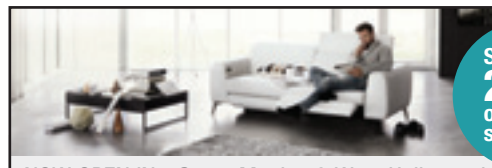
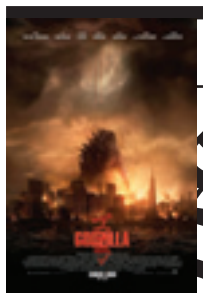

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TUESDAY, MAY 13, 2014

Volume 13 Issue 151

Santa Monica Daily Press

We have you covered

THE DOUBLE DUTY ISSUE

LEGAL HELP FOR A MONSTER
SEE PAGE 3

May 1914: Development, referendums, and blackmail

BY DAVID MARK SIMPSON
Daily Press Staff Writer

THE ARCHIVES Anticipating the new transit options from Los Angeles to the sea, developers pounced on Santa Monica in May of 1914.

"Four avenues to sea stimulate building," reads one Los Angeles Times headline. Washington Avenue and Pico, Wilshire, and Ocean Park boulevards were all in the works. With the Pico extension would come a train line. Lumber pilings for a new wooden roller-coaster were being pounded into the sand. A hotel was going up on the oceanfront. City Hall issued $262,947 worth of building permits, according to the L.A. Times archive. Construction was everywhere.

RESIDENT PETITION

One councilman, H.E. Shauver, found himself on the wrong side of public opinion. Residents collected 163 signatures (they only needed 154) to force a recall election for Shauver's seat.

It's unclear what Shauver did to draw the ire of 163 Santa Monicans; the L.A. Times archive doesn't specify and the story didn't appear in the local papers. Shauver had replaced Mayor Dow in an election that drew 383 voters.

In June, Dow would challenge Shauver in the recall election but ultimately fail to take back his seat. Shauver's fellow councilman presented him with flowers following his election victory.

BLACKMAILERS

Santa Monica police uncovered a massive blackmail ring perpetrated by a gang of con-men and clairvoyants that spread from Portland to San Diego.

Cops arrested Edgar Byron, the alleged ringleader, and a Santa Monica constable who admitted to being in on the action.

Byron was supposedly responsible for the attempted bribery of Mayor Thomas Horace

SEE HISTORY PAGE 7



SUNNY FUN DAY

Fabian Lewkowicz *FabianLewkowicz.com*

A woman with her dog roll along the Santa Monica Beach Bike Path on Monday. The temperature hit a high of 85 along the shore.

Pier concerts' safety bills rolling in

BY DAVID MARK SIMPSON
Daily Press Staff Writer

Editor's note: This story is part of an ongoing series that tracks the city's expenditures appearing on upcoming Santa Monica City Council consent agendas. Consent agenda items are routinely passed by the City Council with little or no discussion from elected officials or the public. However, many of the items have been part of public discussion in the past.

CITY HALL Twilight Concert Series safety measures, a reservoir, and a trash truck make up more than three quarters of the proposed $942,310 spending in tonight's consent agenda.

City Council will likely agree to pay $260,000 to keep the Twilight Concert Series safe this summer. The contract, to provide supplemental law enforcement during the 10 free summer concerts held at the Santa Monica Pier, would go to the Los Angeles County Sheriff's Department.

Earlier this year city and law enforcement officials made it clear to council that the ballooning attendance at the concerts was becoming a threat to public safety. They estimate that up to 30,000 people attended last year's Jimmy Cliff concert.

City officials recommended making some changes in an attempt to downsize the event. Council heeded some of the recommendations and rejected others.

As a result, city officials said at the time of the vote, the concert series is going to cost taxpayers extra money. This quarter million dollar sheriff's contract will be the first bill.

THIRD TIME'S THE CHARM?

Big Blue Bus is struggling to sublease the former location of its transit store. To save some cash, BBB officials planned to rent the Broadway and Second Street space, which has long housed BBB's public information hub.

In October, council approved a sublease of the space to California Love, a clothing retailer. Back then City Hall said the move

SEE CONSENT PAGE 6


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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Tuesday, May 13, 2014

Write it right
Fairview Library
2101 Ocean Park Blvd., 12 p.m.
Inspiration, guidance, direction and support for writers.

Go green
Santa Monica Bundy Campus
3171 Bundy Dr., Los Angeles,
4 p.m.
Join this Sustainable Works Workshop and learn how to save money and positively impact your family, community and ultimately the planet. For more information, visit smpl.org.

Strike a pose
Montana Library
1704 Montana Ave., 7 p.m.
Come to the library and get the endorphins flowing. You'll be laughing, stretching gently, clapping, breathing, and relaxing. Join the fun. For more information, visit smpl.org.

Tour the Beach House
Annenberg Community
Beach House
415 Pacific Coast Hwy, 5:15 p.m.
Explore the rich Beach House site history with a Santa Monica Conservancy docent.

Time to groove
Palisades Park
6 p.m.
THEGROOVE is a revolutionary and simple approach to teaching movement that makes authentic dance natural and easy for everyone. Sarah Marsh has been teaching all ages with the city of Santa Monica for the past 14 years. She has a B.A. in psychology from UCLA and is starting a masters in social work during the fall of 2013. Growing up in a homogenous village in the north of England, Sarah started seeking multiculturalism at a very young age. World Groove was created six years ago from a desire to promote peace through community dance art and culture and has become a well loved part of community recreation in Santa Monica. Registration is required, $77 for non-residents, $67 for residents. Call (310) 458-2239 for more information.

Karmic comedy: Fundraiser for New Roads School
M.i. Westside Comedy Theater
1323-A Third Street Promenade
8 p.m.
Some of L.A.'s top comics come out to raise money for New Roads School at Westside Comedy Theater. New Roads School is a fully accredited independent K-12 school founded as a model for education in a culturally and economically diverse community. Tickets are $20 and net proceeds benefit the school.

Artists league
Santa Monica Bay Woman's Club
1210 Fourth St.
10 a.m. - 1 p.m.
Join fellow artists every Tuesday from 10 a.m. to 1 p.m. to work on your own projects in watercolor, gouache, acrylic or collage. The historic building provides a quiet space that will allow your creativity to blossom and working with other artists will provide you with valuable feedback and new inspiration. Call (310) 310-2273 for more information.

Food truck bazaar
California Heritage Museum
2612 Main St.,
5:30 p.m. - 9:30 p.m.
Gourmet food trucks, sit-down eating accommodations and facilities. Free parking in the museum's parking lot. Metered parking in the adjacent lots. Free bicycle valet. Proceeds benefit the museum.
Call (310) 392-2512
for more information.

For help submitting an event, contact Daniel Archuleta at **310-458-7737** or submit to editor@smdp.com

CLARIFICATION

In the May 10-11 edition, writer Joseph E. Bates said ("Fantasy versus reality," Your Column Here), "Gruber also trumpets the 'age of the police drone…'" The comment should have been attributed to Peter Donald.

COMMUNITY BRIEFS

SANTA MONICA COLLEGE

Citizens needed for oversight committee

Santa Monica College is seeking applications for the Citizens Bond Oversight Committee, which oversees the implementation of Measures U, S and AA, the 2002, 2004 and 2008 bond measures that are funding capital improvement projects at the college. The application deadline is Friday, June 6, 2014.

The vacancies are specifically for representatives of local business communities of Santa Monica and Malibu. Applications for additional members are encouraged. Applications are available on the SMC website at: www.smc.edu.

To qualify for appointment, an applicant must be at least 18 years old; must not be a college employee or official; and must not be a vendor, contractor or consultant to the college.

The committee was established in spring 2002, as required by state law, to oversee the implementation of Measure U, the $160 million bond passed by an overwhelming 70 percent of Santa Monica-Malibu voters. The committee's responsibility was expanded to include oversight of Measure S, the $135 million bond measure passed in November 2004, and Measure AA, the $295 million bond measure passed in November 2008. The bond measures are funding a wide range of projects, including replacement buildings, seismic retrofitting, safety and technology upgrades, and more.

The SMC Board of Trustees will review all applications and make the final appointments.

– MATTHEW HALL

SMMUSD HDQRTS

Schools looking for applicants

The Santa Monica-Malibu Unified School District's Financial Oversight Committee (FOC) is seeking qualified candidates who will bring a depth of business and/or financial expertise to the committee.

The Financial Oversight Committee (FOC) of the district consists of 11 members, appointed by the Board of Education. Appointments will be for up to three-year terms, with term expiration dates to be staggered in a 3-4-4 pattern.

Application forms are available through the Superintendent's Office or via the website: smmusd.org/fiscal/financialDAC.html.

The deadline for applications is Friday, June 6, 2014. They can be mailed to the district office (1651 16th St., Santa Monica, Calif. 90404), faxed (310 581-1138), or scanned and e-mailed to swahrenbrock@smmusd.org.

FOC meetings are currently scheduled once a month at the District Office at 7 p.m. in the testing room. Following is the schedule of meetings (subject to change) remaining for the 2014-15 year:

Sept. 11, Oct. 9, Nov. 13, Dec. 4 (meeting will be held at Webster Library in Malibu). 2015 dates include: Jan. 8, Feb. 12, March 12, April 16, (Meeting will be held at Webster Library in Malibu), May 14, June 11, TBD (July or August).

– MH

✉WHAT DO YOU THINK?

■ Send letters to **editor@smdp.com**



HONORS

Photo courtesy Matt Sayles

2014 Herb Alpert Award in the Arts celebrating 20 years of supporting risk taking artists on Friday. Left to right: Michelle Dorrance, Matana Roberts, Deborah Stratman, Herb Alpert, Lani Hall Alpert, Annie Dorsen and Daniel Joseph Martinez.

Godzilla proves even giant monsters need lawyers

THE ASSOCIATED PRESS

SANTA MONICA He spews radioactive fire, razes cities and pummels creatures from Earth and beyond, but even Godzilla needs a good lawyer sometimes. After all, you don't survive 60 years in the movie business without taking some fights to court.

For decades, attorneys acting on behalf of Godzilla's owners, Tokyo-based Toho Co. Ltd., have amassed a string of victories, fighting counterfeiters and business titans such as Comcast and Honda along the way. The opponents have come from all corners of pop culture: TV commercials, video games, rap music and even the liquor industry.

The litigation has kept Godzilla's brand thriving and helped pave the way for commercial and merchandising tie-ins that will accompany the monster's return to the big screen on Friday after a 10 year hiatus. Godzilla's image is for sale, but permission is needed.

Toho's attorneys use copyright and trademark law as effectively as Godzilla uses his tail and claws to topple buildings and swat opponents. Their court injunctions have permanently whacked music, books and movies from store shelves.

Since the mid-1980s, Chuck Shephard of the Los Angeles law firm of Greenberg Glusker has been Godzilla's lead lawyer, filing suits like the one against a wine called Cabzilla that resulted in a winemaker being forced to dump its stock of Cabernet Sauvignon down the drain.

"Godzilla is just as protected as Mickey Mouse," said Shephard in a recent interview. Toho's lucrative licensing efforts, which include endorsements, toys, comic books, video games and even official wine and sake brands, require the company to be vigilant against copycats, he said.

Since 1991, Toho's attorneys have filed at least 32 copyright and trademark lawsuits and countless warning letters, gaining court injunctions in a quarter of the cases. Most others have resulted in settlement agreements that while confidential, result in products disappearing from the market-

SEE **LAWYERS** PAGE 8

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Government 101

Editor:

Dear Andrew K. Liberman,

The role of government in the United States has expanded dramatically over the last century ("Kronovet is misinformed," Letter to the Editor, May 10-11). Compared to its pre-20th century functions, government has taken on new and vast roles, including old-age pensions, government-provided health care, and a host of other programs that typically comprise a modern welfare state.

I believe in Adam Smith's position, the 18th-century Scottish moral philosopher, that the ideal functions of government were few and well defined. In his classic work, "An Inquiry into the Nature and Causes of the Wealth of Nations," written in 1776, Smith outlined three important government functions: national defense, administration of justice (law and order), and the provision of certain public goods (e.g., transportation infrastructure and basic and applied education). Clearly, government has grown beyond the bounds of these simple duties.

Our democracy has been created to provide equal justice not social justice. Sir, you speak about "level playing field" and "equal society." Who is to administer what is a level playing field or what an equal society looks like.

I agree that our form of government is the worst possible, except when compared to every other.

Robert Kronovet
Santa Monica



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What's the Point?

David Pisarra Send comments to editor@smdp.com

Feminism for men

I WROTE THIS PIECE FOR THE GoodMenProject.com and I wanted to share it with the fathers and mothers of Santa Monica because it has sparked a conversation on GMP and I'll be interested in seeing what happens here.

Last month I interviewed Lisa Hickey, publisher of the GoodMenProject.com for my Men's Family Law podcast. The interview focused on the ways in which our society has changed over the past few decades.

As is often the case after I interview someone, I keep thinking about what we discussed. During the interview we chatted about how the gay rights movement and shows like "Modern Family" have made it more acceptable for men to be stay-at-home dads, but as I kept mulling things over I realized that was only part of the driving force. There was more, and it came from an unlikely source - feminists.

Today, men are making the choices made possible by the feminist movement. As a gay divorce lawyer fighting for fathers' rights in a society that is still trying to figure out what being a man in the 21st century means, I can tell you there is a sea change in the way that men are being perceived and what is acceptable, but more importantly what is supported by the courts.

When women started demanding an equal role in the workforce and equal pay, they were faced with the choice of being a stay-at-home mom, or a career woman. At first, the career woman was not a popular, or even accepted choice. But time and experience have changed society's perceptions and expectations.

Today, men across the country are the unintended beneficiaries of the feminist movement. Men are now facing the same decisions that women face: be a stay-at-home parent or be a career person? It's still more socially acceptable to be a career man, and oftentimes more profitable for the family since women still have a pay gap. However, more men are owning their desire to be a stay-at-home dad and recognizing the benefits to themselves and their children from having dad around more.

I'm not a dad, but I fight for fathers to get more time with their children and oftentimes it is a losing battle. The losing battles are very emotionally draining for me. I want to see more men take a larger and more active role in their children's lives and the courts and society do their best to make that difficult. From questioning the masculinity of a man who wants to stay home, to the gender bias that women are "just better" as parents, society sets men up to take a less active role in their children's lives.

This year, a friend of mine had a daughter in March. He's lucky in that he's financially able to not work if he so chooses. He was offered a high-paying, prestigious position with an up-and-coming company. He was facing the dilemma that many women today, and a few men are: work, or stay at home?

It was a hard choice for him, but he decided he'd rather be a stay-at-home dad and be an emotional provider for his daughter at this crucial time in her life. I can only describe my reaction to his decision as glee. I was so happy for him and his ability to move beyond the tried and true boundaries of what it means to be a husband and father in America. He's on the cutting edge of manhood today.

I was so proud of him for putting his family first in a way that would have been easy to avoid. Taking the high-paying job would have been lucrative and no one would look down on him. But quite a few people would question his decision to stay home.

Thankfully, the Santa Monica men's group we're part of wasn't one of them. The reaction that he received and the support that he received tells me that the work I do, as painful and draining as it can be, is important. Not just for the fathers I represent but for the world in which we live.

The role of men in child-rearing is changing dramatically, and it's because some men are willing to stand up and say they want to be the stay-at-home parent, and that will make a huge difference in the world we live in a decade or two from now.

It's pretty funny to me that I'm writing this, as I'm often told that I hate women. Being a gay man fighting for men's rights I suppose that comes with the territory, but the reality is that I'm just continuing the fight of Betty Freidan, Gloria Steinem, and the many women who worked for gender equality throughout the ages.

DAVID PISARRA is a Los Angeles Divorce and Child Custody Lawyer specializing in Father's and Men's Rights with the Santa Monica firm of Pisarra & Grist. He welcomes your questions and comments. He can be reached at dpisarra@pisarra.com or (310) 664-9969.You can follow him on Twitter @davidpisarra.



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OPINIONS EXPRESSED are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to editor@smdp.com. All letters must include the author's name and telephone number for purposes of verification. All letters and guest editorials are subject to editing for space and content.

The Q Line

Clearing the air

The Santa Monica Airport Commission is pressing for a new emission ordinance that would effectively ban certain aircraft.

This past week, Q-line asked:
Do you think an ordinance is in order and why?

Here are your responses:

"THIS IS NOTHING MORE THAN A bunch of green washing by a group of homeowners trying to increase their property values by closing down the airport at the expense of the local economy. If they were really serious about reducing emissions, they would push for limits on certain kinds of automobiles."

"PILOTS ROUTINELY FLY LOW OVER MOST of the Santa Monica public school system (John Muir, SMASH, Samohi, JAMS, Will Rogers, Grant, etc.) - well over 5,000 students - ages kindergarten through 12th grade. These planes emit toxins that have been proven to negatively affect children and adults. Anything that can be done to reduce the impact of this pollution is not only welcome but necessary. Pilots could volunteer not to fly low over the schools, but they don't. The Airport Commission is right to stand up for the kids who have no power over pilots."

"BECAUSE THIS AIRPORT IS OUT OF control and do what they want to."

"IT IS ABSOLUTELY APPROPRIATE TO have guidelines for emissions. We don't allow automobiles on the roads if they can't pass smog tests. I think all small planes flying out of SMO should be required to use unleaded fuel, just like automobiles, and jets should not be allowed to spew highly toxic ultra fine particles over densely populated neighborhoods adjacent to the airport. The jets don't belong at this airport anyway since the runway is too short for them to land safely."

"YES, OF COURSE WE NEED A NEW emission ordinance."

"IT IS A GOOD FIRST STEP BEFORE hopefully closing SMO in 2015."

"SMO IS NOW SURROUNDED AS CLOSE as 300 feet by parks, pre-schools, office buildings and neighborhoods which are constantly subjected to lead-based emissions from prop planes and av-gas emissions from the jets which expel ultra fine particles and black carbon into our air and into our lungs. As the frequency of jet traffic has risen, the damage to bodies, bladders and brains in adults, children and pets has multiplied. An air quality/emission ordinance would help to curtail the devastating effects of these aviation emissions and help us all breathe a little easier."

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"I WOULD WHOLEHEARTEDLY SUPPORT such an ordinance. I live next to the airport on Pier Avenue and, putting aside the raw scientific data for the moment, just the anecdotal effects of the engine fumes that come bellowing across Clover Park, Ashland and Pier avenues and 23rd Street/Walgrove Avenue as the large jets land and taxi at the west end of the runway is noxious at best and has to have negative health effects on the residents [humans, plants and other life forms] downwind (on any side of the airport). My family is regularly forced to keep our windows closed during certain times of the day when there is heavy jet traffic."

"SANTA MONICA HAS TO REGULATE emissions. We have the worse air quality in Los Angeles. I often use a mask while I am working outside not to smell the jet fuel."

"THE SM AIRPORT IS A TOXIC nuisance that creates severe air and noise pollution for the neighborhood, for the benefit of wealthy people who live elsewhere. No thank you."

"YES, IT IS NEEDED. BUT IT MUST BE concerned with emissions, not mentioning aircraft types, etc., which would be discriminatory."

"I THINK ANY ORDINANCE THAT WILL reduce traffic in and out of this airport is a good thing. This airport is an abomination; any effort to reduce or eliminate flights in and out of SMO is a great idea. I can't wait until 2015, when I hope the city will cut off 2,000 feet of runway and kick out aviation leases."

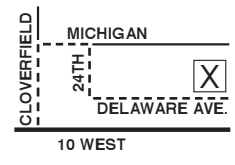
"AN ORDINANCE TO CONTROL TOXIC pollution from SMO aircraft operations is shamefully, at least two decades overdue!"

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PAL Santa Monica

City of Santa Monica

CONSENT

FROM PAGE 1

would save them about $219,000. Storeowners didn't realize they'd be required to add a bathroom to the location so they backed out.

In March, council approved a sublease with Washington Earth Spa. BBB moved out this time, opening an informational window next to Central Parking's window on Fourth Street.

But the spa also fell through for undisclosed reasons.

Now BBB wants approval to sublease the space to Gelatoro, an Italian gelato retailer. The estimated savings is down to $140,000 and, if the lease gets signed, City Hall will have to pay $24,772 to a broker who helped find Gelatoro.

CRIMINAL TRANSPORT

They say crime doesn't pay, at least for criminals. It pays pretty well for the people tasked with transporting criminals.

Council will likely agree to pay the Los Angeles County Sheriff's Department $98,183 to transport prisoners from the Santa Monica Police Department jail to the LAX Courthouse. They've been paying the sheriff for the transport help since 2004 when, in the county's effort to consolidate courthouses and save cash, the Santa Monica branch courthouse stopped hearing criminal trials.

MEMORIAL WALL

The Santa Monica community raised $13,250 to fund the Woodlawn Cemetery Memorial project but council is asked to pick up an additional $23,050.

Construction started last month and will likely be complete by May 26, Memorial Day.

The pillars, each representing a foreign conflict, will include the names of fallen Santa Monica soldiers.

TRASH TRUCK

City Hall wants to buy a new trash truck (which they call a "side loader refuse packer unit") that costs $288,717. Last year, they were going to buy four new trucks but, when they realized that one of their old trucks could probably last another year, they opted to buy three. Now that old truck is done and they need a new one. Boerner Truck Center, which sold City Hall the other three, will likely get the cash.

RESERVOIR

A halfway done project that will irrigate Marine Park with treated runoff water needs $272,360 for some design work. City Hall pumps 3.5 million gallons of water into that park every year.

The project includes running 5,000 feet of pipe from a reservoir under a Los Angeles park to a holding tank under Marine Park. The first phase, the construction of the reservoir, is complete.

The contract for the designs, which would likely be completed in early 2015, is slated to go Carollo Engineers.

dave@smdp.com

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Saturday, May 17, 2014

Registration: 8:30 am

Seminar: 9 am – Noon

Topics include:

- Coping strategies
- Surgical therapies – deep brain stimulation (DBS)
- Medical treatments
- Noninvasive treatments – focused radiation & ultrasound



Nader Pouratian, MD, PhD
UCLA Neurosurgery
Director, Neurosurgical Movement Disorders Program



Yvette Bordelon, MD, PhD
UCLA Neurology Movement Disorders Specialist

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Support for this program was provided, in part, by Medtronic.

HISTORY
FROM PAGE 1

Dudley during his reelection campaign. Dudley got a letter threatening to reveal his unspecified improprieties with a Geraldine Hogg, the wife a wealthy Montana businessman. They had Hogg's revealing letters, they said, and they wanted cash. Hogg accused a clairvoyant of hypnotizing her into writing the letters.

Cops recommended that Dudley agree to pay the cash and they orchestrated a sting that ultimately led to the unraveling of the gang.

In another case, one of the gang's clairvoyants (Professor Bijou) bilked a widow of her life savings through letters written from beyond grave by her deceased daughter.

Byron claimed innocence but the recovery by police of a letter inside his home signed "The Blackmailers" did not help his cause.

CHURCH SLANDER SUIT

This reporter stands in awe of this wonderful century-old lede: "Not since the day some ten years ago, when Jim Hagan, a carpenter crushed his thumb while driving the last nail into the First Baptist Church of Santa Monica and swore most vigorously before the congregation assembled, have members of the church been so scandalized as now. And the latter scandal is greater."

I'll keep reading.

The latter scandal involves a preacher, a money lending deacon, a mother and her 15-year-old girl.

The preacher brought the congregation together to pray for Mrs. Dorothy Johnson McCartney and her daughter, Estelle Johnson because, he prayed, the mother was seeking to sell the daughter "into sin."

Johnson McCartney quickly filed a slander lawsuit against the preacher, his deacon, and the deacon's wife. Johnson McCartney claimed that the story was fabricated because the she refused to sell her property cheap to the deacon, a local moneylender.

The deacon, Johnson McCartney said, kidnapped her grandmother, forcing her to sell her property for $125 dollars and two $10 "charity tickets."

The lengthy L.A. Times article relays layer upon layer of mudslinging between the two parties and concludes:

"All the misdeeds and past deeds of the battling Santa Monicans have been exposed, and when the action is tried in court it gives promise of being as sensational as any in years."

Stay tuned.

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SURF REPORT



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Surf Forecasts

Water Temp: **58.5°**

TUESDAY – **FAIR** – SURF: **2-3 ft** Knee to chest high
S/SSE swell continues; small NW energy blending in; offshore morning winds

WEDNESDAY – **FAIR** – SURF: **2-3 ft** Knee to chest high
New round of SSW/S swell builds in; minimal NW energy lingers ; offshore morning winds; select focal points pull in larger sets at times

THURSDAY – **FAIR** – SURF: **2-3 ft** thigh to chest high occ. 4ft
SSW/S swell peaks; possible trace WNW swell ; clean AM conditions continue; select focal points pull in larger sets at times

FRIDAY – **FAIR** – SURF: **2-3 ft** thigh to chest high occ. 4ft
Continued SSW/S swell; trace WNW energy

BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of: **May 7, 2014**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - beachreportcard.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 30 days)
- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 0
- Number of A grades for dry/wet weather -- 43/1
- Number of (C,D,F) grades for dry/wet weather -- 2/0

The Beach Report Card is made possible by: SMA Swain Barber Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for at least 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	ns
El Pescador State Beach, between Lechusa and Las Alisa creeks.		
Encinal Canyon at El Matador State Beach.	A+	ns
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	A+	ns
Latigo Canyon Creek mouth.	A+	ns
Solstice Canyon at Dan Blocker County Beach.	A	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 21672 Malibu Rd..	A	ns
Surfrider Beach at Malibu Colony fence.	A+	ns
Surfrider Beach (breach location)- daily.	A	ns
Malibu Pier - 50 yards east.	A+	ns
Carbon Beach at Sweetwater Canyon.	A+	ns
Las Flores State Beach at Las Flores Creek (point zero).	A+	ns
Big Rock Beach at 19948 PCH stairs.	A+	ns
Pena Creek at Las Tunas County Beach.	A+	ns
Tuna Canyon.	A+	A+
Topanga State Beach at creek mouth.	A	ns
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	A+	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A	ns

LOCATION	DRY	WET
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A	ns
Will Rogers State Beach at Pulga Canyon storm drain.	A+	ns
Will Rogers State Beach at Temescal Canyon drain.	A	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A+	ns
Santa Monica Beach at Montana Ave. drain.	A+	ns
Santa Monica Beach at Wilshire Blvd. drain.	A+	ns
Santa Monica Municipal Pier.	F	ns
Santa Monica Beach at Pico/Kenter storm drain.	B	ns
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	ns
Ocean Park Beach at Ashland Ave. drain.	A	ns
Venice City Beach, at the Rose Ave. storm drain.	A+	ns
Venice Beach at Brooks Ave. drain.	A+	ns
Venice Beach at Windward Ave. drain.	A+	ns
Venice Fishing Pier - 50 yards south.	A+	ns
Venice Beach- projection of Topsail St..	A+	ns
Marina del Rey, Mothers' Beach- lifeguard tower.	F	ns
Dockweiler State Beach at Ballona Creek mouth.	A	ns
Dockweiler State Beach at Culver Blvd. drain.	A	ns
North Westchester Storm Drain at Dockweiler State Beach.	A+	ns
Dockweiler State Beach at World Way (south of DAW jetty).	A+	ns
Dockweiler State Beach at Imperial Hwy drain.	A	ns
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	ns
Dockweiler State Beach at Grand Ave. drain.	A+	ns

LEGEND
DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a nonprofit environmental organization making Southern California coastal waters and watersheds, including Santa Monica Bay, safe, healthy and clean. We use science, education, community action and advocacy to pursue our mission.
Heal the Bay

Heal the Bay's Beach Report Card™ is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A-F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

LAWYERS

FROM PAGE 3

place.

Since the late 1990s, Shephard has worked Toho cases with attorney Aaron Moss, whose high-end Century City office is cluttered with a mix of legal filings and official and unofficial Godzilla merchandise.

Some of the spoils of court victories include a now out-of-circulation copy of rapper Pharoahe Monch's 1999 album that improperly used Godzilla's theme music and a two-foot-tall dog toy called Tuffzilla.

"Toho is not out there to extract a pound of flesh," Moss said. "They need to protect their brand."

Both attorneys said they carefully evaluate when to file lawsuits, and Toho trusts their judgment. Litigation often starts with a cease-and-desist letter, and a company's reaction to it often determines whether the case escalates, they said.

"When you have something as famous as Barbie or as Godzilla, you're well-served to protect that," said Larry Iser, a partner at the Santa Monica, California-based firm Kinsella Weitzman Iser Kump & Aldisert.

Iser represents toy maker Mattel and noted that trademarks for some popular products such as the trampoline and escalator have fallen into the public domain, making them easier and cheaper for companies to copy.

But Godzilla's trademarks could last forever if they're properly handled, Iser said.

Godzilla debuted in Japan in the 1954 hit film "Gojira" but has proven to be just as popular in the United States. That's made him an attractive spokesmonster.

He's appeared in ads for Snickers candy bars, Nike shoes, Doritos chips, as well as in marketing for the original "Simcity" computer game, Honda minivans, and Subway's "Five Dollar Footlong" specials. Yet those last three uses weren't properly licensed and prompted Toho to sue.

Godzilla's appearance in the 1991 Rose Parade sparked Toho's first court fight with Honda. Decked out in a tuxedo and top hat, American Honda's float was engineered to make it look like Godzilla was traipsing down the street.

The next day, Toho called Shephard. Godzilla's image hadn't been licensed for the float, and the ensuing lawsuit lasted more than a year before Godzilla finally prevailed. Honda denied that their float depicted Godzilla, despite advertisements and a memo about the float describing the creature by name.

It was one of many cases that featured what Moss calls "the dinosaur defense."

Defendants sometimes claim their products aren't Godzilla, but simply dinosaurs. It's a dubious argument, Moss said, because the products often feature a spiky spine similar to Godzilla's, or depict the creature in a cityscape. Godzilla may munch on cities, but dinosaurs didn't.

"It just doesn't work," Moss said. "Why does it breathe fire and stomp on cities?"

Godzilla has suffered one notable loss. In 1981 — before Shephard's firm was involved — a federal appeals court dismissed a lawsuit by Toho against Sears Roebuck & Co. filed over a line of trash bags the retailer had named "Bagzilla." The bag's use of a Godzilla-esque creature represented a "humorous caricature" and not a serious threat to Toho's business interests, the court ruled.

One ongoing fight for Godzilla's lawyers is against a Louisiana brewery, which is being sued over its Mechahopzilla beer line. The giant metal lizard on the beer's cans and tap handles is too similar to Godzilla's mechanical version, Mechagodzilla, Toho's lawyers argue. The brewery contends its beer is a parody and is relying in part on the Sears case.

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AMC Loews Broadway 4
1441 Third Street Promenade
(310) 458-3924

Amazing Spider-Man 2 in 3D (NR)
3:35pm, 10:00pm

Amazing Spider-Man 2 (NR)
12:30pm, 6:45pm

Heaven Is for Real (PG)
1:30pm, 4:10pm, 7:05pm, 9:45pm

Grand Budapest Hotel (R)
1:15pm, 4:05pm, 7:15pm, 10:00pm

AMC 7 Santa Monica
1310 Third St.
(310) 451-9440

Amazing Spider-Man 2 in 3D (NR)
12:15pm, 3:45pm, 7:15pm, 10:35pm

Amazing Spider-Man 2 (NR)
11:10am, 2:30pm, 6:00pm, 9:30pm

Captain America: The Winter Soldier (NR)
11:00am, 1:20pm, 4:20pm, 7:30pm, 10:30pm

Rio 2 (NR)
11:20am, 1:50pm, 4:30pm, 7:10pm, 9:55pm

Other Woman (NR)
10:45am, 1:30pm, 4:20pm, 7:15pm, 10:00pm

Neighbors (R)
11:00am, 12:30pm, 2:00pm, 3:00pm, 4:40pm, 5:40pm, 7:20pm, 8:20pm, 10:00pm, 10:45pm

Laemmle's Monica Fourplex
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(310) 478-3836

Cycling With Moliere (Alceste a bicyclette) (NR) 1hr 44min
1:20pm, 7:00pm

Railway Man (NR) 1hr 56min
1:50pm, 4:30pm, 7:10pm, 9:50pm

German Doctor (Wakolda) (PG-13) 1hr 32min
1:00pm, 3:15pm, 5:30pm, 7:50pm, 10:10pm

Only Lovers Left Alive (NR) 2hrs 03min
4:00pm, 9:40pm

Fading Gigolo (NR) 1hr 38min
1:00pm, 3:20pm, 5:40pm, 8:00pm, 10:15pm

For more information, e-mail **editor@smdp.com**

FOLLOW THE MUSIC, PISCES

ARIES (March 21-April 19)
★★★★ Your intentions are nothing less than inspiring. Others might not be on the same page, which is why you will find it difficult to relate to certain people. They seem to be on a different mental plane, with different concerns. Be spontaneous. Tonight: Say "yes" to an invitation.

TAURUS (April 20-May 20)
★★★ Push comes to shove with a Full Moon adding to the "loony" qualities of those around you. Unpredictability could arise and allow your intuition to flow freely. Reach out to someone at a distance whom you care about. Tonight: Work with a sudden insight.

GEMINI (May 21-June 20)
★★★ Focus on what is going on in your daily life. You might need to pick up what others do not complete. An older individual will inspire you to create past your present limitations. Tonight: A dear friend or loved one wants to share.

CANCER (June 21-July 22)
★★★★ A partner seems to be changing the ground rules. Listen to your instincts when dealing with a child or new friend. An idea might not be easy for someone to digest. Find different words to express yourself. Tonight: Add some fun.

LEO (July 23-Aug. 22)
★★★ You could be dragged down by an ongoing domestic issue. Practice acceptance, and try a different approach. Reach out to someone at a distance who always presents unusual ideas and solutions. Tonight: Mosey on home.

VIRGO (Aug. 23-Sept. 22)
★★★★ Events and conversations will point to more understanding. If you become triggered, you might need to detach. Understand someone's limits. This person means well, but he or she cannot identify with what you are sharing. Tonight: Let your imagination wander.

LIBRA (Sept. 23-Oct. 22)
★★★★ Deal with others directly, especially regarding a financial matter. A risk could bring dramatic results. Be sure that you can handle a negative outcome, though it might not be likely. Tonight: Opt for togetherness.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You are the star with today's Full Moon. Your personality and intelligence dominate the day more than you might realize. An associate will demonstrate unusual caring. A discussion could be frustrating; try another approach if you hit a dead end. Tonight: Assume the lead role.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Know that your role is to gather information without threatening anyone. Ask questions and make comments that encourage others to keep speaking. Though you might be empathetic to someone's role or actions, it would be wise to say very little right now. Tonight: Not to be found.

CAPRICORN (Dec. 22-Jan. 19)
★★★ You are more grounded than many people around you. A meeting will give more meaning to a situation. Your suggestions, though greeted positively, might not be used. Avoid becoming impatient with a family member or domestic situation. Tonight: Find your friends.

AQUARIUS (Jan. 20-Feb. 18)
★★★ Pressure builds around work. You might ask yourself how much you need to play the game. Until you come to a decision, sit tight. You will be much happier with the results if you do. Follow your sixth sense, and you'll say the right words to a loved one. Tonight: At home.

PISCES (Feb. 19-March 20)
★★★★ You can communicate on many levels, but first you need to gain a better sense of the implications of what is happening. Several discussions with people who know more than you could prove to be instrumental. Listen to a suggestion. Tonight: Be around music.

Tuesday, May 13, 2014

This year you greet many positive changes, which is a result of others questioning your actions and thoughts more often. Many of you see financial well-being and/or a certain amount of materialism as being necessary for love. You will learn otherwise. If you are single, you'll draw people very close to you, only to then push them away, as you have an inherent need for space. A new suitor could become quite frustrated as a result. If you are attached, your significant other could be a little put off by your moodiness, but he or she will get used to it. SCORPIO is even more stubborn than you are!

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

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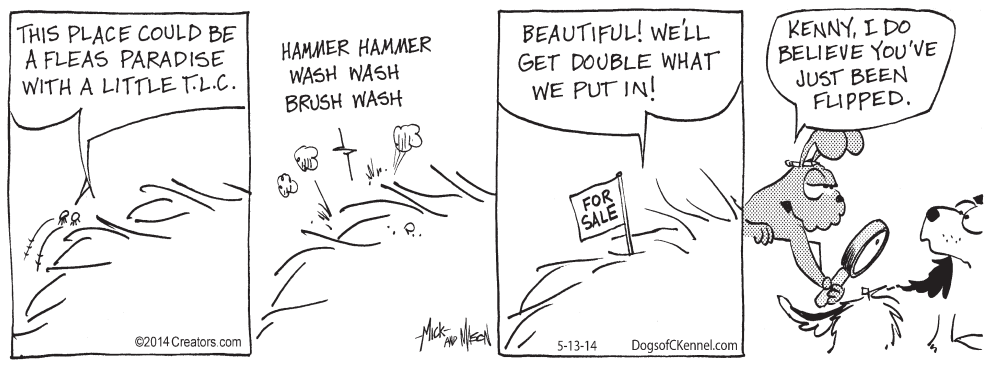
Speed Bump
By Dave Coverly



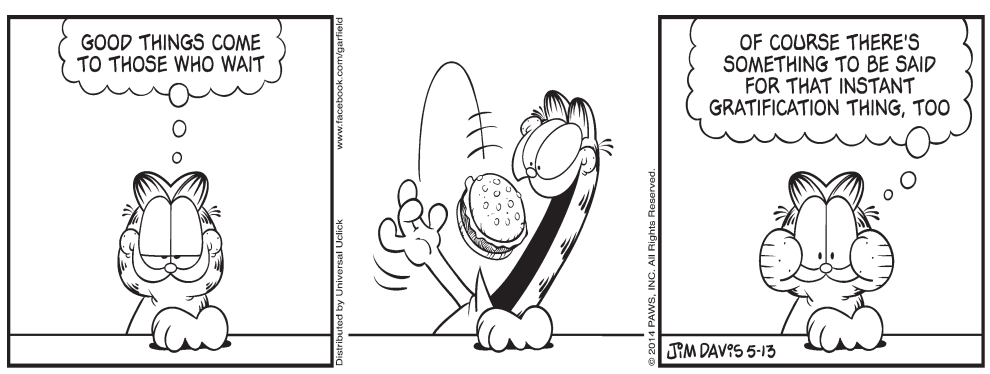
Strange Brew
By John Deering



Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



The Meaning of Lila
By John Forgetta & L.A. Rose



Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★

		5	3		2			
				9		3		
1							6	
6				8	7			2
	4		2	6	5		9	
7			1	3				5
	9							4
		3		4				
			6		9	2		

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

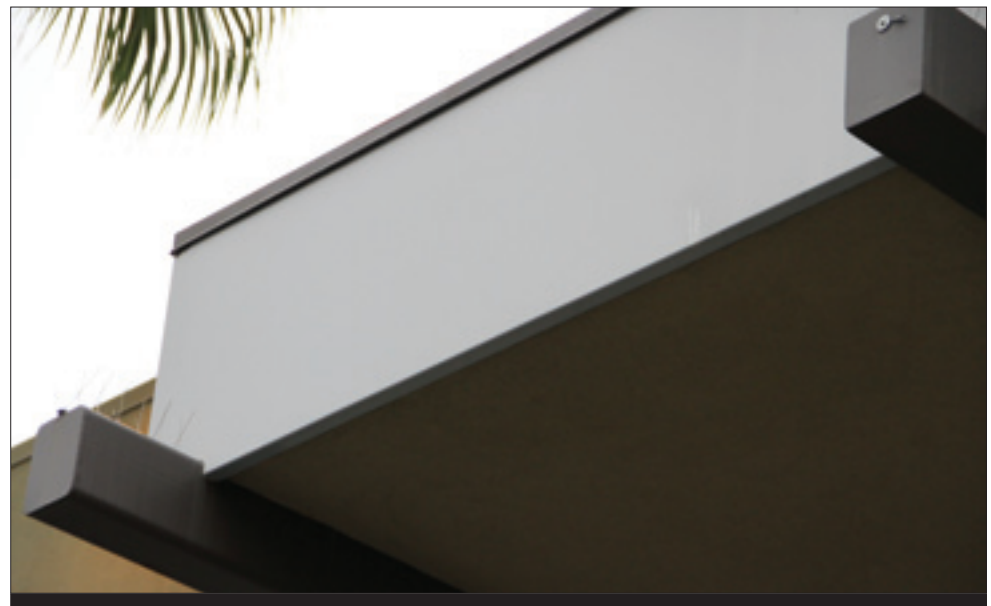
SOLUTIONS TO YESTERDAY'S PUZZLE

8	9	2	1	4	7	6	3	5
7	6	3	5	2	8	9	4	1
1	5	4	6	3	9	7	8	2
9	8	6	2	5	3	1	7	4
5	4	7	8	9	1	3	2	6
3	2	1	4	7	6	8	5	9
2	7	9	3	1	5	4	6	8
4	1	8	7	6	2	5	9	3
6	3	5	9	8	4	2	1	7

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MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*. Send your mystery photos to *editor@smdp.com* to be used in future issues.

CROSSWORD

By THOMAS JOSEPH

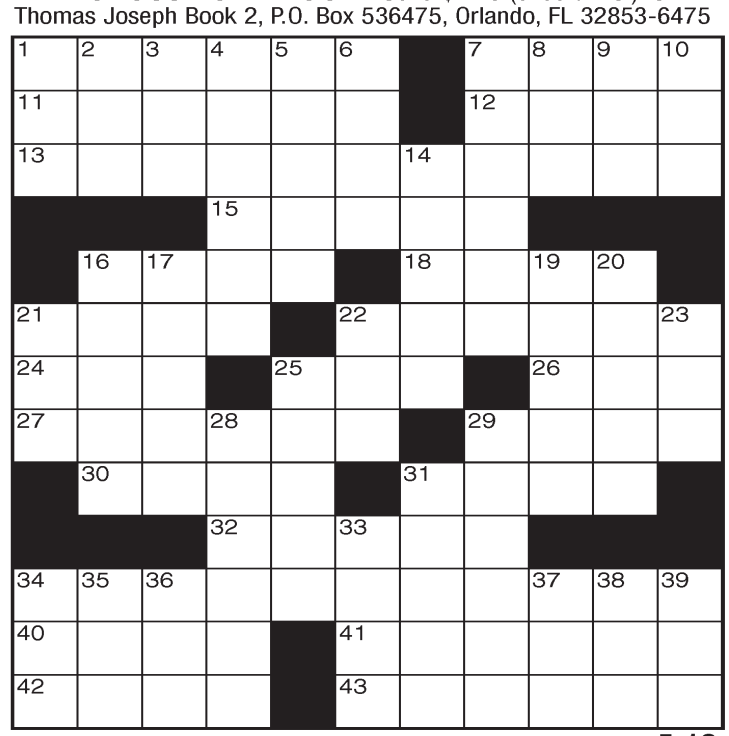
ACROSS
1 Long-eared hound
7 Deceptive talk
11 One-celled organism
12 Important times
13 Trivial thing
15 Door sign
16 Suggestive
18 Table parts
21 Nut's partner
22 So far
24 Before today
25 Fiddling need
26 Small rug
27 Sinew
29 Mystique
30 Sailing hazard
31 Tire tracks
32 Underway, to Holmes
34 Mistaken
40 Words of understanding
41 Bungle
42 Tavern order
43 Layers

DOWN
1 Scrooge cry
2 Paris pal
3 Costa del —
4 Choose
5 Dark wood
6 Wilson's predecessor
7 Taunted
8 Lyricist Gershwin
9 Mover's truck
10 Two-way curve
14 Under
16 "Message received"
17 Unescorted
19 Whole range
20 Flag features
21 Slugger's need
22 Freight weight
23 Greek vowel
25 Sensational
28 Casino worker
29 Stylish filmmaker
31 Mechanical man
33 Murders, slangily
34 Little lie
35 Purpose
36 Sheltered side
37 In the style of
38 Pistachio or pecan
39 Restful resort

T	E	E	M	S	■	T	A	N	G	O
A	A	R	O	N	■	O	C	E	A	N
G	R	A	T	E	■	S	T	A	G	Y
■	■	■	H	E	M	S	■	L	A	X
T	I	G	E	R	C	U	B	■	■	■
O	D	O	R	■	S	P	O	N	G	E
L	E	W	I	S	■	S	T	E	A	M
D	A	N	N	E	R	■	H	A	R	M
■	■	■	G	E	O	M	E	T	R	Y
A	M	P	■	S	T	A	R	■	■	■
L	A	U	R	A	■	R	I	T	E	S
A	R	R	O	W	■	I	N	A	W	E
N	E	E	D	S	■	A	G	R	E	E

Yesterday's answer

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5-13

DAILY LOTTERY

Draw Date: 5/10
4 31 41 47 55
Power#: 1
Jackpot: $90M

Draw Date: 5/9
10 28 39 51 59
Mega#: 14
Jackpot: $121M

Draw Date: 5/10
14 20 21 25 31
Mega#: 25
Jackpot: $64M

Fantasy 5
Draw Date: 5/11
11 12 15 20 25

DAILY 3
Draw Date: 5/11
MIDDAY: 7 8 5
EVENING: 2 8 1

Draw Date: 5/11
1st: 07 Eureka
2nd: 02 Lucky Star
3rd: 01 Gold Rush
RACE TIME: 1:42.22

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Marketing Challenges: (1) In January, London's Daily Telegraph found three British companies in competition to sell deodorant supposedly made especially for women's breasts. According to one, Fresh Body, "We're replacing 'swoobs' -- dreaded boob sweat -- with smiles." (2) Owner Christian Ingber recently opened a sandwich shop in Gothenburg, Sweden, named "A F***ing Awesome Sandwich." An American expatriate told Stockholm's The Local news service that Swedes think English "curse words" are "cute and charming."

■ Medical Marvels: (1) China's Chengdu Commercial Daily reported in March that Liu Yougang, 23, finally had surgery to remove that whistle he had swallowed when he was 9. He had been experiencing worsened breathing -- and had been making "shrill whistle sounds" nightly after falling asleep. (2) London's Daily Star featured Sarah Beal, 43, of Arley, Warwickshire, England, in a March story demonstrating her skin condition in which writing words on her skin makes it puff up for about an hour before it recedes. It is referred to by doctors as the "Etch A Sketch condition" (formally, dermatographia), and despite occasional pain, she described it as "cool" and a "party trick."

TODAY IN HISTORY

1994 - Johnny Carson makes his last television appearance on Late Show with David Letterman.

1995 - 33-year-old British mother Alison Hargreaves became the first woman to conquer Everest without oxygen or the help of sherpas.

1996 - Severe thunderstorms and a tornado in Bangladesh kill 600 people.

WORD UP!

frippery
\ FRIP-uh-ree \ , noun;
1. finery in dress, especially when showy, gaudy, or the like.
2. empty display; ostentation.

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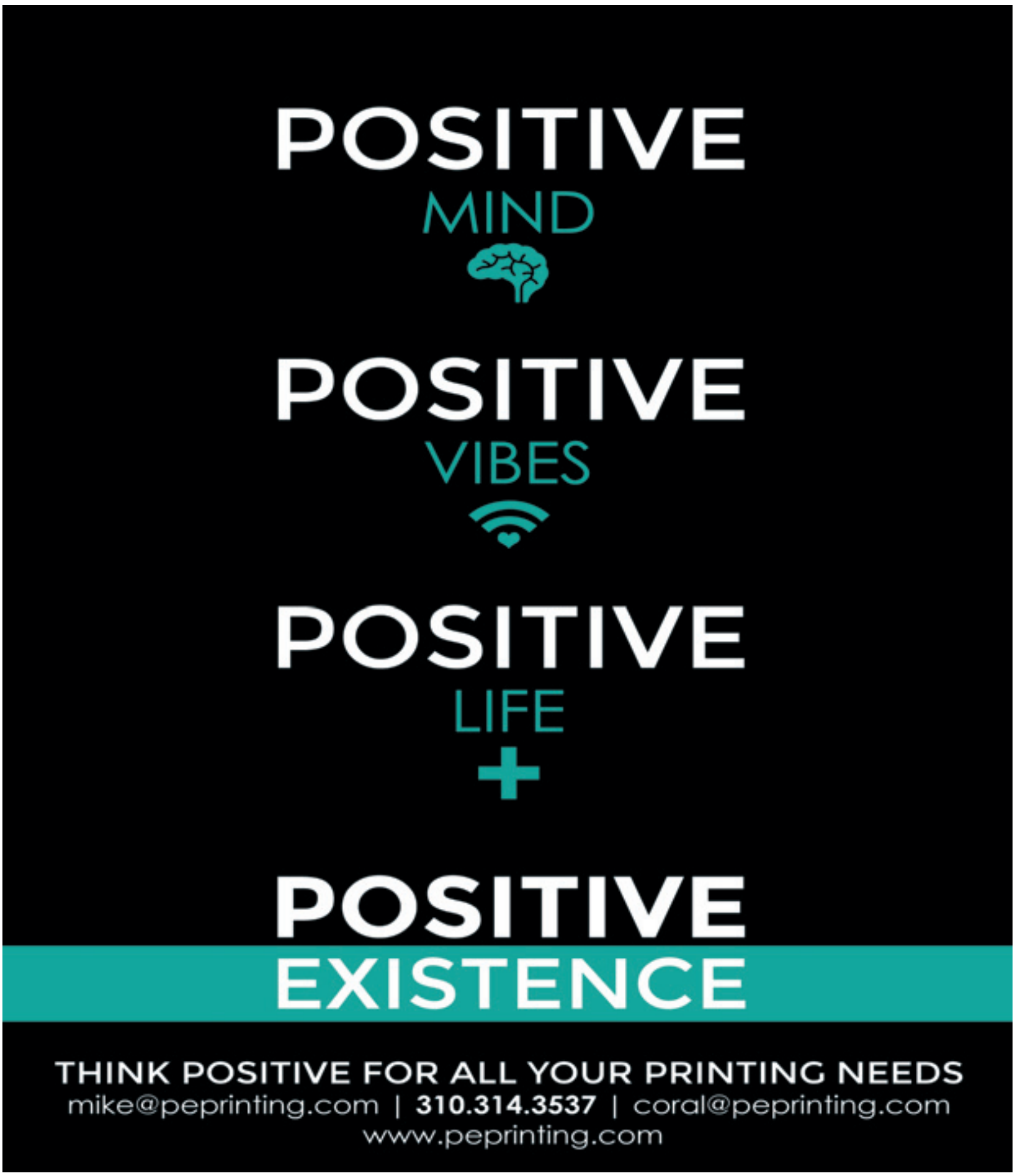
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Tuesday, May 13th @ 6:30 pm

Santa Monica City Hall

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Raw Land or Tear Down
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