

FREE

THURSDAY, MAY 13, 2004

Volume 3, Issue 157

Santa Monica Daily Press

A newspaper with issues

LOTTO

SUPER LOTTO PLUS

13, 11, 3, 33, 16

Megamember: 11
Jackpot: \$13 million

FANTASY 5

20, 22, 24, 28, 34

DAILY 3

Afternoon picks: 1, 9, 7

Evening picks: 9, 6, 8

DAILY DERBY

1st Place: 07 Eureka
2nd Place: 11 Money Bags
3rd Place: 03 Hot Shot
Race Time: 1:40.07



NEWS OF THE WEIRD

by Chuck Shepard

■ **Cardinal Rules, Broken:** (1) Don't Carry Around the Holdup Note: Christopher Alexander Fields, 42, was charged in Hillsborough, N.C., in January after police found him acting suspicious in front of a Central Carolina Bank branch. The only real evidence of his intention was a note in his backpack reading "I want \$10,000 in \$100 bills. Don't push no buttons, or I'll shot (sic) you." (2) If You're Paying With Counterfeit Money, Pay and Go: Anthony Lee Lamb, 20, and two alleged accomplices were arrested in Berea, Ky., in March after Lamb paid for a meal at a McDonald's and then sat down to eat it, thus giving the manager a chance to examine Lamb's \$20 bill more carefully.



QUOTE OF THE DAY

"You're not drunk if you can lie on the floor without holding on."

— Dean Martin



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Carolyn Sackariason/Daily Press

Locanda del Lago executive chef Davide Vedovelli on Wednesday directs high school students Regan Baumarten, Jessa Sidlo, Ayla Raro, Barry Taft and Sklyar Nathanson (not pictured), on how to fill homemade raviolis. The culinary lesson was part of a student field trip.

Chef adds a pinch of flavor to Samohi menu

BY CAROLYN SACKARIASON

Daily Press Staff Writer

PROMENADE — High school students have learned a new word in biology class — "slowcook."

It sums up the lost experience of cooking and eating together — a rarity for many families these days. That's why Santa Monica High School teacher Eileen Hiss took 20 of her students to Italian restaurant Locanda del Lago at the corner of Arizona Avenue and the Third Street Promenade on Wednesday.

She wanted them to see firsthand what it means to share a culinary experience with each other. Together, with the help of Lago's executive chef, Davide Vedovelli, the students made their own pesto ravioli from

See EATS, page 6

Backed into a corner, city finds cash for schools

Controversial charter amendment averted

BY JOHN WOOD

Daily Press Staff Writer

COUNCIL CHAMBERS

Local school supporters abandoned their campaign for an unprecedented amendment to the city charter Tuesday after elected officials narrowly agreed to back a compromise that will guarantee \$6 million a year to the school district.

Before casting the deciding vote in favor of the compromise, City Councilwoman Pam O'Connor demanded school leaders do a better job of financial reporting. She also lashed out against district offi-

cials and members of the Community for Excellent Public Schools, the group that drafted the proposed charter amendment.

City Council members felt CEPS backed them into a corner with its ultimatum — either increase funding voluntarily, or be forced to by the charter amendment.

"Frankly, I have a lack of confidence," O'Connor said. "I have a lack of confidence in the leadership of the school district and the so-called advocates of public education ... The school yard bully's approach to public policy is one of using misrepresentations and threats. It's one that says, 'Hey, extortion is a way to make policy.'"

See CEPS, page 5



CITY HALL: DOLLARS & SENSE

A month-long series examining Santa Monica City Hall finances

Gov. reaches accord with local officials

SM stands to lose \$2.7M in revenue next year

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — Officials here reacted with "cautious optimism" Wednesday to a proposal unveiled by Gov. Arnold Schwarzenegger intended to spare local governments from the state budget ax.

The agreement — reached between Gov. Schwarzenegger and local officials from around the state — proposes protections for California's cities and counties, but allows for the state to hold onto \$2.6 billion in local revenues over the next two years.

"Sacramento looks to local government as the fall guy."

— SUSAN MCCARTHY
City Manager

For Santa Monica, that means losing an estimated \$2,716,305 in the coming fiscal year and the same amount in 2005-2006, according to an analysis performed by the California League of Cities. In 2007, Santa Monica will receive an estimated "back-

See BUDGET, page 6

\$14,388

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Libra, think "weekend"



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)
★★★★ A low profile continues to do the trick. It isn't that you're not thinking, it's that you're observing and curbing your normally assertive streak. Break out of your mental box and seek new perspectives. You also might opt to overindulge and treat yourself. Why not? Tonight: Do what you want.

TAURUS (April 20-May 20)
★★★★ Zero in on what you want while the planets cheer you on. You have a natural way of drawing people together. Use that skill. You have a way of communicating vivaciously. Sometimes your words seem a bit extreme. A trusted associate reverses directions. Tonight: Among the crowds.

GEMINI (May 21-June 20)
★★★★ Manifest your gentler side, even when someone gets a bit crazy and off-the-wall. Display your kindness with his or her problem rather than cause a power play or argument. Take responsibility at work. Tonight: A must show.

CANCER (June 21-July 22)
★★★★ You might need to take action before you are ready, though this might look like slowing down a project rather than pushing it ahead. A boss appreciates your insight and willingness to work toward solutions. Another approach might be more successful. Tonight: Detach and look to the long term.

LEO (July 23-Aug. 22)
★★★★ Keep reaching out and seeing what options lie in the near future. You could be surprised by a creative challenge and what might come forth. Extremes mark your decisions. Do be careful with spending and general over-indulgence. Tonight: Be nice.

VIRGO (Aug. 23-Sept. 22)
★★★★ Others see you as sometimes troublesome, but you aren't. You simply call a spade a spade. Others might not be used to this type of honesty. An associate or dearly loved partner goes to excess. Enjoy what is happening here. Tonight: Say "yes."

LIBRA (Sept. 23-Oct. 22)
★★★★ The work you accomplish today will be instrumental in how you enjoy your evening and the coming few days. Reorganize and become the Workhorse of the Zodiac. Teamwork involving a trusted loved one helps you hit the bull's-eye. Tonight: Think "weekend."

SCORPIO (Oct. 23-Nov. 21)
★★★★ Imagine more, but be careful how far you go with financial meanderings. You might not like what comes up if you take too big of a risk. Extremes play a strong role in your mood and work. You can bet on your type of creativity to sleuth through answers. Tonight: Play away.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Others find you a bit uppity and unpredictable. Your enormous transformation in how you handle your life is manifesting. You might not be able to please all the people all the time, but you can try! Tonight: At home.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Speak your mind loud and clear, and others will respond. Talk up a storm and share more of your creativity. Extremes hit on all sides. Your gentleness emerges with associates and gets positive reactions. Tonight: Hang out. Let off steam.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Deal with funds and work, understanding your current objectives. You might not always be on top of everything, but you do have a strong sense of direction. Emphasize home and family to get the results you desire. Tonight: Treat yourself.

PISCES (Feb. 19-March 20)
★★★★ You have a dynamite personality, and others respond, though an authority figure might not be as charmed as you would like. Speak your mind, but be ready to hear some things that you would prefer not to. Allow others their opinions. Tonight: Smile and beam in what you want.

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LOCAL



Senior moment: Look both ways before crossing

By Daily Press staff

Local police want everyone — especially Santa Monica's elders — to be safe on the street.

The Santa Monica Police Department's new traffic safety program entitled, "BE SAFE— BE SEEN," a senior pedestrian traffic safety video, debuted Tuesday. The video stars actress and local Santa Monica resident June Lockhart and was funded by a federal grant from the California Office of Traffic Safety.

The educational program was produced to call attention to an issue that affects pedestrians of all ages but is targeted to the senior community who are especially vulnerable, police said. The video is aimed at raising awareness so that pedestrians will consciously think about safety as they go about their daily lives and take extra precautions.

The SMPD will embark on a community awareness campaign by attending community events and collaborating with organizations that serve the senior community. The



Photo courtesy of SMPD

Actress June Lockhart stars in a new video aimed at raising awareness in the senior citizen community about pedestrian safety.

program also will be broadcast on cable and network television. The video premiered at the recent Santa Monica Festival and is scheduled to be one of the highlights at the upcoming Traffic Safety Summit at Universal City on May 18.

For more information, or to schedule a presentation on outreach campaign, contact Natalie Dewberry at (310) 458-8993.

New York's marrying mayor gets local support

By Daily Press staff

Controversial Mayor Jason West of New Paltz, NY, visited Southern California Monday and was hailed by Santa Monica Mayor Pro Tem Kevin McKeown as a champion of equal constitutional protections.

West, 26, gained national notoriety in March when he performed some 25 marriages of same-sex couples. He told a gathering at West Hollywood City Hall that he has been charged under New York law with 24 misdemeanor counts of solemnizing a marriage without a license, with possible penalties of up to \$24,000 in fines and 24 years in jail.

McKeown praised his fellow Green Party member.

"Civil marriage and its attendant dignity, protections and advantages must be available equally to all persons," McKeown said. "This isn't about the sanctity of sacramental marriage as performed in a church, it's about fundamental legal equity."



Photo courtesy

Jason West, mayor of New Paltz, NY, and Santa Monica City Councilman Kevin McKeown.

The Green Party of California, on whose coordinating committee McKeown serves, recently passed a pioneering platform plank calling for full protection and equality for all lesbian, gay, bisexual, transgender, intersex, and self-identified queer persons.

In California, marriage licenses cannot be issued by individual cities.

surf report

On Thursday look for a fading mix of SSW swell and NW windswell. Lots of spots in Northern LA will see knee- to waist-high surf. Similar-sized NW windswell will show for most of the South Bay, but a few of the better exposed spots will have soft windswell sets up to about shoulder-high. Look for light and variable to variable S wind in the morning to switch to the W and build in the 10-15 knot range for the afternoon.

Today the water is:

65°

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

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	7:20	-1.1	6:09	2.7	NA	NA	2:28	3.3
SUNDAY	8:31	-0.8	7:40	3.0	12:35	5.6	4:03	3.5
MONDAY	9:45	-0.5	9:44	2.9	1:48	5.1	5:15	3.8
TUESDAY	10:52	-0.4	11:23	2.4	3:20	4.6	6:04	4.2
WEDNESDAY	11:48	-0.2	NA	NA	4:50	4.4	6:41	4.6
THURSDAY	12:31	1.7	12:33	0.1	6:05	4.3	7:12	5.0
FRIDAY	1:23	1.1	1:10	0.4	7:07	4.2	7:40	5.3

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The QLine

The draft of the 2004-05 budget is nearly complete. It will be released to the public within days. The Santa Monica City Council will hold a series of workshops open to the public at the end of this month. And while the budget is pretty much set, it is an opportunity for residents to understand where and how their money is spent. The final budget must be adopted by July.

So this week, Q-Line wants to know,

"If you had your way, where do you think the City Council should spend your money?"

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

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OPINION

LETTERS

SMC not in position to give anything away

Editor:

Once again a little blip of information surfaces that stirs interest in some of us during these tight budget times. Take what was said in a recent column of your newspaper, (Former SMC students fume over auto tune-down, May 8-9 page 5). It is casually stated that upon closing the auto shop where they held elaborate classes, all of the automotive equipment was "given away." Say what? I've been in the trade off and on for 40 years now, and know firsthand just how expensive — even used — tune up equipment, wheel alignment systems, racks, bodyshop equipment, as well as the high cost of all power and hand tools, and engines, cars and parts are. Even a modestly equipped small auto shop as compared to a large school facility could cost in the hundreds of thousands of dollars. It all begs the questions: Is SMC so flush with funding and equipment that it can give such valuable public property away? And just who did they give it all to? I think the public has a right to know about these things, and that if that giveaway — or any other similar to it was a wrongful act — that someone ought to be held accountable.

Don Johnson
Venice

Hot over hedges

Editor:

I read with disgust about the hedge trimming ordered by City Hall, (SMDP, May 11, page 1). What's next? No smoking at the beach, dog runs in the park, no smoking at the park, homeless running amok in the park, no signs to advertise your business, and now hedge trimming! This is not a city run by thinking, caring council members. It's a city being run by our mothers!

Next they will be telling us what to wear, comb our hair and how to take care. Oh my! 1984 is here in 2004 in Santa Monica. City Hall needs to check out the hedge to the left of City Hall, it's over 42 inches and so are many other hedges located in city parks.

Brian Gray
Santa Monica

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Check Out the Question of the Day on
Page 3 and Call Us with Your Opinion!

Q-Line: 310.258.8106

When words fail, it's in the body language

NEWS on the EDGE

By Ron Scott Smith



Nobody's stealing second base anytime soon in the "House that Ruth Built." That's because a Marvel super-hero straight out of the League of Justice will be guarding it, along with first and third base, too. Movie ads for Columbia Pictures' "Spider-Man 2" are being painted onto the three bases at hallowed Yankee Stadium and 12 other major league ballparks to hype the sequel.

Jockeys at the Kentucky Derby had corporate logos sewn onto their britches so they could push product in "the most famous two minutes in sports" — the run for the roses. Boxers have beer ads tattooed onto their backs. You can't even tell the color of Nascar's hot rods — they're buried beneath so many come-ons. On TV and radio, do you take a little programming with your commercial breaks? Everybody's selling something to somebody somewhere. Business is good.

This column is now sponsored by Coca-Cola™. A deal was hammered out last night that will compensate the writer for every reference made to the beverage within this space. It's not a sell-out, folks, merely an overdue acceptance of the way it's done. "Product placement," as they call it in the movie industry.

Secretary of Defense Donald Rumsfeld, playfully known as Doctor Strangelove to some, has taken a firm grip on the Iraqi prisoner abuse scandal that's been rocking his world. And it's female Army Reserve Pfc. Lynndie England that's in his clutches. The slight, 21-year-old who was pulled from her trailer park in Ft. Ashby, West Va., to beef up the American war effort, was the one in the infamous photo holding a leash around the neck of a naked Iraqi prisoner down on all fours. She's also the one smiling, cigarette dangling from her mouth in the coolest James Dean style, pointing at and apparently ridiculing the private parts of another detainee. Rumsfeld is trying to close the book on this thing by throwing it at her. "They're human beings too," he compassionately, if begrudgingly, admitted to the world at Senate hearings this week. Iraqis all across the new 51st state breathe easier knowing the dreaded dominatrix, Lynndie England, will soon be going away for a very long time. And they breathe easier knowing they have been ordained as "human beings too."

In the once-a-torture-chamber-always-a-torture-chamber department, that Abu

Ghraib prison — one of Saddam Hussein's most infamous houses of pain — is now suddenly known as Bush's throughout the Arab world. Like a bad habit, Saddam is getting harder and harder to shake. Though he rots in a U.S. military prison somewhere — and if you think all he's facing there is this amateur Village People hallucination stuff, think again — his specter seems to be all around. The Iraqi commander we released from custody and sent into Fallouja to quell that bloody insurgency, Jassim Mohammed Saleh, was one of Saddam's right-hand men — a Major-General in the Republican Guard. With the thick black mustache, he even looks like the deposed evil dictator. Now some might question the strategy of appointing this guy to that position, but we won't here. Let's just say it's a little like pulling Manson out of jail to lead the fight against an uprising of psychopaths.

There's something really delicious about a Coke™ in a Dixie cup at a high school football game.

We come not to bash Bush here on page four on Thursdays, but to try to understand. I could swear I used to drink with the guy in a bygone era, at the Rathskellar on College Avenue, and he was right there with us in the moment, far removed from trying to force-feed America to the world. He left the bars behind, and with a little help from the family, suddenly found himself the closest thing to master of the universe. He has every best intention for this nation of ours, this world of ours, nobody doubts. But you just can't deny the man is dragging us all down into a hole that may be very hard to climb out of. The kid from Philly, Nick Berg, who just had his head taken off by irate Muslims — he didn't make it out of that hole. The barbarians who did it gave no humanity, but did give their reasons. They said Islam was "being slaughtered," their "honor bleeding," and cited the photographs of "satanic degradation" at Abu Ghraib.

The only reference to my old drinking buddy this week was going to be to repeat what he said after testifying in tandem with Cheney before the 9/11 Commission a few weeks ago. When reporters questioned him about the necessity for them to appear together, the president explained, "I thought it was important for people to see our body language." What? Somebody, anybody — what?

I'll tell you this. There's nothing in all of nature quite so harmonious as a cheeseburger and a Coke™.

Now you tell me. How'd we ever get this stupid?

(Ron Scott Smith enjoys a Coke and a smile. To reach him, e-mail to Edgeofthwest@aol.com).

LOCAL



District will be held accountable for extra cash

BUDGET, from page 1

So the CEPS school yard bullies — the leaders — their ethics are grounded in the ends justifying the means. They threaten an illegal charter amendment. They start ugly name calling, pitting the merits of school teachers against police and fire, school janitors versus city sanitation workers. That's how school yard bullies do it and that's what the CEPS folks have been doing."

THE NEW DEAL

The agreement, which was hashed out behind closed doors, calls upon City Hall to give local schools at least \$6 million annually for the next five years, and significantly more if the economy blossoms. The charter amendment would have lasted indefinitely, and likely forced larger donations.

In presenting the compromise to the City Council, City Manager Susan McCarthy — who negotiated the details with John Deasy, superintendent of schools — said both sides made significant concessions. School interests gave up indefinite funding that likely would have continually increased, while City Hall interests agreed to hand over the money without designating a new revenue source, something they'd pushed for.

"Negotiations are, by their nature, a delicate business and these discussions were intense," McCarthy said. "I can tell you that absent goodwill on both sides and the prospect of economic recovery for Santa Monica, an agreement might not have come to fruition. Compromise was essential on both sides."

Five members of the public spoke on the compromise, including Deasy, current and former school board members, and a representative for City Hall workers, who adamantly opposed the school charter amendment. Union representatives feared that by forcing City Hall to give \$6 million annually to the district, it would have translated into layoffs and cutbacks in services. All groups urged the council to accept the alternative compromise.

CLOSE VOTE AFTER ALL

With City Councilman Bob Holbrook out of town and City Councilman Kevin McKeown unable to vote because he works for the school district, there were only five eligible voters. In order to pass, the compromise needed at least four votes.

City Councilman Ken Genser and Mayor Richard Bloom responded to O'Connor's arguments, agreeing the charter amendment was poorly thought out, but praised CEPS leaders for having good intentions and using the democratic process to realize their goals.

City Councilman Herb Katz said the alternative wasn't ideal, but it was the best the two agencies could do after a "long haul" — discussions started six months ago.

Those comments apparently weren't enough to win the support of City Councilman Mike Feinstein, who declined to vote. Feinstein said he couldn't bring himself to vote against the compromise because it would mean voting against students. But Feinstein also didn't vote for the compromise, which he called the result of "slash and burn politics."

"I feel ripped off by this agreement," Feinstein told his colleagues. "This is a complete contradiction of how we've done business in this community."

FOLLOW THE MONEY

Under the agreement, City Hall will double for the next five years the \$3 million it gives annually to the school district in ongoing funds, with a 2 percent to 4 percent annual adjustment based on inflation. The agreement also include loopholes for extraordinary circumstances, and options for both sides to reassess and renew the deal through 2014.

A group of school and city leaders will meet in January 2007 to reassess the agreement. That group will decide whether to adjust the base funding by \$1 million, at most.

In making that determination, officials will look at the "big eight" revenue generators, including property tax, sales tax, utility users tax, transient occupancy tax, business licenses tax, real property transfer tax, parking facilities tax, and fines and forfeitures.

If the cumulative growth of the big eight exceeds inflation growth by 4 percent in 2004-2005 and 2005-2006 combined — and exceeds 1.25 percent in both years — the group will discuss adjusting the base payment by an additional three-fourths of 1 percent of big eight revenues, up to \$1 million.

If growth doesn't meet those levels or declines, the group will discuss whether base payments should be increased anyway, held constant, or reduced by a maximum of \$1 million, according to the agreement. They also will consider whether to withhold inflation adjustments.

In what's dubbed extraordinary circumstances — where big eight revenue shrinks or grows by at least 7.5 percent in any two consecutive years — the group will consider increasing payments or suspending

the contract altogether.

At the request of O'Connor, school district officials also will be required by the terms of the agreement to present an annual financial report, and make copies of the complete budget available online and in local libraries. District officials said at the meeting the added conditions seemed acceptable and appropriate.

THE CAMPAIGN ENDS

Leaders from CEPS agreed after the vote to abandon their drive for the charter amendment, which has called upon hundreds of volunteers who have contributed thousands of hours to gather some 15,000 signatures to force the issue onto the November ballot. The campaign — organized by a resourceful, diverse group of school parents — also employed paid

strategists and paid signature gatherers.

"CEPS' goal all along was to obtain stable, ongoing funding for our public schools and the negotiated agreement closely mirrors the structure of our charter amendment," said CEPS co-chair Shari Davis. "It's not exactly the same, but in the big picture, this agreement accomplished in a collaborative way — rather than in a controversial one."

Still, Davis said her group will hold onto their signatures — for now.

"The signatures are carefully boxed and we'll hold onto them until they expire," Davis said. "We don't perceive the need to submit them, of course, but the filing period lasts until sometime in July. Too much went into collecting them and they represent the community in such a strong way that we'll keep them in a safe place."

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LOCAL

Cities to carry \$350M burden for California

BUDGET, from page 1

fill" of \$1,593,816.

City finance director Steve Stark said those numbers may fluctuate because the amount of money cities will be out of pocket ranges from 2 percent to 4 percent of their general fund, according to the parameters of Schwarzenegger's deal. City Hall has budgeted \$4.2 million this year for uncertainties from Sacramento and Stark said none of that money has so far been used.

The one certainty, said City Manager Susan McCarthy, is uncertainty.

"It means that we have two more years of subsidizing the state. These are revenues that come from the local community that the state retains," she said. "Sacramento looks to local government as the fall guy ... They have a huge problem and there isn't a magic solution."

Guarded optimism has become the mantra at City Hall, as sales tax and other revenues have increased over the last year, while the state funding crisis looms.

City Hall revised its projected \$353 million budget for this year to \$381 million in the middle of the year, due to a recovering local economy. The fiscal year ends June 30 and copies of the proposed budget for next year are currently being printed. Details will be released Tuesday.

The agreement put forward by Gov. Schwarzenegger is an improvement for local governments over what was outlined in his January budget — and because of the safeguards it proposes down the line,

it was endorsed by the executive committee of the California League of Cities.

Under the new proposal, \$350 million of the \$1.3 billion annual loss will be carried by cities; \$350 million by counties; \$350 million by special districts; and \$250 million by redevelopment agencies.

Also part of the plan is to make permanent the current vehicle license tax cut and put on the November ballot a constitutional amendment that would guarantee local government's property, sales and vehicle license fee revenues not be siphoned off by Sacramento problems.

"With this agreement, I am keeping my promise to cities and counties to ensure that local governments have a reliable revenue stream to pay for local services," Gov. Schwarzenegger said in a prepared statement. "This agreement is another example of the new spirit of cooperation and a new respect between state and local governments in California ..."

"We protected local governments when I repealed the car tax, and then restored funding for local services," Gov. Schwarzenegger added. "We worked together to pass Propositions 57 and 58, to tackle the inherited debt and end deficit spending. We worked together to reform workers' compensation which will free up more local funding. I applaud everyone who worked so hard to make this happen. This is a victory for local government, for people who rely on local services and for all Californians who want their leaders to work together."

'Supersize Me' a class assignment at Samohi

EATS, from page 1

scratch — with ingredients from the local farmers' market. The students were split into three groups, and made their own pesto sauce. Each one was then judged by Lago owner West Hooker and Vedovelli. The winning group will be treated to a pizza on the house.

Hooker is part of an international movement called "Slowcook." Created by a chef in Italy, the movement is in response to a fast food restaurant entering a small town in the chef's home country. Now, there are "Slowcook" chapters throughout the world, designed to remind people that dining should be a shared experience — full of conversation, debate and bringing one another closer.

"I was shocked at the number of kids who eat alone," said Hiss, who teaches ninth grade biology and health at Samohi. "And we wonder why they don't have any social skills ... this is really about de-isolating kids ... and they love eating."

Hiss' students work in Samohi's garden, where they grow vegetables and fruit like lettuce, radishes, peas, onions and strawberries. After they watch their garden grow, students harvest the food and use it to for class recipes.

Hiss tries to incorporate culinary expo-



Carolyn Sackariason/Daily Press
Megan Sheehy of Locanda del Lago and farmers' market supervisor Laura Avery do a taste test with high school students on their homemade pesto sauce.

ration into her classroom — she has taken them in the past to genetics conferences and on Friday she'll take them to see the movie, "Supersize Me," based on a man who eats nothing but McDonald's for an extended period time to see its health effects.

Hiss hopes that nutrition and culinary arts make into the curriculum for all grades at Samohi.

"We do have the resources to do it across the board," she said. "The key is getting the kids to buy into it."

SANTA MONICA SUMMER GUIDE 2004
COMING SOON TO MAILBOXES IN JUNE

BUSINESS

The balance between foundations and endowments



IT'S YOUR BUSINESS

By John Kim

All foundations and endowments face a series of difficult tasks. Their primary mission is to make grants that will accomplish the goals for which they were created. To be successful in that regard, they must skillfully invest their bequests. While board trustees may feel entirely comfortable disbursing grants, the more arduous task they face may be the management of investment responsibilities.

Entrusted with often large sums of money, foundations and endowments accept an enormous responsibility. When these sums were set aside, they were expected to last into perpetuity, often creating conflicting responsibilities for trustees. On one hand, trustees are expected to disburse funds. On another, they are expected to preserve the real value of bequests into eternity.

In a simple world, a charitable organization would only spend what it earned. But the issue is more complex. Foundations face the nettlesome challenge of meeting an annual spending requirements equal to 5 percent of their assets. Should they spend too little, they risk being penalized by the Internal Revenue Service — or even losing their tax-exempt status. Spend too much, and they may shrink their asset base. In effect, they would begin to liquidate themselves.

Compounding the complexity is the ever-present eroding effect of inflation. When inflation increases, the value of the dollar declines and with it, so too does the value of the grants that foundations and endowments can disburse. The goal of trustees, then, is to ensure that not only do their grants keep pace with inflation, but also that the value of their bequests keep pace as well.

To help manage the complex tasks facing today's endowments and foundations, many organizations help by structuring their responsibilities into a process that includes:

- Developing spending policies.
- Establishing investment policies consistent with spending requirements.
- Creating prudent asset allocation strategies.
- Selecting professional investment management firms.
- Objectively measuring and evaluating the performance of investment management firms.
- Fulfilling trustee fiduciary responsibilities under the Investment Advisors Act of 1940 and other relevant regulations.
- Formulating socially responsible investment portfolios that match an organization's specific social causes.

SIX KEY STEPS IN A PRUDENT INVESTMENT PROCESS:

Philanthropic fiduciaries can help manage their organizations' goals by considering these six key steps to a prudent investment process:

- Developing a spending policy.
- Spending policies vary widely from

institution to institution. Each endowment and foundation should develop a policy that is appropriate for the spending objective set by the organization's directors or trustees. Based on these goals, an investment strategy can then be crafted to support those grant-making targets.

■ Assessing investment objectives.

Investment objectives represent a blueprint for the future. Each assessment should begin with a thorough assessment of their needs. Once a set of broad investment objectives have been defined, board members or other fiduciaries can write an investment policy statement.

■ Investment policy statement.

The policy statement outlines the key assumptions and expectations that will guide the portfolio management process. It takes into account such factors as current and projected future cash flows, investment time horizons and the amount of risk the organization is willing to accept in order to achieve a desired return.

■ Due diligence.

Trustees are expected to select portfolio management firms prudently. This means giving careful consideration to the firm's experience, credentials and performance record, as well as the quality of its research and its adherence to a stated investment discipline. A diligent research process should be developed to help each organization identify the management firms that are most suitable for their foundation.

■ Monitoring performance.

Once a manager has been hired, that manager should be regularly reviewed to monitor their business, operational and investment activities. That includes on-

going evaluation of not only the firm's investment performance, but also its performance relative to the appropriate benchmarks — and, even more importantly, relative to the foundation's objectives.

■ Performance reporting.

The organization should receive quarterly reports summarizing the performance of each manager as well as the aggregate performance of all assets. Occasionally, it may be necessary to receive additional reports that enable trustees to assess manager performance relative to customized benchmarks or the specific investment objectives of their institutions.

Finally, in order to provide financial leadership, charitable fiduciaries have a responsibility to be informed about the economic and financial concepts governing their organization's investment program — such as the global economic climate, the performance of the capital markets and the regulatory environment. These factors can have important implications for the management of the organizations' endowment.

(John S. Kim is a Financial Consultant with Smith Barney, located in Beverly Hills. Call (310) 205-4939 or visit his webpage at www.fc.smithbarney.com/jkim. This article is based, in whole or in part, on information provided by the consulting group of Smith Barney. Smith Barney and consulting group are divisions of Citigroup Global Markets. Member SIPC. Smith Barney does not provide tax or legal advice. Contact your tax and legal advisors for such guidance).

Neil Carrey recognized for his contributions to community

By Daily Press staff

A local resident involved in many community issues was recently recognized as an attorney of excellence.

Neil Carrey received the inaugural Henry Gilchrist Award for Attorney Excellence at the firm's annual shareholder's retreat in The Woodlands, Texas. Carrey, a Corporate and ERISA attorney, was selected for his outstanding contributions inside and outside the firm, officials said.



Neil Carrey

During the awards presentation, Carrey was praised for both his professional skills and his personal demeanor. "Neil Carrey displays the values and the qualities that every great lawyer should strive for," said Bill Parrish, a Jenkins national board member. "He always has a smile on his face and he represents a wonderful ambassador for the firm, here at Jenkins and in the community."

Named after Henry Gilchrist, one of the firm's namesakes, the award recognizes superior achievements on behalf of the firm's clients as well as the communities in which the firm operates. Gilchrist, now in his 80s, is still practicing full-time as a corporate and securities attorney in the firm's Dallas office. He is recognized as the consummate gentleman lawyer and a role model for attorneys throughout the firm.

Outside of his legal career, which spans more than three decades, among a number of

charitable and civic activities, Carrey is president of the board for Padres Contra El Cancer, a non-profit organization that serves economically-disadvantaged Latino children and their families dealing with cancer. He also is vice-president of the Georgia based Ivan & Sam Foundation, helping children with cancer; is on the board of the Small Business Council of America, is on the Advisors Council of the Cancer and Blood Center at Childrens Hospital Los Angeles; is a past president of the

Santa Monica Police Activities League and is a Recreation and Parks Commissioner for the city of Santa Monica. Carrey and his wife Karen lost their 16-year-old son, Chris, to cancer in 2000.

"This award is particularly meaningful to me because it not only recognizes me as an attorney, but more importantly recognizes my passion for helping others, especially economically disadvantaged youth and children with cancer," Carrey said.

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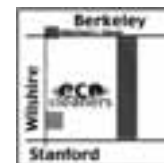
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STATE

Immigrants with lower living standards live longest

BY JUSTIN PRITCHARD
Associated Press Writer

SAN FRANCISCO — California's millions of immigrants tend to be poorer than U.S.-born residents, and have sub-par health care as well, but most of them still live an average of about four years longer, according to a new report on the state's changing population.

The average Mexican-born man who lives in California can expect to die a few months shy of 79, for example, though his U.S.-born son born will barely reach 74, research released Wednesday shows.

There were similar disparities among whites, blacks and Hispanics more generally, though Asian immigrants tended to

live shorter lives than U.S. natives of Asian descent.

In one extreme statistical example cited in the report, a Chinese-born woman living in California will die at 89 — while a U.S.-born black man will die a full 20 years earlier.

While the "brain drain" of educated immigrants to the United States is also well known, the new research from the Public Policy Institute of California suggested a "brawn drain" as well. The theory is that immigrants who make it here tend to be robust, and have healthier dietary and exercise habits.

Hence immigrants, who by many measures have lower living standards, are living longer. The average immigrant

California lived past 81, according to the report, while the average U.S.-born Californian lived to 77 — life expectancies that were higher than the national average.

"It doesn't mean California makes you unhealthy," joked Hans Johnson, the report's lead author. "It won't necessarily be bad for you ... but you might want to watch what you eat and whether you smoke."

Indeed, the differences appear to be part of a broader phenomenon. Nationally, the average immigrant can expect to live longer than native-born Americans, according to Victor Fuchs, a Stanford University economist who studies health care.

Just why is more speculation than science, but there are two general explana-

tions: immigrants must be relatively healthy, given their often-arduous odyssey. And once here, they may be less attracted to fast food, cigarettes and other harmful habits.

There's also state of mind. Immigrants tend to find strong social-support networks, and benefit from an optimism that they're better off than before, according to Nancy Adler, a University of California, San Francisco professor who studies how socioeconomic factors affect health.

"People who come here and stay have to overcome a lot of obstacles, they have to have a lot of determination," Fuchs said. "Not only is their optimism true, but it's probably justified."



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STATE



Governor and universities strike budget agreement

BY TOM CHORNEAU
Associated Press Writer

SACRAMENTO — Two days before he's to release his revised budget plan, Gov. Arnold Schwarzenegger Tuesday announced a spending deal with state university officials that trades spending cuts and fee increases now for future financial support.

It's the third such deal Schwarzenegger has reached with key interest groups before the release of his revised budget plan and is part of what the administration hopes will be a wave of support that will help pass this year's budget on time.

While the agreement with universities saves the state only about \$660 million next year — out of an estimated budget shortfall of \$17 billion — it may help Schwarzenegger pass the first budget on time since 2000.

Some Democrats, whose party controls both houses of the Legislature, denounced the deal, saying it limits university enrollments and breaks a 40-year promise to students of a state-supported higher education to qualified students.

They also criticized the governor's budget agreements with interest groups before delivery of the proposal to the Legislature. Already the governor has agreements with the state's powerful teacher's union as well as with trial judges. On Wednesday he is expected to announce an agreement that locks in \$2.6 billion in cuts to local government over the next two years.

On another front, Treasurer Phil Angelides — a likely Democratic challenger of Schwarzenegger in 2006 — also warned Tuesday that the administration's budget plan may do nothing to solve California's fiscal problems. He said unless the governor proposes tax increases along with deep spending cuts, the state will face a \$10 billion deficit in 2005-2006.

Despite the criticism, Schwarzenegger said he looked forward to working with legislators after he releases his budget plan Thursday afternoon.

"The legislators are my partners," Schwarzenegger said. "We have had great success up until now working together and we will have great success in the future. ... No one is excluded in the process."

The governor's \$99 billion budget draft released in January called for about \$9 billion in cuts and savings, and another \$5 billion in borrowing and fund shifts along with a variety of other moves and savings. But the governor proposed no new taxes.

Although the administration has not revealed many details about the revised spending plan, lawmakers in both parties have said they do not expect to see any major changes from Schwarzenegger's original proposal.

But if the January isn't changed dramatically, Angelides said, the state will face up to a \$10 billion deficit that will begin building in 2005. Also, he said the

The deal with the universities would impose a 14 percent increase on student fees next year and another 8 percent increase each of the next two following years.

deals Schwarzenegger has made with interest groups to restore money in the future only add to the problem.

"I'm mystified at the governor's approach," Angelides said.

The deal with the universities would impose a 14 percent increase on student fees next year and another 8 percent increase each of the next two following years.

Currently, the average annual fees paid by resident undergraduate students in the University of California system is \$5,437, and \$6,546 for graduate students. In the state system, average fees are \$2,046 for undergraduates and \$2,782 for graduates. The higher fees would begin in the fall.

The governor promised to begin restoring university funding beginning with a 3 percent increase in 2005-2006.

If lawmakers approve the deal as part of the budget, it will mean the lifting of the cap on enrollments in CSU schools next year, said CSU Chancellor Charles Reed.

Some Assembly Democrats called the agreement an "outrage."

"We reject it," said Assemblyman Marco Firebaugh, D-South Gate, adding that UC and CSU systems need to "think through and analyze the implications of this policy."

In other budget action, a study released Tuesday said cuts during the past three years have eroded health and welfare services for California's needy and more reductions proposed for next year will put the system at risk.

The pattern of "squeezing" social service budgets rather than eliminating programs or services has put the entire network at risk, said Jean Ross, executive director of the California Budget Project, a nonprofit group that evaluates the impact of state spending on low- and middle-income families.

Expectations are that the primary budget battle will be fought over health and welfare spending.

Schwarzenegger has called for cutting about \$900 million from the state's \$11 billion share of Medi-Cal, the medical services program for the poor jointly funded with the federal government. The administration has also proposed another \$800 million cut to state support of a welfare assistance program, CalWorks.

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STATE

Lawyers take million dollar 'byte' out of Microsoft

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN FRANCISCO — Lawyers who persuaded Microsoft Corp. to settle their class-action lawsuit accusing the company of price-fixing will ask a judge here Wednesday for \$258 million in legal fees, the largest amount ever in an antitrust case.

The bill, which comes as attorney fees are being examined critically by the American Bar Association and lawmakers across the country, works out to about \$3,000 per hour for one lawyer, more than \$2,000 an hour for 34 other attorneys and \$1,000 an hour for administrative work.

Microsoft agreed to the settlement — allocating \$1.1 billion for California consumers — after a small San Francisco law firm sued in state court alleging the company inflated prices by monopolizing the pre-installed software market from 1995 to 2001.

But Microsoft could end up spending much less. The deal enables anyone who bought a computer in

California to get vouchers worth \$5 to \$29 per Microsoft product, but only a small fraction of the millions eligible have applied for the money.

The lead attorney in the case, Eugene Crew, told the judge in legal briefs that he deserves about \$3,000 for each of his 6,189.6 billable hours, "considering the enormity of this undertaking against the most powerful corporation in America."

Lawyers from a total of 35 firms joined suit, which was filed in 1999 under California's unfair competition law and settled four years later. Their total requested fees represent about 25 percent of the settlement.

Normally, attorneys under contingency agreements charge clients about 33 percent of whatever is recovered, but in class-actions they negotiate fees with the losing party and the judge.

In this case, they deserve about five times their normal rate because of the difficulty of maneuvering through the legal system to recover money for consumers, Crew wrote in legal briefs submitted to San Francisco County Superior Court Judge Paul Alvarado.

"Extraordinary deeds warrant appropriate recompense," Crew wrote.

The lawyers spent \$11.4 million while reviewing millions of pages of legal documents and taking dozens of depositions, and devoted "marathon days, all nighters and the entire Thanksgiving holiday weekend" to the case in 2001, he added.

Microsoft opposes paying the lawyers these fees.

"No client would pay any lawyer or paralegal at those rates, and this court should not order Microsoft to do so," Microsoft attorney Robert Rosenfeld said.

Furthermore, he said, the case was easy lifting, thanks to the federal antitrust case against the software maker. "Although class counsel would have had difficulty proving that plaintiffs were overcharged, their ability to piggyback on prior proceedings significantly increased the likelihood of a settlement," Rosenfeld said.

Caps on legal fees have been considered in at least 13 states.

A proposal from Common Good, a group committed to "reforming America's lawsuit culture," and the conservative Hudson Institute would cap fees at 10 percent of a \$100,000 settlement and 5 percent of anything more, said Brent Tantillo, a deputy director at the institute.

"The problem is these cases where the attorneys get a whopping fee and the consumer gets next to nothing," Tantillo said. "The attorneys get rich and the consumer ends up getting some coupon that takes \$10 off or something."

The American Bar Association says lawyers can ethi-

cally charge whatever is "reasonable," but it too is taking another look at the issue.

"That's a big question, what is reasonable," said Steven Lesser, head of an ABA task force investigating attorneys fees. "With high fees, the burden is born by society or by individual consumers."

The ABA group has been reviewing a \$300 million settlement last year involving Monsanto Co., and its spinoff company Solutia. Each plaintiff whose health or property was damaged by PCB contamination will get an average \$7,725, while their attorneys get millions each — including \$29 million to the firm of California celebrity lawyer Johnnie Cochran Jr.

Capping the fees of lawyers who take such huge financial risks is unworkable, warns Herbert Kritzer, a political science professor at the University of Wisconsin in Madison who has studied the issue. Enforcing the law isn't cheap, and they can end up with nothing if they lose.

"There ain't no such thing as a free lunch," Kritzer said. "Are there some cases where fees ought to be typically lower than they are? Answer: Maybe."

In one case, the answer was clearly a yes.

The California Supreme Court two years ago upheld an lower court decision reducing fees from \$88.5 million to \$18.2 million for lawyers who won a class action accusing California of illegally charging out-of-state residents \$300 extra for auto registration. The court called that request, for \$8,000 an hour, "a testament to the unreal world of greed in which some attorneys practice law in this day and age."

At the same time, a three-member Tobacco Fee Arbitration Panel awarded \$1.25 billion in fees to 60 law firms that worked to get California \$25.4 billion as part of a nationwide tobacco settlement with the industry.

Panelists John Calhoun Wells and Harry Huge said the lawyers' efforts were "an important contributor to a resolution of the tobacco war in the most populous state in the nation."

Charles Renfrew, a former federal judge whom the tobacco industry nominated as arbitrator, issued a harsh dissent, saying the fee "truly shocks the conscience."

One benefactor of the Microsoft settlement, Gerry Kaplan of the San Francisco suburb of Hillsborough, figures his vouchers will add up to about \$100, and for that he's thankful.

"The attorneys are the ones that are benefiting from this, but so am I and I didn't have to do anything," Kaplan said. "I'm getting a hundred bucks for filling out a form online and took no risk. That's a lot of money for the lawyers, but it is a lot of money for consumers too."

Metro Briefs

WESTSIDE/CENTRAL

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NATIONAL



Senators see more Iraqi abuse photos, but images kept sealed

BY KEN GUGGENHEIM
Associated Press Writer

WASHINGTON — Members of Congress are getting a look at more photos of American soldiers brutalizing Iraqi prisoners but won't have the authority to release the pictures that the Pentagon warns could deep-ignite international fury over the abuses.

The photographs were being made available to senators for three hours Wednesday afternoon in a high-security, classified office in the Capitol. House members were to view the photographs in a separate office building. After that, the photos were to be returned to the Pentagon while the Bush administration decides whether to make them public.

Fears that the prisoner abuses would trigger a violent backlash appeared to be realized Tuesday when a video was posted on an al-Qaida linked Web site showing the beheading of an American civilian. The video said the grisly killing was to avenge the prisoner abuse.

The viewing of pictures in the Capitol came a day after senators challenged military officials who pinned most of the blame for the mistreatment on a small group of soldiers and on supervisors who provided inadequate training and leadership.

Brig. Gen. Mark Kimmitt announced that two more American soldiers have been ordered to stand trial in the Abu Ghraib prisoner abuse scandal although no date for the courts-martial was set. Sgt. Javal Davis, 26, of Maryland and Staff Sgt. Ivan L. "Chip" Frederick II of Buckingham, Va., were ordered to undergo a general court-martial, Kimmitt said. Spc. Jeremy C. Sivits, of Hyndman, Pa., goes on trial May 19 before a special court martial, which cannot levy as severe a sentence as a general court-martial.

The Army officer who investigated the abuses, Maj. Gen. Antonio Taguba, told the Senate Armed Services Committee that military police who acted improperly did so "of their own volition."

Several senators questioned whether low-ranking soldiers would have created the sexually humiliating scenarios by themselves.

"It implies too much knowledge of what would be particularly humiliating to these Muslim prisoners," said Sen. Susan Collins, R-Maine. "And that is why, even though I do not yet have the evidence, I cannot help but suspect that others were involved, that military intelligence personnel were involved, or people further up the chain of command."

Sen. Ben Nelson, D-Neb., challenged Taguba on his statement that Brig. Gen. Janis Karpinski, who headed the 800th Military Police Brigade at the prison, bore responsibility for a breakdown in discipline that led to abuse.

Taguba testified that orders were issued taking tactical control of the

Abu Ghraib facility away from Karpinski and giving it to Col. Thomas M. Pappas, commander of the 205th Military Intelligence Brigade.

"It was clear that he was directed to be the forward operating base commander there for security detainees and force protection," Taguba said. "However, General Karpinski challenged that and she noted that in her recorded testimony."

Taguba said the order placing Pappas in charge of prison policy where Karpinski's MPs worked created a confusing situation and was contrary to Army doctrine. Nonetheless, he found that Karpinski retained overall responsibility for the MPs in her brigade and assigned much of the blame for the abuse to inadequate leadership on her part.

Asked to put in simple words how the abuses happened, Taguba said: "Failure in leadership, sir, from the brigade commander on down. Lack of discipline, no training whatsoever and no supervision. Supervisory omission was rampant."

Karpinski has been suspended and issued an official letter of admonishment in connection with the abuse. She has not been charged and has asserted other officers are attempting to make her a scapegoat.

The committee's chairman, Sen. John Warner, R-Va., said he understood that some of the photos, such as one showing an Iraqi prisoner with women's underwear covering his head, were to be shown to prisoners' families "by way of threat unless

he came forward with some valuable information."

The committee has now held two hearings on the abuses in less than a week and planned a third for Thursday. Warner has expressed frustration about the amount of information military officials were providing. They have skirted many questions by citing ongoing investigations or criminal proceedings.

Given the "ramifications on foreign policy, on safety of the troops, on everything, I think the higher authorities of this government have got to be informed about it in a manner that still protects" criminal proceedings, Warner said in a brief interview.

Another Republican senator, James Inhofe of Oklahoma, said the abuse issue already has been overblown, with the news media and politicians using it for political purposes.

"I am also outraged that we have so many humanitarian do-gooders right now crawling all over these prisons looking for human rights violations while our troops, our heroes, are fighting and dying," he said.

Inhofe was later tacitly rebuked by Sen. John McCain, R-Ariz., who was held as a prisoner of war for 5 1/2 years in Vietnam. McCain asked three Army officials whether the Geneva Conventions, which dictate the terms for humane treatment of prisoners, were a burden on U.S. military activities. All three said the conventions were needed to protect U.S. soldiers in conflicts and to demonstrate the United States' moral integrity.

N.M. Gov. hosts lunch for tourists in mansion

By The Associated Press

SANTA FE, N.M. — An invitation to dine at the governor's mansion struck one Colorado tourist at first as something from "Candid Camera."

Gov. Bill Richardson celebrated National Tourism Week by having lunch Tuesday with seven tourists from Arizona, Colorado and Rhode Island. They were randomly selected by Richardson staffers Monday as they walked around Santa Fe's historic plaza.

"Of course, we were skeptical at first," said Anna Klaube of Dillon, Colo., who was among the chosen tourists along with her husband, Richard Hackett, and son Austin, 10.

"Yeah, we were expecting something like 'Candid Camera,'" Hackett said.

The tourists were driven to the mansion by van. Before Richardson greeted them, they checked out the mansion's Southwestern furniture and array of paintings, including one by famed artist Georgia O'Keeffe, who lived much of her life in northern New Mexico. They also chatted with state Tourism Secretary Michael Cerletti.

Richardson arrived shortly after 1

p.m., apologizing for being late and shaking hands. "I want you guys to feel at home here," he said.

The guests dined on roast beef and noodles and a dessert of raspberry, orange, lemon and lime sorbet as the governor sought their observations of New Mexico and asked what the state could do better.

Hackett, a snowboarder and outdoorsman, suggested promoting the state's forests and wilderness areas more.

"It's so beautiful and not many people really know about it," he said.

Before lunch, Klaube and Hackett said they knew Richardson's name, but had to do an Internet search to find out about him. But Deborah Mathieu and Henry Ruth, both of Tucson, Ariz., said they knew Richardson's name well before.

"We thought we would come up here and Governor Richardson would do a photo op with us, and that would be it," Mathieu said. "That was fine with us because we figured, heck, at least we get a free lunch. But actually getting to eat with the governor is really special. We can go home and say, 'Yeah, we dined with Governor Richardson.'"

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NATIONAL

Coyote chief betrayed by one in his own pack

(Editor's note: A deadly tractor-trailer run from El Paso, Texas, to Dallas reveals the desperation and greed fueling the booming business of smuggling human beings — and the police work involved in trying to stop the increasingly sophisticated smuggling rings. This is the last part of a three-part serial narrative).

BY PAULINE ARRILLAGA
AP National Writer

EL PASO, Texas — Unlike the people he transported, smuggler Pat Valdes never set foot inside the United States — although he sometimes sent flunkies over from Mexico to fetch him takeout from Red Lobster or the Olive Garden.

The son of a Texas lawyer, Valdes started out hustling drivers for another alien smuggler. But by the age of 28, with the help of his younger brother, Roman, he'd gone into business for himself.

His method: Enlist shuttle operators who ferry American truckers from El Paso

across the border to Ciudad Juarez for a night of boozing in the red-light district. Pay them to steer the truckers to bars worked by his recruiters. Buy the truckers a few drinks, then ask if they'd like to make some easy money. Offer them \$100 to \$300 a head to haul illegals.

By the summer of 2002, Valdes was moving five loads a week, an average of 20 immigrants a load.

Now, in the aftermath of a smuggling run turned deadly, the Valdes brothers had gone into hiding.

A few weeks after that July 27, 2002, tractor-trailer trip, U.S. and Mexican authorities met at the Border Patrol office in El Paso. The subject: apprehending Pat and Roman Valdes — both American citizens — and returning them to the United States.

Negotiations had to be handled carefully. Informants warned that Pat Valdes had paid bribes before to prevent deportation. If tipped, he'd take off for good.

"We'll get them," a Mexican official promised, asking for a little time.

Relatives of some of the migrants had wired thousands of dollars to the smugglers to pay for the trip, and records of the transactions turned up more names for the growing list of suspects.

In Juarez, Mexican agents began watching Valdes' hangouts — and waited. And waited.

FOLLOW THE MONEY

U.S. investigators — determined to roll up Valdes' entire smuggling network — had plenty of work to do.

Migrants including Luciano Alcocer, just out of the hospital, helped investigators find the Chaparral, N.M., mobile home where smugglers had hidden them before loading them into the back of the truck. It was abandoned, but a raid at another of the ring's stash houses led to three arrests.

David Fry, special agent with the Immigration and Naturalization Service, followed the money trail.

Relatives of some of the migrants had wired thousands of dollars to the smugglers to pay for the trip, and records of the transactions turned up more names for the growing list of suspects.

But three months into the investigation, only six people — including the truck drivers, Troy Dock and Jason Sprague — were in custody.

Prosecutors had enough evidence to show Pat Valdes was a smuggler, but not enough to prove he organized the fatal trip. The truck drivers had fingered him, but considering their part in the ordeal, the government wasn't about to go easy on them in return for testimony.

"Murderers," prosecutors called them. So, investigators needed some breaks. On Halloween night, they caught one.

Mexican police, their guns drawn, surrounded a vehicle in Juarez. Hours later, at 3 a.m., they rendezvoused with U.S. Border Patrol agents on the Stanton Street Bridge joining Juarez with El Paso. Agents from both countries shook hands as the exchange was made.

The prisoner — potbellied, balding and unshaven — had his hands cuffed across the front of his Washington Redskins warmup jacket.

"Are you willing to give us a statement?" a Border Patrol agent asked him.

"You want a statement?" Pat Valdes said. "I'm innocent. That's the statement."

A month later, another break.

Mexican authorities picked up Roman Valdes in Juarez and turned him over as well. If he could be persuaded to deal, U.S. prosecutors thought, they could put his brother away for a long time.

It had nearly happened once before.

In 1999, Roman Valdes had approached the Border Patrol and offered information about his brother's smuggling operation. Pat didn't pay him enough, wouldn't give him responsibility, he complained. He was tired of being a lackey.

"I want to be done with it," he said then.

But for reasons that were never clear, he stopped cooperating and went back to

work for his brother.

This time, it was different.

U.S. agents read Roman Valdes the charges against him. Was he ready to talk?

He hesitated briefly. Then his bitterness boiled over.

"All the things I've ever gotten in trouble for, it's always been with Pat," he said. "I was ... a peon, even though I'm his brother."

He asked the investigators: "What do you need to know?"

On April 14, 2003, Pat Valdes went on trial for conspiracy and alien smuggling in federal court in El Paso.

On day two, Roman Valdes took the stand, avoiding his brother's eyes as he gave clipped answers to Special Assistant U.S. Attorney Tom Roepke's questions.

It was his job to recruit truck drivers for the smuggling ring — to "hook" them with liquor and prostitutes in the bars of Ciudad Juarez, Roman Valdes said.

"Who paid for the services of the prostitute?" Roepke asked.

"Pat," Roman Valdes said.

"How was the driver paid?"

By a "loader" who put migrants in the truck, Roman said.

"And where did the loader get the money from?"

"From Pat," he said.

"Who paid you?"

"Pat."

Jurors stole glances at Pat Valdes. He seemed stricken.

Roepke turned to the fatal trip.

That night, Roman said, his brother tracked him down in Juarez and said they had to disappear. The police might be looking for them.

Why? the prosecutor asked.

"He said that some of the people on the trailer died."

That tied Pat Valdes to the deaths. Now Roepke wanted the jurors to know what it was like to be one of the estimated 10,000 migrants the ring had smuggled over the years.

The courtroom lights dimmed, and scenes captured by a state police video camera flashed on a screen: A trooper opening a tractor-trailer's cargo doors. Climbing inside. Shouting. Dragging a limp body out. Sloshing water over it. The body never moving.

The lights went up. Roepke called his next witness.

A tall, thin teenager strode to the stand. Jurors stared as the realization dawned: Could this be the person they had just seen being pulled from the trailer?

Speaking softly, Edson Rojas, almost 17 now, told the story of his 12-hour ride in the truck's ventless freight compartment.

Everything seemed OK until the sun came up, he said through a translator. But then, "the trailer started heating up," and people began stripping off their clothes.

See SMUGGLING, page 13

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NATIONAL



Smuggled immigrant youth at home in Kansas

SMUGGLING, from page 12

"Oxygen started to run out," he said. "We would urinate in the bottles of water that we had, and then we would drink our own urine."

"Why?" asked Roepke's co-counsel, Greg McDonald.

Rojas' voice broke. "Because we were thirsty and there was nothing to drink."

When the rig finally arrived at a truck stop in Dallas, he said, others pushed and shoved to get out the door. He tried to follow them, but he was too weak.

"Did you make it?" McDonald asked.

"No," the boy said.

From the prosecution table, Roepke studied the jurors. They were riveted.

He shouted for help, Rojas went on, but the cargo doors closed and the truck began moving again.

"What did you start to think?" McDonald asked.

Rojas shook with sobs. "That I was going to die."

The judge ordered a 10-minute recess. As the jurors filed out, most of them were crying, too.

The jury took only a few hours to reach a verdict.

At his sentencing last June 18, Pat Valdes apologized — not to the migrants, but to the prosecutors and investigators. Then he offered to help take down others in the smuggling business.

"If they ever need me," he said, "they can look me up."

**Two men had died inside that sweltering trailer.
If the trip had lasted 10 minutes longer,
everyone might have perished.**

U.S. District Judge Philip Martinez sentenced him to 27 years in prison.

Roman Valdes, who got a break for testifying, pleaded guilty to conspiracy to smuggle aliens and was sentenced to 7 1/2 years.

In all, 19 members of the smuggling ring were indicted in addition to the Valdes brothers. Twelve remain at large. One awaits a decision on her competency to stand trial. Six pleaded guilty to various charges.

Among them were the drivers, Dock and Sprague, who admitted to conspiracy to smuggle aliens, racketeering and interstate travel in aid of racketeering.

At the drivers' sentencing hearing last October, a dozen migrants who survived the trip spoke, reliving the 12-hour horror. Two men had died inside that sweltering trailer. If the trip had lasted 10 minutes longer, everyone might have perished, said Alcocer, the carpenter from Mexico City. "You see the doors to death," he said.

Defense attorneys argued that the

migrants who hired the smugglers bore some of the responsibility.

U.S. District Judge Leonard Davis wasn't buying it.

Some may believe illegal immigrants "don't enjoy the same dictates of humanity that others would," he said a month later when he imposed punishments. But, he added, "They should."

He sentenced Dock and Sprague to nearly 34 years in prison. According to prosecutors, the sentences are the longest ever meted out in a human smuggling case.

EPILOGUE

Today, Edson Rojas lives in Kansas with his father. The 11th-grader goes to school, plays soccer, and sees a counselor to help mend the scars from his journey to America.

"I get very nervous when I get into a car," he says. "I have a lot of nightmares."

Luciano Alcocer works as a furniture

maker in Monroe, N.C. Lawyers are seeking visas to allow him and the other survivors to remain in the United States. If he is sent back, Alcocer says, he might try again to come to America. But it won't be by way of a smuggler.

"God gives people opportunities, but not many," he says. "I escaped. I do not want to try it again."

Still, illegal immigration — and the business of human smuggling — goes on. The number of detained illegals, the Border Patrol's best measure of illegal immigration, increased 25 percent in the six months ending March 31 after four years of decline.

(Editor's note: Pat Valdes' criminal history comes from interviews with INS investigator David Fry, Border Patrol agent Rudy Valdez, other investigators, and prosecutors, as well as from interviews with and letters from Valdes. Details of the investigation come from those sources and from court records and trial testimony. Details of Roman Valdes' 1999 and 2002 interrogations and of Pat Valdes' 2002 arrest come from Border Patrol videotapes and interviews with agents. Scenes from Pat Valdes' trial are from trial transcripts and interviews with a juror, investigators, and prosecutors Tom Roepke and Greg McDonald. Details of the truck drivers' sentencing are from court transcripts, interviews with prosecutors, and the reporter's observations.)

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INTERNATIONAL

U.S. denies holding Berg, despite family claims

BY ROBERT H. REID

Associated Press Writer

BAGHDAD, Iraq — An American civilian who was beheaded in a grisly video posted on an al-Qaeda-linked Web site was never in U.S. custody despite claims from his family, a coalition spokesman said Wednesday.

The body of Nicholas Berg, 26, was found Saturday near a highway overpass in Baghdad on Saturday, the same day he was decapitated, a U.S. official said.

Berg, who disappeared April 9, was shown in the video on a Web site bearing the title "Abu Musab al-Zarqawi shown slaughtering an American," referring to an associate of Osama bin Laden believed behind a wave of suicide bombings in Iraq.

The video posted Tuesday showed a bound Berg in an orange jumpsuit. He was sitting in front of five men, their faces masked, as one read an anti-American text.

After pushing Berg to the floor, the men severed his head using sawing motions with a big knife and held it up for the camera. They said his killing was in response to the abuse of Iraqis at Abu Ghraib prison.

The body of the telecommunications businessman, a practicing Jew from West Chester, Pa., was being flown to Dover, Del., on an Air Force plane, the military said.

Unanswered questions remained about Berg in the days before he vanished, as well as where and when he was abducted.

Berg spoke to his parents March 24 and told them he would return home on March 30, according to his family in suburban Philadelphia.

Berg was detained by Iraqi police at a checkpoint in Mosul on March 24. He was turned over to U.S. officials and detained for 13 days, the family said.

His father, Michael, said his son was not allowed to make phone calls or contact a lawyer.

Coalition spokesman Dan Senor told reporters that Berg was detained by Iraqi police in the northern Iraqi city of Mosul. The Iraqis informed the Americans, and the FBI questioned him three times about what he was doing in Iraq.

Senor said that to his knowledge Berg "was at no time under the jurisdiction or detention of coalition forces."

Calls by The Associated Press to police in Mosul failed to find anyone who could confirm Berg was held there. The U.S.-led Coalition Provisional Authority runs Iraq, controlling not only the police, but the military and all government ministries.

FBI agents visited Berg's parents March 31 and told the family they were trying to confirm their son's identity.

On April 5, the Bergs filed suit in federal court in Philadelphia, contending their son was being held illegally by the

U.S. military. The next day, Berg was released. He told his parents he had not been mistreated.

Berg's father blamed the U.S. government for creating circumstances that led to his son's death, saying if his son had not been detained for so long, he might have been able to leave Iraq before the violence worsened.

"I think a lot of people are fed up with the lack of civil rights this thing has caused," Michael Berg said. "I don't think this administration is committed to democracy."

Asked for details about Berg's last weeks in Iraq, Senor replied: "We are obviously trying to piece all this together, and there's a thorough investigation." He said he was reluctant to release details but did not say why.

"The U.S. government is committed to a very thorough and robust investigation to get to the bottom of this," Senor said, adding that "multiple" U.S. agencies would be involved and that the FBI would probably have overall direction.

Senor said that in Iraq, Berg had no affiliation with the U.S. government, the coalition or "to my knowledge" any coalition-affiliated contractor. Senor would not specify why Iraqi police, who generally take direction from coalition authorities, had arrested him and held him.

Brig. Gen Mark Kimmitt said the only role the U.S. military played in Berg's confinement was to liaise with the Iraqi police to make sure he was being fed and properly treated because "he was still an American citizen."

It was unclear whether al-Zarqawi was shown in the Web site video or simply ordered the killing. Al-Zarqawi also is sought in the assassination of a U.S. diplomat in Jordan in 2002, and Washington has offered a \$10 million reward for information leading to his capture or killing.

Berg's father, brother and sister wept in their front yard Tuesday when told of the video.

"I knew he was decapitated before," said his father, Michael. "That manner is preferable to a long and torturous death. But I didn't want it to become public."

The father said "there's a better chance than not" that his son's captors knew he was Jewish. "If there was any doubt that they were going to kill him, that probably clinched it, I'm guessing," he said.

Amnesty International condemned the killing as "a serious crime under international law," and said those responsible should be brought to justice.

White House spokesman Scott McClellan said there was "no justification for the deliberate and brutal killing of an innocent civilian."



Web photo

A frame grab taken from footage posted on May 11 shows a man, who identified himself as Nick Berg, seated making a statement before he was executed.

U.S. officials fear the savage killing might prompt more foreigners working on international reconstruction projects to flee the country.

Since the security situation deteriorated last month, about three out of 10 Americans and other non-Iraqis involved in reconstruction projects financed by the U.S. Agency for International Development have fled Iraq, the USAID director Andrew Natsios told The Associated Press.

Berg's killing happened amid a climate of intense anti-Western sentiment, which flared in Iraq after last month's crackdown on Shiite extremists and the three-week Marine siege of Fallujah west of Baghdad. Anger at the United States swelled with the publication of photographs showing Iraqis abused and humiliated at Abu Ghraib prison, which continue to stir rage throughout the Arab world.

U.S. officials had feared the shocking photographs would endanger the lives of American troops and civilians.

Seven soldiers from the 372nd Military Police Company face charges in the mistreatment of prisoners at Abu Ghraib in a scandal that has sparked worldwide outrage. One of those soldiers faces a court-martial in Baghdad next week, the first to go to trial.

At one point in the video, Berg addressed the camera.

"My name is Nick Berg. My father's name is Michael. My mother's name is Suzanne," he said while seated in a chair. "I have a brother and sister, David and

Sara. I live in ... Philadelphia."

The video then showed Berg sitting on the floor, his hands tied behind his back, flanked by the masked men, as a statement was read in Arabic. Berg sat still during the statement, facing the camera, occasionally raising his shoulders.

The men said they had tried to trade him for prisoners at Abu Ghraib.

"For the mothers and wives of American soldiers, we tell you that we offered the U.S. administration to exchange this hostage for some of the detainees in Abu Ghraib, and they refused," one of the men read.

"So we tell you that the dignity of the Muslim men and women in Abu Ghraib and others is not redeemed except by blood and souls. You will not receive anything from us but coffins after coffins ... slaughtered in this way."

After the statement, the assailant directly behind Berg took a large knife from under his clothing while another pulled Berg onto his side. The video showed assailants thrusting the knife through his neck as a scream sounded before the men cut Berg's head off, repeatedly shouting "Allahu Akbar!" — or "God is great."

They then held the head up to the camera.

The video is of poor quality, and its time stamp seems to show an 11-hour lapse between when the assailants finish their statement and push Berg down, to when they behead him. That suggests a delay between those two portions of tape posted on the Web site.

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WORLD BRIEFLY

Soldiers search for remains of comrades

By The Associated Press

GAZA CITY, Gaza Strip — Israeli soldiers searched Gaza City on Wednesday for the remains of six soldiers killed by a roadside bomb, but Palestinian militants proudly displayed some of the body parts and said they would only turn them over in negotiations.

Israel refused and threatened swift retribution for the soldiers' deaths Tuesday, the most in a single army operation since November 2002.

After an overnight lull, the heavily armed Israeli forces, backed by tanks and combat helicopters, resumed searches early Wednesday. Gun battles erupted from time to time with Palestinian militants. Residents in the Zeitoun neighborhood — scene of Tuesday's explosion — were confined to their homes.

Soldiers stormed 45 shops and garages during the searches. Residents and schoolchildren gathered at the edge of the neighborhood — a Hamas stronghold — while gunmen streamed into the area, sparking gunfights with troops.

Military investigating officer abuse

By The Associated Press

KABUL, Afghanistan — The U.S. military has opened an investigation into allegations that an Afghan police officer was stripped naked, beaten and photographed at a U.S. base in Afghanistan, the American Embassy in Kabul said Wednesday.

The alleged abuse occurred in August 2003 at the American base in the eastern town of Gardez, 60 miles south of the capital, Kabul, an embassy statement said.

The New York Times quoted the former police colonel, Sayed Nabi Siddiqui, 47, as saying he was subjected to sexual abuse, taunting and sleep deprivation.

"To the best of our knowledge this is the first time anyone in the military chain of command or the United States Embassy has heard of this alleged mistreatment," U.S. Ambassador Zalmay Khalilzad said in the statement.

"We are not aware of the existence of any photos of the alleged incident," he added.

The New York Times quoted Siddiqui as saying he was wrongly detained on July 15 after he reported police corruption and that someone then accused him of being a member of the Taliban.

Bush wants no child left behind

By The Associated Press

VAN BUREN, Ark. — President Bush on Tuesday defended the No Child Left Behind Act amid criticism that the administration has come up short in funding schools and the education law's standards are too rigid.

Campaigning in Arkansas — a state he won narrowly in 2000 — Bush opened a three-day swing focused on his education policies and told voters, "I'm not chang-

ing my mind about high standards and accountability."

"We're not going back to the days where kids just got moved through and they weren't sure whether or not they could read, and at the end of the system they said 'OOPS, they can't read,'" Bush said.

The president's education tour follows a similar swing by Democratic rival John Kerry, who voted for the education law but now complains about the administration's budget spending and the way student progress is measured.

Bush's tour will get a boost from first lady Laura Bush, star of an Internet ad blitz her husband's re-election campaign launches Wednesday. The former librarian promotes and defends Bush's education policies in the ad, which is being placed on about three dozen Internet sites, many of which cater to Internet-savvy women who are watching less television.

Businesses question Kerry on health care

By The Associated Press

LOUISVILLE, Ky. — Small business leaders warned Democratic presidential candidate John Kerry that soaring health costs are forcing them to take extraordinary steps to offer any coverage to their workers.

For his part, Kerry said his health care plan would offer serious assistance to small businesses, which he called the engine of the nation's economy.

"It's not a plan drawn up on the back of an envelope for a campaign," Kerry told small business owners during his latest effort to focus the campaign's debate on health care.

The owners told Kerry they were most worried about health care costs that are forcing them to trim workers, cut benefits and search for coverage plans. Bruce Cohen, who owns a plumbing company, said his costs have soared by 75 percent over the last five years and have forced him to put in place a \$2,500 deductible.

"It's a huge item," Cohen said. "It is constantly going up."

Kerry held the round-table discussion at Louisville Stoneware, a company founded in 1815 but which owner Anthony Urbaites said has been forced to cut 18 workers and spend \$200,000 a year on health care.

Developer thinks he's wiser for governor

By The Associated Press

CHARLESTON, W.Va. — Democratic Secretary of State Joe Manchin and Republican Monty Warner, a retired Army colonel turned developer, will square off in the November election to replace Gov. Bob Wise.

With 97 percent of the vote counted early Wednesday, Manchin had secured the Democratic nomination with 137,658 votes, or 52 percent, to 72,018 votes, or 27 percent, for former state Sen. Lloyd Jackson.

The two candidates had engaged in a bruising exchange of negative advertising in the weeks leading

up to Tuesday's primary.

In a ten-way race of candidates vying for the GOP nod, Warner had 24,708 votes, or 23 percent, to edge out Dan Moore, a former banker and car dealer, who had 21,887, or 20 percent. Former state tax secretary Rob Capehart was third with 18,997 votes, or 17 percent.

The race was thrown wide open after an extramarital affair put an end to Wise's career last year. Seventeen candidates in all competed for the nomination — 10 Republicans and seven Democrats.

Musician murdered

By The Associated Press

PHILADELPHIA — John Whitehead, a prominent R&B artist best known for the 1979 hit song "Ain't No Stoppin' Us Now," was shot dead Tuesday, police said.

Whitehead, 55, and another man were working on a vehicle when they were shot by two gunmen, police said. The assailants fled.

Whitehead was shot in the neck and collapsed. Ohmed Johnson, who was shot in the buttocks, was in good condition early Wednesday, a hospital spokeswoman said. Police had no immediate suspects or motive.

Gene McFadden, who was Whitehead's partner in the singing group McFadden & Whitehead, went to the scene in the city's West Oak Lane neighborhood and stood there trembling, WPVI-TV reported.

The two men formed a group called the Epsilons in their youth and were discovered by Otis Redding, touring with the legendary performer in the 1960s, according to their Web site.

The duo wrote several hit songs performed by others in the 1970s, including "Back Stabbers," "For the Love of Money," "I'll Always Love My Mama," "Bad Luck," "Wake Up Everybody," "Where Are All My Friends," "The More I Want," and "Cold, Cold World."

Politicians deliver message to manufacturers

By The Associated Press

WASHINGTON — The Senate threw its support behind a tax cut for American manufacturers, urging the House to follow its lead and head off punishing tariffs that creep up every month.

The tariffs, imposed by the European Union, retaliate against the United States for failing to rid a domestic tax break deemed an illegal export subsidy. Senators said they hoped their 92-5 vote on Tuesday gives the bill a jolt that will help it move through the House.

"It is imperative that the House of Representatives act quickly," said Senate Minority Leader Tom Daschle, D-S.D. "The American people can't wait any longer for legislation that encourages companies to keep their jobs in the U.S."

At its core, the Senate bill would cut taxes for American manufacturers, rewarding most to those companies that produce their goods at home. The entire package cuts taxes \$170 billion over a decade, including some new and old tax cuts.

Lawmakers cover the cost of the package with money recouped from the repealed tax break for exporters and an assault on corporate tax shelters and loopholes.

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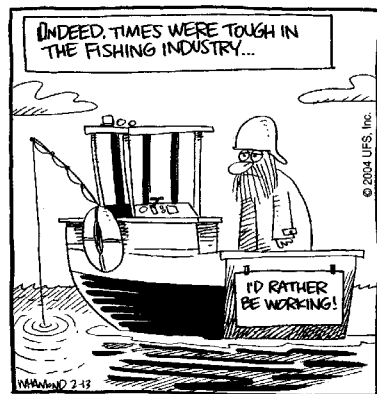


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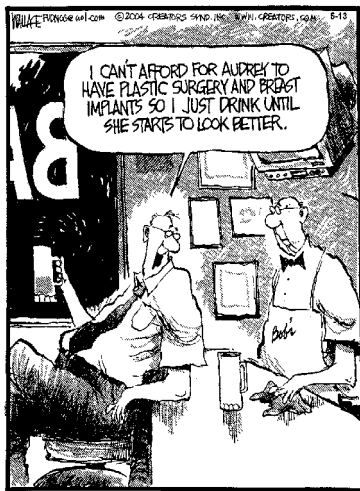
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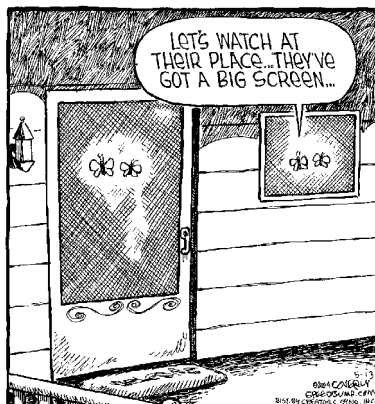
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Yesterday's answer

- 21 Met show
- 22 Longtime Syrian leader
- 24 Ike's monogram
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- 33 Sousa-phone's cousin
- 34 Vampire feature
- 35 Cote call
- 36 Shade source
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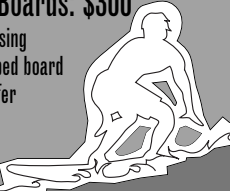
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PEOPLE IN THE NEWS

Slain Swede gets top honors in European Union

By The Associated Press

■ **STOCKHOLM, Sweden** — Sweden's former Foreign Minister Anna Lindh was posthumously voted "European of the Year in Sweden."

According to the European Movement in Sweden, which selected Lindh, the slain politician was cited for her "strong engagement and participation in the work that has led to the enlargement of the European Union."

The European Movement in Sweden is a branch of the European Movement, an organization aimed at uniting countries from eastern and western Europe within the newly expanded 25-member European Union.

The announcement was made over the weekend.

Lindh was stabbed while she shopped unguarded in a Stockholm department store Sept. 10. She died the next day.

■ **BRATTLEBORO, Vt.** — Andy Warhol is coming to Brattleboro.

"Andy Warhol: Intimate & Unseen" will open Sept. 18 at the Brattleboro Museum & Art Center. The exhibit will feature works collected by Paramount Pictures executive Jon Gould, who was Warhol's companion during the early 1980s.

"What's unique about this exhibit is it's work that's less known than his '60s work. Andy Warhol constantly reinvented himself, and his artistic output is absolutely huge," said exhibit curator Mara Williams.

"Andy gravitated toward people that were beautiful, not only in a physical but in a spiritual way," said Jay Gould, Jon Gould's twin brother. "I hope people (who see the exhibit) get the feeling from the show that this person was a friend of Andy's."

When Jon Gould died of AIDS in 1986, the items in the collection went into storage. A handful were shown in an exhibit in Boston.

Warhol died in 1987 at age 58 following complications from gall bladder surgery.

■ **PHOENIX** — The Rock and Roll Hall of Fame and Museum plans to open a satellite museum early next year in downtown Phoenix.

The "on tour" museum will be housed in a two-level building near America West Arena and will remain for at least five years, becoming permanent if it's well received.

Featuring traveling displays, rare items connected to artists and interactive educational exhibits, it could draw more than 100,000 visitors a year, organizers said Monday.

"It becomes one more little anchor to come downtown," said Dale Jensen, a businessman from Paradise Valley who has been on the Cleveland-based Hall of Fame's board for more than a year.

■ **TAIPEI, Taiwan** — Stars in the Chinese-language pop music world picked up trophies at the 15th annual Golden Melody Awards, with Jay Chou of Taiwan winning the best album award for "Yeh Hui-mei."

No single performer dominated Saturday's ceremony, a major Chinese music event that also draws talent from Singapore and Malaysia.

Hong Kong diva Faye Wong won the prize for best female artist.

The best male artist award went to Taiwan's Sky Wu, who hasn't won a Golden Melody award since he was named the best newcomer in 1990.

"In the past 15 years, I've been nominated seven times and I finally got you," Wu said as he admired his trophy for his work on "Pianist of Love."

Taiwan's May Day was named best rock band. The group's singer, Ah-Hsin, yelled "Long live rock and roll!" as the band members collected their prize for "Time Machine."

The award for the best vocal group went to Taiwan's Ah-Pao and Brandy for "Ah-Pao and Brandy," and the best new artist was Singapore's J.J. Lin for his album "The Musician."

■ **NEW YORK** — Selma Litowitz laughed, and for that, Jon Stewart is still grateful.

The "Daily Show" host is promoting a two-CD compilation by singer-songwriters to benefit the Parkinsons Foundation. It was set up by the children of Litowitz, Stewart's former English teacher who is afflicted with Parkinson's disease, a degenerative nerve condition.

Stewart was a self-confessed smart aleck while in high school in Lawrence, N.J., and most of his teachers were constantly telling him to pipe down.

Not Mrs. Litowitz.

"She was very patient, she was very understanding," Stewart recalled in an interview with The Associated Press on Monday. "She was the only one who made me feel that there was some kind of useful skill behind what I was doing."

And how did she do that?

"She laughed," he said.

■ **LITTLE ROCK, Ark.** — The fitness guru who trimmed Oprah Winfrey and is riding his bicycle across the country to promote health and wellness is sticking up for his sponsor, McDonald's.

Bob Greene is biking 3,000 miles over 36 days as part of the fast food restaurant's "Go Active!" challenge. Greene said that those who criticize McDonald's — like Morgan Spurlock, director of the new documentary "Super Size Me" — are just taking cheap shots at the restaurant.

"It's the movie coming out or lawyers," Greene said Monday during a rest stop in a McDonald's parking lot, alluding to a pair of class-action lawsuits the restaurant chain faced accusing it of making consumers fat. The U.S. House voted in March to ban class such lawsuits.

"Those things just don't have teeth," Greene said.

Greene said McDonald's is spending money to promote fitness and healthy menu items, like salads.

"They don't need to be doing that," he said. "They're taking it to another level."

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