

FREE

TUESDAY, MAY 21, 2002

Volume 1, Issue 163

Santa Monica Daily Press

The city's only daily newspaper.

Jammin'



Del Pastrana/Daily Press

A view looking south from Palisades Park shows the Pacific Coast Highway during rush hour Monday evening.

Most trainers flunk test of fitness knowledge

By The Associated Press

LOS ANGELES — Despite experience, certification and bulging biceps, most personal trainers flunked a fitness knowledge test posed by researchers.

"It is truly a buyer-beware (industry), and in order to do that, it's buyer, be aware," said Steven Loy, professor of kinesiology at California State University, Northridge, and regional director for the American College of Sports Medicine.

Hourlong training sessions cost up to \$70 an hour.

Only 42 percent of 115 trainers who took part in a recent Exercise Physiology Research Laboratory study at University of California, Los Angeles, passed a test of fitness knowledge. Even trainers with at least five years experience fared poorly, averaging 44 percent.

"There's a misconception that people who have more years of experience know more about personal training and exercise physiology," said Mo Malek, the researcher who conducted the study.

That lack of knowledge can increase the risk of injury to clients and the financial risk to health clubs and gyms, which have been

See FITNESS, page 5

Main Street development shot down — once again

BY CAROLYN SACKARIASON

Daily Press Staff Writer

A city commission dealt a setback to a proposed Main Street project Monday night, with some board members accusing the developer of intimidation tactics.

The Architectural Review Board voted 4-0 to deny Howard Jacobs' 133-unit housing and retail development on the north end of Main Street at the former Pioneer Boulangerie Bakery site.

Two of the board members voted against the project, not on its architectural merits, but because they received a letter from Jacobs' attorney, which

one described as an "undue attempt to influence" the board.

"It certainly colors my view of the project," board member Rodolpho Alvarez said of the letter.

Board member Joan Charles agreed, saying she also found the letter "very disturbing."

It was unclear exactly what was stated in the letter, which was sent by attorney Chris Harding.

Jacobs said the letter was not meant to be intimidating.

Board members Sergio Zeballos and Rick Abelson voted to deny the project because they disagreed with its architecture.

See MAIN STREET, page 3

New signs ask public to report on suspicious garage activity

ANDREW H. FIXMER

Daily Press Staff Writer

Santa Monica's nine downtown parking garages soon will feature signs urging people to call authorities when they witness offensive or unusual behavior.

"It's like a little neighborhood watch program," said Kathleen Rawson, executive director of the Bayside District Corporation. "We want people to be our eyes and ears and call us when they see things."

"That way, hopefully, we'll be able to identify problems quickly."

The signs read, "Help keep our downtown clean and safe!" They also list contact numbers for maintenance, non-emergency police and the emergency number, 911.

Downtown parking structures have been called unsafe because many homeless people and transients often congregate and sleep in them.

The signs will cost \$6.80 each. With installation, Bayside will pay about \$1,000 to implement the program.

Bayside — which manages the downtown core for the city, including the parking structures — is buying 130 of the 10-inch-by-10-inch aluminum signs. Ninety will be installed immediately, while the other 40 will be placed in storage to be used as replacements.

The signs should be posted by the end of this week.

Oscar Delgado, the city's parking coordinator, said the signs will be posted strategically near elevators and at the entrances and exits at the parking structures to maximize the number of people who will see them.

Rawson said the idea for the signs originated in a Bayside ad-hoc Public Safety Committee. She said the idea was not a new one, and it only

See SIGNS, page 3

Customers entitled to share \$40 million in bank profits

By The Associated Press

Security Pacific National Bank and Bank of America trust fund customers could end up receiving \$40 million more for overcharges between 1975 and 1994, following a federal appeals court ruling.

The Ninth U.S. Circuit Court of Appeals ruled Friday that the customers were entitled to the profit the banks got with the excessive fees.

Customers have already been paid \$41.8 million in interest and refunds. The court said the cus-

tomers should receive a proportionate share of the bank's profits during the years they were overcharged, and an attorney for the customers estimated that could be about \$40 million.

The suit was originally filed to recover the money the holders of about 2,500 trust funds with Security Pacific National Bank lost in nine fee increases between 1975 and 1990. The increases were not authorized by the court.

Bank of America acquired Security Pacific in 1992, and did not stop the overcharges until 1994.

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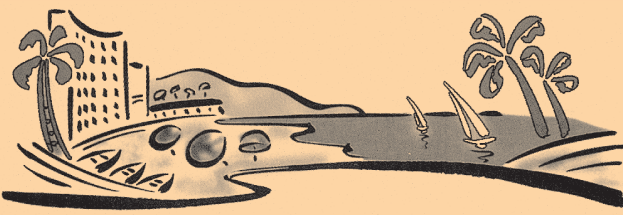
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♈ ARIES (March 21-April 19)

★★★★ Be careful with another who could have a problem and could easily be temperamental. Keep expressing what you have in mind, but also understand another's powerful response. Curb a tendency to go to extremes. Tonight: Let someone else lead.

♉ TAURUS (April 20-May 20)

★★★★ Call upon your financial creativity. Deal with another directly. You could be upset by an expense. Stop a pattern and make a new beginning. Schedule a lunch with a favorite person and then buckle down and do some work. Tonight: Burn the midnight oil.

♊ GEMINI (May 21-June 20)

★★★★ Don't get angry, just use your discomfort to straighten out a problem. Remember, you might have been dealing with this far longer than you needed to. Your creativity revitalizes a project. You could be delighted by what you accomplish. Tonight: Your smile proves to be a winner.

♋ CANCER (June 21-July 22)

★★★★ Handle a personal matter. Curb your temper. You might have a tendency to overdo and overexplain right now. Extremes mark communication. Someone simply cannot get enough of you. Enjoy what is happening. Tonight: Mosey on home.

♌ LEO (July 23-Aug. 22)

★★★★ Expenses push you to take charge. Be careful when dealing with another who might aggravate you beyond your limits. Note a tendency to be a little touchy or overly sensitive. Detach and aim for a more intellectual approach. OK? Tonight: Have a long-overdue discussion.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ You're full of energy. Though you're very happy, you could inadvertently push another's buttons. Be ready to calm others down, as nervous energy could be high. Extremes mark your mood. Deal with a money matter head-on. Tonight: Pay bills.

♎ LIBRA (Sept. 23-Oct. 22)

★★★ Slow down, especially in the face of a challenge. Your temper easily could wear you down. A boss or loved one, or maybe both, put you on a pedestal. Be on top of your work. Keep your own counsel. Listen more and speak less. Tonight: Be spontaneous.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★ Use the moment to clear out as much as you can. Focus on your must list. Remain determined, especially if you hit a money snafu. Stay on top of a problem rather than letting it drag you down. Don't forget to touch base with an important person at a distance. Tonight: Do for yourself.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Pressure builds at work, and tension occurs on the home front. Ask a loved one or trusted associate for help, if need be. You can count on this person. He or she comes through for you more times than not. In your mind, start thinking about an appropriate thank you. Tonight: Do something you love.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Another simply cannot get enough of you. Clear out work as soon as possible. Think in terms of gain and change when dealing with someone at a distance. Learn to incorporate different perspectives and concepts. Focus on work, even if others distract you. Tonight: Nice and even works.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Dealing with someone could be challenging. Use your nurturing instincts with a partner or associate. As a result, you will get a lot more done. A situation could demand unusual creativity and diversity. Realize more of what you want. Tonight: Take in a movie.

♓ PISCES (Feb. 19-March 20)

★★★★ Your amusement and delight with someone comes out, even in your most serious moments. Express your feelings about a matter that is close to your heart. Your family and home life demand your attention, despite a need to deal with work. Tonight: Follow another's lead.

QUOTE of the DAY

**“Never go to a doctor whose
office plants have died.”**

— Erma Bombeck

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
530 Wilshire Blvd., Suite #200 • Santa Monica, CA 90401

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LOCAL

Project headed back to planning commission

MAIN STREET, from page 1

The architectural board denial means the project will be sent back to the city's planning commission, which denied Jacobs last December.

After nearly three years of public process, a pending lawsuit against the city and countless hours of review, Jacobs was finally told in February by the Santa Monica City Council that he could build his development.

But the project still had to pass through the Architectural Review Board, which determines the development's overall conformity with the neighborhood — the controversial reason given by the planning com-

mission when it denied the project Dec. 5.

The development still has to be reviewed and approved by the state coastal commission.

The project — which will cover an entire city block — includes three- and four-story buildings on the west and east sides of Main Street just south of Pico Boulevard. The larger building will occupy the former Pioneer Boulangerie Bakery site.

The planning commission and city staff both recommended that the 170,000-square-foot project be denied because it would overwhelm the neighborhood and aesthetically ruin Main Street. They said the size of

See MAIN STREET, page 5

Cancer benefit to feature 24-hour team walk, run

By Daily Press staff

Teams are forming now for a unique, 24-hour event that will raise funds for the American Cancer Society.

Called the First Annual Santa Monica Relay For Life, the event will feature teams of 10-15 people who take turns walking or running around the track at Santa Monica College's Corsair Field for 24 hours.

The event is scheduled to begin at 9 a.m. on Aug. 3 and run until 9 a.m. on Aug. 4.

"The power of relay is that it allows a community to grieve for those lost to cancer and to celebrate the lives of those who have survived," according to a press

release. "It also allows the community a chance to rally around a common cause and have fun doing it."

Team members are asked to pay a \$10 registration fee, as well as raise a minimum of \$100. Teams are organized by relatives, friends, local businesses, hospitals, schools and churches.

A kick-off party for the event will be held May 29 from 6 p.m. until 7:30 p.m. at Buca Di Beppo, 1442 2nd St. Reservations are required.

For more information, call Ann Logsdon at 310-435-9282 or Maxine Tatlonghari at 213-368-8537.



Beaches in L.A. County should see a mix of building northwest wind swell/ground swell and leftover southwest swell today. Exposed spots in Northern L.A. County and the north half of the South Bay should see waist-to-chest-high surf, while top breaks may see some shoulder high and above sets.

Location	Tuesday	Wednesday	Water Quality
County Line	2-3'/Fair	2-3'/Fair-good	A+
Zuma	2-3'/Fair-good	2-3'/Good	A+
Surfrider	1-2'/Fair	1-2'/Good	A+
Topanga	1-3'/Fair	1-3'/Fair	A+
Breakwater	2-3'/Fair	2-3'/Fair	A+
El Porto	2-3'/Fair	2-3'/Fair	A+

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Signs like this one will be posted by next week in nine downtown Santa Monica parking garages in an effort to keep the facilities cleaner and safer.

Signs in, toilets out at city parking structures

SIGNS, from page 1

became more serious because of the proliferation of cell phones, she said.

Delgado and Rawson said they are interested in getting feedback from people who use the parking structures so they can improve the facilities.

The same ad-hoc committee recommended closing four of the six public restroom facilities located in downtown parking structures. The suggestion that was later ratified by the full Bayside board and is awaiting city council approval.

Many Bayside members believe the restrooms are unsafe and often left in

unsanitary conditions by the transients who use them.

The Bayside board recommended keeping open the restroom in the parking garage at 1440 4th St., because it was recently remodeled.

The other restroom to remain open is up to the city council. Many board members believe the restroom at 1321 Second Street, will remain open because it is the most accessible to the Third Street Promenade.

The other public restrooms are located at 1234 Fourth Street, 1320 Fourth Street, 1235 Second Street and 1431 Second Street.

The Q-Line

The powers that be in City Hall are kicking around the idea of re-naming the Santa Monica Public Library. One idea is to name the building after the celebrated Dr. Martin Luther King, one of the most distinguished American leaders of the civil rights movement.

As the City Council continues to move forward with its plans to rebuild the building for \$50 million, our elected officials want to gauge the public's thoughts

on this idea.

So, this week's Q-Line question wants to know:

"If you had your way, what should the library be called and why?"

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

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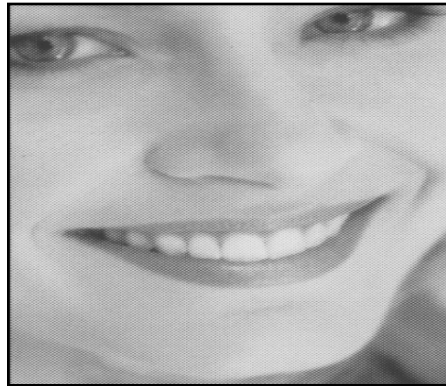
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OPINION

LETTERS

Postpone the bus fare increase

Editor:

I believe the Big Blue Bus should postpone its 50 percent fare increase until Jan. 1. The persistent confusion about the location of bus stops in downtown Santa Monica during the non-stop construction and the headaches this situation gives riders, its customers, is the reason I maintain fares should not rise on July 1.

I know I have tramped up and down Fifth Street searching for the Big Blue Bus triangle sign. Recently, I scoured Fifth from Santa Monica Boulevard to Broadway for the sign only to learn later that the stops were in the Fifth and Arizona area.

If you're scheduled to arrive at a certain place and are dependent on a certain bus to get there, you could be in serious trouble if you cannot locate its downtown stops. Trouble could spread, too, when construction starts up on Main Street.

In sum, I suggest it would be good public relations for the bus company to postpone its fare increase until downtown construction has ended.

Joanne Gamlin
Santa Monica

Debris violators should be fined

Editor:

Items of interest which I want to comment on. May 8, 2002 edition regarding "Litter can go a long way." Let me say this is a big problem, even though there are devices to catch debris, no one tickets or informs persons who are still putting debris in the gutter, thereby going into the drain.

Santa Monica sends city employees out at least once a month or that is what it appears to me and has to clean them out. Now gardeners many times blow with their illegal blowers leaves and other debris into the gutter, sometimes they wash the leaves etc., off into the gutter. Then along comes the city, paying people to have to clean the gutter out. It seems to me that the city could do more if it gave warnings to buildings where this happens continually.

Maybe this might help. You know we keep hearing about many non-compliance issues that "they didn't know." Well, a notice or fine might make them more aware, or at least to inform those who do the work that it is not acceptable.

You had asked why Veritas would be good for Santa Monica, having districts, and why we are not happy with our present council members. Well, for example the latest statement put out by some council members that they thought naming the new main library after Martin Luther King is a good example.

He certainly does not represent Santa Monica, not that Martin Luther King wasn't a great man, but what's wrong with "The Santa Monica Library."

It's like they keep handling the homeless, always say "First Amendment Rights." Yes, we want to uphold that but if you are doing it with the homeless, then help them get into a better situation, not loitering on the park benches, lying on the park benches, camping at the parks. Either do more or get on with the policing. We hopefully will get some help from the state regarding the mentally ill, and possible being able to take them into centers against their wishes.

Thank you for giving me the opportunity to write this to you.

Barbara Walther
Santa Monica

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 sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 530 Wilshire Boulevard, Suite 200, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL □ STATE

Residents believe project will add noise, traffic

MAIN STREET, from page 3

the building would be out of character with the residential neighborhood.

Based on some of the planning commission's concerns, Jacobs modified the plan and then met with city council members to explain the changes before he appealed the commission's decision to them.

The city council voted unanimously to approve the development, saying the modifications made it a decent project that will revitalize an abandoned area of Main Street.

However, many residents in the area believe the new apartments will inundate the neighborhood with more traffic and noise.

Some suggested that the council only approved the project to avoid losing a law-

suit Jacobs has levied against the city. Some officials said if Jacobs wins, the city could be forced to pay \$9 million in damages.

In the lawsuit, Jacobs claims that the city dragged its feet in completing the project's environmental impact review, which is supposed to be done within 12 months, as prescribed by state law. The report was completed late last year.

Jacobs claims that the delay has cost him millions of dollars because he is sitting on land that he has to pay for and the city is delaying him his right to get a return on his investment. He extended escrow on the property until March of 2001 and now that he is closed on the property, Jacobs pays \$82,000 a month in mortgage payments and maintenance.

Carousel from Monterey's Cannery Row off to Vegas

By The Associated Press

MONTEREY — A carousel of wooden horses, zebras and chariots that has twirled tourists on Cannery Row for 24 years will gallop off to the family room of a Las Vegas millionaire.

Richie Clyne, owner of the Imperial Palace hotel and casino, was the sole bidder Sunday for the complete contraption — he got it for \$161,150. A series of other bidders tried to pick apart the rare Herschell-Spillman carousel, offering as much as \$4,500 for one of the brightly painted, hand-carved pieces.

"I just think it would have been a sin to break it up," Clyne said after the auction.

The 87-year-old carousel had been the centerpiece of Monterey restaurateur Dick O'Kane's Edgewater Packing House since 1978. It was the late O'Kane's most prized possession.

His wife, Ellie O'Kane, said she hoped the carousel would not be dismantled.

After several dozen bidders tried to snap up individual pieces, the auctioneer then pitched bidders for the entire carousel. After a few silent moments, a man in the back of the room raised his hand for the first time all night.

"I've been following auctions for a few years looking for a carousel," said Clyne. "I looked at several of them and I liked this one the best."

Clyne said the carousel is headed for his new home, now under construction. Other bidders gave Clyne a round of applause — they left empty-handed, but said they were pleased the piece would remain intact.

O'Kane bought the carousel for \$23,000 near Dayton, Ohio, in 1978. He died in November 2000.

Only 42 percent of 115 personal trainers pass test

FITNESS, from page 1

increasing in popularity so there are now more than 15,000 gyms nationwide.

"Over the last 10 years of research that we looked at, there's been an increase in health and fitness, but there's also been an increase in the number of lawsuits against personal trainers for negligence," Malek said.

The 115 personal trainers in the Inland Empire area east of Los Angeles filled out a questionnaire on nutrition, health screening, fitness-testing protocols, exercise prescriptions and dealing with special needs, such as a trainee's chronic illness or disability.

The study showed a college degree or certification by a leading organization is a better gauge of fitness knowledge than experience, Malek said. Those with at least a bachelor's degree in kinesiology or exercise science averaged 68 percent on the test, while others averaged 37 percent.

Only 19 percent of the studied trainers had a fitness-related degree, while 11 percent were certified by the American

College of Sports Medicine or the National Strength and Conditioning Association.

Trainers who had both a fitness-related degree and one of the certifications averaged 85 percent on the knowledge test.

But educators warn that getting many certifications requires little more than taking a test on the certifying company's Web site and may be a poor indicator of the trainer's knowledge or skills.

"There are some that you can literally pay through the mail and get a certification," Malek said.

Upscale clubs are more likely to impose rigorous education or certification requirements on trainers, who typically get about half of the fee that clients pay to the clubs for a session, Loy said.

"I believe there's 256 different certifications that you can get," but only a couple that are really valuable, said Jim Mara, a trainer for 13 years who has a kinesiology degree from Cal State San Bernardino and is an exercise specialist certified by the American College of Sports Medicine.

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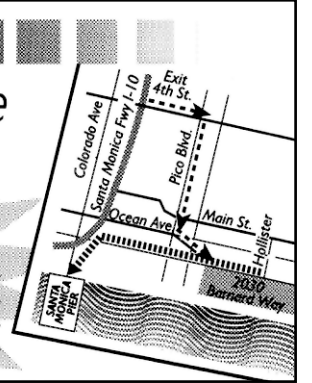
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STATE

Bay Area's peninsula is California's car capital

BY JUSTIN PRITCHARD
Associated Press Writer

ATHERTON — There are more cars than people of driving age in this leafy pocket of Silicon Valley.

If Los Angeles jump started America's car culture, wealthy Atherton is one in a cluster of cities between San Francisco and San Jose that has revved the auto obsession into high gear.

"The problem with having too much money is you can't spend it quick enough," says Del Boscacci, who as owner of Highway One Classic Automobiles sells exotic cars to area collectors. "At least in this area, buying toys, it's too easy."

Atherton has 5,500 residents over age 18 — and at least 5,680 cars, according to new census numbers. The total is probably even higher: just over half the houses have at least three cars.

This in a town where the average household registers less than three people but has more than eight rooms.

Alongside the town of Woodside and Los Altos Hills, Atherton easily tops other would-be California car capitals — including Beverly Hills, Malibu and Carmel.

Credit the collectors, but also the fam-

ilies with a car for every occasion.

"They'll have a family wagon and the personal business sedan," laughs Boscacci, who himself has six cars. "Then they'll have a big SUV to go to Tahoe to tow their boat with, and the kids will have a car, and the maid will have a car."

The local phonebook lists more antique auto outlets like Boscacci's than there are dealers of any ilk in entire California counties.

"The dealers of the exotics are here. We're not talking Toledo," says Gil Gilfix, executive director of the Palo Alto Concours d'Elegance at Stanford.

There's no logical explanation for the plethora of cars, says Gilfix, who surveyed attendees at his prestigious show and found 60 percent had at least three.

"Emotion is probably the biggest thing," says Gilfix, who shares four cars with his wife. "They don't need five cars."

Still, Boscacci says he has clients who keep adding to their collection that already number two dozen classics. Good for them, he says, but it's a little much if all they do is take up space.

"If it's just going to sit in your garage and you're going to polish it, go buy a Picasso," says Boscacci. "Put your honey next to you and go for a drive."

Davis seeks support for risky budget solutions

BY ALEXA HAUSSLER
Associated Press Writer

SACRAMENTO — Gov. Gray Davis's budget contains some hot-button proposals that require legislative approval, and his administration has launched an all-out public relations effort to try to sell them.

Legislative budget panels are to begin poring through the Davis plan this week.

Monday, Davis aides and a cadre of high-powered education lobbyists pressed lawmakers to approve quickly a complicated plan to shift \$1.7 billion in K-12 costs from this year to next, warning that the alternative would be crippling cuts or tax increases.

"California schools cannot afford a prolonged budget stalemate this year," said Barbara Kerr, vice president of the California Teachers' Association, the state's largest teachers' union.

Davis proposed a \$98.9 billion budget plan last week that would borrow and shift money, cut \$7.6 billion in spending and raise taxes on vehicle licenses and cigarettes. The plan seeks to fill in an expected \$23.6 billion budget shortfall.

The proposal includes the shift in education money between the current budget year and the next one, which begins July 1, to fulfill the school spending requirements of Proposition 98. The maneuver requires approval by June 30 of two-thirds of the Legislature, which must include four Republican Assembly members and one GOP state senator if all Democrats vote for it.

Davis' budget plans assume the measure will pass, and, if it doesn't, finance officials said they must scramble to find

the \$1.7 billion elsewhere.

"This is a pretty big piece of the overall budget solution," said Betty Yee, chief deputy director of the state finance department.

Education advocates "are really concerned about are games of legislative chicken being played in an election year that could jeopardize the fiscal position of the state," said Kevin Gordon, executive director of the California Association of Business Officials.

Republicans have not publicly expressed strong opposition to the plan, except to question whether it drains money from schools in the coming year.

The education issue is one of a handful of hurdles Davis must overcome before he can sign a budget in an election year when the economy has wrought havoc on the state treasury.

The most contentious is \$1.75 billion in increases to the state vehicle license fee — raising the average car's tax by \$84 — and boosting the cost of cigarettes by 50 cents a pack. Republican lawmakers have said they will not support a budget with tax increases.

The budget also assumes that the state will issue \$11 billion in bonds to repay the state treasury for energy purchases last year.

The state spent more than \$6.1 billion from its general fund last year to buy electricity for ratepayers. State power regulators approved plan earlier this year that allows state officials to sell roughly \$11.1 billion of bonds. However, that proceeding has slowed as the state continues to negotiate with utilities to settle final components of the bond sale.

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NATIONAL



Kentucky paper could lose its name to water official

BY ROGER ALFORD
Associated Press Writer

INEZ, Ky. — The head of the local water board has acquired the name of an eastern Kentucky newspaper that has doggedly reported on drinking water issues, and he's told the paper to stop using it.

The Mountain Citizen inadvertently allowed incorporation papers to lapse in the secretary of state's office. John R. Triplett, chairman of the Martin County Water District, said he filed the necessary paperwork to claim the name for himself.

Triplett won't say why he wanted the newspaper's name or what he plans to do with it, but he spoke at length about what he considered unfair reporting by the newspaper.

"Every week there's something dramatic in the headlines," he said last week. "If you read the paper, I've been featured prominently. I don't know what their motivation is for these stories and these headlines."

Publisher Roger Smith said the newspaper has published several stories about problems with Martin County's water treatment plant and its distribution lines. Photographs in the paper have shown muddy water coming out of faucets, even sand collecting in sinks.

"This is an attempt to shut us up," Smith said. "We don't want a political war. We just want clean, reliable water."

Smith said he plans to continue using the name.

"It's on our window and its on our paper," he said. "I'd like to see them try to take it off."

Triplett sent a letter to Smith last week demanding that the newspaper stop using the name because it now belongs to him.

"There's no theft," Triplett said. "It was just available."

Lisa Summers, spokeswoman for the secretary of state, said Kentucky corporations are required to submit annual

reports. Those that don't are presumed inactive and are dissolved.

Summers said the Mountain Citizen hadn't filed an annual report in two years, making that name — along with two others held by parent company New Wave Communications — fair game.

"We don't want a political war. We just want clean, reliable water."

— ROGER SMITH
Publisher

Because the state doesn't allow two companies to have the same name, the newspaper will have to change its name when it incorporates again, Summers said. She said that could be as simple as adding one additional word to the name.

Smith said his brother, who died earlier this month, had been battling cancer. He said he and his family had been so busy taking care of the needs of his brother, Gary Lee Smith, that they had given no thought to submitting the annual report to the secretary of state.

David Thompson, president of the Kentucky Press Association, said he has never heard of a similar situation involving a newspaper. He said he plans to alert other newspapers to keep reports to the secretary of state up to date to avoid the same circumstance.

The Kentucky Division of Water and the Public Service Commission have been monitoring water problems in Martin County since December because of fears that aging equipment could shut down distribution. State officials have warned that a collapse of the water system could occur if major equipment and staffing problems aren't addressed.

Penthouse apologizes, settles lawsuit over topless pictures

BY LARRY NEUMEISTER
Associated Press Writer

NEW YORK — Penthouse magazine apologized Monday and settled a lawsuit with a woman who sued after topless pictures of her were published and promoted as photos of tennis star Anna Kournikova.

The amount paid to 28-year-old Judith Soltesz-Benetton was not disclosed by Penthouse's owner, General Media Communications Inc. Her lawsuit had sought \$10 million in damages.

The settlement was reached just before a ruling from U.S. District Judge Denny Chin. The judge had threatened to recall the magazine and conclude that it was not protected by the First Amendment if it went ahead with the photographs even though it knew they were not of the 20-year-old tennis star.

In a written apology to Soltesz-Benetton, Penthouse publisher Robert Guccione said he and the magazine "express our profound apologies for printing pictures of you in the June 2002 issue of Penthouse."

"We made a terrible, but wholly unintentional error in publishing the pictures

of you as Anna Kournikova and are taking steps to ensure that no such errors are made in the future," he wrote.

The case was brought after the magazine claimed that its June issue contained topless photographs of Kournikova. The pictures actually were of Soltesz-Benetton, the daughter-in-law of fashion designer Luciano Benetton.

During a two-day hearing last week, Soltesz-Benetton testified that she believed the photographs were taken about seven years ago, as she sunbathed topless in the South Beach section of Miami.

An apology by the magazine two weeks ago was inadequate because it did not identify her and seemed insincere, she said.

Judd Burstein, a lawyer for Soltesz-Benetton, said the case was not about money. "Absolutely not," he said.

Guccione said Penthouse had arranged to destroy about 18,000 copies of the June 2002 issue it possessed and promised to never print the issue again. He said any copies returned by retailers also would be destroyed.

Guccione has said about 1.2 million copies of the issue were printed, and virtually all were distributed.

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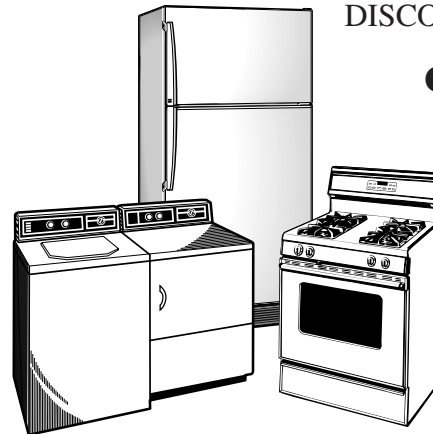
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SPORTS

Sacramento Kings beat L.A. Lakers to even series 1-1

BY GREG BEACHAM

AP Sports Writer

SACRAMENTO — After their first road playoff loss in nearly two years, the Los Angeles Lakers finally might have a challenge on their hands.

Chris Webber had 21 points and 13 rebounds, and Mike Bibby scored 20 points as the Sacramento Kings evened the Western Conference finals 1-1 Monday night, weathering Shaquille O'Neal's biggest game of the post-season to beat the Lakers 96-90.

The Lakers' NBA-record streak of 12 consecutive road playoff victories ended in an ugly game in front of another delirious Arco Arena crowd. It was just the third defeat in 27 playoff games for the two-time champions, who hadn't lost on the road since Game 5 of the 2000 NBA Finals.

The best-of-seven series shifts to Los Angeles for Game 3 on Friday night, with Game 4 on Sunday at Staples Center.

The game wasn't exactly a classic. Sacramento led 89-74 with 6 1/2 minutes left, but the Kings managed just one field goal after that. The Lakers gradually rallied despite poor shooting and turnovers by both teams in the closing minutes.

Trailing 92-82, the Lakers scored five straight points, but O'Neal, who had 35 points, missed a free throw, then came up short on an easy hook shot. Los Angeles missed five straight shots in the closing seconds before Kobe Bryant's 3-pointer with 12.5 seconds left cut the lead to 93-90.

The Lakers eagerly fouled Webber, who missed seven

of his first nine free throws on the night. Webber hit one of two, and Rick Fox missed a 3-pointer to seal it.

The Lakers got 22 points on 9-for-21 shooting from Bryant, who received three liters of intravenous fluids in the hours before the game after an overnight bout with food poisoning.

O'Neal manhandled the Kings all night, also finishing with 12 rebounds, but the Lakers never were able to exert their will as they did in Game 1, a 106-99 victory. Supporting players Fox, Derek Fisher, Devean George and Samaki Walker were a combined 9-of-32 from the field.

Robert Horry had eight points and a career playoff-high 20 rebounds before fouling out for the Lakers, who also lost Game 2 of the conference semifinals to San Antonio.

The Kings weren't allowed to play their preferred run-and-gun style by the Lakers' defense, but they led throughout the second half and hung on in an unsightly ending.

Vlade Divac had 15 points and 14 rebounds before fouling out against O'Neal. Bobby Jackson added 17 points in a reserve role.

O'Neal scored 23 points on 11-of-15 shooting in the

first half, playing with full measures of the brute strength and stunning agility that make him the premier center of his era. He slowed in the second half, but still finished with his biggest production of the postseason.

The Lakers didn't open Game 2 as splendidly as Game 1, when they made nine straight shots on the way to a big early lead they never relinquished. O'Neal carried Los Angeles through the first half, bullying past capable post defenders Divac and Scot Pollard with the ease that only he can manage.

Bryant didn't seem restricted because of his illness, but he rested longer than usual in the first half and got just one basket in the second quarter. He also sat out a stretch in the fourth quarter as Sacramento maintained its lead.

All-Star Peja Stojakovic missed his fourth straight game for the Kings because of his sprained ankle. Hedo Turkoglu, who went 0-for-8 in Game 1, missed his first three shots.

He finally hit a jumper with 1:05 left in the first half, sparking a standing ovation from the Arco crowd and a sheepish grin from the Turkish star. Turkoglu finished with eight points, but Jackson was on the court with the Kings' starters in the final minutes.



National Basketball Association playoff schedule

By The Associated Press

CONFERENCE FINALS — EDT (Best-of-7)

Saturday, May 18

L.A. Lakers 106, Sacramento 99, Lakers lead series 1-0

Sunday, May 19

Boston 104, New Jersey 97, Boston leads series 1-0

Monday, May 20

Sacramento 96, L.A. Lakers 90, Series tied 1-1

Tuesday, May 21

Boston at New Jersey, 8:30 p.m.

Friday, May 24

Sacramento at L.A. Lakers, 9 p.m.

Saturday, May 25

New Jersey at Boston, 5:30 p.m.

Sunday, May 26

Sacramento at L.A. Lakers, 5:30 p.m.

Monday, May 27

New Jersey at Boston, 5:30 p.m.

Tuesday, May 28

L.A. Lakers at Sacramento, 9 p.m., if necessary

Wednesday, May 29

Boston at New Jersey, 9 p.m., if necessary

Friday, May 31

New Jersey at Boston, TBA, if necessary

Sacramento at L.A. Lakers, TBA, if necessary

Sunday, June 2

Boston at New Jersey, TBA, if necessary

L.A. Lakers at Sacramento, TBA, if necessary



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- Main Street and Ocean Park
- Main Street and Ashland
- Montana Avenue and Lincoln Boulevard
- Montana Avenue and Euclid Street
- Montana Avenue and 16th Street

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INTERNATIONAL



Suicide bombings suggest militants are regrouping

BY GREG MYRE
Associated Press Writer

JERUSALEM — A Palestinian bomber blew himself up Monday at a busy crossroads in northern Israel. He killed only himself, but the second suicide attack in as many days demonstrated attackers still have the means and the will to strike despite Israel's military offensive across the West Bank.

Also, Israeli officials disclosed that a Palestinian plan to detonate a one-ton bomb in the parking lot beneath twin 50-story towers in Tel Aviv was thwarted three weeks ago. Troops raided a West Bank town, preventing the planned car bombing, according to an Israeli military officer and a government official. Last year, Israel arrested two Palestinians who had also planned to bomb the towers.

The officer, appearing at parliament's Foreign Affairs and Defense Committee, said Palestinian militants were trying to rebuild their infrastructure for bombing attacks. The officer and the government official, who was contacted by The Associated Press, both spoke on condition of anonymity.

Meanwhile, Prime Minister Ariel Sharon faced a political crisis Monday after parliament voted down his government's emergency cutback plan. After two Orthodox Jewish parties in his coalition failed to vote for the plan, he fired their representatives in the government.

The dismissals take effect only 48 hours after letters are delivered, leaving time for maneuvers, but if the two parties exit, Sharon would be left with support of

only half the 120 members of parliament, vulnerable to a no-confidence vote that would force elections.

The military sweep in the West Bank, launched March 29 amid the deadliest wave of suicide bombings ever faced by Israel, resulted in the killing or capture of hundreds of suspected militants and a sharp drop in the number of attacks.

The relative calm inside Israel in recent weeks suggested the Israeli raids had seriously disrupted the network of attackers, who come from several different Palestinian groups, or that the militants had scaled back their bombings, at least temporarily.

Until Sunday, Palestinian militants had carried out only one suicide attack that killed Israelis in the past five weeks — a May 7 bombing that killed 15 in a pool hall near Tel Aviv.

But a bomber disguised in an olive drab army uniform entered a fruit and vegetable market Sunday and set off his explosives, killing three Israelis and wounding dozens in Netanya, a coastal city that has been hit repeatedly by militants.

Then Monday morning a bomber struck at the Taanakhim Junction, a few miles inside Israel near the northern West Bank. An Israeli driver notified authorities when a man waiting at a bus stop aroused suspicion. When the patrol asked the Palestinian for identification, he blew himself up, police said. No one else was hurt.

No group claimed responsibility for Monday's blast, while the Popular Front for the Liberation of Palestine, a radical PLO faction, said it carried out Sunday's attack and identified the bomber as 18-year-old Osama Boshkar from the West

Car bomb remains



Mahmoud Tawil/Associated Press

Lebanese police inspect the damaged car in the Corniche Mazraa area of Beirut, Lebanon on Monday. A bomb-rigged car exploded Monday in a busy Beirut neighborhood, destroying the vehicle and killing Jihad Jibril, the son of radical Palestinian guerrilla leader Ahmed Jibril, Lebanese Hezbollah guerrilla television reported.

Bank's Askar refugee camp.

The group is headed by Ahmed Saadat, who is detained in a Palestinian jail in the West Bank town of Jericho under British and U.S. supervision. Israel demanded the detention of Saadat, whose group carried out the killing of Israel's tourism minister last October.

An Israeli government spokesman, Danny Shek, said Saadat "might have been instrumental in commanding and masterminding the bombing." However, Deputy Defense Minister Dalia Rabin Pelossof said there was no conclusive

proof that Saadat ordered Sunday's attack.

Saadat has given a telephone interview from detention, and Israeli media reports said he has received visits from Palestinian activists. The British Embassy in Tel Aviv said it has asked Israel to document the allegations against Saadat.

The prospect for peace negotiations remained dim after breaking down more than a year ago. Israeli Prime Minister Ariel Sharon says the violence must stop before they can resume and that he does not view Palestinian leader Yasser Arafat as a negotiating partner.

Islamic codes beyond reach of reformers' drive in Iran

BY BRIAN MURPHY
Associated Press Writer

TEHRAN, Iran — The condemned man kissed the rope.

"I am not scared," Ahmad Dowlatyari shouted to the crowd that assembled at sun-

rise Monday to watch his hanging. "My life is now over. I want to go with a smile."

A tow truck's crane rose with a hydraulic hiss. The orange rope stiffened. Dowlatyari — convicted of murdering his crime partner in a fight over stolen gold — gasped once and was dead.

The spectacle of public executions has become commonplace in Iran since the Islamic Revolution 23 years ago. But this brand of Quranic justice — and less frequent practices such as floggings and stonings — may draw greater outside scrutiny as Iran considers reopening to U.N. rights inspectors.

The U.N. Human Rights Commission last month lifted its censure of Iran, where reformist President Mohammad Khatami has managed to curb abuses in the intelligence services and other areas. Iran said the decision may open the door for visits by U.N. rights teams, barred since 1996.

For Iran, the issue is highly sensitive: how to retain Islamic codes but avoid anger from abroad?

Iran is particularly worried that growing business contacts with the European Union could become entangled in complaints over public executions and other punishments. Top officials also claim Iran's trade partners are being unfairly pressured by the United States, where 38 states permit the death penalty.

"The United States is using human rights and the fight against terrorism as political tools," Justice Minister Ismail Shoushtari said Sunday during a meeting with a Chinese court official.

At least 75 documented executions were carried out in Iran in 2000 — publicly or in prisons — but the figure could be "considerably higher," according to the most recent report by the London-based rights group Amnesty International. More current estimates were unavailable and Iran does

not release death penalty statistics.

During the same period, there were 85 executions in the United States, which has been harshly criticized by its European allies for allowing capital punishment. Abolishing the death penalty is a requirement for membership in the 15-member EU.

In Iran, the People's Mujahedeen, a militant group seeking the overthrow of the ruling clerics, alleges that executions are sharply on the rise. On Sunday, the group claimed responsibility for a small bombing outside a militia office to protest a "new wave of executions and cruel punishments."

Khatami's call for moderation has led to some changes.

Public floggings — for offenses such as drinking alcohol — still take place but are much less common than before Khatami came to office in 1997. Stonings for adultery and other social violations have not occurred since the mid-1990s.

Khatami's backers say such punishments hurt Iran's international image and reflect badly on Islam.

Meanwhile, some notorious inmates have been hanged in prison rather than in public, apparently to avoid possible clashes between reformers and conservatives. Last month, judges in the eastern city of Mashhad called off plans to publicly hang a serial killer who stalked prostitutes. The sentence was carried out in the prison yard.

But serious dissent surrounding hangings is not heard. Supreme Leader Ayatollah Ali Khamenei, who wields complete power, has said anyone opposing executions should face the same punishment.

American killed



Darko Bandic/Associated Press

Warrant Officer David Larson from Manitowoc, Wis., right and Staff Sgt. Joseph Parker from Clyde, Texas, lower the American flag, which was flying at half-staff, at Bagram Airbase, 31 miles northeast of Kabul, Afghanistan on Monday. A U.S. Special Forces soldier of the West Virginia National Guard was killed in eastern Afghanistan during a skirmish with forces believed linked to al-Qaida and the deposed Taliban militia, military officials said.

COMICS

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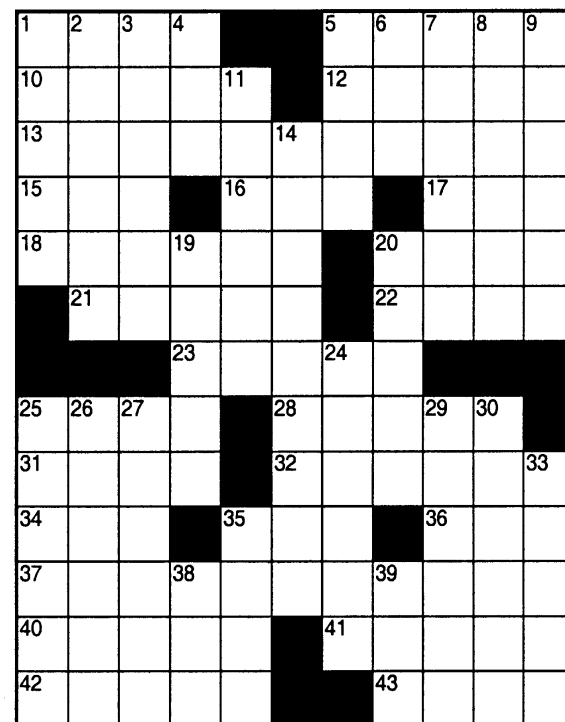


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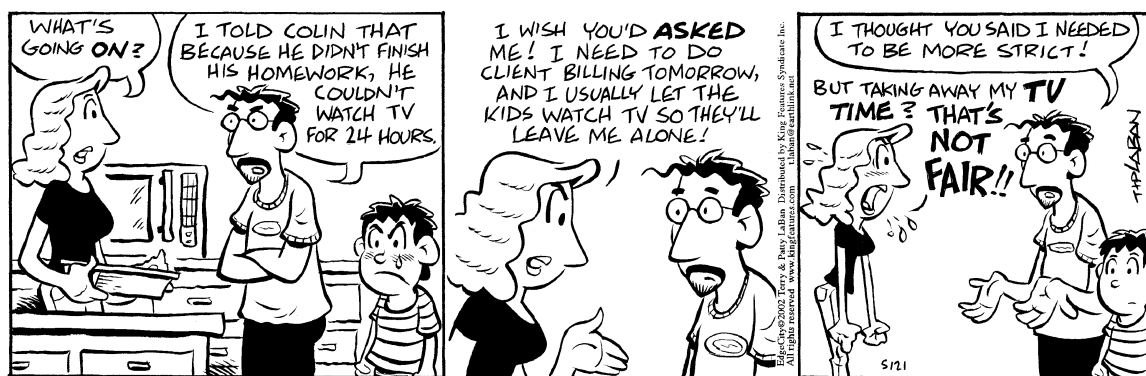


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NEWS OF THE WEIRD by Chuck Shepard

Short-sighted lawyer arrested

Police in Plymouth, Conn., arrested lawyer Christopher W. Boylan in March and charged him with defrauding a client who had paid him \$2,500 to get his money back on the purchase of a defective car. According to police, Boylan's crime was that he told the client falsely that he had won the case (and drew up a bogus judicial order certifying that) and that the client should expect a settlement of \$733,000 soon. So far, no explanation has emerged of how Boylan thought he would get away with the crime (in view of the fact that the order was so transparently fraudulent and that the client would eventually start to hang around Boylan's office and hound him about the money).

"EVEREST CONQUERED?"



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BACK PAGE

ODDS & ENDS

'Playgirl' to feature the men of Enron

By The Associated Press

HOUSTON — They've already lost their shirts to Enron Corp. Now they're doing the same for Playgirl Magazine.

Five former Enron employees went before Playgirl's cameras Sunday for a daylong photo shoot for an issue due in stores in October.

The issue will feature profiles of the men and their experiences with the former energy giant, which filed for bankruptcy in December after questions about the company's accounting practices surfaced.

"Enron made me bare it all," said Mark Zebrowitz, who worked as a production manager for Enron Oil & Gas in India. "That's all they left me with."

In return for the men's willingness to show off what normally stays under wraps, Playgirl offered "more money than they made on their stock options," magazine editor Michele Zipp said.

Playgirl's offer came April 1, a week after Playboy Magazine invited current and former female workers to pose for a "Women of Enron" issue.

"We thought, 'Why not help these guys who were down on their luck try something different for a career, even if it is a day of fun,'" Zipp said.

Snafu forces prom to be rescheduled

By The Associated Press

LOS ANGELES — "Please don't hang up! This is an urgent message."

The automated phone call from the Garfield High School senior class president alerted classmates last week that the prom was not happening Saturday night.

It's being held June 1 instead.

The mix-up sent hundreds of students at the East Los Angeles school scrambling to reschedule hair appoint-

ments and tuxedo and limo rentals.

Nearly 300 angry students showed up at a meeting of senior class officers after learning about the problem.

"It was like a peasant uprising," said senior Sylvia Torres, 17. "They were all talking at the same time."

It seems the confusion about the biggest social event of the year was the result of miscommunication between school administrators and the Long Beach Hilton.

Assistant Principal Peter Luevano said he thought a signed contract with the hotel stating the prom would be held June 1 had been changed to May 18 after he made the request over the phone last fall.

But the hotel's director of catering, Ross Gagnon, said the hotel had no record of any such conversation. For a year, the hotel has been booked on May 18 for a different prom.

School administrators have called limo companies and tuxedo rental shops to alert them to the changes.

"No one has refused to hold the rentals," said Assistant Principal Richard Bin.

Man found asleep with crack in mouth

By The Associated Press

LaPORTE, Ind. — A sheriff's deputy who checked on a passed-out, snoring man near the department's front desk says he found a mouthful of evidence when he tried to awaken him: small bags containing "rocks" of cocaine.

In plain view inside the man's mouth were two clear, plastic bags with several smaller bags inside them containing a substance that later tested positive for cocaine, the sheriff's department said.

Deputies eventually roused Edward O. Green by repeatedly shaking him and speaking loudly. The 24-year-old Calumet City, Ill., man was arrested on preliminary counts of public intoxication and possession of cocaine.

A sheriff's report said Green came to the department's front desk on Friday to post bail money for some-

one in jail. He was asked to take a seat until someone could help him.

Green sat down and passed out moments later, snoring loudly and slumping against a wall with his mouth open, the report said.

When Deputy Andy Hynek tried to awaken Green, he noticed alcohol on Green's breath and the bags inside his mouth, the report said.

Green was released from jail Friday on bond.

Parade needs Lewises and Clarks

By The Associated Press

BLAIR, Neb. — Listen up, Lewises and Clarks. A parade celebrating the bicentennial of the Lewis & Clark expedition is in need of participants.

Jim Morely is trying to get as many people with the same last name as famed explorers Meriwether Lewis and William Clark as he can to sign up for a parade in Blair on June 15.

The parade is a kickoff to Nebraska's celebrations of the Lewis & Clark expedition that traveled up the Missouri River and reached Nebraska in the summer of 1804.

The Blair parade is an attempt to celebrate the expedition, gain attention and raise money for celebrations of the bicentennial.

"No one had ever thought of doing anything like what they did. It was the 1804 equivalent of going to the moon," Morely told the Lincoln Journal Star for a story Sunday.

Morely sent out more than 450 letters to those people with the last names as the explorers and got six replies.

Morely said people may have thought the letters were junk mail or part of some marketing scheme and just pitched them. He added that anybody named Meriwether Lewis or William Clark would get to be in front of the parade group.

"They were the captains of the expedition, the leaders and the people who kept it going," Morely said.



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