vinci Code have in common? Let me give you some hints.

The name of the fish is Tiktaalik roseae that scientists estimate lived approximately 300 million years ago. The excitement about Tik has been generated by the joints in its pectoral fins. They have bones that compare to the upper arm, forearm and primitive parts of the hand of land-living animals. As a result, it is claimed that a missing link in the evolutionary chain has finally been found. We may all sleep better now, no longer having to wonder whether there is any cosmic meaning or purpose to our lives. Just a few more findings like Tik and science may soon be able to prove to us beyond a reasonable doubt that human beings really are nothing more than the by-product of a wholly accidental intra-galactic bio-fart.

Meanwhile, back at Mars, twin robots named Spirit and Opportunity are hard at work spending billions of dollars to transmit what are said to be “teasing” views that “reinforce the prospect that microbial life may exist on the red planet.” Although no conclusions have yet been made, be assured a “legion” of planetary experts are reviewing the data. And, it could be our additional good fortune that among them is included one scientist who has maintained since 1976 that “all factors necessary to constitute a habitat for life as we know it exists on current-day Mars.” Soon we may be able to prove that the bio-fart some have claimed is evidenced by the likes of Tik and that has produced what we commonly refer to as “us” was perhaps not an accident. In short, we may soon be able to prove that the prerequisite ingredients for such cosmic chemical flatuli to occur elsewhere in our galaxy have been located. We only need to hang tough and keep our eye on Mars for the 300 to 400 million years some estimate it will take to come to pass, and then we will know for sure. How cool is that?

Unfortunately for some, the only thing that could make this wait unbearable is having to endure the dronings of those who continue to obstinately insist that all these interesting scientific factoids we are uncovering are really nothing less than evidence of an intelligence far surpassing our own — perhaps somewhat akin to a God. For those who are rooting for a Godless universe, that is troublesome.

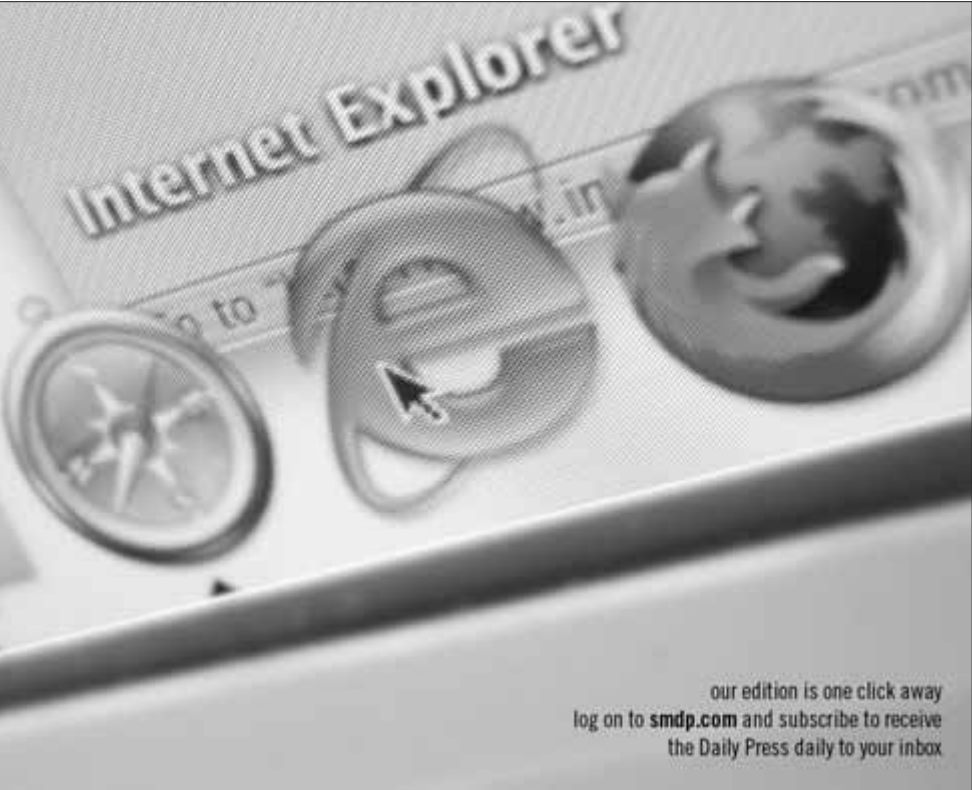
But, that is where things like the Da Vinci Code come in handy.

There is nothing like fiction presented as fact to redirect the thinking of those who tend to think very little. Throw out an entertaining story with a seemingly plausible foundation built upon carefully selected facts, and many who have never looked into anything Biblical deeper than to have read Dan Brown’s book will conclude that it tells them just what they have always kind of suspected. The good guy in the tale discovers that Jesus was just another ordinary guy with faults just like you and me. It was just that in his particular case he had an illicit affair with Mary Magdalene that produced an illegitimate bloodline that miraculously remained hidden from most of mankind until now. Some may reason that’s just like Tik and the Mars microbes. But in the case of Christ’s alleged misdeeds, we are informed that we didn’t know this before now because the church successfully covered them up with lies and deceit for the last 2,000 years. And, so it is that we are given yet another concocted version of history that will enable many to feel justified to question in their minds the deity of Christ. Then, from there it goes like this: If Christ wasn’t really who he said he was, then he was a fraud. And if that is true, then it must also be true that the church he founded is also a fraud. And if all of that is true, then we would certainly have to be idiots to believe in any God who they both have insisted all along is behind it all. So, people, let’s get on the stick and keep focused. We are getting closer. Tik and the possibly existent Mars microbes have brought us just that much closer to answering that age-old question: “Who cut the cosmic cheese?”

Perhaps by now I’m guessing you may have guessed the answer to my riddle. Things like Tik, the Mars microbes — which may or may not exist — and tales like the Da Vinci Code are all things availed upon by some to achieve a common purpose: to explain away the existence of God under a guise of searching for the “truth.” The problem is that their efforts run counter to what God says all men are born knowing in their hearts to be true.

The truth is either that there is a God or there isn’t. Both cannot be true. Think about that the next time crusty fish bones are used to say we are not the product of an intelligent plan. A plan that has been revealed to include, among other things, the sacrifice of his son to a most cruel death to atone for the sins of us all.

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



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GUEST COMMENTARY BY THOMAS M. SIPOS

We are a nation of assimilated immigrants

Immigration is a contentious issue because it perturbs many people's self-image and sense of acceptance. "Do I belong here? Am I as American as you?" Few say it like that, yet those are the unspoken undercurrents fueling the fear and anger over the issue. Yet immigration also raises legitimate concerns about the allocation of limited social services like education, health care, as well as taxes, unemployment, wage depression, crime and the environment. How to address those issues without sounding like a racist hiding behind those issues?

Some politicians and pundits hide behind the mantra: "Legal immigration yes, illegal immigration no," which is a neat way of both supporting and opposing immigration, while avoiding the real question: "What should be legal?" How many do we admit, how quickly, using what standards, what consequences for those here illegally and what of their children? If legality were the real issue, we could solve the problem overnight by legalizing everyone.

I'm going to avoid those questions too, because I have no easy answers. At least I am blatant about it. Instead, I propose we focus on a proven solution to all our past immigration problems: assimilation.

To say America is a nation of immigrants is like saying the sky is blue. It's both true and irrelevant. Every nation is a nation of immigrants. People have been migrating across the globe ever since we left Africa. Nor did the 13 largely English colonies mean to establish a nation of immigrants. Many did not welcome America's first large Catholic influx in the 1840s, and Emma Lazarus's poem ("Give me your tired ...") did not grace Lady Liberty until 1903.

More importantly, to say we are a nation of immigrants is an incomplete truth. A fuller truth is that we are a nation of immigrants who assimilated — who learned English, did not rely (through most of our history) on government safety nets, and sought to "become Americans" (a once-popular phrase).

Assimilation is not homogeneity. Marines and hippies, Jimmy Swaggart and Jim Morrison are equally American. Assimilation is not conformity to Norman Rockwell, but an erosion of tribal empathy for one's ethnicity and former homeland as one feels increasing attachment for the host culture and its people. Assimilation is the reciprocal price the immigrant pays for the benefit of acceptance. Reciprocal, because contrary to the stereotype of discrimination always being a white or American thing, immigrants from all nations import their own share of prejudices. Assimilation is thus the opposite of both rightist nativism and leftist identity politics — the former rejects the newcomer, the latter rejects the host.

America's strength has never been its diversity, but its ability to overcome diversity through assimilation. "E Pluribus Unum" (out of many, one) refers to the 13 colonies, but could as easily describe our melting pot.

It is no insult to other cultures to say that America has its own. We say we are a mul-

ticultural nation because we worry it may offend to say otherwise, but also because it appears true from our surface diversity — skin color, food, clothes, music. Yet American diversity is a mile wide and an inch deep. Beneath the surface, most Americans share a sense of nationhood and fundamental values.

Surface diversity is enriching, but deep diversity can be dangerously divisive. Despite their more homogeneous surfaces, diversity runs so deep in Northern Ireland, Rwanda, the Mideast and the tellingly "former" Yugoslavia that people have murdered one another to assure the dominance of their religious or ethnic group.

America too has suffered deep diversity, Jim Crow being only one recent example. Yet like the Borg, American culture continues to assimilate everything so it belongs to everyone. Chinese take-out and Italian pizza are not evidence of our multiculturalism, but things we've all come to know and share in. We speak a common language, we increasingly vote and marry outside our ethnicities, and we have at least a passing familiarity with most elements in our common culture. For example, I've only seen a handful of Star Trek episodes beyond the original series, and none featuring the Borg. Yet American culture is so pervasive, I know enough of the Borg to use them in an analogy.

This false notion of immutable identity fuels much mutual antagonism. Identity politics leftists encourage immigrants to be fearful and defensive over expressions of an American culture they portray as inherently hostile. Closed-borders rightists aggravate those fears, even as they themselves fear a hostile influx bringing poverty and revanchist fantasies. Assimilation disempowers both sides, depriving the left of a constituency, and the right of a problem. It does so by making immigrants more economically productive, while instilling in them a sense of national belonging. Thus does assimilation alleviate immigration's economic and social problems.

America owes nothing but offers much to those wishing entry, and makes no onerous requests — far less is required to assimilate into the U.S. than into most any other nation. Learning English is the big first step leading to all others, and most immigrants already wish to take it. Programs discouraging English (multi-lingual schooling, ballots and documents) should be substituted for efforts to teach English. People concerned with immigration might consider voluntarist ways to assist the assimilation process. Ironically, it may help to know a foreign language; I've begun studying Spanish.

Between the extremes of identity politics and nativism lies the moderate assimilationist center. It's rooted in the American experience, and it works.

(Thomas M. Sipos is vice chair of the LA Westside Region of the California Libertarian Party. His bio and contact info are found at www.sipos.org.)

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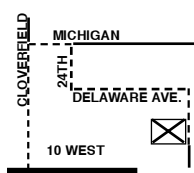


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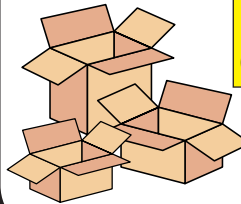
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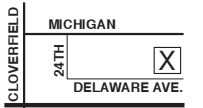
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THIRD DAY RISE AGAIN + THE SON OF MAN MUST BE DELIVERED INTO THE

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+ 6:30 a.m. + 8:00 a.m. + 12:10 p.m. + 6:30 p.m. +

HOLY THURSDAY

April 13th
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

April 14th
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

April 15th
Easter Vigil Liturgy
+ 7:30 p.m.
There will not be a 5:30 p.m. Mass on this day.

EASTER SUNDAY

April 16th
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.



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

News Corp. running PSAs on Internet safety

MYSPACE, from page 1

company's first chief security officer. Nigam, an advisor to the White House on cyberstalking, will oversee all safety, education and privacy programs and law enforcement affairs for the Web site, as well as the growing network of FIM properties. His appointment becomes effective May 1.

The announcement came just a day after News Corp., which owns FIM, began running public-service announcements by the Advertising Council — the nonprofit behind "A Mind is a Terrible Thing to Waste" and other campaigns — on MySpace, News Corp.'s other Web sites, and its television channels, including Fox Broadcasting, FX and Fox Sports Net. The spots caution children to "not believe the hype," meaning don't trust anyone who approaches them online, even if they think it could be someone they know.

"We think education is the single most important tool to help kids become aware of the dangers on the Internet, and that is why we have partnered with the Advertising Council and why for a long time we've had safety tips posted on the bottom of our (Web) pages," said Matthew Grossman, a spokesman for MySpace. "We are helping people to learn the basic rules of the road to help kids and their parents mitigate some of the risks."

The road has been bumpy for MySpace since July 2005, when it was purchased by Rupert Murdoch's News Corp. as part of a \$580-million deal for Intermedia Inc. The Web site, which now has more than 68 million members worldwide, suddenly fell under greater scrutiny as its membership and advertising budget grew. Instead of operating under the radar, MySpace became front-page news, particularly after pedophiles were caught on the site trying to arrange sexual encounters with under-age boys and girls.

Parents also complained about the posting of racy images and vulgar language on the site, leading many to pull their children's membership.

Schools in Orange, Monterey and Los Angeles counties have responded to parental concerns and have banned access to the site from school computers. Santa Monica-Malibu Unified School District has done the same.

"The school computers have a filtering system that blocks a number of Web sites, including MySpace, (video) gaming pages, (and) pages where purchases can be made," said Amy Fowler, the school district's liaison for the District Advisory Committee on Technology.

For those unfamiliar with the wildly popular MySpace, the site offers its members the ability to design detailed profiles online. These profiles feature photos, music, videos and daily diaries, where members express some of their most intimate thoughts. Users are able to easily communicate with friends for free and

reach across continents to make new acquaintances.

That has made MySpace and other sites like it some of the fastest growing on the Internet. MySpace is currently the second most viewed site on the Internet behind Yahoo.com, Grossman said.

The hiring of Nigam and the ad campaign are coincidental and are not in response to the negative publicity MySpace has received recently, Grossman said.

"A lot of those issues are endemic of the Internet and not particular to MySpace," Grossman said. "But we do recognize concerns, and that is why we have had security instituted since inception."

Security measures include limiting the use of the site to members who are at least 14 years old; providing special protection to members who are under 16 so their personal information can't be accessed by other users they don't know; requiring all members under age 18 to review safety tips prior to signing-up; deleting profiles of under-age members; reviewing every image posted to a profile; providing parents free filtering software; and limiting access to certain groups on the site that deal in adult content.

MySpace has deleted more than 250,000 under-age profiles and scans roughly 2 million images a day, Grossman said.

Ellen Seiter, Ph.D., a professor at University of Southern California specializing in children and the Internet, said MySpace's recent moves are "pretty much a publicity stunt, a public relations patch-up job." But she applauds any effort that increases security for youth on the Internet — particularly protection from online advertisers.

"This sexual predator issues is something of a red herring," Seiter said. "In terms of probability, it is more likely for your child to be molested by someone they know in real life ... than on the Internet, but we don't stop our children from playing sports or taking music lessons or going to church. Children need to be protected, but banning them from the Internet is not the option."

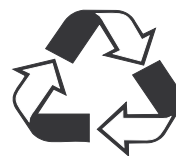
Seiter said parents need to be more involved in their children's lives and monitor their Internet use. By doing so, parents can protect their children from sexual predators, as well as from aggressive advertisers and those looking to steal intellectual property.

"Kids have been taught that the Internet is this wonderful medium that is free for all, but it really has become big business, and kids need to learn about this aspect as well as how to increase their access to education," Seiter said. "I'm sure most kids don't know that when they put up a picture or post a poem on MySpace that MySpace owns that. Children are giving up their rights to ownership without even knowing it. Now that's scary."

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Santa Monica Daily Press



Meter replacement cost \$1.8M

SANTA MONICARD, from page 1

someone has to do is insert it into a parking meter. Each insertion accounts for one quarter's worth of time. At some meters, one quarter is worth 15 minutes, while at others it's worth 30 minutes, city staff said.

The cards will work 24 hours a day, seven days a week. If someone accidentally inserts a card on a Sunday when parking at meters is free, a charge will automatically be debited from the card's account.

"It's just like if someone accidentally places a quarter in a meter on a Sunday," said Carlos Collard, a transportation management analyst within City Hall's planning and community development department.

City Hall spent \$1.8 million to replace the city's 6,600 parking meters with new ones that include a slot where the thin, plastic cards can be inserted, said Lucy Dyke, transportation planning manager for City Hall. The process took about a year and a half to complete.

Santa Monicards were first issued in limited numbers in March during a testing

phase, during which city staff learned that the meters will not display the full amount of the cards.

"The meters can only display up to \$99.99, so if you have more than \$100 on your card, the meter will not tell you that," Collard said. "That's just because of the size of the meter display."

City Hall sold 325 cards during the trial run for a total of \$28,000, Collard said. Six cards were reloaded with money, with the average reloading being \$50.

Collard expects those numbers to increase now that the program is in full swing. Advertising for the cards will begin shortly to increase awareness of the program.

"We're not ready yet to go forward with our marketing campaign because we are still gathering information about who is using the cards, where are they using them most and where could we possibly sell them in the future, such as convenience stores. That's been discussed," Collard said.

The cards are available at City Hall's parking office, 429 Santa Monica Blvd., room 350.

Governor backing ideas in report released by action team

GLOBAL WARMING, from page 1

said. "We know we cannot reach targets to reduce greenhouse gases unless we measure our progress. So let's work together to create a mandatory reporting system for our carbon emissions."

Schwarzenegger said he backed ideas in a report released last week by the administration's Climate Action Team, which listed ways to curb emissions from power plants, oil refineries and factories operating in California by 25 percent by 2020.

Schwarzenegger's appearance in San Francisco was the first of a weeklong series of events designed to highlight his stewardship of the environment — a salient issue among the Democratic and independent voters he needs to win back this year to get re-elected in November.

During Tuesday's speech, he about his administration's work to protect marine ecosystems, boost energy efficiency, promote solar power, conserve forests and develop hydrogen fuel technology.

"We are showing everyone that we believe nothing is more important than protecting the environment," he said. "We can lead the world both in the environment

and job creation."

Schwarzenegger broke ranks with the Bush administration on global warming last June, when he announced an ambitions plan to drastically reduce California's emissions of greenhouse gases over the next 50 years.

Last week, the Climate Action Team released its report detailing ways to meet those goals. Its recommendations include capping greenhouse emissions; using economic incentives such as pollution credits and offsets; requiring companies to report emissions; boosting energy efficiency goals; and funding a public education campaign.

On the same day, Assembly Speaker Fabian Nunez and Assemblywoman Fran Pavley, D-Agoura Hills, introduced legislation to cut emissions from commercial sources to 1990 levels by 2020, and give authority to the Air Resources Board to determine how to meet those goals.

"Democrats have led the fight for years on global warming, and we're pleased that the governor is joining us," Nunez, D-Los Angeles, said in a statement. "The gover-

See GLOBAL WARMING, page 8

COMMUNITY BRIEFS

BRIEFS, from page 3

growth and development in mental health and social work. Quest Diagnostics, the \$550 million medical diagnostic testing company, received Venice Family Clinic's Community Service Award for its business leadership and exhibition of extraordinary support of the clinic's programs through the donation of in-kind lab services.

The Venice Family Clinic's mission is to improve the health of people and communities through accessible, quality care. Founded in 1970 and located at 604 Rose Ave., it has grown from a small storefront operation into the largest free clinic in the nation.

Producer to speak at SMC

By Daily Press staff

Santa Monica College's Mary Pickford Speakers Series will present a talk by film and television producer Troy Westergaard at 7 p.m. Monday, April 24, at the SMC Academy of Entertainment & Technology's screening room, 1660 Stewart St.

Westergaard, whose credits include the award-winning TNT drama "Word of Honor," is vice president of movies and television for Fox Family Television Studios, where he greenlights projects for Fox Family TV.

Seating is on a first-arrival basis.

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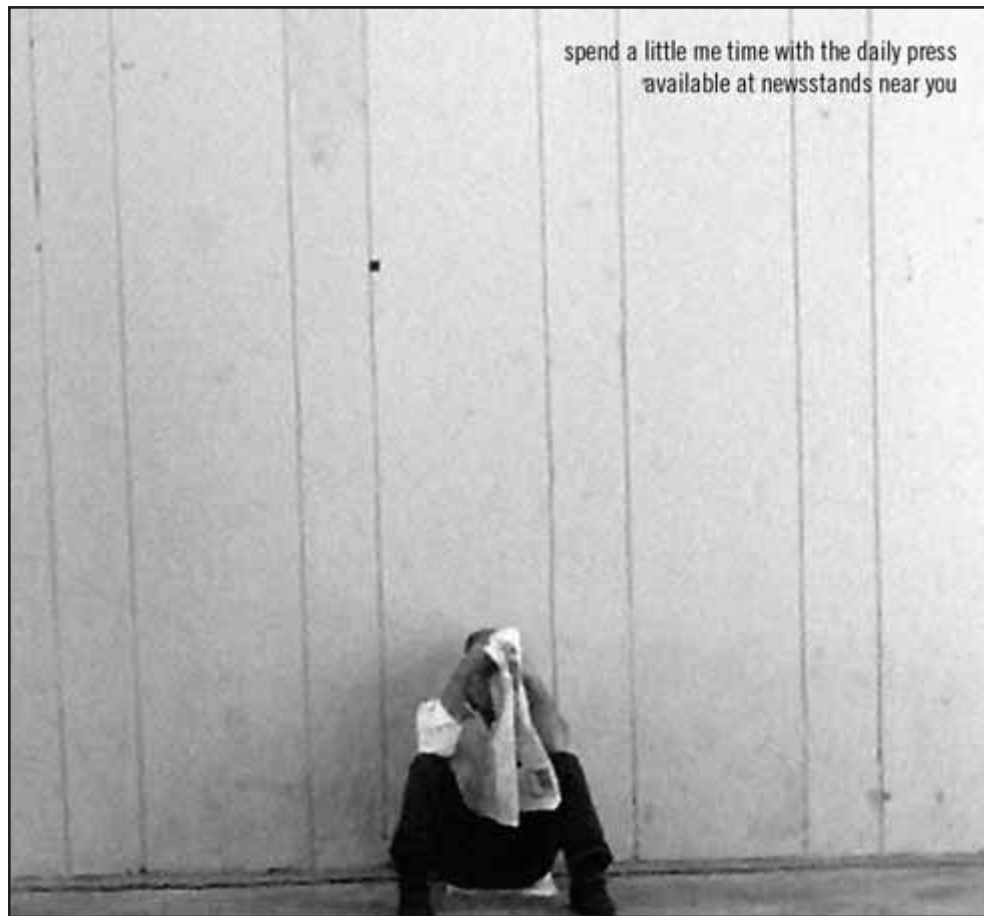
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HOLY WEEK AND EASTER SERVICES

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Community Good Friday Service April 14 at 12:00 noon <i>A One-Hour Service of Meditation on the Seven Last Words of Jesus of Nazareth</i>	<i>All services will include music by the Chancel Choir.</i>

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April 14

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A One-Hour Service of Meditation on the Seven Last Words of Jesus of Nazareth

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STATE

STATE BRIEFS

Pentagon expands Iraq simulation

By The Associated Press

FORT IRWIN, Calif. — Pentagon officials are expanding a U.S. Army site in the Mojave Desert that replicates desert conditions in Iraq. Officials will spend \$57 million over the next few years to build a full-scale simulated Iraqi village with 300 buildings at the Army's National Training Center at Fort Irwin, officials said. "It will be a sound investment to create an urban setting for potential combat with enemy forces," said Brig. Gen. Robert Cone, commander of the training center. The Defense Department already spends about \$230 million each year on the training center. Wartime scenarios are carried out by 1,600 role players — many coached by Hollywood acting pros — in 12 simulated villages. Soldiers training for deployment to Iraq face ambushes, car bombings, kidnappings, rioting and uprisings by stand-in insurgents. "It's a high-stress environment that provides graduate-level training for today's war fighters," Cone said.

Canyon imports weed-eating goats

By The Associated Press

LOS ANGELES — A canyon park in the San Pedro area is getting some new wildlife. A herd of 200 goats has been shipped in to munch away the overgrowth on the public land. The goats were transported from Oregon under an \$11,700 contract with the city's Department of Recreation and Parks to clear a 12-acre portion of Peck Park known as Hernandez Ranch, officials said. "We have weeds. Goats are hungry," Los Angeles City Councilwoman Janice Hahn said Monday as the animals were unloaded. This is the second year the grazing goats from Nanny & Billy's Vegetative Management have arrived to help clear the overgrowth. The deal with the city calls for the animals to remain until the weeds are completely nibbled away, which will take at least two weeks.

Former deputy sentenced to 150 days

By The Associated Press

VENTURA, Calif. — A former Ventura County deputy was sentenced to 150 days in jail and three years probation after being caught in a sting operation involving guns handed over to the Sheriff's Department for destruction. Edward Garcia Ponce, 35, pleaded guilty in February to embezzlement, stealing a firearm and possessing an illegal assault rifle. Superior Court Judge Bruce Clark sentenced Ponce on Monday after ruling that he doesn't have money to pay restitution or county probation fees. Ponce will serve his time in a work furlough program, under which he can be released from jail to go to work. But he must return to custody at the end of his shift, said his lawyer, Paul R. DePasquale. DePasquale told the judge that Ponce made "a foolish mistake." His client is now struggling to avoid foreclosure on his home and filing for bankruptcy, DePasquale said. In September, an undercover officer pretending to be a civilian turned over guns for destruction by the Sheriff's Department. While on duty, Ponce took four guns from the officer but only booked three into evidence, authorities said.

Democrats welcoming governor's support on global warming issues

GLOBAL WARMING, from page 7

nor can make a real commitment to reducing greenhouse gases by signing our bill." Schwarzenegger did not mention the Assembly bill, but said he looked forward to working with lawmakers on developing legislation to curb global warming pollution. Environmental groups praised Schwarzenegger and the Legislature for taking action on climate change. "This really puts California on a path to being a leader in dealing with the most important issue of our time," said Karen Douglas, who directs the California Climate Initiative at Environmental Defense, which is co-sponsoring the Nunez-Pavley bill. But industry groups said increased regulation could drive businesses — as well as greenhouse gas emissions — out of California, which already has some of the nation's highest electricity costs. "We are at risk of losing some manufacturing, but the biggest risk is we won't get any expansion of current manufactur-

ing," said Dorothy Rothrock, vice president of the California Manufacturers and Technology Association. "You're not solving the problem. You're just moving the greenhouse gases to another location." After his speech, Schwarzenegger participated in a panel where environmentalists, business leaders and government officials discussed ways to reduce global warming pollution. He told the panelists the state must find a way to curb emissions without damaging California's economy. "I think the trick is to find a happy medium — to make businesses successful here ... and at the same time take care of the environment," Schwarzenegger said. While some business leaders worried about the financial impact of capping greenhouse gas emissions, some entrepreneurs said it would create a market for clean, renewable energy. "It will create new jobs and businesses in California that will be exported around the world," said Bob Epstein, who heads the nonprofit Environmental Entrepreneurs.

STATE



Farmer sells all his raisins, defying Ag Department's rule

BY JULIANA BARBASSA
Associated Press Writer

KERMAN, Calif. — The fresh green shoots emerging from Marvin Horne's gnarled grapevines offer the promise of a new crop of raisins and, perhaps, the farmer's ruin. Horne plans to sell every morsel of the sun-dried fruit, bypassing a middle man and defying a decades-old rule requiring that he set aside some of his crop to avoid a glut in the market.

Since 2002, this act of disobedience has landed Horne before an administrative judge twice and he's scheduled for another hearing next month. He faces up to \$275,000 in fines and \$830,000 in restitution for fruit grown by him and other farmers that wasn't supposed to be sold.

But Horne is betting the farm, literally, that he'll prevail against the U.S. Department of Agriculture and other growers who claim Horne and the 60 farmers who rent his packing shed are cheating.

"Let's just say 98 percent of the industry growers are playing by the rules and setting our portion aside, trying to make a living, and the rest are stealing from us," said Jerald Rebensdorf, president of the Fresno Cooperative Raisin Growers.

Horne and farmers like him say they have to sell everything they produce to make a living, especially following lean years like those in the early part of this decade, when some farmers were forced out of business.

"You just can't survive giving part of your crop away," said Joyce Evans, who has been growing raisins near Caruthers for 40 years. "I wouldn't be able to make it if I had to sell to a packer and not get compensated for everything I grew. This is a make it or break it situation for us."

At the heart of the dispute is a law passed by Congress nearly 70 years ago that aimed to protect impoverished farmers by helping stabilize markets following the Great Depression.

For most other commodities, like prunes or milk, the only remnants of the Agricultural Marketing Agreement Act of 1937 are commodity groups that charge farmers an assessment to pay for research and promotions — the familiar "Got milk?" campaign, for example.

But the raisin marketing order, established under the 1937 law, has real teeth. The Raisin Administrative Committee can prop up the price of raisins by looking at the size of the crop and determining how much will be sold domestically, and how much will be stored or sold abroad at a lower price.

"It's like a cartel," said Dan Sumner, director of the University of California's Agricultural Issues Center. "It's

trying to be the OPEC of the raisin market."

But Rebensdorf said if farmers were allowed to sell everything they produced, the result would be raisin chaos. Price and availability would fluctuate wildly, making it hard for anyone trying to market the product, he said.

RAC officials did not return repeated calls for comment. The USDA attorney handling Horne's case, Frank Martin Jr., said he could not discuss an ongoing case.

"These regulations have helped stabilize supplies and prices, and strengthen marketing conditions," the USDA said in a statement. "The marketing order has helped the industry expand domestic markets over the years, and has promoted a dramatic expansion of raisin exports."

The rules say packers who buy the raisins only have to pay farmers up front for fruit headed to U.S. markets. Farmers are paid for foreign-bound raisins, and those going into storage, only after they're sold, often at a much lower price.

So in a high-yield year like 2000, when California farmers produced more than 400,000 tons of raisins, they only got paid up front for what the Raisin Administrative Committee decided the domestic market could bear — 53 percent of the crop.

To avoid being forced to set some of their crop aside, some growers started renting Horne's shed, putting their raisins through the washing and cleaning cycle that would ordinarily be done by a packer, then selling them on their own.

Horne was formally served with a complaint by the USDA in 2004. At his next hearing in May, about 50 farmers, packers and others with a stake in the raisin industry will be called as witnesses.

The USDA is seeking more than \$1 million from Horne, not only for his own fruit sold in defiance of the regulations, but for raisins grown by other farmers and packed in his shed. The agency claims he's not only a farmer, but a packer who has to follow the rules and set aside a percentage of each year's crop.

Horne has contended he doesn't have to take a percentage of the raisins from the farmers using his shed because he's not a packer and doesn't buy their crop. The outcome of his case will depend on whether Fresno Administrative Law Judge Victor Palmer agrees.

His land and the farmhouse where Horne lives with his wife Laura hang in the balance.

"Just because I want to sell the raisins I grow, and help other farmers, we could lose our farm and all of our assets," said Horne. "It's an outdated, antiquated law, and the consequences of it are bankruptcy."

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Various types of easements made easy



DAYS ON THE MARKET

BY JODI SUMMERS

We recently put a 30,000-square-foot industrial property in Inglewood into escrow — one of the disclosures on this sale was that the driveway, which is shared with a neighbor, is an easement-by-prescription. While the property was listed, it became obvious that the property buying public had a lot of questions and apprehensions about buying a property with an easement — so we thought it was a good time to enlighten everyone about easements.

WHAT IS AN EASEMENT?

An easement can be defined as “the legal right to use part of a real estate owner’s property.” Examples can include driveways, alleys, sidewalks, paths and even the yard of a neighbor’s property.

Virtually all properties have easements. Most easements are obtained by permission — many property owners have a utility easement on their property — above or below ground — for power lines, phone lines, TV cable, water pipes, sewer lines and gas lines. Utility easements are part of the joy of being a property-owning citizen. And government and big business have arranged it so these easements are usually obtained without payment to the property owner — your compensation is having the utility service on your property.

Hostile easements are obtained without permission of the property owner. Let’s say your neighbor drives over a section of your property to access his property — even though they are able to access the property through different means. You tell him time and again to stop driving over your land but he doesn’t listen. This happens for years without you taking any definitive action to stop your neighbor from accessing his property through yours. Eventually he will acquire a permanent prescriptive easement over your land,

according to state law. California only requires five years of open, notorious and continuous use to obtain a prescriptive or hostile easement. By comparison, in Texas it takes 30 years.

Recorded easements, such as the shared driveway of our 30,000-square-foot industrial property, can be found on the public records for the property.

An easement by necessity is what you need to reach a landlocked parcel. A lawsuit is usually required to obtain such an easement. Once the court approves an easement by necessity, it becomes an easement appurtenant. Head spinning? Ha! We’re just getting started. Read on for the details on easements.

THE BASIC TYPES OF EASEMENTS

Easements in gross: They affect most properties. Easements in gross are for the benefit of creating sidewalks and putting in utilities. Virtually every property is subject to an easement in gross. These easements should be recorded in the public records.

“Underground easements in gross are a different matter, especially for water and sewer lines. To avoid unexpected surprises, property buyers should always obtain an owner’s title insurance policy at the time of property purchase,” says noted real estate columnist Bob Bruss. “Then, if an undisclosed underground easement is later discovered, the title insurer is liable for the diminished value of the property or the cost of removal.”

Easements appurtenant: This easement benefits the adjoining property. A shared driveway or a landlocked parcel falls into this category. As property records will show, most easements appurtenant were created when an area was subdivided and recorded. Usually easements appurtenant have a “dominant tenement,” which benefits from the easement, and a “servient tenement,” the property owner who is bur-

dened by the easement. To be legitimate, the easement appurtenant needs to be recorded against the title of the servient tenement. It also is usually recorded as part of the dominant tenement’s title.

Prescriptive easement: These easements are non-permissive and the least friendly. It arises when someone uses part of your property without permission, even after you insist that it stop. Think of the farmer with a shot gun — “Git off of my land you trespasser!”

The legal requirements to create a prescriptive easement are (a) open, (b) notorious, (c) hostile and (d) continuous use of part of another’s property without permission for the required number of years in the state where the property is located.

The official documentation for a prescriptive easement for a driveway may use language like the following, “the right to use, travel over, upon and along, and enjoy as and for a private roadway only, for all time ...”

A recorded easement typically “runs with the land” meaning that all future owners of the property are subject to the easement. Payment of property taxes is not required to obtain a prescriptive easement. And prescriptive easements are not necessarily exclusive.

After the legal requirements are met, the way to make a permanent prescriptive easement is for the easement claimant to bring a quiet title lawsuit in court against the property owner. A local real estate attorney is obviously needed to help prove the required elements. Consult a real estate attorney for more details.

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

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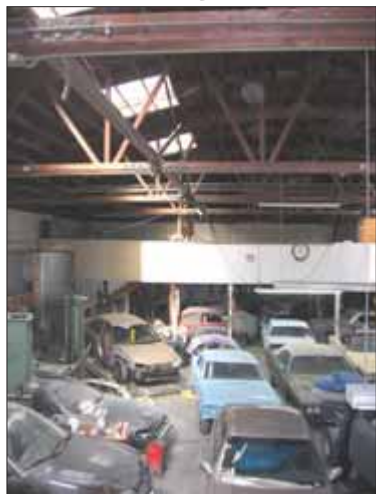
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Consider your building-to-suit options



IN YOUR SPACE
BY CHRISTINA S. PORTER

A build-to-suit exchange, also known as an "improvement" or "construction" exchange, is a way in which the IRS allows an investor to use the proceeds from their relinquished property to build a property that fits their specific needs (build to suit), or to upgrade the improvements of an existing property prior to taking title. The proceeds from the sale of the relinquished property are held by a qualified intermediary who then uses those pre-tax dollars to purchase the property to be upgraded or the land upon which the replacement property is to be built. Any remaining funds will be used to build the new one or improve the existing structure. The investor may add funds or debt financ-

ing if necessary.

It should be understood that although the format of obtaining the replacement property may be different, the basic rules of a 1031 exchange tax deferral must be met. That is to say that both the relinquished and replacement properties must be of "like kind" and the value of the replacement property must be of "equal or greater value" as the relinquished property at the time the exchanger takes possession of the replacement property.

The investor must submit detailed plans, including but not limited to any construction documents when identifying the property within the usual 45-day identification period. In order to qualify for the tax deferral, the completed structure must match the identified structure very closely and be completed within the standard 180-day period allowed by the IRS to close on a replacement property. Even with the best laid plans and particularly in a build-to-suit real estate project, the actual building of the replacement property

can and most likely will take longer than expected. If the project is not completed within the time frame allowed, an investor may defer the amount of capital gains tax obligation on a prorated basis. In other words, if only 75 percent of the project is complete at the end of the 180-day period, then the investor will only be able to defer 75 percent of its capital gains tax obligation. That is known as a "partial exchange."

The rule can be very effectively applied when the build-to-suit project will be much greater in value than the relinquished property. The rule permits an investor to plan for at least a portion of the property to be completed by the end of the specified time frame, meaning that even though the entire project may not be completed within the required time frame, the "pro rata" share of the project that is complete at the end of the 180 days can satisfy the "of equal or greater value" requirement of a tax deferred exchange.

There have been some rulings by the IRS that allow an investor to use the build-

to-suit exchange on a piece of land it already owns. This is an aggressive approach and must be looked at carefully by tax and legal advisors. Make sure to weigh both the possible benefits of this type of exchange and the impact the 1031 exchange being disallowed by the IRS.

As with all investments it is crucial that investors consult with their tax and legal advisors prior to making any commitments.



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

Homeowners in association: Collecting from dead-beat neighbors



THE HOA ADVISOR
BY MICHAEL CHULAK

QUESTION: The management company for our homeowners' association recently hired a lien service to collect delinquent assessments from a member of our association. The lien company sent the debtor a written notice stating that he had 30 days to dispute the debt and that a lien would be recorded if the debt was not paid within 10 days. The debtor did not pay within the 10 days and the lien service has recently started a foreclosure. The debtor claims that our lien service has violated the law and demands that we stop all collection action. The lien service is owned and

operated by an attorney. Who is correct?

ANSWER: The debtor is correct. The federal Fair Debt Collections Practices Act requires that a debt collector provide the debtor with a 30-day notice before taking any collection action. Your association should immediately consult with another attorney that specializes in collection law. Your association may be liable for substantial damages. However, it appears that your association may have an excellent malpractice claim against the lien service.

QUESTION: Is it necessary for our homeowners' association to be audited yearly?

ANSWER: No. However, a review of the financial statement of the association must be prepared by a licensee of the California State Board of Accountancy for any fiscal year in which the gross income to the association exceeds \$75,000. Many

associations prefer an audit to a review because the examination by the accountant is more complete and the cost is not much more.

Please note that a copy of the review (or audit) of the financial statement must be distributed to each member of the association within 120 days after the close of each fiscal year.

QUESTION: Our homeowner association board cannot complete and distribute the annual budget on time. What do you suggest we do?

ANSWER: Distribute it on time in the most accurate form possible with a note to the members indicating that it will be revised at a later date. Be certain to include any anticipated increase in assessments up to 20 percent. You can always reduce the assessments later.

QUESTION: Is a homeowners' association required to make disclosures concerning the condition of the common area to prospective buyers of homes?

ANSWER: No. An association's disclosure obligation is to existing owners, not prospective owners. Owners who intend to sell are required to make such disclosures to prospective buyers.

If an association makes a disclosure to a prospective buyer and it is inaccurate, the association could be held liable.

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

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Labor union, guest worker company reach pact

BY SHANNON DININNY

Associated Press Writer

YAKIMA, Wash. — The United Farm Workers of America and one of the nation's largest labor recruiters have reached an unprecedented labor agreement to improve wages, benefits and working conditions for guest workers brought to the United States for farm work.

The agreement follows months of heated UFW criticism of the company, Los Angeles-based Global Horizons, over working conditions and wages for guest workers. Global Horizons is one of the nation's largest labor recruiters, bringing foreign workers to the United States under the federal H-2A guest-worker program.

The program allows a labor contractor to bring in foreign workers if it can prove workers can't be found locally.

"This is the first national agreement that we're aware of that's ever dealt with H-2A workers or guest workers in this country," Arturo Rodriguez, UFW president, said Tuesday in a telephone interview from Seattle, where the union and Global Horizons formally announced the pact.

"To be able to have the opportunity to provide these workers representation,

we're just very excited about that," Rodriguez said.

Under the agreement, workers will receive a 2 percent pay raise over the federally mandated Adverse Effect Wage Rate, the minimum wage rates employers must pay under the H2-A program. The rates are established by states and are generally higher than the state and federal minimum wage. In Washington state, that rate is \$9.01 per hour.

Employers will be required to pay for medical care while the workers are in the United States and provide work breaks. Workers also will receive paid bereavement leave when a family member dies and paid round-trip transportation to their country of origin.

At any one time, Global Horizons has between 3,000 and 4,000 farm workers in up to 28 states, said Mordechai Orian, president of Global Horizons. That number is expected to increase as more farmers face a growing worker shortage.

The union will represent all of those workers.

"There's a lot of protections created here to protect local labor, as well as labor coming from overseas," Orian said in a telephone interview. "And it's a step to ensure we keep the farm industry in the United States."

His company has faced heated criticism in recent years from both labor groups and state officials in central Washington's Yakima Valley, an agricultural hub known for its apples, cherries, wine grapes and other crops and an area where growers have complained about a labor shortage in recent years.

Global Horizons has brought more than 100 temporary agricultural workers from Thailand to the valley each of the past two summers under the guest-worker program. However, the state Department of Labor and Industries and Employment Security Department repeatedly accused the company of violating state wage and labor laws.

The state revoked the company's operating license in December, but the company has appealed.

The new agreement does not affect Global Horizons' status. The company's license remains revoked, said Steve Pierce, spokesman for the Labor and Industries Department.

Hearings for the appeal are scheduled to begin in September, he said, making it unlikely the company will be able to bring guest workers to Washington state this summer.

In addition, three Yakima Valley farm

workers have sued the company and two local growers in federal court, alleging they illegally displaced them with workers from Thailand.

Global Horizons already has received orders for 3,000 workers in Washington state this summer alone, Orian said. Company officials will be negotiating with Gov. Chris Gregoire to reinstate the company's license in time for summer, he said.

"All the farmers are just in desperate need. Everybody's in panic mode. There's just no labor," Orian said. "They're waiting for us to get back our license."

Erik Nicholson, Pacific Northwest regional director for the UFW, said the union would assist Global Horizons in that effort.

"Ultimately, what this is about is looking at the best interests of both agricultural employers and workers," he said. "So, while we spent 2 1/2 years fighting, we're now looking to build the agricultural economy in this region and around the country."

The agreement comes as immigration rights supporters continue to rally in support of federal immigration legislation that includes provisions for guest workers. Congress remains in a stalemate over the proposed immigration legislation.

More Idaho districts look to four-day school week

BY ANNE WALLACE ALLEN

Associated Press Writer

BOISE, Idaho — Several rural Idaho school districts are looking at compressing the school week from five days to four to save money.

The change is growing more common in Idaho and isn't unusual in other Western states.

"There's been an increased interest" in moving to a four-day week, said Mike Friend, executive director of the Idaho School Superintendents' Association. The Challis and Orofino districts went to a four-day week three years ago, and Boundary County and Bear Lake switched last year. A few more, such as Salmon and Soda Springs, have voted to start a four-day week in September, and others are considering that move.

"I think you're going to see more of it, I really do," said Friend. "People are looking for the cost savings."

It was that search for cost savings that led Challis — with just 470 students in grades kindergarten through 12 — to end the academic week on Thursday instead of Friday. State law requires students be in school a certain number of hours per year. Challis, like other districts with four-day weeks, meets that requirement by holding classes longer from Monday

through Thursday.

As it turns out, Challis probably isn't saving much money, said Superintendent Bruce Bradberry.

"There are so many variables," such as heating costs, Bradberry said. "It's hard to get a sense of whether or not there are savings."

But the district has kept the program in place because people seem to like it, he said — and he thinks it helps attract teachers.

Don Bartling, superintendent in Boundary County, said his district expects to save \$108,000 this year on heating, transportation, and salaries for custodians and other staff. The district went to a four-day week in September.

"We were trying to be as cost-effective as we could for our taxpayers," said Bartling.

Bear Lake County school district will save about \$200,000 this year, said superintendent Cliff Walters.

"We basically cut custodial staff salaries by 20 percent; we cut some other classified employees," said Walters, who said the district is waiting to see how the students do on standardized tests this spring before deciding whether to continue with the four-day week next year.

The shortened week isn't unusual in some other western states. About 50 of Colorado's 178 school districts run on it,

said Steven Marantino, superintendent of Custer County schools in Westcliffe, Colo., which has been on the schedule for 25 years.

Marantino often gets calls from school district officials in other states curious to know how the schedule works. He tells them it suits rural districts.

"There is some savings, but it's not huge," said Marantino. "We still heat the buildings, we still light the buildings, we still have buses that run on Fridays for sports. We don't run our kitchens on Friday."

Many parents worry the longer school days of the four-day week are tiring for children. Bradberry said they aren't.

"Kids are a lot more flexible than we give them credit for," he said. "Teachers at the elementary level certainly had to change their pacing and the way they do some things, but generally it hasn't been seen as a handicap."

But Sen. Gary Schroeder, R-Moscow, who often uses the four-day weeks as evidence in his arguments that Idaho doesn't spend enough money on education, said the schedule is probably bad for the kids.

"What is the attention span of especially the younger kids, if you keep them there for a long period of time?" Schroeder said. "What's the longer effect of the test scores? It's not best for the children."

There hasn't been any measurable effect on test scores, said superintendents.

"The schools that I've talked to that have gone to the four-day week, none of them have said it affected their academic achievement," said Marvin Hansen, superintendent at Marsh Valley school district, which was due to vote this week on going to a four-day week next year. Many districts use Friday for all their sports and extracurricular activities, and Hansen said that helps keep student athletes in class from Monday through Thursday, instead of traveling to games.

"Some believe their academic achievement has been increased," Hansen said.

The schedule also forces some parents to scramble for child care on Friday.

"It might not work as well as you get closer to a traditional work week area, an urban area," said Bradberry, who is due to speak to education officials in Victor, Mont., next month about his experience with the schedule in Challis. "Here it's an agricultural and mining area, and a lot of people are on flexible schedules anyway."

Friend's organization takes no position on the matter. But Friend said it's not clear the savings justify the impact of the schedule change on the community and children.

"We're about student achievement," Friend said. "If this doesn't enhance it, why would we do it?"



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Mother wants truth in son's death

BY JAYMES SONG
Associated Press Writer

HONOLULU — All Friederike Boszko could do was watch and pray as her son lay unconscious in a hospital bed, kept alive by machines and a team of physicians.

A flesh-eating bacterial infection that she blames on a massive city sewage discharge had ravaged Oliver Johnson's body, shutting down his internal organs, forcing the amputation of his left leg and causing him to swell to more than double his normal size.

"I couldn't even hold his hand," Boszko said Monday, a few hours before her son's memorial service.

Johnson, 34, was taken off life support and died late Thursday, six days after plunging into sewage-contaminated waters at a Waikiki boat harbor.

An autopsy revealed Johnson died of "multi-system organ failure" due to septic shock and *Vibrio vulnificus*, a bacteria that lives in warm salt water and can infect a body through an open wound or by eating contaminated seafood.

In graphic detail, his family tearfully described Johnson's "horrific" condition in his final hours and the painful decision to take him off life support.

"I knew when I first saw him that that was the end. That was the absolute end," Boszko said. "But there's a huge difference in thinking it and coming out with the words, 'I want him taken off life support.'"

Boszko, a high school math teacher from Boca Raton, Fla., said her son's face had swollen beyond recognition. He had a very slim chance of gaining consciousness and surviving. And if he did, Johnson would need machines and constant medical attention.

"His body was leaking everywhere. His eyes looked like he was crying all the time. But he wasn't crying," she said.

Johnson also suffered from liver disease caused by alcohol, which contributed to his death, according to the city medical examiner's office.

But Boszko said she believes the death is directly linked to the water at the Ala Wai Harbor, which was polluted by the city's diversion of nearly 50 million gallons of raw sewage last month.

The untreated waters were pumped into the Ala Wai Canal after an aging disposal line broke March 24 during heavy rains. The massive sewage spill led to the posting of warning signs along Waikiki's world-famous beaches.

The family has hired Honolulu attorney James Leavitt Jr. to help investigate the death, including how Johnson wound up in the water at the harbor, where warning signs remained posted Monday.

"I want to find out the true sequence of events, which I still don't really know," Boszko said. "I want to find out who is responsible. I want to know the truth."

Boszko was joined in Honolulu at a news conference at their attorney's office by two other sons, Leonard Johnson, of Lawrenceville, Ga., and John Johnson, of Grapevine, Texas.

Honolulu police were investigating a possible fight or physical altercation involving Johnson before he went into the water March 31. It was unknown if he was pushed or fell.

"What killed my brother was the bacteria that were found in the waters right there in that harbor," Leonard Johnson said. "Regardless of what is said and done, ultimately, that's the thing that did it. Period."

Despite being the worst sight of his life, Leonard Johnson said he was glad he was able to see his younger brother before he died.

"I thank God every day I got to see him," he said. "I got to say goodbye."

Oliver Johnson, a mortgage broker, grew up in Boca Raton, and moved to Hawaii six years ago with his girlfriend who attended the University of Hawaii. She eventually moved back to the mainland, but he stayed because of his love of water sports and the culture.

"He loved the Hawaiian lifestyle," his mother said.

The family said they hope widespread news of the death will shed light on the potential dangers of the waters in Waikiki.

"I think because of Oliver, people are aware what is out there in the sewage-tainted water," Boszko said. "I don't think anybody knew you could go in the water with a cut and you can be eaten up by a flesh-eating bacteria and die."

U.S. Fish and Wildlife Service to review the status of 70 Pacific Region species

BY NICHOLAS K. GERANIOS
Associated Press Writer

SPOKANE, Wash. — The U.S. Fish and Wildlife Service will review the status of 70 animals and plants to determine if they still need protection under the federal Endangered Species Act, the agency said Tuesday.

The majority of the species are found in Hawaii, with some in Oregon, Idaho, Washington and Guam. The best known is the woodland caribou, found in a small area along the Washington-Idaho border.

The review is routine and conducted every five years. All interested parties can submit comments until June 11.

Joan Jewett, a spokeswoman for the agency, said the review will determine if the status of any plant or animal listed as threatened or endangered should be changed. That would trigger a lengthy process before any change occurred, she said.

"It's pretty time consuming," Jewett said Tuesday.

The species to be reviewed include four fish, three snails, six birds, 56 plants and one mammal.

Last year, the Pacific Region of the FWS started reviews of 33 species in Oregon, Washington, Idaho and

Hawaii. Those reviews are still ongoing.

A species could be recommended for reclassification from endangered to threatened (downlisting), from threatened to endangered (uplisting), or for removal from the federal list. If no change is recommended, the species would remain under its current listing status.

Information that is considered in a status review includes: population trends, distribution, genetics, habitat conditions, and threats.

Animals to be studied include:

- Sucker, Oregon, listed as threatened in 1985.
- Chub, Hutton tui Gila, Oregon, listed as threatened in 1985.
- Chub, Borax Lake Gila, Oregon, listed as endangered in 1982.
- Dace, Oregon, listed as threatened in 1985.
- Snail, Utah valvata, Idaho and Utah, listed as endangered in 1992.
- Spring snail, Idaho, listed as endangered in 1998.
- Limpet, Idaho, listed as endangered in 1992.
- Caribou, Idaho and Washington, listed as endangered in 1984.

All of the rest of the species to be studied are plants.

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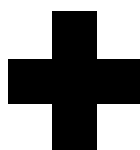
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Washington quarter voting hijacked by computer mischief

BY CURT WOODWARD
Associated Press Writer

OLYMPIA, Wash. — Talk about your two-bit schemes.

Robotic computer programs stuffed the online ballot boxes in a contest for Washington’s official state quarter design over the weekend, forcing technicians to suspend voting Monday while they retooled the Web-based poll.

State officials overseeing the balloting realized something was fishy when the poll, launched last Thursday, swelled to more than 1 million votes during the weekend.

The State Quarter Advisory Commission initially allowed an unlimited number of votes from a single Internet address so family members sharing a computer could each register their favorite, spokesman Mark Gerth said.

But that philosophy was abandoned after the weekend’s voting, which showed some computers casting repeated choices for a quarter design faster than humanly possible.

“You could sit there and watch 200 votes appear over the course of a couple of minutes, obviously going a little too fast,” Gerth said.

Stefan Sharkansky, a computer software consultant and conservative blogger, noted the online poll’s susceptibility to such automatic voting scripts on Sunday after getting tips from readers.

“Clearly, the votes were going up by 20 a second, which is not a plausible number,” Sharkansky said Monday.

“We hadn’t counted on, I guess, the over-enthusiasm of people,” Gerth said.

The three quarter designs featured on the Web site are finalists to grace the back of Washington’s official quarter, expected to be released by the U.S. Mint in March 2007.

The choices are:

- A leaping salmon breaching the water in front of a conifer-trimmed Mount Rainier.
- An American Indian-style drawing of a playful killer whale, spouting water and raising its tail flukes.
- A salmon, apples and Mount Rainier within an outline of the state.

The two designs featuring salmon also incorporate “The Evergreen State” as a motto. The advisory commission, headed by honorary chairman and first gentleman Mike Gregoire, plans to consider the public polling when it chooses its favorite design.

That recommendation will be forwarded to Gov. Chris Gregoire, who has the final say.

The orca design was winning in the altered voting before officials pulled the plug, and technical workers were looking for ways to purge the clearly invalid votes from the totals before restarting the poll.

Romano Prodi’s center-left coalition wins Italian election

BY MARIA SANMINIATELLI
Associated Press Writer

ROME — Challenger Romano Prodi’s center-left coalition won the Italian parliamentary election, official results showed Tuesday, but Conservative Prime Minister Silvio Berlusconi refused to concede defeat.

The Interior Ministry assigned Prodi’s coalition four Senate seats chosen by Italians voting abroad, giving him the margin he needs to win both houses of Italy’s parliament. But shortly afterward, Berlusconi said: “Nobody now can say they have won.”

Final returns had already given Prodi’s coalition an unwieldy alliance ranging from Catholics to communists.

The ministry stressed the results must still be confirmed by Italy’s highest court, and that parliament’s election committees would have to rule on any challenges.

Prodi told a news conference that his government would be “politically and technically” strong, rebutting concerns about his slim margin of victory and concerns that it would be too weak to enact necessary reforms to bring Italy out of its economic slump.

The former European Commission president also said his government would put Europe at the center of its policies.

“This is a profoundly European result, and as I said, Europe will be the center of the policy of my government,” Prodi said, also promising “constructive relations with the United States.”

Prodi was strongly opposed to the U.S.-led war in Iraq, while Berlusconi supported Washington and sent 3,000 troops after the ouster of Saddam Hussein.

Italians were mainly preoccupied with finances when they cast their ballots Sunday and Monday.

Berlusconi, 69, a billionaire whose business empire includes TV networks, failed to revitalize a flat economy but promised to abolish a homeowner’s property tax. Prodi, 66, said he would revive an inheritance tax abolished by Berlusconi, but only for the richest; he also promised to cut payroll taxes.

Late Tuesday, Berlusconi said the overseas vote that decided the final Senate seats was far from decided, saying there were “many irregularities and it’s possible that we won’t be able to confirm that it has been a valid vote.”

“We won’t hesitate to recognize the political victory for our adversaries, but only once the necessary legal verification procedures have been completed,” he said.

Berlusconi’s camp had already called for a recount in the Chamber of Deputies, which Prodi’s forces won with a 25,000 margin among the 38 million votes cast.

Prodi said he was not concerned about the recount call, although he conceded that his margin was thin.

He rebutted the idea that the country was “split in half,” saying previous governments have been weaker and declared his coalition was “politically and technically strong.”

He said he wouldn’t install a new government until parliament names a new president in early May. In Italy,

the president gives the winner the mandate to form a new government. President Carlo Azeglio Ciampi’s term expires next month.

Prodi said his government would be for all Italians, “even those who didn’t vote for us.”

“Today we turn a page,” he said. “We leave behind the sourness of a long and difficult electoral campaign. We need to start immediately to repair the tears that were produced in the country.”

“Today we turn a page. We leave behind the sourness of a long and difficult electoral campaign.”

ROMANO PRODI
Former European Commission president

Earlier, he told reporters his coalition could govern for a full five-year term.

Final returns Tuesday for the lower Chamber of Deputies showed Prodi winning by one-tenth of a percentage point: 49.8 to 49.7 percent. Under Italian electoral law, 55 percent of seats are awarded to the overall winner, regardless of the scale of victory, giving Prodi’s forces at least 340 seats in the 630-member lower house.

Sandro Bondi, coordinator for Berlusconi’s Forza Italia party, contested 43,000 of the votes cast. He did not elaborate.

“Let’s wait for the final, definitive results,” Bondi said.

In the Senate, the Interior Ministry assigned Prodi’s coalition four of six seats chosen by Italians voting abroad. The tally gave Prodi a total of 158 seats to 156 for Berlusconi, leaving Prodi the minimum necessary to claim majority the house. The ministry assigned the seats on its Web site, even though full returns from overseas polling stations weren’t fully tabulated.

“There are conditions to create a government and to govern, even if the country is divided in two,” center-left leader Piero Fassino said on a radio program Tuesday.

Prodi claimed victory well before the Senate figures were in, saying early Tuesday: “Until the very end we were left in suspense, but in the end victory has arrived.”

“We have won, and now we have to start working to implement our program and unify the country,” he told supporters.

For hours after polls closed Monday afternoon, projections and returns swung dramatically back and forth between the two coalitions, and without the vote from Italians living abroad, the election’s outcome remained unclear. Voter turnout was about 84 percent.

“These results mean the country is divided in two. There needs to be a provisional government for a few months, then new elections,” Marco Piva, a 49-year-old banker from Padua, said on his way to work. “This is the worst result that we could have had.”



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PEOPLE IN THE NEWS

Charity of Scorsese, Bon Jovi honored

By The Associated Press

NEW YORK — Martin Scorsese and Jon Bon Jovi will be honored by Help USA, a national nonprofit organization, at its annual tribute dinner, to be held May 4 at Gotham Hall.

“Jon Bon Jovi and Martin Scorsese are two public figures who view their success as a platform to give back and do so in ways consistent with Help USA’s 20 years of job and housing assistance and mentoring,” Maria Cuomo-Cole, co-chair of the dinner, said Tuesday in a statement.

Help USA was formed by former federal Housing Secretary Andrew Cuomo to aid the homeless and victims of domestic abuse.

Scorsese, 63, is in post-production for “The Departed.” The film, set for release in November, stars Leonardo DiCaprio, Matt Damon and Jack Nicholson.

Bon Jovi, the 44-year-old singer, is on tour with his band, Bon Jovi. Their latest album, “Have a Nice Day,” was released in September.

Help USA will hold an online auction on the eBay Web site from mid-April through May 7, with items including donations from celebrities.

LONDON — Madonna and Guy Ritchie have retreated to Los Angeles where they are patching things up after a bumpy period in their marriage, her father-in-law says in a magazine interview released Tuesday.

“L.A. seems to have helped them. It’s easier out there because there is less pressure. They seem to have left the bumps they were having over here behind them,” John Ritchie was quoted as saying in an interview with Closer magazine.

Reports of a rift in the marriage circulated recently, especially after the 47-year-old pop star didn’t thank her film director-husband after winning a Brit Award in February.

“You can never know that things will work, but they do seem to be fitting into each other more,” John Ritchie was quoted as saying.

“They have put everything behind them and have gone to L.A. to enjoy themselves. They’re able to go home at night and be together. They

both want to see the children. They are going to have a good time out there and be a family.”

Ritchie, 37, and Madonna have a son, Rocco, 5, and the singer also has a daughter, Lourdes, 9. The couple were married Dec. 22, 2000.

“It’s the children that will keep them together. The children are everything to them,” John Ritchie told the magazine.

LOS ANGELES — Jennifer Lopez is suing ex-husband Ojani Noa, claiming he demanded \$5 million to keep him from publishing a book containing private details about the star and their relationship.

In the lawsuit filed Monday in Los Angeles Superior Court, Lopez alleged that Noa violated a confidentiality agreement by distributing the manuscript of his book to publishers, the syndicated television show “The Insider” reported. She is seeking a restraining order to keep the manuscript from becoming public.

A description of the manuscript appeared Jan. 11 in the New York Post. Lopez’s lawyers contacted Noa’s attorney, and Noa replied in a letter that he would continue to shop his book, the lawsuit said.

In another letter, Noa said “that he would not agree to refrain from marketing his book unless (Lopez) paid him the sum of \$5 million,” according to the lawsuit.

Noa’s attorney, David DeRubertis, did not immediately respond to a call and e-mail message after business hours.

The confidentiality agreement stemmed from a settlement in October, when Noa dropped his lawsuit claiming Lopez fired him as manager of her Pasadena restaurant without cause. Noa agreed not to disparage Lopez or make money off disclosure of details of their relationship, the lawsuit said.

Lopez met Noa while he worked as a waiter at a Miami restaurant. The two married in 1997 and divorced a year later. Her second marriage was to choreographer Cris Judd in 2001. In 2004, she tied the knot with singer Marc Anthony.

PROVIDENCE, R.I. — Jailed “Survivor” winner Richard Hatch is being held in protective custody apart from other inmates until his sentencing this month on tax evasion charges.

Hatch, who won \$1 million in the debut season of the CBS reality series, was found guilty in January of failing to pay taxes on his winnings and other income. He was taken into custody immediately because U.S. District Court Judge Ernest Torres said he posed a flight risk.

Hatch, 45, asked to be put in protective custody shortly after he was detained, his attorney, Michael Minns, said Monday. Hatch is being held at a jail in Plymouth, Mass., until his sentencing April 25.

Charles Wyant, a supervisory deputy U.S. marshal, said Hatch was placed in protective custody because he’s a celebrity. Any prisoner can make such a request.

“The situation he’s in is the best possible position for him to be in at this point in time, the safest and most secure,” Wyant said.

As a matter of policy, all prisoners spend their first three days at the jail in solitary confinement with one hour a day of recreation, Wyant said. After that, they are usually moved into the general population, but Hatch is being held separately, he said.

The charges carry a maximum of 13 years in prison. Torres said he expected a sentence of between two years, nine months and three years, five months, but it could be longer because prosecutors accuse Hatch of lying during his testimony.

CHAPEL HILL, N.C. — Lewis Black believes comedy isn’t taken more seriously in the academic world because of clowns.

For one thing, he says, clowns give children nightmares.

Black, a graduate of the University of North Carolina at Chapel Hill, made his reputation as an angry comic with a dirty mouth. The 57-year-old comedian has gained national prominence through his “Back in Black” segments on Comedy Central’s “The Daily Show,” hosted by Jon Stewart.

MOVIEGUIDE

SHOWTIMES FOR WEDNESDAY, APRIL 12, 2006

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

ATL (PG-13)
1:50 4:30 7:20 10:00
Basic Instinct 2 (R)
1:30 4:05 7:00 9:45
Hills Have Eyes The (R)
10:15
Phat Girlz (PG-13)
2:30 5:25 8:00 10:30
She's the Man (PG-13)
2:10 5:00 7:40

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

Ice Age: The Meltdown (PG)
11:30am 12:00 1:40 2:30 4:00 4:50
6:30 7:20 9:00 9:40
Lucky Number Slevin (R)
11:50am 2:50 5:00 7:40 10:30
Slither (R)
12:20 2:50 5:20 7:50 10:10
Take the Lead (PG-13)
1:10 4:10 7:10 10:00
V for Vendetta (R)
1:20 4:20 7:30 10:20

AMC7 Santa Monica
1310 3rd Street
(310) 289-4262

16 Blocks (PG-13)
10:15
Benchwarmers The (PG-13)
12:00 12:50 2:10 3:10 4:30 5:30 7:00
8:00 9:20 10:30
Failure to Launch (PG-13)
12:10 2:30 5:00 7:20 10:00
Inside Man (R)
12:30 1:50 3:20 4:40 6:40 7:40 9:50
10:40
Shaggy Dog The (PG)
12:40 3:00 5:20 7:50
Stay Alive (PG-13)
12:20 2:40 4:50 7:10 9:10

Nuwilshire Theatre
1314 Wilshire Blvd
(310) 281-8228

Thank You for Smoking (R)
11:45am 2:15 4:45 7:15 9:50
Tsotsi (R)
1:30 4:00 7:30 9:55

Laemmle 4-Plex Theatre
1332 2nd Street
(310) 394-9741

Devil and Daniel Johnston The (PG-13)
9:30
Friends with Money (R)
12:45 3:00 5:20 7:40 10:00
Kinky Boots (PG-13)
7:00
L'Enfant (The Child) (R)
1:40 4:20 7:00
Marilyn Hotchkiss' Ballroom Dancing & Charm School (PG-13)
1:20 4:10 7:10 9:45
Maxx (NR)
1:55 4:30 7:20 9:50

Information: calendar@smdp.com

The advertisement features a blue background with a subtle pattern of ice cubes. In the top left corner is the Liquid Ice logo, a yellow diamond with a blue outline and a white drop shape inside. Below the logo, the text "LIQUID ICE ENERGY DRINK" is written in a bold, yellow, sans-serif font. In the center, the phrase "This Is No 'Bull'" is written in a large, red, italicized, sans-serif font. At the bottom left, the text "If you're gonna play the game you're gonna need the energy" is written in a yellow, sans-serif font. On the right side, there is a can of Liquid Ice Energy Drink, tilted diagonally. The can is blue with yellow and white text, including "LIQUID ICE ENERGY DRINK" and "HIGH PERFORMANCE DRINK".

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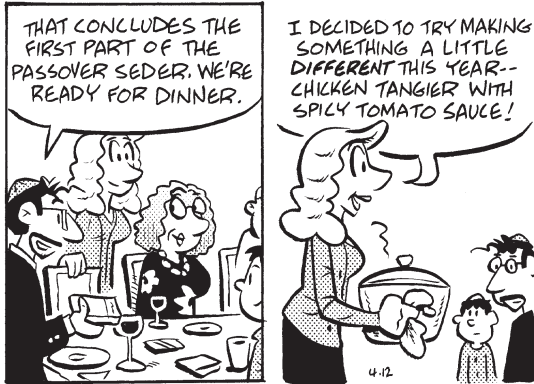
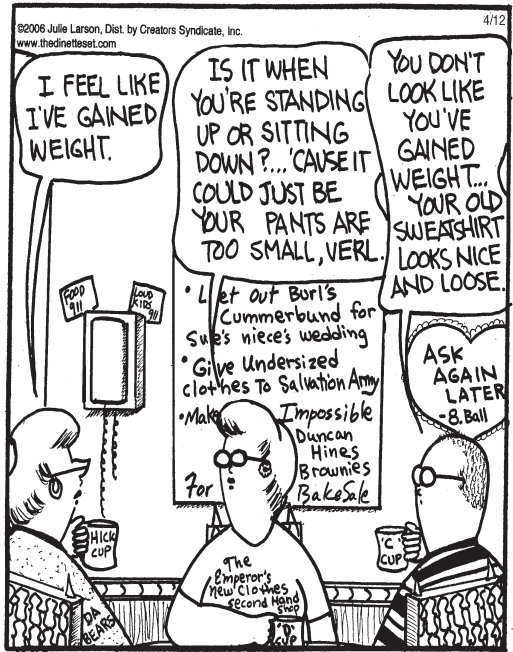
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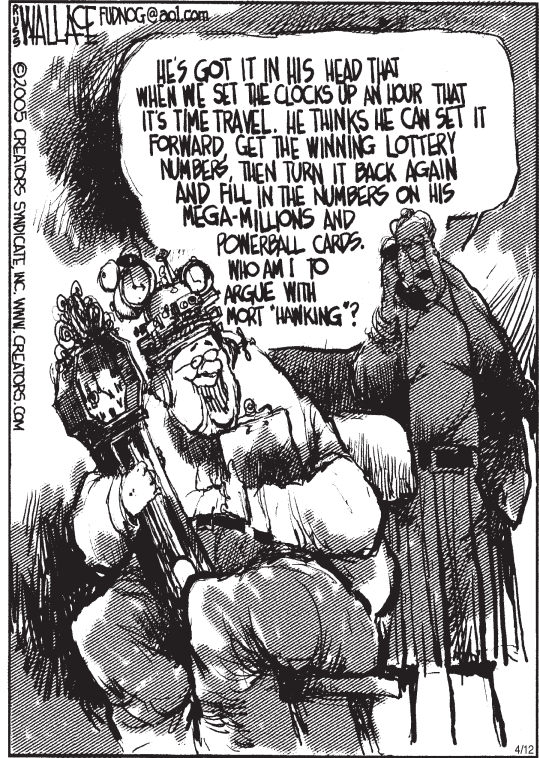
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ACROSS 42 Rapper Elliott

1 Shovel's kin

6 Con

10 Wife of Menelaus

11 Thomas of "That Girl"

12 Second president

13 Once more

14 Edges

15 Strut

16 Julep need

17 Writer Levin

18 Piano part

19 Got gradually quieter

22 Hay bundle

23 "Rats!"

26 Tricked

29 "Oh, wow!"

32 Cover

33 Compete

34 Genesis

36 Lo-cal adjective

37 Prom rentals

38 Praline bit

39 Critic Roger

40 Asserts

41 Stow cargo

DOWN

1 "Doctor Zhivago" star

2 Rickshaw's kin

3 City near Oakland

4 GOP rivals

5 Print units

6 Long account

7 Old car part

8 Ralph's wife

9 Greenbacks

11 Pillaged

15 Debate side

17 Visionary

20 Pole worker

21 Wee bit

24 Neo-phytes

25 Band needs

27 Family

28 Minute

29 Roadside stop

30 Resort island

31 Vetoed

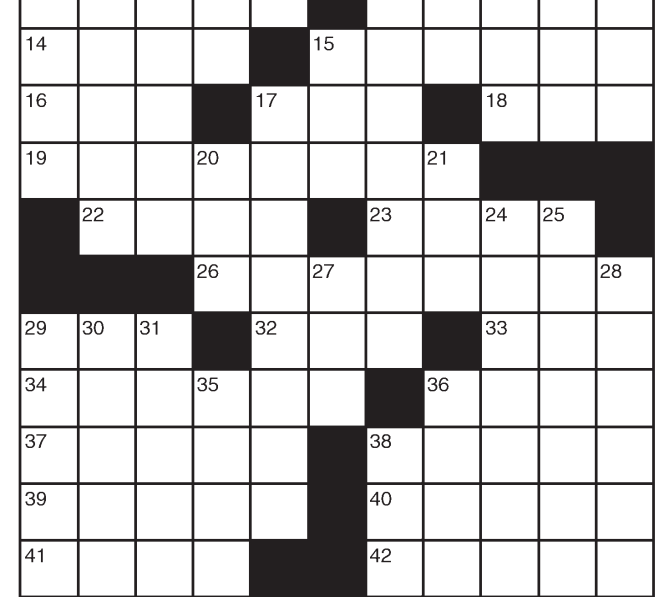
35 "Somersby" star

36 Writer Primo

38 Tennis star

Shriver

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FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 06 0391988 FIRST FILING. The following person(s) is (are) doing business as OneSoul...Many Designs, OneSoul, OneSoul Designs, PO Box 3072, Venice, CA 90294, 2614 1/2 Grand Canal, Venice, CA 90291. The full name of registrant(s) is/are : Rebecca Mahboubi-Fardi, 2614 1/2 Grand Canal, Venice, CA 90291 This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Rebecca Mahboubi-Fardi
This statement was filed with the County Clerk of LOS ANGELES County on 2/22/2006. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 03/22/2006, 03/29/2006, 04/05/2006, 04/12/2006

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