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WEDNESDAY, MAY 19, 2010
Volume 9 Issue 162



Santa Monica Daily Press

UNIQUE SPORTS BET
SEE PAGE 12

We have you covered

THE GLITCH IN THE SYSTEM ISSUE

SMPD officer shot, police return fire

BY KEVIN HERRERA
Editor in Chief

LINCOLN BLVD A 16-year veteran of the Santa Monica Police Department was shot and wounded during a traffic stop early Tuesday morning, and police located and shot the suspected gunman after an hours-long search that involved officers from various law enforcement agencies, officials said.

Police refused to release the name of the officer, who was hospitalized with a non-life threatening gunshot wound to the abdomen.

SMPD Sgt. Jay Trisler said detectives had not yet confirmed the identity of the shooter as he was in the hospital recovering from gunshot wounds and unable to be fingerprinted.

A second suspect was being held on suspicion of attempted murder and driving under the influence, Trisler said.

Officers pulled over a suspected drunk driver near the corner of Pico Boulevard and Bay Street at about 1:40 a.m. when a passenger jumped out of the vehicle and opened fire, striking the officer. Officers returned fire as the suspect fled on foot, Trisler said.

Police were able to arrest the driver, but the gunman eluded police for several hours. Officers set up a perimeter and with the help of K-9 units, SWAT and helicopters located the suspect in an alley near the scene of the shooting around 5:10 a.m. Officers exchanged gunfire, wounding the suspect and sending him to the hospital.

Police did not say if the suspect was armed when he was shot.

Trisler said a handgun was used in the assault against the officer.

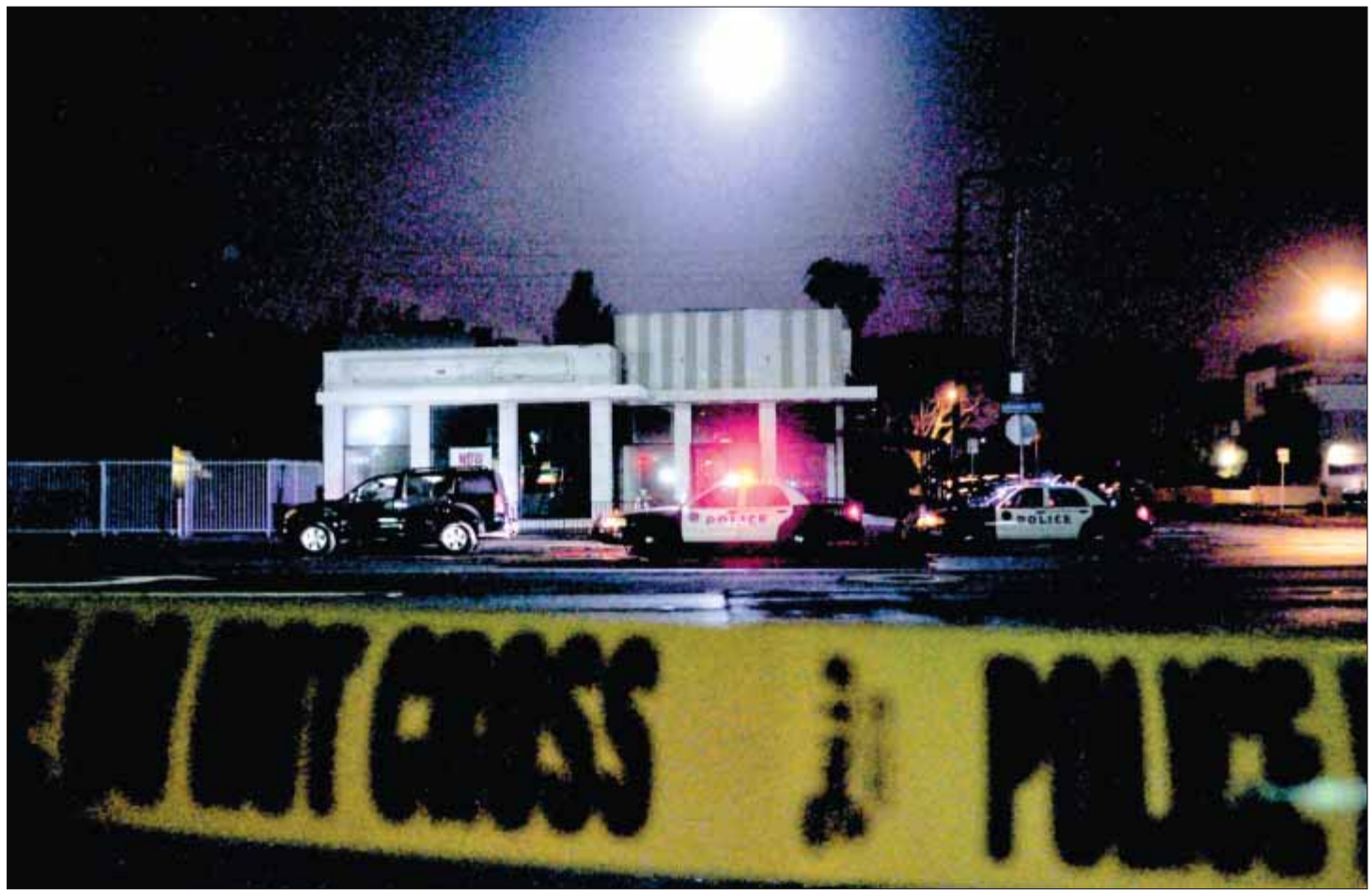
Resident Sean Juergens, who lives about 50 feet from the scene of the shooting, said he awoke to the sound of gunshots.

"It gave me goose bumps," he said. "It was intense."

Juergens said he heard around 12 to 15 shots initially and then heard another five or six when officers confronted the suspect a second time.

"I've lived her for five years and with a police station around the corner, you feel pretty safe," he added. "I think these guys were trying to get to the freeway and were stopped."

SEE SHOOTING PAGE 8



Alejandro Ceasar Cantarero II *news@smdp.com*

LOOKING INTO THE MATTER: **Officers sealed off a section of Lincoln Boulevard and Bay Street early Tuesday morning after a suspect shot and wounded a Santa Monica police officer. The suspect was a passenger in the black sports utility vehicle.**

Tenants facing 2 percent rent increase

BY NICK TABOREK
Daily Press Staff Writer

CITY HALL City Hall is recommending that owners of rent-controlled apartment buildings be allowed to raise rents by 2 percent this year, up from the 1 percent increase the Rent Control Board approved in 2009.

The Rent Control Agency's five-member board is set to discuss the annual rent increase, or "general adjustment" on Thursday, and is expected to adopt an increase at its meeting June 1.

If adopted, the 2 percent increase would result in a rent of $804 for the average controlled unit, according to a Rent Control Agency report, up $16 from last year.

"It is a difficult time, certainly, for many tenants to be facing a rent increase of 2 percent," said Rent Control Administrator Tracy Conden. But she added this year's proposed increase is more moderate than it might have been —mainly because the analysis used to come up with the recommendation took into account the decrease in the Consumer Price Index during 2009 that wasn't considered in the analysis that resulted in last year's 1 percent rent hike.

On Tuesday, the proposal seemed to suit commissioners on both sides of an ideological divide.

"Taking into consideration all the factors, it does seem to be an appropriate increase," said Marilyn Korade-Wilson, who chairs the Rent Control Board and is a staunch rent-control supporter.

Commissioner Robert Kronovet, a landlord who last year favored a 3 percent

SEE INCREASE PAGE 9

Fighting for the right to vote

BY NICK TABOREK
Daily Press Staff Writer

CITY HALL Rent Control Board Commissioner Robert Kronovet says he will vote on the annual "general adjustment" — the maximum rent increase the board allows — despite a finding by California's Fair Political Practices Commission that doing so would violate the state's Political Reform Act.

SEE VOTE PAGE 10


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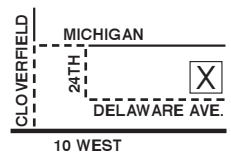
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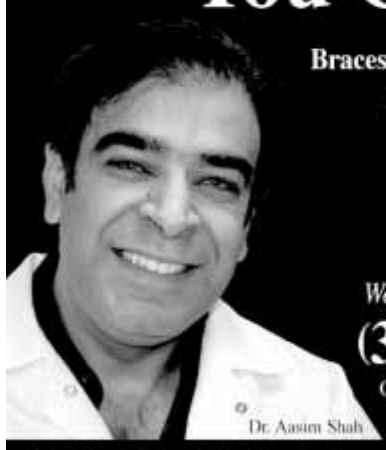
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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Wednesday, May 19, 2010

Freshen up

Downtown Santa Monica
Arizona Avenue & Second Street, 8:30 a.m. — 1:30 p.m.
Get the freshest fruit and produce available at this weekly Farmers' Market. There are also a variety of prepared foods available.

Local flavors

Pourtal Wine Bar
104 Santa Monica Blvd., 7 p.m. — 9 p.m.
Carol Hoyt, who makes wine from fruit grown in the Santa Monica Mountains about Malibu, will be serving her latest releases, as well as speaking about what it is like to grow grapes in Santa Monica. The wine offerings include: 2006 Chardonnay, 2007 Cabernet Sauvignon and 2006 Syrah. Attendees can get three wines for $10 and can arrive anytime between 7 p.m. and 9 p.m.

Running things

Top to Top, 2621 Wilshire Blvd., 6:30 p.m.
Whether you're training for a marathon or just starting the running thing, join Top to Top for a fun way to stay in shape. Runners meet in front of the Santa Monica store every Wednesday for announcements and special guests before the run. Participants choose between 5k, 5 miles or 10k loops. Food and water are provided. Call (310) 829-7030 for more information.

Thursday, May 20, 2010

Girls night out

Santa Monica Civic Auditorium
1855 Main St., 5 p.m. — 10 p.m.
Grab your girlfriends and shake off the cold with a little help from Shecky's at Girls Night Out. Experience the newest warm weather fashion trends, delicious cocktails, plus sensational spring beauty treatments. Admission is $25. For more information, call (212) 242-2566.

Buddhist Recovery

Against the Stream Buddhist Meditation Society
1001 Colorado Ave. #A, 7:30 p.m. — 8:30 p.m.
These meetings will focus on Buddhist teachings, traditions and practices that can be helpful to people recovering from all addictions. There will be an emphasis on meditation practice and waking up to the habitual patterns that drive us and our unskillful behaviors. For more information, call (323) 665-4300.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.

RDA moves forward with projects

BY LENIKA CRUZ
Special to the Daily Press

CITYWIDE Local redevelopment projects are relatively safe — for now.

After Santa Monica's Redevelopment Agency wrote a check for the state on May 10, city officials scrambled to soften the blow of losing almost $21 million in funds.

Agencies throughout the state were also forced to cut their own checks, as part of a $2.05 billion raid of redevelopment funds by the state in order to reduce California's estimated $19 billion budget deficit.

The state maintains that the funds will go a long way towards stabilizing California's economy, although local dismay has regarded the fund shift as unconstitutional. The California Redevelopment Association immediately filed an appeal against the state which is currently being considered.

The raid itself quickly compromised construction projects, including several in Santa Monica.

City Hall has decided to preserve projects for as long as possible, rather than simply branding them as losses. The agency has limited the amount dedicated to any project to "the minimum cash flow necessary to keep the early planning and design process going forward," said Andy Agle, director of Housing and Economic Development at City Hall.

As a result, Agle said, in the event that the appeal filed against the state last week is ultimately successful, the agency would not have lost any time in keeping the projects moving forward. However, the appeal could take several months, said Agle, leaving plenty of room for anxiety and doubt in the meantime.

"If we continue to have setbacks and the state continues to take funds," Agle said, "we'll need to go back to the City Council and have them further develop a list of spending priorities."

If that happens, whole projects that fall at the bottom of the list could be cut entirely. Among those that have been affected are the new branch library to serve the Pico Neighborhood, investments in affordable housing that could fund up to 200 additional affordable homes in Santa Monica, traffic signal synchronization on major street corridors, and improvements related to the landmark Civic Auditorium.

The priority for the agency now is essentially to avoid prioritizing and to keep all projects moving forward in their early stages.

Another factor that influences the agency's progress is a measure that may be on the November ballot later this year.

The Local Taxpayer, Public Safety and Transportation Protection Act of 2010 is an initiative that, it was recently announced,

SEE RDA PAGE 9



THEY REMEMBER

Brandon Wise *brandonw@smdp.com*

Joe McGrath, husband of past Municipal Employees Association President Ramona Gandara-McGrath, shares memories of his loved one at her memorial ceremony on the Santa Monica Pier on Tuesday morning. The McGraths were married at the end of the pier. Gandara-McGrath lost her battle with breast cancer and was honored for her years of service with a personalized plaque at the pier.

HIGH SCHOOL SOFTBALL ROUNDUP

Softball teams reach playoffs

BY DANIEL ARCHULETA
Managing Editor

SAMOHI Santa Monica High School's softball team will reap the benefits of an undefeated Ocean League season as the Vikings are scheduled to host a first round home playoff game.

The Samohi Vikings (23-5 overall, 10-0 in league) will begin the California Interscholastic Division 4 playoffs at home Thursday at 3:15 p.m. The Vikings will play the winner of the Lompoc/El Segundo wild card game, which was played Tuesday. The results of the game were not available at presstime.

The Vikings dominated league play this season, outscoring opponents a whopping 151-1.

The Vikings are led by a group of seniors, a number of which have signed letters of intent with NCAA Division 1 schools.

ST. MONICA SOFTBALL REACHES PLAYOFFS

St. Monica softball will host a first round CIF-SS Division 6 playoff game on Thursday at 3:15 p.m. against Viewpoint.

The St. Monica Mariners finished the season second in the Camino Real League with a 16-7 overall record and a 7-5 league mark.

Viewpoint finished the season 10-8-1 overall. The Patriots were the third place finishers in the Liberty League with a 8-2 record.

The game will take place at Memorial Park.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Crowing about trees

Editor:

I saw in the Daily Press that the Treesavers are mourning the loss of ficus trees ("In memory of trees," May 17, page 8). Well, I have a job for them. Come down to 14th Street and Ashland Avenue and bring your tools such as scrapers, brooms and other items which will help clean up the sidewalks and streets from the mess left by the berries that fall and smash. You see, City Hall does not keep up with cleaning up the mess that they have caused. In addition, the berry refuse is not to be swept into the gutters and the sidewalks and are not to be hosed to save water. So we hop skip and jump from one side of the street to the other in order to find a clean place to walk. Still the stuff gets into our soles.

Do not attribute humanity to trees. Trees that do not produce mess can be found and their fallen leaves can be swept or blown and then disposed of. People would appreciate these trees more.

Incidentally, why does City Hall prune trees during the nesting season of birds? Once disturbed, the mothers often are frightened and do not return. Since we have too many crows, our small bird population here has plummeted. And yes, the crows eat small birds.

Helen G. Porter
Santa Monica

Pleased with nominee

Editor:

I am very pleased with Elena Kagan being nominated for the Supreme Court. She has a record of an honest litigator and has been working closely with the Supreme Court on behalf of our country. I am also proud that President Barack Obama chose a qualified woman to sit on the Supreme Court. Let's put aside the pettiness and do some good for our country.

Nancy Becker
Santa Monica

Damned if you do, damned if you don't

Editor:

Kudos to Bill Bauer for providing information on Measure A. It seems as if every other year the citizens of Santa Monica are subjected to a "sky-is-falling" barrage such as we're now getting from what appears to be a very expensive and aggressive campaign.

With these campaigns, such as the current Measure A effort, also comes some rather pernicious side effects. If you oppose Measure A you're deemed to be against quality education in Santa Monica. And, if Measure A passes and adds $198 onto the $346 per year (mandated by Measure R in 2008) for every homeowner, it will further punish low-income residents and the many who are coping with the economic downturn.

Every other year there's a different reason put forth for the school crisis. Instead there should be what Mr. Bauer and others advocate, which is addressing the ongoing systemic financial follies of public education in Santa Monica.

M.G. Burke
Santa Monica





Hiding in the Open

David Alsabery — **Send comments to editor@smdp.com**

Obama doesn't get diversity

WHEN CANDIDATE SONIA SOTOMAYOR was in line to be a Supreme Court justice, besides her wealth of experience, the arguments in favor of her were best stated when she said: "I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life."

In light of Sotomayor's statement, I see no difference between Supreme Court candidate Elena Kagan and Ruth Ginsburg. Except the fact that Kagan has no experience as a judge, only practiced law from age 29 to 31 and never as the lead attorney. They were both born in New York, to white Jewish families and attended Harvard Law School. Are you going to tell me we cannot find an Asian or African-American woman with a law degree from the West Coast?

Soon our Supreme Court will have six Catholics, three Jews and zero Protestants. Since Americans are 51 percent Protestant, 23 percent Catholic, 3.3 percent other Christian, 1.7 percent Jewish and 21 percent other. That means from a religious standpoint 75 percent of Americans will not be represented in our highest court.

To make matters worse, eight out of nine Supreme Court justices attended Harvard and Yale. President Obama seems to be missing the point when it comes to diversity. Diversity is not just gender and skin color. If you take people from different races and brainwash them at the same two schools, you get the same "group think" results. That's how the Taliban and the Nazis work. We need a judge of Asian descent from a west coast school to represent the richness of the American experience and not another academic from Harvard.

In all fairness, many of you know the real reason why President Obama selected Elena Kagan. It's the pink elephant in the room. The secret she keeps deep in her heart. So let me let the cat out of closet. She is a judicial activist. We have two views in the U.S. about the Constitution. Judicial activists believe the Constitution is a living document and can be re-interpreted to create law on a whim of a judge. The opposing view sees the Constitution as a static shield that protects "the rights of the people" from powerful leaders that wish to take those rights away, supposedly for our own good.

President Obama in his book, "The Audacity of Hope," talks about his view of the Constitution. He states: "It is not a static but rather a living document." Obama goes on to say when asked about "truly difficult" cases, he states: "The last mile can only be determined on the basis of one's deepest values, one's core concerns, one's broader perspectives on how the world works, and the depth and breadth of one's empathy."

It is scary to think that Obama wants judges that use the "richness of her experiences" and not the law to make rulings. This is the real reason why Elena Kagan was nominated. If we keep electing judges who create legislation from the bench, we'll find this to be a slippery slope when that judge rules away those self evident, constitutional rights that are important to all of us. The only job of a supreme court justice is to determine if a law is constitutional. That's it.

Whoopi Goldberg wants us to believe it was the interpretation of a judge that freed the slaves, but forgets that it was Congress and 75 percent of the states and their legislatures that created the 13th Amendment to the Constitution that banned slavery. It takes longer to get a large number of people to pass a law, but that prevents tyranny.

Whoopi Goldberg would have you believe the Supreme Court freed the slaves. In fact it was an activist justice with no prior experience as a judge by the name of Roger Taney that extended slavery. As chief justice of the Supreme Court, he prevented the freeing of the slaves with the Dred Scott Decision. It is the responsibility of our representatives to write laws. Judicial activism subverts our laws by allowing the judges to create laws. The court should only tell us if it is constitutional or not. As a liberal or conservative, judicial activism should scare you.

As chief justice of the Supreme Court, judicial activist Roger Taney ruled based on the richness of his experience as a slave owner.

"They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect, and that the negro might justly and lawfully be reduced to slavery for his benefit."

Judicial experience matters the most when it comes to being the highest judge in our country and not life experience. Let's all call the nomination of Elena Kagan what it is — political cronyism.

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Word in Edgewise

Kenny Mack
Send comments to editor@smdp.com

Tired of BP's B.S.

DO YOU KNOW HOW MUCH CRUDE OIL and natural gas is leaking out of the well under the Deepwater Horizon oil rig that exploded and sunk in the Gulf of Mexico? If not, you're in pretty good company. Experts have estimated that anywhere from 5,000 to 200,000 barrels of viscous, toxic crude oil are rushing into the gulf every day forming a nebulous blob of a 3-D spill that's as big as the island of Manhattan. It's threatening marine life, it (combined with the canals and trenches dug to extract it) could devastate coastal wetlands, and it's only about two weeks away from joining the Loop Current and being carried toward the Florida Keys.

To call the situation catastrophic is to underestimate the damage the spill could end up causing. It makes me want to ask fossil fuel fan and former half-term governor of Alaska, Sarah Palin, "how's that 'drill, baby, drill' thing workin' out for ya?" Except unlike her, this isn't a joke. If she lived or earned her living in or around the Gulf of Mexico from Corpus Christi, Texas to Miami, her answer would have to be, "it's working out badly — and it will get much worse before it gets any better."

In the coming weeks and months, we are going to be overwhelmed by the aftermath of this one explosion on this one oil rig as the slick it generated becomes a part of our daily lives and our government debates the best response. We have to remember that the gulf is home to 170 more rigs like Deepwater Horizon; and they produce a whopping 80 percent of the oil harvested by offshore drilling in the U.S. Their lobbyists are going to be well-funded and well-connected, and ready for battle — as evidenced by the fact that they've already killed a unanimous consent decree in the U.S. Senate. Despite the inevitability of another partisan battle, and in large part because of the fact that BP is only capturing a pitiful 20 percent of the escaping crude (a full month after it unleashed the environmental apocalypse on the United States, Mexico, and Cuba), Congress should pass a law removing the cap on BP's liability for economic damage. Maybe once the cash leaking out of the company's coffers corresponds to the crude leaking out of the hole it drilled in the ocean floor, these people will prioritize properly.

Caribou Barbie and her merry band of free-marketeers will argue that passing a law that punishes BP retroactively is illegal because it would be a bill of attainder and would only apply to BP. They'll say that BP is doing everything it can to stop the leak and clean up the spill, and they'll say that the bill is unnecessary because the oil giant (currently enjoying record profits) has already said it will pay "all legitimate claims" for damages resulting from the spill.

They'll be wrong on all counts. The Oil Pollution Act of 1990, passed to punish Exxon in response to the Exxon Valdez spill in Alaska in 1989, was upheld in 2002. By mid-June or so when the spill joins the Loop Current, Mother Nature is going to take over the clean-up operation so the treasure trove that is the Florida Keys National Marine Sanctuary and the Dry Tortugas isn't too badly damaged (though BP's dispersants/magic detergent might help a little). And there are students in law school right now who will be arguing the meaning of the word "legitimate" in court on behalf of BP for years to come, while fisherman and their families face the economic uncertainty of the "free market."

At the risk of being repetitive, an event of this magnitude once again raises the critical question when it comes to public policy: should the people have protection from their government or the protection of their government? In this case, the deep-pocketed Fortune 500 company would clearly have an advantage over an individual seeking relief in court, so it's completely appropriate for government to put a thumb on the scale of justice to balance it out. That's why this law needs to be passed — like yesterday.

If there is any kind of limit on the exposure to financial risk connected to exposure to environmental, ecological, and macroeconomic risk, the energy industry of the next century will simply behave the same way as the energy industry of the past century. Companies will just factor in the fines/fees/penalties as a cost of doing business and pass it onto the consumer. Billions in quarterly profits and the very real prospect of a return to nearly $5 per gallon gas justify massive expenditures on exploration that is increasingly dangerous. All the evidence has shown that's exactly what we don't need; especially when you consider that over one billion people, more than the combined population of the world's wealthiest nations, live only on energy provided by nature.

When we finally have a market that won't bear $100 fill-ups for the family car or waterfowl befouled by thick, black tar, companies in the energy business will find a different way to provide it — or they'll die trying.

KENNY MACK is a multi-platform content provider with four-quadrant crossover appeal who is saving up for a Tesla Type S electric car, designed and manufactured in California. His past columns are archived at www.ifyoumissedit.com and he can be reached at kennymack@gmail.com.

The Q Line

Trust must be earned

City Hall has vowed to strictly enforce development agreements (DAs) after a comprehensive review showed that the majority of past DAs were not in compliance and that City Hall failed to properly review them.

So, this week's Q-Line question asks:

Do you trust the current City Council and staff to negotiate and properly monitor future DAs, which are expected to play a larger role under the new Land Use and Circulation Element?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your answers in the weekend edition of the Daily Press.


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Stocks slip as euro slides

TIM PARADIS
AP Business Writer

NEW YORK Investors uneasy about the news coming out of Europe Tuesday went back to selling stocks sharply lower. The falling euro and news that German regulators plan to limit some kinds of short selling fed the drop.

The Dow Jones industrial average fell almost 115 points after giving up an early gain of 93. The Dow and broader indexes lost more than 1 percent.

The euro gave stocks a boost early in the day when 10 European Union countries sent bailout money to Greece. The move raised confidence about Europe's ability to prevent its debt crisis from spreading to other economies including the U.S.

By afternoon, though, the upbeat mood faded and the euro fell. That sapped the stock market's strength. Treasury prices rose after demand for safer investments increased.

The euro, the currency shared by 16 European nations, has been driving stock trading for weeks as investors interpreted its slide as a sign of continuing economic problems in Europe. It hit a new four-year low of $1.2162 on Tuesday afternoon.

Meanwhile, Germany said it is banning "naked" short selling, which occurs when traders bet on a stock or investment that they doesn't own. The ban covers government debt certificates and shares of several financial companies. The government said it was imposing the ban in hopes of keeping the financial markets stable.

Investors anxious about Europe's problems were further rattled by Germany's move. Naked short selling was cited as one of the factors in world markets' turbulence during the 2008 financial crisis. The latest step brought reminders of the desperation that U.S. regulators signaled in trying to stabilize the market and underscored a fear that a further drop in the euro will continue to pound world markets.

"If Europe really slows the threat would be that it could take down the rest of the global economy," said Bruce McCain, chief investment strategist at Key Private Bank in Cleveland. He noted, however, that most economic numbers don't suggest that a recovery is stalling.

McCain said long-term investors should gather more evidence before making big changes to their portfolios.

"The markets tend to move in excesses of optimism and pessimism," he said.

The Dow fell 114.88, or 1.1 percent, to 10,510.95.

The Standard & Poor's 500 index fell 16.14, or 1.4 percent, to 1,120.80, while the Nasdaq composite index fell 36.97, or 1.6 percent, to 2,317.26.

Bond prices jumped, driving yields lower. The yield on the benchmark 10-year Treasury note fell to 3.38 percent from 3.50 percent late Monday.

> **"IF EUROPE REALLY SLOWS THE THREAT WOULD BE THAT IT COULD TAKE DOWN THE REST OF THE GLOBAL ECONOMY."**
>
> **Bruce McCain,**
> Investment strategist

Stock trading has been volatile for weeks. The Dow rebounded from a drop of 184 points to end Monday with a gain of about 6 points after the euro regained its early losses.

Mike Shea, managing partner at Direct Access Partners LLC in New York, said that with so many unanswered questions about the ballooning debts in Europe it isn't surprising to see traders selling.

"There is a prudent reduction of risk," Shea said.

Gold fell $13.10 to $1,215.00 an ounce, while crude oil fell 54 cents to settle at $69.41 per barrel on the New York Mercantile Exchange.

While so much attention has focused on Europe in recent weeks, investors have largely ignored signs of economic growth. Stocks had been posting solid gains earlier in the year on steady signs of improvement in the U.S. economy. Encouraging signals on the economy gave early support to stocks Tuesday. The Commerce Department said home construction jumped 5.8 percent in April, more than expected and the strongest level since late in 2008.

John Merrill, chief investment officer at Tanglewood Wealth Management in Houston, said investors are doing some mental juggling. They see signs that the U.S. economy is strengthening but still have concerns that Europe's problems will undermine the global economy's rebound.

"There are just two alternative themes and it just depends on where the focus is," he said.

Wal-Mart Stores Inc. was the sole stock among the 30 that make up the Dow Jones industrials to rise. The world's largest retailer posted better-than-expected earnings. The stock rose 98 cents, or 1.9 percent, to $53.71.

More than three stocks fell for every one that rose on the New York Stock Exchange, where volume came to 1.5 billion shares, compared with 1.4 billion Monday.

The Russell 2000 index of smaller companies fell 12.96, or 1.9 percent, to 682.75.

Britain's FTSE 100 index rose 0.9 percent, Germany's DAX index gained 1.5 percent, and France's CAC-40 rose 2.1 percent. Japan's Nikkei stock average rose 0.1 percent.

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Restaurant tries new pay what you will policy

CHRISTOPHER LEONARD
AP Business Writer

CLAYTON, Mo. Panera Bread Co. is asking customers at a new restaurant to pay what they want.

The national bakery and restaurant chain launched a new nonprofit store here this week that has the same menu as its other 1,400 locations. But the prices are a little different — there aren't any. Customers are told to donate what they want for a meal, whether it's the full suggested price, a penny or $100.

The new store in the upscale St. Louis suburb of Clayton is the first of what will Panera hopes will be many around the country. Ronald Shaich, Panera's CEO until last week, was on hand at the new bakery Monday to explain the system to customers.

The pilot restaurant is run by a nonprofit foundation. If it can sustain itself financially, Panera will expand the model around the country within months. It all depends on whether customers will abide by the motto that hangs above the deli counter: "Take what you need, leave your fair share."

Panera hopes to open a similar location in every community where it operates. Other nonprofits have opened community kitchens, where customers set the price, and the idea has spread among food enthusiasts and philanthropists. But Panera brings new scale to the idea — its community restaurants will use the company's distribution system and have access to its national food suppliers.

The first location bears the name St. Louis Bread Co. Cares — the chain's former name and one it still uses in its hometown. Customers seemed alternately puzzled and pleased by the concept.

Dawn Frierdich, 52, came in to buy three loaves of bread an iced tea. She asked how much the drink would cost.

"About $1.85," said the 21-year-old cashier, Michael Miller.

And the whole order?

"It would be, like, $12," Miller told her, reminding her she didn't have to pay if she didn't want to. Frierdich tried to hand him $12 in cash, but he directed her to put it in the donation jar.

"This is a little hard. I just can't wrap my head around this," Frierdich said.

A young man spoke on his cell phone nearby. "Seriously," he said. "They don't charge tax or anything."

The clientele at the Clayton location is a mix of well-to-do attorneys and bankers from Clayton, as well as lower-income customers who work nearby or are visiting the sprawling St. Louis County offices and courthouse nearby. Miller, the cashier, said most customers paid full price for their meals Monday, but some took a discount of a few dollars, or paid half-price.

Panera is using its nonprofit foundation to support the restaurant and any future locations. The foundation will pay the new restaurant's bills, including staff salaries, rent and food costs. At the end of each month, the foundation will tally donations to see if they cover food costs. The Panera parent company won't bear losses if the experiment fails.

Saich was CEO of Panera until he stepped down Thursday, taking the post of executive chairman. He will run the nonprofit along with other projects for Panera.

Other similar experiements have worked. The One World Salt Lake City restaurant has operated as a nonprofit with pay-what-you-want prices since 2003, said founder Denise Cerreta. She works for a foundation that helps similar restaurants open around the county. She said the places don't get swarmed by crowds and emptied, but have managed to stay afloat based on the honor system.

SoCal home prices show strength

JACOB ADELMAN
Associated Press Writer

LOS ANGELES Home sales in Southern California declined last month for the first time in nearly two years, as buyers appeared to time their purchases to cash in on a state tax credit and supplies of affordable inland properties dwindled, a tracking firm reported Tuesday.

San Diego-based MDA DataQuick said home sales in the six-county region dropped about 1 percent last month from April 2009 to about 20,300, breaking what had been a 21-month run of consecutive year-over-year increases. Sales also fell about 1 percent from March.

DataQuick spokesman Andrew LePage speculated that sales may have slacked because buyers were waiting until May to close escrow so they could take advantage of a new state tax credit that became effective at the beginning of the month.

Sales also were likely tamped down by the decreasing availability of low-cost foreclosures in the region's inland communities, which had been fueling much of the last year's sales growth.

Foreclosures comprised about 36 percent of resales last month, down from almost 54 percent a year ago.

"It's tough to compete with a year ago, when there were so many more lower-priced foreclosures," LePage said. "They're what really kick-started the market here."

DataQuick also said the median home price in Southern California rose last month to $285,000. That's up about 15 percent from $247,000 in April 2009, when prices reached their lows for the housing downturn. The median was unchanged from March.

DataQuick President John Walsh said the conflicting combination of year-over-year price increases and faltering sales suggested a robust recovery was still struggling to take hold.

"It's unclear which of today's sales characteristics are part of a new reality and which are still temporary turbulence," he said. "The market's still taking baby steps on a long road to recovery, trying to find its footing."

Richard Green, who directs the University of Southern California's Lusk Center for Real Estate, said the sales drop indicated that the market could be hitting a speed bump, possibly because obtaining credit is still difficult for many borrowers.

But he said he was encouraged by the price increases, which showed that most buyers over the last year have not lost equity in their homes.

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Ray Solano *news@smdp.com*

TAKING NOTE: **Forensics experts gather evidence at the scene of the Santa Monica officer-involved shooting that took place on Lincoln Boulevard at Bay Street on Tuesday.**

Witnesses heard loud 'pops'

FROM **SHOOTING** PAGE 1

Another resident, Anna Coriasoria, a psychic who works on the Third Street Promenade, said she was about to go to bed when she heard loud "pops" that she thought were fireworks.

"It was just a spray of bullets," she said.

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Ballot initiative could aid RDAs

FROM **RDA** PAGE 3

has collected 1.1 million signatures, well over the 694,354 valid signatures required to qualify for the ballot as a constitutional amendment.

If enough signatures are verified by the June 24 deadline, the measure will qualify for the ballot and, if passed, will make it much more difficult for the state to borrow, redirect, or otherwise take critical local funds.

The measure is meant to address politicians that "have exploited loopholes in the law and used legally questionable tactics to borrow and raid billions in local government, transit, and redevelopment funds this year alone, and billions in past years," according to a statement on the measure's website.

If the initiative is successful, Agle said that it will yield greater protection of funds.

"Though it is not retroactive, the initiative will give us greater confidence in going forward," Agle said.

> **"THE INITIATIVE WILL GIVE US GREATER CONFIDENCE IN MOVING FORWARD."**
>
> **Andy Agle,**
> Director of Housing and Economic Development for City Hall

Last week the Santa Monica RDA conducted an analysis that revealed that new redevelopment projects are expected to create almost 5,000 full-time-equivalent construction-related jobs. Detailed economic modeling concludes that the projects are expected to promote the creation of over 40,000 full-time equivalent jobs, a boon to a city with a 10.2 percent unemployment rate as of March, according to preliminary government data.

Property tax part of rent adjustment

FROM **INCREASE** PAGE 1

increase, also said he would support a 2 percent hike.

"I think it's a reasonable increase this year," he said.

Kronovet has been barred from participating in the rent increase vote by the California Fair Political Practices Commission because of a potential conflict of interest, but has said he nevertheless plans to vote.

Jay Johnson, a landlord who sits on the Planning Commission, said he believed the 2 percent hike was a balance between lower labor costs and higher rates for things like water and trash collection.

For the first time in eight years, coming up with the recommended increase included an adjustment to the formula's property tax component.

In the updated formula, the amount of property tax attributed to the average apartment unit was increased 11.6 percent, from $66.09 per month to $73.76 per month.

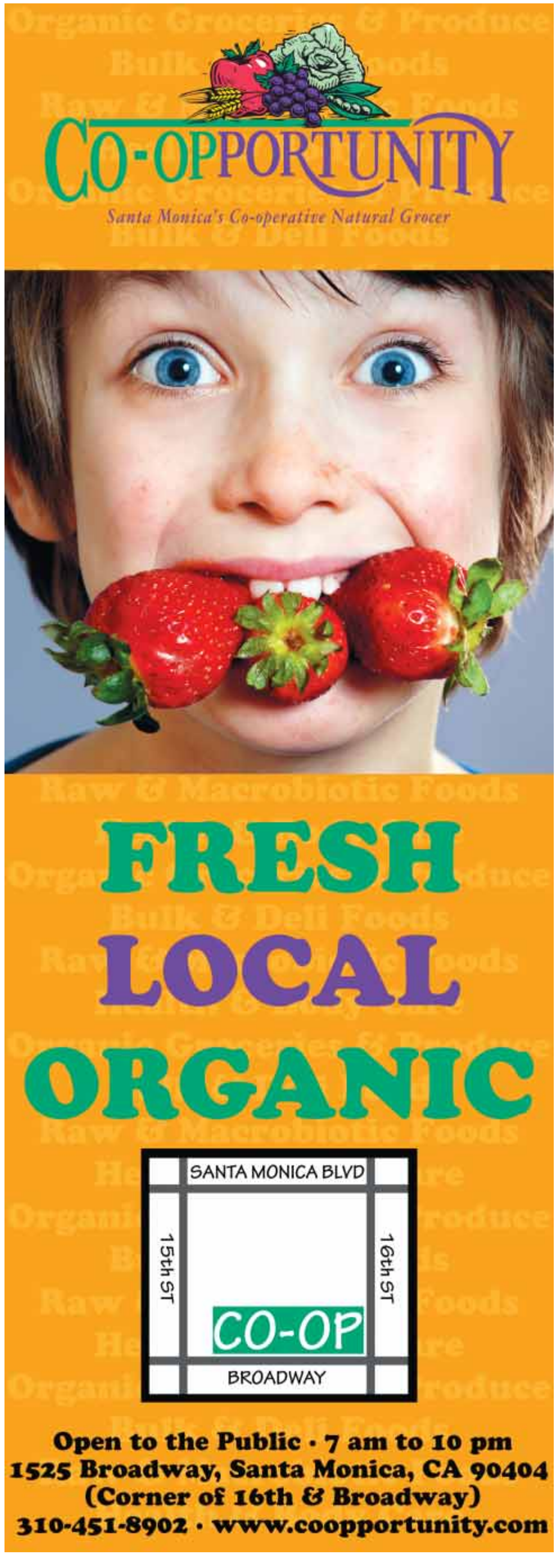
"It has been eight years since the last significant adjustment was made to this component and staff believes an increase is warranted at this time," the agency's report stated.

> **"TAKING INTO CONSIDERATION ALL THE FACTORS, IT DOES SEEM TO BE AN APPROPRIATE INCREASE."**
>
> **Marilyn Korade-Wilson**
> Rent Control Board Chair

The Action Apartment Association, which represents local landlords, last week filed a lawsuit against the Rent Control Agency, alleging the general adjustment formula has failed to adequately compensate owners for their property tax expenses.

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The inaugural Pier-to-Pier Challenge, a 12.6-mile swimming race from the Manhattan Beach Pier to the Santa Monica Pier, will be held Oct. 16, organizers announced Monday.

Races will also be held at 1.2, 2.4 and 4.8 miles, along with relays.

"We hope this event will inspire people to challenge themselves," said Alan Morelli, chief executive of OptimisCorp., the parent company of OptimisSport, the athletic training company which is organizing the race. "We wanted to try to capture people's imagination as to what an athlete can achieve using science and evidence-based approaches to training."

Swimmers from Australia and the United Kingdom are expected to compete, Morelli said.

Proceeds from the race will benefit the environmental organization Heal the Bay and Exceeding Expectations Foundation, a nonprofit organization that works with at-risk children, Morelli said.

More information on the race is available on its website, www.distanceswimchallenge.com.

DAILY PRESS

FPPC not convinced Kronovet should vote

FROM **VOTE** PAGE 1

In a letter sent to the Rent Control Agency on April 30, the commission said Kronovet should abstain from voting on the annual rent increase because, as the owner of a rent-controlled, 6-unit apartment building, he stands to benefit financially from the board's decision.

"Commissioner Kronovet may not make, participate in making, or influence decisions regarding the annual rent increase because the governmental decisions will have a reasonably foreseeable material financial effect on his residential rental properties," the commission stated.

On Tuesday, Kronovet said he has eliminated the potential for a conflict of interest by deciding not to increase his tenants' rent. He said he would also not apply the permitted increase at a later date and would bar any potential new owner of his building from taking advantage of this year's increase.

"I have eliminated, eradicated, wiped out, any possible conflict or financial gain" attributable to the general adjustment, Kronovet said in an interview.

He said there is "no circumstance outside of a police officer arresting me" that would prevent him from taking part in the vote.

Contacted on Tuesday, Roman Porter, the executive director of the FPPC, said Kronovet should contact his agency before making a decision about whether to vote on the rent increase. Each violation of the Political Reform Act, Porter said, can result in a fine of up to $5,000.

Porter declined to comment on the specifics of Kronovet's claim that he has eliminated the conflict of interest by forgoing the rent increase, but said: "I would advise Mr. Kronovet to once again contact the FPPC if he believes he has come upon a method of voting on this item where he will not have a conflict of interest."

I HAVE ELIMINATED, ERADICATED, WIPED OUT, ANY POSSIBLE CONFLICT."

Robert Kronovet,
Rent Control Board Commissioner

The Rent Control Board is set to discuss Kronovet's situation at its meeting on Thursday. The board could ask staff to seek further information from the FPPC before the rent increase vote, scheduled for June 1.

Two Rent Control Board commissioners, Korade-Wilson and Christopher Braun, live in rent-controlled apartments but aren't barred from participating in the rent increase decision under FPPC rules, according to Michaelyn Jones, the rent control agency's general counsel.

Braun won't be affected by this year's rent increase because of a pre-existing lease agreement. Korade-Wilson, who is a month-to-month tenant, will be subject to the increase but is not considered to have a conflict, Jones said.

The FPPC doesn't consider those without leases to have material interests in property, and therefore doesn't consider month-to-month tenants to have special interests in decisions affecting rents, she said.

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Immigrant crossings into Arizona on the rise

OLGA R. RODRIGUEZ
Associated Press Writer

NOGALES, Mexico The migrants walk for days through miles of mesquite scrub, running low on food and sometimes water, paying armed drug thug "guides" and dodging U.S. law enforcement officers along the way. And still they keep coming.

The latest figures show that Arizona, which is about to put into effect the nation's toughest immigration law, also is the only border state where illegal crossings are on the rise.

While tightened security and daunting fences in Texas and California have made Arizona a busy crossing corridor for years, migrant smugglers now are finding new ways through the state's treacherous deserts.

Carmen Gonzalez, 27, recalled seven days and six nights of walking with her husband in the desert and being accosted by Mexican thugs with AK-47s, who demanded $100 bribes before abandoning them.

"It was so hard and so ugly," Gonzalez said at a shelter in this Mexican border town, where she, her husband and her brother were staying after being deported from Arizona. "I won't try again because we went through too much suffering in the desert."

New U.S. Border Patrol statistics show arrests on the Arizona border were up 6 percent — by about 10,000 — from October to April, even as apprehension of illegals dropped 9 percent overall. The agency uses arrests to gauge the flow of migrants; there are no precise figures on the number of illegal crossings.

Statistics from the Mexican side also show a rise in illegal crossings through Arizona.

Grupo Beta, a Mexican government-sponsored group that aids migrants, helped 5,279 people from January to April in the area across the border from Douglas, Ariz., compared to 3,767 in the same period last year, said agent Carlos Oasaya.

That's the same area where Arizona rancher Robert Krentz was fatally shot in March as he surveyed his property in an all-terrain vehicle. Authorities suspect an illegal immigrant who was headed back to Mexico and worked as a scout for drug smugglers.

The killing helped fuel the emotion around the Arizona law, which will empower police to question and arrest anyone they suspect is in the country illegally. It takes effect in July.

Immigration is likely to be at the top of the agenda Wednesday when Mexican President Felipe Calderon visits Washington and attends a state dinner at the White House. Calderon has condemned Arizona's law; President Barack Obama has called it "misguided" and promised to begin tackling an immigration overhaul.

Supporters of the Arizona law said Tuesday that the growth in arrests at the border didn't spur its passing.

Instead, it was a series of factors, including the discovery of a growing numbers of immigrant safe houses and a rise in crime by illegal immigrants who have injured and killed police officers, said state Rep. John Kavanagh.

In the 1990s, increased enforcement and corrugated metal and chain-link fences dramatically cut illegal border crossings in California and Texas.

Oil spill to shut down 19 percent of Gulf fishing

BY MELISSA NELSON
Associated Press Writer

PENSACOLA BEACH, Fla. The sign outside the Pensacola Beach marina says "We're Still Fishing," but that's not really true.

The federal government announced Tuesday it is nearly tripling the size of an area in the Gulf of Mexico that's closed to fishing because of a massive oil spill off the coast of Louisiana.

The National Oceanic and Atmospheric Administration said it was closing nearly 46,000 square miles, or about 19 percent of federal waters, beginning at 6 p.m.

That's up from the 7 percent of the Gulf that's been closed to fishing boats since shortly after an offshore oil rig exploded April 20, killing 11 workers. Rig operator BP PLC estimates that the blown-out well has leaked more than 5 million gallons.

The spill has scared off charter fishing customers at the marina here, even though the water they'd normally trawl is still open to fishing. The 30 boats were almost all tied to their slips Tuesday and Jerry Andrews, the captain of the Entertainer, had the dock to himself.

"Usually you'd see 15 or 20 people walking up and down out here asking about the fishing. Three-fourths of these slips would be empty," said Andrews, a Pensacola native who has been fishing here for 34 years.

The expanded ban covers an area that starts near the Louisiana coast and moves southeast in a diagonal line. From Mississippi to Pensacola, the ban starts about 30 miles offshore. It begins moving away from shore at the Florida-Alabama border. At its eastern end south of Apalachicola, about the midpoint of the Florida Panhandle, the ban starts about 160 miles offshore.

Andrews said that before the spill he was getting between 30 and 40 calls and e-mails a day asking about chartering his boat and his customers were catching their full quotas of vermilion snapper, triggerfish, amberjack and grouper.

But in the month since the spill, he gets hired for one or two trips a week, tops, even though he can still go out the 20 miles he normally travels. Most of his customers, who come from Alabama and Georgia, are now going to the Carolinas.

He said BP, as part of its plan to help coastal businesses harmed by the spill, has paid him $5,000 and the oil giant has promised further help, but he doesn't know when that's coming.

Nuclear plant near NYC likely to survive state ruling

JIM FITZGERALD
Associated Press Writer

BUCHANAN, N.Y. Concerns for a primitive and endangered sturgeon and other denizens of the Hudson River have raised the prospect that the Indian Point nuclear plant, the biggest power producer in the New York metropolitan area, could be shut down.

But closing the plant would slash 18 to 38 percent of the energy available to a power-hungry region and deprive the plant's owner, Entergy Nuclear, of hundreds of millions of dollars in profits. That leads many experts to believe there are real-world solutions well short of a shutdown.

"I would think that in the end, there has to be some kind of a compromise because I don't see how you replace that kind of power," said environmental lawyer Charles S. Warren, a former regional administrator with the U.S. Environmental Protection Agency. "Recycling and windmills don't get you there."

At issue is the water Indian Point pulls in from the Hudson River— as much as 2.5 billion gallons a day — to make steam and cool the two reactors, making it the largest industrial user of water in New York. Screens keep out most full-grown fish, but baby fish, fish eggs and other life forms are sucked in, tossed around, warmed up and sent back out, often dead or worse for wear. Some of the fish that hit the screens are also killed or injured.

The state Department of Environmental Conservation refused last month to grant a water quality permit that Entergy must have to renew its federal licenses and continue operating into the 2030s. The DEC found that the current "once-through" water system kills nearly a billion organisms a year, including the shortnose sturgeon, which is endangered in New York.

The DEC said it is illegal to kill any shortnose sturgeon, one of 140 species of fish in the Hudson River, including striped bass, American shad, the protected Atlantic sturgeon and river herring.

A 2008 study — disputed by Entergy — blamed power plants, in part, for a decline in 10 of 13 "signature" Hudson River fish species since the 1970s.

The DEC also found Indian Point in violation of the federal Clean Water Act, with leaks of radioactive tritium, strontium-90, nickel and cesium polluting the river.

The agency said Indian Point can operate legally only if it converts to a more environmentally friendly water-recycling system known as closed-cycle. That process was a condition of the plant's original licenses in the 1970s but has been stalled with various appeals and settlements.

Feds: Virginia Tech violated law in '07 massacre

LARRY O'DELL
Associated Press Writer

RICHMOND, Va. The U.S. Department of Education found that Virginia Tech broke federal campus security laws by waiting too long to notify students during the deadliest shooting rampage in modern U.S. history, a report released Tuesday said.

Tech disputed the department's findings, saying university officials met standards in effect at the time of the shootings three years ago and that the report is colored by "hindsight bias."

The report is the latest to criticize the school's response to the killings of 33 people, including the student gunman, on April 16, 2007.

The school could be fined up to $55,000 for two violations alleged in the preliminary report, but no one will face criminal charges, according to the Tech official who drafted the response. Federal officials will consider a response from the school before they finalize their conclusion.

The Department of Education's report said Tech violated the Clery Act's requirement that universities offer a timely warning when possible danger arises. About two hours elapsed between the shootings of two students at a dormitory and an e-mail alert to the campus.

The massacre in a classroom building began at 9:40 a.m. when a mentally ill gunman, Seung-Hui Cho, chained the doors and killed 30 more people before committing suicide.

The delay was previously criticized in a state report and has drawn the ire of victims' families.

The Department of Education said the warnings "were not prepared or disseminated in a manner to give clear and timely notice of the threat to the health and safety of campus community members."

The university countered that before the shootings on its campus, the department had never defined what "timely" meant in the Clery Act. Tech said the standard in effect at the time allowed university officials to use their best judgment after consulting with law enforcement, which they did.

A national nonprofit organization, Security On Campus, had asked the department to investigate whether Tech violated the Clery Act. The department issued the report to Tech in January, but the university declined to release the report until it prepared a response.

The Department of Education will take the university's response into consideration in drafting a final report, Tech spokesman Larry Hincker said.

The state's own report criticized the university's failure to act on warning signs from Cho's behavior before the shootings, as well as communications failures and other problems that allowed the delay between the first gunshots and campus-wide notification.



SURF REPORT

Surf Conditions **Water Temp:** 58°

Swell Forecast

Steep angled NW swell should back down to around chest high max for west facing breaks. Winds should be lightly offshore for a good part of the day.

Long Range Synopsis

End of week looks very small as well.

Tide Forecast for Today in Santa Monica



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 11, 2010**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - www.healthebay.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 -- 8
- Number of A grades for dry/wet weather -- 40 / 24
- Number of (C,D,F) grades for dry/wet weather -- 4 / 21

The Beach Report Card is made possible by: The Diller – von Furstenberg Family Foundation; simplehuman; SIMA

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 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+	A+
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	A+
El Pescador State Beach, between Lechasa and Las Alina creeks.	A+	A+
Encinal Canyon at El Matador State Beach.	A+	A+
Broad Beach at Trancas Creek mouth.	A+	F
Zuma Beach at Zuma Creek mouth.	A	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Ramirez Canyon Creek mouth.	B	A+
Escondido Creek, just east of Escondido State Beach.	B	A+
Latigo Canyon Creek mouth.	A+	D
Solstice Canyon at Don Blacker County Beach.	D	A+
Puerco State Beach at creek mouth.	A+	F
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A	F
Surfrider Beach at Malibu Colony fence.	A+	A+
Surfrider Beach (breach location)- daily.	F	C
Malibu Pier - 50 yards east.	A	F
Carbon Beach at Sweetwater Canyon.	A+	A+
Las Flores State Beach at Las Flores Creek (point zero).	F	D
Big Rock Beach at 19948 PCH stairs.	A+	A+
Pena Creek at Los Tunas County Beach.	A+	A+
Tuna Canyon.	A+	A+
Topanga State Beach at creek mouth.	F	F
Castlerock Storm Drain at Castle Rock Beach.	A+	A+
Santa Ynez Storm Drain at Castle Rock Beach.	ns	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	F

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

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'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.

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

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NBA

L.A. mayor makes interesting wager

THE ASSOCIATED PRESS

LOS ANGELES Mayor Antonio Villaraigosa hates Arizona's tough new law on illegal immigration. But he'll take "America's toughest sheriff."

Villaraigosa has offered a politically tinged bet to his Phoenix counterpart as the Los Angeles Lakers and Phoenix Suns meet in the Western Conference finals — a series that opened this week with picketing at Staples Center over Lakers coach Phil Jackson's remarks defending the law's constitutionality. The Lakers lead the series 1-0.

In a letter Monday to Phoenix Mayor Phil Gordon, Villaraigosa said that if the Suns win the series, Los Angeles will "humbly" accept ownership of Maricopa County Sheriff Joe Arpaio — an outspoken advocate of tough immigration enforcement.

"Perhaps a stint in Los Angeles would teach him that you cannot deduce immigration status simply by looking at a person," Villaraigosa wrote.

A call seeking comment from Gordon was not immediately returned.

However, Arpaio said he believed that Gordon, a frequent critic of his, called Villaraigosa "on his secret telephone" and agreed to include the sheriff in the wager.

"If I went to Los Angeles, I'll teach them how the sheriff operates here in Arizona," said Arpaio, who has earned a reputation for such measures as putting jail inmates in tents and making them wear pink underwear.

Arizona is the nation's busiest gateway for illegal border crossings, and the federal government has estimated that 460,000 illegal immigrants live in the state.

Arizona's law, which takes effect on July 29, makes it a state crime to be in the country illegally and directs local police to question people about their immigration status and demand to see their documents if there is reason to suspect they are in the country illegally.

Villaraigosa calls the law unpatriotic.

Last week, the Los Angeles City Council voted to stop doing city business with Arizona or companies based in that state.

The Arizona law mirrors many of the policies Arpaio has put into place in the Phoenix area, where he set up a hotline for the public to report immigration violations, conducts crime and immigration sweeps in heavily Latino neighborhoods, and raids workplaces for people in the U.S. illegally.

In recent years his deputies have arrested some 2,000 illegal immigrants on federal immigration violations even though they weren't charged with state crimes.

Should the Lakers win, Los Angeles would give Phoenix California Republican gubernatorial candidates Steve Poizner and Meg Whitman, Villaraigosa said.

"Perhaps some time in Arizona," Villaraigosa said, "would show them both that being governor isn't always all it's cracked up to be."

Both candidates have campaign ads promising to get tough on illegal immigration.

"The best thing for California would be a Lakers win followed by a Steve Poizner victory because as governor Steve will have the courage to address illegal immigration," said a statement from Jarrod Agen, Poizner's communications director.

A call to Whitman's campaign seeking comment was not immediately returned.

NBA

Most Lakers fans again don't wear giveaway shirts

THE ASSOCIATED PRESS

LOS ANGELES Not even the Lakers can tell a fashionable Los Angeles crowd what to wear.

Most fans at Staples Center on Monday night declined to put on their giveaway gold T-shirts for Game 1 of the Western Conference finals.

The Lakers handed out thousands of shirts with their logo on the back and the slogan "Together We Are One" on the front, attempting the popular color-coordination crowd stunt performed in several arenas during the NBA and NHL playoffs.

The idea definitely isn't hip in L.A., where the crowd gave the same polite disdain to thousands of giveaway white T-shirts earlier in the playoffs.

Some fans waved the shirts like a Terrible Towel, but most stuck them underneath their seats.

NBA

Suns look to rebound from rout

GREG BEACHAM
AP Sports Writer

LOS ANGELES Channing Frye says he's just grateful an NBA playoff series doesn't follow the Tour de France's rules.

After a humbling blowout loss in the Western Conference finals opener, the Phoenix Suns realize they don't have to start Game 2 way behind the guys in the yellow jerseys.

Frye and the Suns were upbeat Tuesday at their Staples Center workout following the Los Angeles Lakers' 128-107 victory in the opener. Phoenix is confident it can hit more open shots Wednesday night while slowing Los Angeles' offense, which hit 58 percent of its shots in its highest-scoring playoff game in more than two years.

The Lakers appear to be on a downhill ride to their third straight NBA finals after that commanding performance, their seventh straight playoff win.

MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(323) 466-FILM

Double Feature
Pretty Poison (NR) 1hr 29min and The Marriage of a Young Stockbroker 1hr 35min
7:30pm

Call theater for information.

AMC Loews Broadway 4
1441 Third Street Promenade

Furry Vengeance (PG) 1hr 32min
2:00pm, 4:30pm, 7:00pm, 9:30pm

Death at a Funeral (R) 1hr 30min
1:30pm, 4:00pm, 7:20pm, 9:50pm

Iron Man 2 Digital Projection (PG-13) 2hr 4min
12:15pm, 3:15pm, 6:15pm, 9:15pm

Babies (PG) 1hr 20min
1:10pm, 3:20pm, 5:30pm, 7:45pm, 10:00pm

AMC 7 Santa Monica
1310 Third St.
(310) 289-4262

Just Wright (PG) 1hr 51min
1:45pm, 4:25pm, 7:00pm, 9:40pm

Iron Man 2 (PG-13) 2hrs 5min
1:15pm, 4:15pm, 7:15pm, 10:15pm

Iron Man 2 Digital Presentation (PG-13) 2hrs 5min
2:15pm, 5:15pm, 8:15pm

A Nightmare on Elm Street (2010) Digital Presentation (R) 1hr 37min
2:30pm, 5:00pm, 7:35pm, 10:05pm

The Back-up Plan (PG-13) 1hr 38min
2:00pm, 4:30pm, 7:10pm, 9:45pm

Date Night (PG-13) 1hr 28min
2:20pm, 5:00pm, 7:30pm, 10:00pm

Kick-Ass (Digital Presentation) (R) 1hr 57min
1:20pm, 4:10pm, 7:05pm, 10:00pm

Laemmle's Monica Fourplex
1332 Second St.
(310) 394-9741

Exit Through The Gift Shop (R) 1hr 43min
1:00pm, 3:10pm, 5:20pm, 7:40pm, 10:00pm

Princess Kaiulani (PG) 1hr 52min
1:40pm, 4:10pm, 7:10pm, 9:45pm

Harry Brown (R) 1hr 58min
1:50pm, 4:40pm, 7:30pm, 10:00pm

City Island (PG-13) 1hr 55min
1:50pm, 4:20pm, 7:20pm, 9:50pm

Mann's Criterion Theatre
1313 Third St.
(310) 395-1599

Robin Hood (PG-13) 2hrs 28min
11:10am, 12:10pm, 1:10pm, 2:10pm, 3:20pm, 4:20pm, 5:20pm, 6:40pm, 7:40pm, 8:30pm, 9:45pm, 10:45pm

Letters to Juliet (PG) 1hr 45min
11:30am, 12:30, 2:00pm, 3:00pm, 4:30pm, 5:30pm, 7:00pm, 8:00pm, 9:30pm, 10:30pm

How to Train Your Dragon (PG) 1hr 38min
11:00am, 1:30pm, 4:10pm, 6:50pm, 9:20pm

For more information, e-mail news@smdp.com

Open up, Aries

ARIES (March 21-April 19)
★★★★ How you present a situation could be a lot different from how you heard the facts. Ask yourself what the purpose of this approach is. You can only protect others so much. Someone might challenge you. Tonight: Open up to other possibilities.

TAURUS (April 20-May 20)
★★★ Return messages and get through calls. A slew of e-mail also might await you. A sense that you might need to change plans emerges. If you simply focus on one task at a time, you will get a lot more done. Try it. Tonight: Your home is your castle.

GEMINI (May 21-June 20)
★★★ Be aware of the damages of a decision or heading in a certain direction. Though it might be OK today, it might not feel right later. In the afternoon, clear the air with a discussion. You are more OK than you thought. Tonight: Hang out with friends.

CANCER (June 21-July 22)
★★★★ You have a winning style and manner. You might want to do something differently. Surprising information comes in your direction, presenting a new avenue. Before saying "yes," recognize the costs of a plan. Tonight: Treat yourself and a loved one.

LEO (July 23-Aug. 22)
★★★★ You are all smiles -- finally, you feel revived. Don't take another person's comments personally. You might be misunderstanding the context. Work with an unpredictable loved one. Tonight: Whatever makes the Lion roar.

VIRGO (Aug. 23-Sept. 22)
★★ The less said the better. It might be appropriate to stay mum considering another person's surprising decision. There will be more forthcoming, so to stay within is important. What you say right now could change radically. Tonight: A friend demonstrates his or her caring.

LIBRA (Sept. 23-Oct. 22)
★★★★ A meeting points you in the right direction. Understand that you are transforming within. As a result, you could be off about what you think you want. Even if someone is forcing your hand, hold back until you are sure of yourself. Tonight: A boss or someone who counts pays you a compliment.

SCORPIO (Oct. 23-Nov. 21)
★★★ No one is a better manager than you. Circumstances are such that you do want to step up to the plate. An unexpected risk might make you uncomfortable. Be willing to say "no," even if it disappoints someone. Tonight: A must appearance.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Once more, find your favorite chair, sit down and do some intense reflecting. A situation could be provocative if not handled appropriately. Also, if your attitude were different, the situation might roll off you like water. Tonight: Try a new mind-set. What do you have to lose?

CAPRICORN (Dec. 22-Jan. 19)
★★★ Sometimes it is easier to let a partner do what he or she wants. This person is unusually dramatic and headstrong. You can forewarn him or her, but nothing replaces experience as a teacher. Flex with changing plans. Tonight: Just go along for the ride.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Others want what they want. You cannot stop them, so step out of the way. Only through the experience can they see what you were referring to. Meanwhile, use some extra time to re-organize a project. Tonight: Squeeze in a walk.

PISCES (Feb. 19-March 20)
★★★ You discover the power of accomplishment. You feel great when you achieve a goal or complete a project. A debate as to how to proceed is important. You want to hear different views. Tonight: Rethink what is said in a meeting.

Happy birthday

This year, home and family increase in importance. You could be surprised by an event or happening that heads in from out of left field. Actually, though at first you might be dismayed by the change, it turns out to be most beneficial. If you are single, others find you to be extremely appealing. As a result, you will draw your share of suitors. If you are attached, the two of you reconnect on a deeper level. Caring flows, especially if you honor the friendship that exists between you. LEO is strong-willed, if nothing else.

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

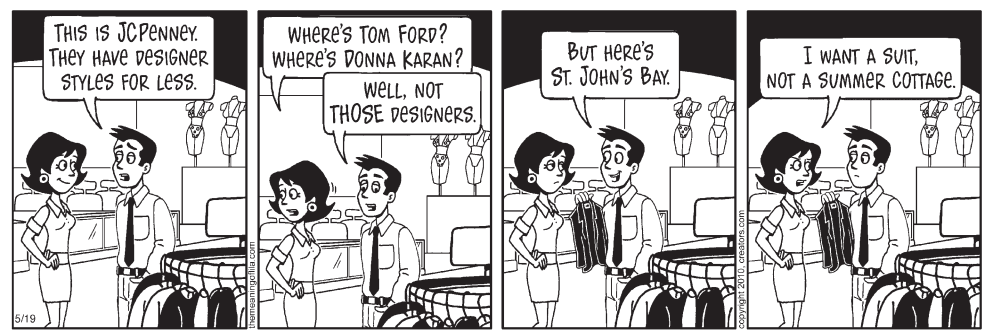
Girls and Sports

By Justin Borus and Andrew Feinstein



The Meaning of Lila

By John Forgetta & L.A. Rose



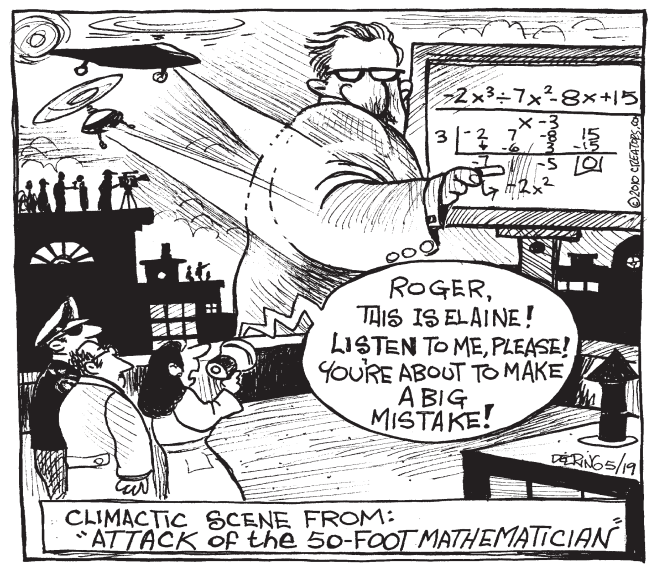
Garfield

By Jim Davis



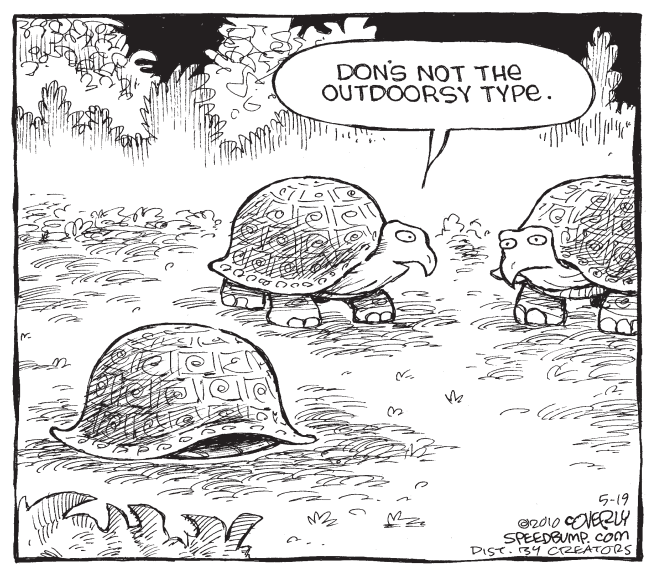
Strange Brew

By John Deering



Speed Bump

By Dave Coverly



Procrastination is a problem when it comes to doing my disaster plan. As a business owner I have a lot to do. It's not like a disaster is going to happen tomorrow. Besides, we have that new business pitch. I've been waiting for this to happen for a while now. I'll get the disaster plan finished eventually. Nothing to worry about, it'll happen.

Whether natural or man-made, at least one in four businesses affected by a disaster never reopen. Though emergencies are unpredictable, when you have a plan in place you can adapt, recover and stay in control.

It's never too late to protect your business until it is.

Make a plan.

READY.GOV

Ad Council
Ready Business

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 ★★★

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

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

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

ARITHMO CrossMath

+ × − ÷

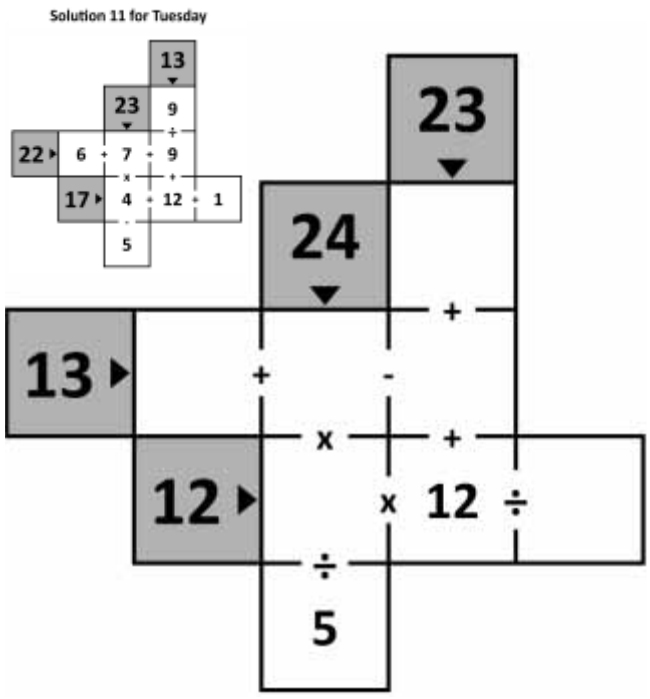
• Fill the grid with the set of given numbers (1 to 12) to satisfy the Equa demands (7 to 24) in the shaded boxes. The Equa demands represent the sum of the digits that you will insert into the empty squares.
• Each horizontal row has one Equa demand to satisfy; each vertical column also has one demand to satisfy. Each empty square in the grid dictates the math operation (addition +, subtraction -, multiplication X, and division ÷) that must be performed to meet the demands.
• You must follow the given math operations for each square and you must make sure all the numbers satisfy the demands in the shaded boxes when connected in adjacent threes and calculated together from left to right, and top to bottom.
• The numbers you insert into the grid must satisfy the Equa demands both horizontally and vertically.

For more games, go to www.arithmo.com

Fill in the empty fields with the given numbers so when calculated together they satisfy all Equas in the gray boxes:

1, 10, 10, 10, 11, 12

Solution 11 for Tuesday





MYSTERY PHOTO

Alejandro Cesar Cantarero II *news@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*.

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Skin hole
5 Thin cut
9 "— there yet?"
11 Crab's place
12 More pleasant
13 Stage direction
14 Film noir classic
15 Unsurpassed
17 Excited
19 Fresh
20 Macaroni shape
21 Abel, to Adam
22 Like argon
24 Funny fellow
26 Top actors
29 Paint buy
30 In sum
32 Order in the court
34 Spoil
35 Aspen aficionado
36 Artless
38 Melodies
39 Fork features
40 Raced
41 Defeat

DOWN

1 Bamboo muncher
2 Colorful bird
3 Bring to mind
4 Ram's mate
5 Dispatched
6 Hispanic
7 Bygone deliverers
8 Tossed
10 2006 fantasy film
11 Neth. neighbor
16 Prominent Massachusetts family
18 Somewhat
21 Sports figure
23 Show mercy
24 Apartment without an elevator
25 Queued up
27 Spotted tile
28 Galley group
29 Play groups
30 Haughtiness
31 Attire
33 Marsh grass
37 Suffer

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

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 1, P.O. Box 536475, Orlando, FL 32853-6475

1	2	3	4	■	■	■	5	6	7	8
9				10	■	11				
12					■	13				
14			■	15	16					
17			18				■	19		
■	20					■	21			■
■	■	■	22			23		■	■	■
■	24	25		■	26			27	28	■
29			■	30						31
32			33				■	34		
35					■	36	37			
38					■	39				
40				■	■	■	41			

5-19

DAILY LOTTERY

MEGA MILLIONS: 11 13 19 37 40 Meganumber: 26 Jackpot: 42$M

SUPER LOTTO PLUS: 3 9 12 13 38 Meganumber: 26 Jackpot: 14$M

Fantasy 5: 6 11 18 33 35

DAILY 3: MIDDAY: 6 6 8 EVENING: 8 7 4

DAILY DERBY: 1st: 03 Hot Shot 2nd: 05 California Classic 3rd: 11 Money Bags RACE TIME: 1:42.84

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

■ Baltimore County (Md.) Judge Darrell Russell Jr., presiding over a March domestic violence case in which the woman obviously had changed her mind about blaming the boyfriend, performed the couple's marriage ceremony in his chambers after temporarily halting the boyfriend's trial. Earlier, Judge Russell had informed the woman that she could not refuse to testify based on "marital privilege" because she and the boyfriend were not married. Consequently, as the trial started, she asked the judge to marry them. After the ceremony, she was then granted the "marital privilege," and the judge dismissed the charge for lack of evidence. (Russell has now been reassigned to less important cases.)

■ When Joseph Velardo, 28, was arrested in Port St. Lucie, Fla., in April after shoplifting items from a Staples store, he for some reason expressed relief that the charges would prevent him from being accepted by law schools. He explained that, since the value of the goods was over the $300 line that separates a mere misdemeanor from a 3rd-degree felony, law schools, thankfully, could no longer accept him. While officers were busy being puzzled about all that, the Staples manager told the police that the actual value of Velardo's take was $276.88.

■ Justin Massler, 27, charged with criminal stalking of 28-year-old businesswoman-heiress Ivanka Trump, was released on bail in New York City in April but explained to a New York Daily News reporter that he intended to alter his approach. Instead of imposing himself on Trump, he said he would "become like a big-time millionaire, real estate mogul, so that she's the one who contacts me."

TODAY IN HISTORY

1919 Mustafa Kemal Atatürk lands at Samsun on the Anatolian Black Sea coast, initiating what is later termed the Turkish War of Independence. The anniversary of this event is also regarded as a date of remembrance for Pontic Greeks on the Greek genocide.

1921 The U.S. Congress passes the Emergency Quota Act establishing national quotas on immigration.

WORD UP!

tipple
\TIP-uhl\ , verb;
1. To drink intoxicating liquor, esp. habitually or to some excess.

Santa Monica Daily Press

Classifieds

YOUR AD COULD RUN TOMORROW!*

Some restrictions may apply.

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Obituaries

Peter R. Moreno

Peter R. Moreno 76, formerly of West Los Angeles and Culver City passed away May 13, 2010 in Rancho Mirage CA. He is survived by his wife Emma his daughter's Lori and Denise and his son Peter John. Service to be held Saturday May 22, 2010 at 9:30 a.m. at Holy Cross Cemetery in Culver City CA.

Miscellaneous

AIRLINES ARE HIRING: Train for high paying Aviation Maintenance Career. FAA approved program. Financial aid if qualified - Housing available. Call Aviation Institute of Maintenance. 866-453-6204.

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UPSCALE ASSISTED living community is looking for caregivers and medication technicians for afternoon shifts on weekdays and morning and afternoon shifts on the weekends. Must have experience, good attitude, and be reliable. To apply please fill out an application at 2107 Ocean Ave. SM 90405. EOE

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GET DISH - FREE Installation - $19.99/mo. HBO & Showtime FREE - Over 150 HD Channels. Lowest prices - No Equipment to buy! Call for full details. 1-877-554-2014.

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501 N. Venice unit 13 single, $1025/mo $500 off move-in stove, fridge, carpet, utilities included, laundry, parking, no pets. (310)574-6767 www.jkwproperties.com

617 MIDVALE, 2+1.5 Townhouse style. Stove, fridge, dishwasher, microwave, tile countertop, wood and carpet floor. W/D hookups, parking, no pets. $2600/mo. (310)578-7512 www.jkwproperties.com

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11757 Kiowa, #4
2+1.75, st, dw, pkg, ln
$1800

MAR VISTA

12754 Pacific, #1
2+1, st, ref, gar, lwr
$1350

WEST L.A.

1657 Federal Ave, #1
BACH, st, fr, ln
$750

2814 Westwood
4+2, st, fr, d/w, cpt, w/d,
2 car garage, fenced bkyd
$3000

ALL PROPERTIES
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10550 Santa Monica Blvd. 2+1, former Art Space gallery $1950

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1234 11th St. 2+ 1.75 bath, granite counter tops $2195

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MARVISTA-LA $1795.00 3bdrms, 1-3/4 baths, + Den, no pets, stove, refrig, dshwshr, parking. 12058 Culver Blvd. #Upper Unit Open daily 8am-7pm. Additional info in unit

PALMS 2+1 3633 Keystone ave #1 stove, blinds, tile flooring, carpets, ceiling fan, laundry,parking, AC, no pets. $1250/mo $1200 off move-in (310)578-7512 www.jkwproperties.com

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SANTA MONICA 1833 16th st. unit 3 1+1. $895 lower unit, vinyl blinds, carpet, parking no pets. (310)578-7512 www.jkwproperties.com

SANTA MONICA Guest House 2+1, $1195, Clean Quiet Safe, New Paint, Balcony, 310-450-4318

WESTCHESTER 6707 W 86th place unit F 2bdrm/1bath, stove, dishwasher, microwave, blinds, carpet, laundry, gated parking, no pets, $1350/mo, $1200 off move-in (310)578-7512 jkwproperties.com

WESTCHESTER 6707 W 86th place unit C 2bdrm/1.5 bath, stove, dishwasher, microwave, blinds, carpet, laundry, gated parking, no pets, $1495/mo, $1200 off move-in (310)578-7512 jkwproperties.com

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WLA 1215 Barry Ave. #6 1+1 $1100 stove, fridge, carpet, blinds, on-site laundry room, parking, no pets.$1000 off move-in 310)578-7512 jkwproperties.com

WLA 1215 Barry Ave. #6 1+1 $1100 stove, fridge, carpet, blinds, on-site laundry room, parking, no pets.$1000 off move-in 310)578-7512 jkwproperties.com

WLA 1457 Westgate 2+1 stove, fridge, blinds, tile , tandem parking no pets $1375/mo (310) 578-7512 jkwproperties.com

WLA 2464 Barrington Ave. #7 3+3 large room, furnished kitchen, granite counter, fireplace, gated parking, elevator, on-site laundry, intercom entry. No pets $2295 Open daily walk-in (310)390-9401

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DBAS

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 20100466111 FIRST FILING. The following person(s) is (are) doing business as MR.T'S SCREEN PRINT; ZANZO, 11428 NATIONAL BLVD. 101, LOS ANGELES, CA 90064, LA COUNTY. The full name of registrant(s) is/are : JINAM KIM, 11428 NATIONAL BLVD. 101, LOS ANGELES, CA 90064 This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)4/6/2010. /s/: JINAM KIM
This statement was filed with the County Clerk of LOS ANGELES County on 4/6/2010. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 5/5/2010, 5/12/2010, 5/19/2010, 5/26/2010



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	Single Family Homes	Condos & Townhomes
Santa Monica Canyon	$2,367,500	$4,487,500
North of Montana	$3,250,000	$1,527,500
Between Wilshire & Montana	$1,947,000	$839,000
South of Wilshire	$922,000	$612,000
Sunset Park	$1,195,000	$650,000
Ocean Park	$1,591,250	$849,000

Statistics Updated Every Monday

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