



Santa Monica Daily Press

May 22-23, 2004

A newspaper with issues

Volume 3, Issue 165

LOTTO

FANTASY 5

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DAILY 3

Afternoon picks: 3 5 1

Evening picks: 4 0 6

DAILY DERBY

1st Place: 08 Gorgeous George

2nd Place: 05 California Classic

3rd Place: 12 Lucky Charms

Race Time: 1:40.88



NEWS OF THE WEIRD

by Chuck Shepard

GOVERNMENT IN ACTION

■ After a decade of tolerance, the Tokyo metropolitan government ruled in March that used lingerie could no longer be sold in the city's sex shops, where men had been paying the equivalent of \$15 to \$90 for a pair of panties in a plastic bag, sometimes including a photograph of the former owner. Increasingly, schoolgirls as young as 9 had been supplying the stores.

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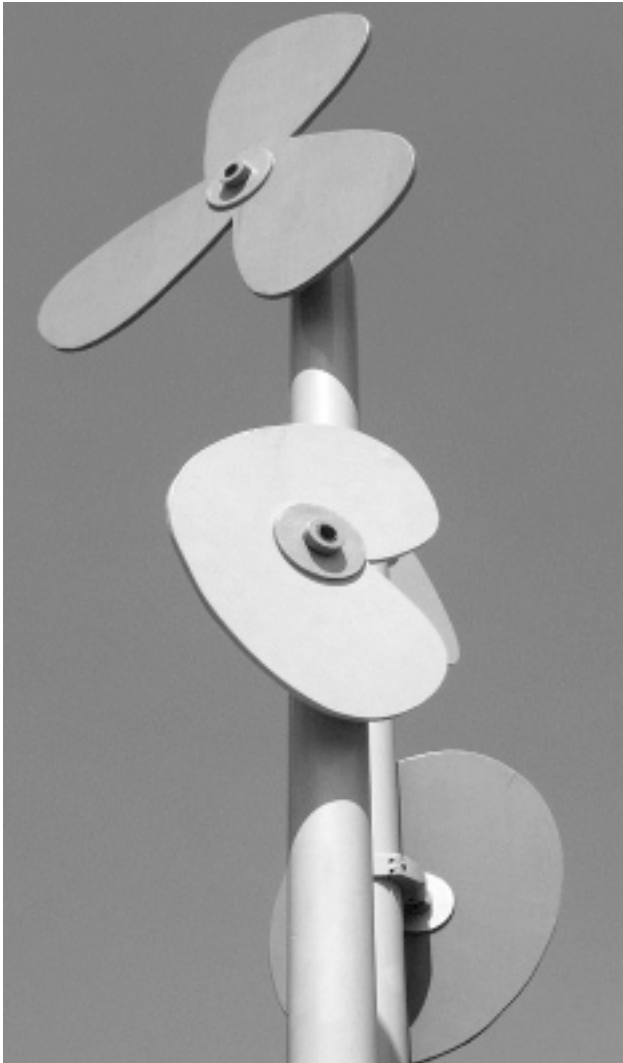
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Figure it out



Alejandro Cesar Cantarero II/Daily Press

The first person to accurately describe where this photo was taken will win two free movie tickets to Loews Cineplex Broadway on the Third Street Promenade. E-mail answers to sack@smdp.com. No one won last week's mystery photo contest — a picture of seagulls perched on poles, which are located on the beach on the Santa Monica/Venice border.

Teens get stripped of bronze mettle

By The Associated Press

SACRAMENTO — A state famous for tanned bodies and year-round sunshine could be the nation's first to ban teenagers from artificial tanning booths.

The state Assembly, citing a rise in skin cancer cases in California and across the nation, voted 42-26 this week

to add artificial tanning to teenage no no's that already include smoking, drinking and buying lottery tickets.

Teens often visit tanning salons before proms, vacations and weddings, say owners of an industry that claims 160,000 employees nationally and \$5 billion in annual revenue.

Planned theater takes dramatic step forward

Now they need to find another \$9M; bond measure a possibility

BY JOHN WOOD

Daily Press Staff Writer

NORTH OF MONTANA

— Construction is scheduled to begin this fall on a new theater planned for Santa Monica after designs cleared a crucial hurdle in the Division of the State Architect this week, it was announced Thursday.

More than \$8 million has been raised to date for the Madison Project. The 504-seat theater, which will be built on school grounds at Eleventh Street and Santa Monica Boulevard, was designed by renowned local architect Renzo Zecchetto with the aid of acoustic experts. It will cost an estimated \$17 million to construct.

Organizers hope to place a bond measure on the November ballot to help fund the project. Other than a \$1 million federal grant, most of the money raised has come from private donors and foundations. Among the donors is actor Dustin Hoffman, who has taken an active role in helping to plan the new theater, establishing a resident acting group, 3 Coasts, with which he plans to work closely.

Dr. Piedad Robertson, president of Santa Monica College, which is developing the theater, told about 100 art patrons



John Wood/Daily Press

An artist's rendering of the Madison Project, the proposed 504-seat theater planned for Eleventh Street and Santa Monica Boulevard.

at a Thursday backyard garden party at a house north of Montana Avenue that organizers are diligently raising money for the project. The free, invitation-only event netted another \$110,000 in donations for the theater, with one unnamed

See MADISON, page 5

Crosswalk trial delayed

By Daily Press staff

SM COURTHOUSE — A lawsuit levied against the City of West Hollywood by a man who suffered brain damage when he was struck in a crosswalk has been continued by a Santa Monica judge so both sides can collect more evidence.

Santa Monica Superior Court Judge Valerie Baker this week put the matter over until the end of July. The jury trial is expected to last 20 days.

At issue in the case is whether the City of West Hollywood should have known the intersection at Sunset Boulevard and Alta Loma Road was dangerous.

Plaintiff Jason Eli Sayers was struck in April of 2001 by a car driven by Danielle

See LIGHTS OUT, page 5

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Aries, have dinner at your pad



JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult



ARIES (March 21-April 19)
★★★ Deal with others, especially family. A change in personal dealings might be in line. Understand what you are seeking, and verbalize it more. Stand by and look at situations more carefully. Basics do count. Family responds to your effort. Tonight: Dinner at your pad.



TAURUS (April 20-May 20)
★★★★★ You find the right words to put others at ease. Don't worry so much about a serious conversation. Another needs to hear your feelings. Be careful with your temper and fast actions. You could be careless or say something you'd regret. A whimsical friend takes the lead. Tonight: Happy as a clam.



GEMINI (May 21-June 20)
★★★ You might want to make a new purchase or investment. Take your time, even if it feels perfectly right at this moment. You will gain more insight given space. Recognize that your willingness to spend might get you into trouble. Think positively. Tonight: Off to a movie.



CANCER (June 21-July 22)
★★★★★ Use your personality to help settle a problem rather than let it get overly serious. Think through an idea carefully. Test it out on several people. Others could find you unusually aggressive. Pick and choose your words with care. Tonight: Whatever makes you happy.



LEO (July 23-Aug. 22)
★★★ Take your time as you work through a personal issue that might be bothering you. Could you be taking someone too seriously? Think through a decision that might involve increased finances but also more expenses. Tonight: Lie back. Can the Lion take a night off?



VIRGO (Aug. 23-Sept. 22)
★★★★★ Keep plans with an older or very serious friend. How you push or handle an overwhelming person could vary. You might come off much stronger than you are aware. Trust your instinctive reactions. Tonight: Where the action is.



LIBRA (Sept. 23-Oct. 22)
★★★ Others turn to you, as you seem like a natural leader. How you say what you feel makes a difference to a grumpy and slightly intolerant friend or family member. Don't push beyond your limits. Your instincts will guide you. Tonight: Take the night off.



SCORPIO (Oct. 23-Nov. 21)
★★★★★ Go to a play or take off for a flea market. A change of scenery can and will make all the difference. Think like someone else by putting yourself in his or her shoes. Laughter emerges with friends and a get-together. Tonight: Opt for different.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Others have strong opinions. You might as well listen, as you aren't going to change them. You could find someone a bit conservative or uptight. Look for a more positive outlet or friend. Don't get focused on this one person. Tonight: Out on the town.



CAPRICORN (Dec. 22-Jan. 19)
★★★★★ A partner might pull you left and right, if you let him or her. On some level, you might even feel like a Ping-Pong ball. Detach and take an overview. Find an activity that relaxes your mind and helps you open up. Tonight: Let your mind wander. Go to a play or listen to a favorite type of music.



AQUARIUS (Jan. 20-Feb. 18)
★★★ Your health needs to come first. If you are tired, just relax and take the day off. Feel free to cancel plans. A true friend or loved one will understand. Take your time and do your thing. Consider an energy-building program. Tonight: Put your feet up.



PISCES (Feb. 19-March 20)
★★★★★ Let your emotions flow, and you'll do the right thing. You have mixed feelings about a loved one or a child. You might inadvertently create some distance. If you cannot resist an invitation, don't. You're entitled to a good time. Tonight: Be a teenager again.

Santa Monica Daily Press

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LOCAL



COMMUNITY BRIEFS

Jamming with java

By Daily Press staff

Challenge yourself today to a conga while sipping an ice-blended drink. The Coffee Bean Conga Challenge will encourage people to do the conga in the name of charity. There will be a large conga line formed in front of the Third Street Promenade coffee shop, and for each person that participates, The Coffee Bean & Tea Leaf will donate the price of an Ice Blended beverage to P.S. ARTS, a non-profit organization dedicated to restoring the arts in public schools. There also will be a special performance by the "Hot Marimbas," a group of youngsters that play Latin percussion instruments from P.S. ARTS. Conga participants also can sample the new summer drinks from The Coffee Bean & Tea Leaf — Piña Colada Ice Blended, Dulce de Leche Ice Blended and eXtreme Caramba Ice Blended.

The event will be held from noon to 2 p.m. P.S. ARTS is dedicated to restoring art education programs to public schools by providing comprehensive, skills-based, sequential classes in dance, drama, music and visual arts to children attending Title I schools in California. The organization also offers workshops to classroom teachers that are designed to inspire and instruct teachers how to integrate creative expression and the arts into core curriculum.

Of public schools and peak performance

By Daily Press staff

A local bookstore will host an event on Sunday that will provide an opportunity to learn more about how students can achieve their goals in public schools. People for Progressive Public Education and the Santa Monica-Malibu Classroom Teachers Association will hold the event at Midnight Special Bookstore, 1450 2nd St., from 3 p.m. to 5 p.m. The discussion will be led by Susan Ohanian, an author and educator. A longtime teacher, Ohanian is a leader in the national resistance to standards and high stake testing. Susan's Web site (<http://www.susanohanian.org>) received the National Council of Teachers of English George Orwell Award for Distinguished Contribution to Honesty and Clarity in Public Language.

Revel with a cause: Family fun at Pier

By Daily Press staff

Treat your family to a day of fun at Pacific Park on the Santa Monica Pier on Sunday to benefit children with diabetes. The Greater Los Angeles Chapter of the Juvenile Diabetes Research Foundation presents the Fifth Annual Pier Party. Guests will have access to unlimited rides, a silent auction, midway games, children's entertainers, music, food and refreshments. Special guests include DJ Boogie, who will serve as the event's master of ceremonies, Rugrats characters, Dora the Explorer, Stuart Little, Meepers and Mickey the Clown, among others. Special musical guest will be The Rhythm Kings, an eight-piece jazz band playing together since 2001, when the musicians were 9 years old. Attendees will have an opportunity to bid on exclusive silent auction items, including a private tour of the Nickelodeon Animation Studio, tickets to Universal Studios Hollywood, Dodgers and Angels game tickets, airline tickets, fine dining gift certificates, salon gift certificates and more. The event will be held from 10 a.m. to 1 p.m. Tickets are \$50 per adult, \$25 per child (under 18 years of age) and \$125 for the family pack: Two adults and two children.



Look for fading SW swell to mix with NW wind swell today. For Northern LA that means surf in the waist- to chest-high range at many breaks and some shoulder-high-plus sets at best breaks. Spots in the north half of the South Bay also pick up some SW swell with waist- to chest-high waves and occasional bigger waves at best breaks. Breaks in the south half of the South Bay pick up mainly NW wind swell for waist-high and below waves. A negative .2 low tide around 6 a.m. has most spots on the drained out/inconsistent side early, with improving conditions on the tide push. Winds are mostly light for north county spots with SW onshore up to six knots for the South Bay. Afternoon winds build out of the SW to W in the 8-12 knot range.

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

Today the water is:

69°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	6:23	-0.2	4:35	2.8	1:31	3.0	11:12	5.2
SUNDAY	7:12	0.0	5:02	3.0	2:57	3.1	11:51	4.9
MONDAY	8:06	0.1	N/A	N/A	N/A	N/A	N/A	N/A
TUESDAY	9:03	0.3	8:26	3.3	12:4	14.5	5:13	3.5
WEDNESDAY	9:57	0.4	10:28	3.0	1:53	4.1	5:36	3.8
THURSDAY	10:45	0.5	11:42	2.3	3:24	3.9	5:56	4.2
FRIDAY	11:28	0.6	N/A	N/A	4:52	3.7	6:19	4.6

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CHECK OUT THIS WEEK'S Q-LINE RESPONSES ON PAGE 4

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OPINION

The Q Line

GOVERNMENT UN-HIP TO WHAT REALLY MATTERS

This past week, Q-line asked:
“Is the government going too far in regulating us?” The question is in response to a Louisiana congressman who wants to ban people from wearing low-riding pants.
Here are your responses:

- ☞ Who really cares about a person’s underwear being seen? Charging \$500 or six months in jail, or both? That might work in Louisiana, but it would never work here. Furthermore, I say it every week and nobody ever listens: Get rid of the homeless. That’s what matters here. Get the police to tackle that problem.”
- ☞ “I don’t know about Louisiana, but I know that the City Council regulates too much in Santa Monica and they don’t regulate the things they should. They regulate traffic too much, they regulate businesses so they cant do business, they regulate property owners so much they can’t live. Why don’t they regulate the bums? They should regulate where they can and cannot go to the bathroom, where they can and cannot sleep. They mess all over the place, especially the Promenade, and it stinks. They stink. I am amazed every day that nothing is done.”
- ☞ “What good is showing your underwear if you can’t smoke on the beach?”
- ☞ “Yes, that is going too far. Fining for low-riding pants? Ninety percent of the plumbers, electricians, and mechanics in Louisiana would be fined out of existence.”
- ☞ “You can’t legislate class, decency or a sense of propriety. Either you have it or you don’t. This is only a symptom of the general breakdown in taste in every level of society.”
- ☞ “Wearing one’s britches at half-mast is nothing more than a fad. If no attention is paid to this fad, it will sail off into the wild blue yonder much like the mohawk haircut. Rep. Shepherd should find other issues to twiddle his thumbs over.”
- ☞ “I think this proposed law for a fine on people who wear low-riding pants is completely ridiculous. There are

- quite a few more serious things going on in this world of ours.”
- ☞ “I do think the law is kind of silly, but just a side note. While eating in a restaurant, a waitress had on low-riding pants and it was a little un-appetizing.”
- ☞ “I don’t think the government is going too far. I mean everyone knows that Big Brother and various other committees of self-appointed busybodies know best. On the other hand, most people routinely demonstrate that they need the jackboot of authority on their necks.”
- ☞ “What the government should get involved with, and regulate, is this disastrous power crisis caused by the oil companies’ obscene profits and the shenanigans of Enron and the like. Bush and Cheney should get off their record-breaking political fundraising junket and use their good relations with Saudi Arabia and Kuwait to lower crude oil prices. After all, it is the United States that props them up.”
- ☞ “In our not-so-free country, this so-called democracy, that was not intended to be a police state, it is not a function of government to dictate how Americans should dress.”
- ☞ “You can’t regulate what young people wear. This is ridiculous. Back in Egyptian times, they were up in arms over what young people should wear, and in my day too. Total hypocrisy in this country. Let’s have naked prisoners being abused all over, but don’t forget to cover up that young girl’s hip. Ridiculous.”
- ☞ “Freedom and liberty are what supposedly make this country beautiful. That means we all get it for whatever reason. Judging people by what they wear or stating that they can’t wear something infringes on every and any rights we have or hold dear. What could be next?”

Survey says: Very little



MODERN TIMES
BY LLOYD GARVER

I don’t trust polls and surveys. If I hear on the news that 93 percent of Americans would choose to spend the evening with their families, how do I know what the question was? Maybe they asked, “Which would you rather do: Spend an evening with your family or spend it on your roof during a tornado?”

Of course, the best surveys tell us the exact questions that were asked and the methods used to reach the conclusions. But often, we are just told the statistics and expected to believe them.

Last week, I heard that 82 percent of Iraqis oppose the United States occupation. Previously, I learned that Americans have more sex than Canadians, and less sex than the French. Forty-four percent of Indy League racing fans own an electric cordless drill. I read the other day that 17 percent of Americans believe the end of the world will occur in their lifetime (there was no data about how many of these people own cordless drills). We get statistics like these thrown at us every day.

A few years ago, we were told that a woman over 30 is more likely to get struck by lightning than find a husband. Then we were told that it really wasn’t true. Of course, nobody showed us proof for either of those announcements, so I don’t know which of them is true. I’ve often heard that more people watch television in one night than have seen live performances of Shakespeare over the past 400 years. Who did the research on that one?

This brings me back to the “82 percent of Iraqis oppose our being there” statistic. I don’t doubt that most of them aren’t thrilled that we are there. Who would want to have a bunch of foreigners with guns roaming around their country? But how did they get this exact figure? Did they go door to door and say, “Listen, before we start shooting at each other, could you please tell me if you like our being here or not?”

Another annoyance is right when you think you’re learning an actual fact, you read the fine print and see there is a “margin of error.” I’ll bet there is. And some surveys are about meaningless hypotheticals like, “If the election were held today …” And I could live a full life without reading statistics like, “Golf is the favorite sport of 14 percent of people who live in Montana.”

Many people have their doubts about surveys because they’re never asked to participate in them. You’ll often hear, “They didn’t ask me before they canceled that show” or “Nobody asked me if I’m mad at the French.” Others complain that the only time they are asked to participate is when a researcher calls them during dinnertime.

Well, I’m asking you now. I’m asking you to participate in the first Garver Poll. You’ll see exactly how the questions are worded, they will be about the really important questions of our day, and you won’t have to answer them while your dinner is getting cold.

1. If the Presidential election were held today, would you be more likely to: _____ vote for one of the major party candidates?
Or _____ ask, “Why am I voting today instead of in November?”
2. Which do you think might actually be connected to something: _____ that button you push to supposedly make the red light change to green faster?
Or _____ the voting machine where you cast your ballot?
3. What do you think is the bigger “whopper?” _____ “Barry Bonds has never knowingly taken steroids?”
Or _____ President Bush saying, “Donald Rumsfeld has been a superb Secretary of Defense?”
4. Which would put you to sleep faster: _____ an explanation of the new tax forms?
Or _____ listening to a John Kerry speech?
5. This summer, which are you more likely to spend \$25 on?
_____ Bill Clinton’s new autobiography?
Or _____ a gallon of gas?
6. When you are a guest at someone’s house for the first time, are you more likely to: _____ try to figure out how they could possibly afford the place?
Or _____ go through their medicine cabinet?
7. Right after a job promotion, would you rather run into: _____ that ex-lover who said you’d never succeed?
Or _____ that old teacher who said you’d never succeed?
8. Now that “Friends” is over, do you care ... _____ more than words could describe?
Or _____ slightly less than when I learned that zip codes were going to add four more digits?

Thanks for helping us all get a better picture of how Americans think. As soon as all the data is in, I will report back to you with 100 percent accuracy. Well, maybe 99 percent because I could accidentally count the same answer twice. Better make that closer to 80 percent if there’s a major Internet virus or worm. Sixty percent if ... let’s just say there may be a margin of error.

Send your answers to: smdp@lloydgarvermoderntimes.com

(Lloyd Garver has written for many television shows, ranging from “Sesame Street” to “Family Ties” to “Frasier.” He also has read many books, some of them in hardcover. He writes the “Modern Times” column for CBSnews.com’s Opinion page and can be reached at smdp@lloydgarvermoderntimes.com).



FED UP?
YOUR OPINION
MATTERS

PLEASE SEND LETTERS TO:

Santa Monica Daily Press: Att. Editor 1427 Third Street Promenade Suite 202 Santa Monica, CA 90401
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'Friendraiser' nets \$110K, piano for new theater

MADISON, from page 1

guest donating \$100,000 for a sculpture garden at the theater site. In addition, Houston's Restaurant donated a seven-foot baby grand Steinway piano.

"Although we've been quiet, a lot of work has been going on behind the scenes — all very positive," Robertson told guests.

Hoffman was on set for the upcoming movie "Meet the Parents 2: Meet the Fockers" and couldn't make Thursday's event. Still, he prepared comments that were read by actor John Carroll Lynch, who also performed a skit called "Obsessive Impulsive" with actor Valerie Mahaffey. Hoffman praised the fundraising effort to date and

expressed optimism that the theater project would continue to attract interest.

"We will finally have a major theatrical presence in Santa Monica," Hoffman wrote.

With the architectural plans approved, the next step is to put the project out to bid, an estimated six-week process. Construction should begin this fall and last an estimated 24 months, meaning the theater would be open by fall of 2006, said project director Dale Franzen, who has also orchestrated fundraising.

Franzen called the Thursday event a "friendraiser" because the invited guests did not pay to attend.

"I think people should have a good time," Franzen said afterward.

"When they have a good time, they give money — and that's how we've raised most of our money. We have never charged for events. When people feel good about something, they want to be generous."

Thursday's event was hosted by celebrity dermatologist Ava Shamban and her husband, television writer Marc Flanagan.

A poster board resting on an easel next to the architect's model of the Madison Theater in the couple's home listed remaining sponsorship opportunities — ranging from \$4 million for the entire performing arts center and \$1 million for the entry garden to \$500,000 for the upper courtyard and \$400,000 for the audio system.



John Wood/Daily Press
Actors John Carroll Lynch from "The Drew Carey Show" and Valerie Mahaffey from "Seabiscuit" perform a skit for about 100 art patrons at a private garden party for the Madison Project.

Lawyers: West Hollywood wanted businesses to pay

TRIAL, from page 1

Mason. Mason didn't see Sayers, lawyers claim, because the flashing safety lights in the crosswalk were not working. Sayers' attorneys — Browne Greene and Robert Jarchi of the Santa Monica-based Greene, Broillet, Panish & Wheeler, LLP. — will argue that workers in West Hollywood's City Hall knew the crosswalk was dangerous for pedestrians.

As early as 1990, hundreds of people who worked in nearby offices petitioned the city to make the intersection safer, including those employed by Playboy Video Enterprises, Inc. and Western International Media, according to Sayers' attorneys.

Lawyers will argue that West Hollywood's City Hall knew the best

solution to the problem was to install a traffic tri-light signal and was trying to compel local area businesses to pay for the traffic light. Instead, it opted to install a system with a motion sensor and flashing lights surrounding the crosswalk to illuminate pedestrians at night.

Greene, Broillet, Panish & Wheeler, LLP., whose offices are at 100 Wilshire Blvd., also are representing victims of the Farmers' Market accident — during which an elderly man drove into a crowded market last July, killing 10 and injuring dozens more.

The city of West Hollywood is being represented by Scott Haith, who works for the Calabasas-based law firm of Robertson & Vick. Haith did not return calls seeking comment.

Law may signal an end to bronze age for teens

TAN, from page 1

The group cited 7,400 deaths annually from melanoma, the deadliest form of skin cancer.

"There is a big difference between going to the beach and a tanning salon," said the bill's author, Assemblyman Joe Nation, D-San Rafael. "When kids go to

the beach they put on sun screen."

The bill passed despite opposition from California tanning salons and Republican lawmakers opposed to "meddling" in personal choices.

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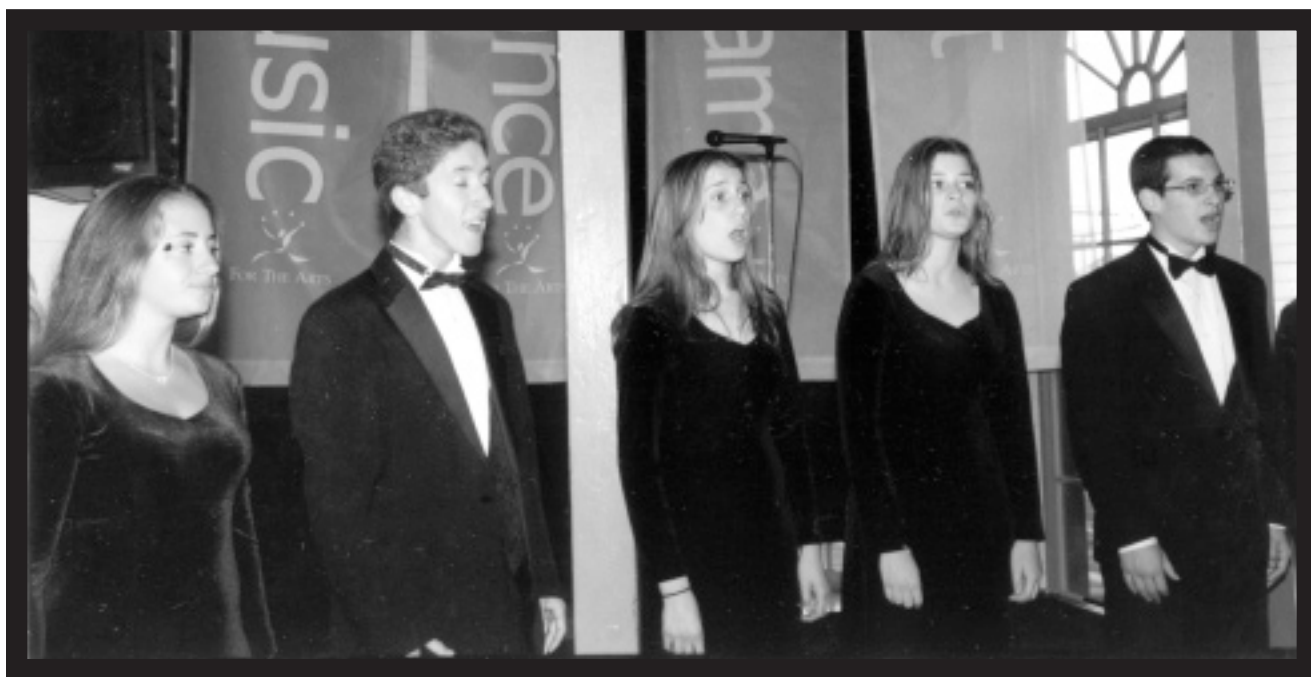


Photo courtesy of For The Arts (Clockwise from top left) Samohi Madrigals entertain VIP guests on Friday during a ForThe Arts fundraiser. The local nonprofit organization is looking to raise \$100,000 for arts education in Santa Monica and Malibu schools. For The Arts has already raised \$1.5 million in its \$15 million endowment effort.

The Lincoln Middle School Concert Band performed last weekend at the Santa Monica Pier as part of a weekend-long festival promoting arts in the schools.

Venice performs with rocker Jackson Browne at Samohi's Barnum Hall last Friday to raise money for arts education.

Christie's Auction House's Tim Van Pelt and Mindy Sterling emcee an auction last Friday at the carousel on the Pier. Money raised went to For The Arts.



John Wood/Daily Press
Houston's Restaurant executive vice president Bob Lynn, left, with regional manager Robert McLain, center, and general manager Ed Buenaventura attended a private garden party on Thursday to raise money for the Madison Theater at SMC. Houston's donated a seven-foot baby grand Steinway piano to the \$17 million theater, which is expected to open in 2006.



Carolyn Sackariason/Daily Press
Chef, author and restaurateur John Ash signs books and talks food with guests this past Wednesday at a special dinner hosted by the Fairmont Miramar Hotel, featuring a six-course meal created by Ash and the hotel's chefs. Bonterra Vineyards provided several pairings during dinner. Hotel general manager Karl Buchta is seated at the table (far left).

STATE



Church can't stem tide versus rich contributors

BY PAUL ELIAS
AP Biotechnology Writer

SAN FRANCISCO — Venture capital contributions keep flowing to the group supporting a proposed ballot measure that would provide \$3 billion for stem cell research while a fledgling opposition led by the Catholic Church has begun to organize.

This week, venture capitalist Joseph Laboc, a partner with the heavyweight firm Kleiner Perkins Caufield & Byers of Woodside, contributed \$500,000 and William Unger of Mayfield Venture Capital of Cupertino contributed \$50,000, campaign finance records show. A month earlier, Kleiner Perkins partner John Doerr and his wife contributed \$974,649 combined.

Doerr, who owns a stake in Google Inc. that could be worth as much as \$3 billion when the Internet search engine goes public, didn't return telephone calls.

In all, Silicon Valley venture capitalists and their families have contributed more than \$1.8 million to a campaign that has raised about \$5.3 million since late last year and is attempting to raise \$20 million by the November election. Supporters submitted 1 million signatures to the secretary of state in April and the proposition is expected to soon qualify for the November ballot.

What's more, two biotechnology pioneers also contributed to the campaign. George Rathmann, who co-founded Amgen Inc. and is now chairman of biotechnology company Nuvelo, has contributed \$50,000. William Rutter, co-founder and chairman of Chiron Corp. contributed \$50,000.

Another biotechnology executive, Gilead Science Inc. vice president James Rooney has contributed \$10,000.

Human embryonic stem cells are created in the first days after conception and turn into all the tissue and organs that make a human body. Scientists hope to tame these master cells into treating and curing diseases such as diabetes, Parkinson's and Alzheimer's.

Many political conservatives and religious groups, including the Catholic Church, view the research as immoral because days-old embryos are destroyed during experiments. President Bush has severely limited the amount of federal funds available for this work, prompting researchers and patient groups to look to state governments and private sources for funding.

The California initiative would forbid the cloning of embryos to make babies but would permit it to create stem cells in labs. Scientists believe cloning could create therapies that won't lead to immune rejection problems in people. The measure would prohibit funding for research that involves the destruction of embryos older than 12 days.

A successful proposition would make the state a stem cell research world leader

and benefit California scientists and biotechnology companies working in the field. That's because the proposition promises to provide \$295 million a year in funding for 10 years.

Venture capitalists, however, said business interests had nothing to do with their contributions.

"It's entirely personal, I'm a diabetic and have been for 38 years," said high-tech venture capitalist Michael Gordon, 40, who has contributed \$250,000. Gordon is the managing partner of Palo Alto-based Meritech Capital Partners, which has no biotechnology investments.

Kleiner Perkins, on the other hand, did help launch the biotechnology industry when it co-founded Genentech Inc. in 1976 and still invests widely in the industry. Kleiner's investments include Corixa Corp. and Incyte, which are developing diabetes treatments.

South San Francisco-based Genentech is the world's second largest biotech company and one of the industry's few profitable firms.

Laboc said his and other venture capital contributions were motivated by friendships with prominent Stanford scientists Paul Berg and Irving Weissman, both of whom are outspoken supporters of the ballot measure.

Berg is a Gilead board member and contributed \$2,500 to the campaign. Weissman is a board member of StemCells Inc., a struggling biotech company working in the field.

"People know the people behind the initiative and the support has nothing to do with a profit goal," Laboc said. "It has to do with doing good."

Fiona Sutton, a spokeswoman for the campaign, declined to comment on specific contributions. But she said patient advocates like the Juvenile Diabetes Research Foundation have been among the major contributors so far.

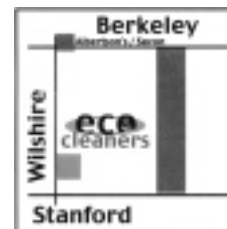
The foundation contributed \$500,000 and real estate developer Robert Klein, whose son suffers from diabetes, has added more than \$1 million.

Meanwhile, Carol Hogan of the California Catholic Conference said its leaders voted last month to fight the initiative and that it has helped create a formal opposition to the campaign.

"We think it's really outrageous to grant a constitutional right to conduct stem cell research," said Hogan, adding that the church believes only the richest patients will ultimately benefit from breakthroughs. "And to obligate our state to more debt at this time is simply wrong."

Hogan said groups opposing the measure had been talking but have yet to raise any funds. Hogan conceded the opposition can't compete financially and said it would be "lucky" to raise \$1 million by the election.

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STATE

Prison guards' defense may have familiar ring

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN FRANCISCO — It is the "defense of superior orders," in the jargon of military justice.

It didn't work for the Nazis at Nuremberg, or for Army Lt. William Calley, who claimed he was just following orders when he directed the My Lai massacre during the Vietnam War.

But it could help the Army guards accused of abusing Iraqis inside the Abu Ghraib prison avoid long sentences, and just might get them off the hook entirely, if they can prove there were such orders and establish who gave them, experts in military justice say.

"The defense of superior orders is no defense if the accused knows the act is illegal," explained Michael Noone, a retired Air Force colonel and military attorney. Soldiers are required to disobey unlawful commands, he said, but the "big issue is going to be whether or not the order was obviously illegal."

Pictures taken of nude Iraqis being sexually humiliated in the same prison where Saddam Hussein's regime tortured thousands of opponents have infuriated America's enemies and allies alike. President Bush characterized the abuse as the failings of a few renegade soldiers and promised that those responsible will be quickly punished.

One of the seven guards, who tearfully pleaded guilty in Baghdad Wednesday and will testify against the others, has said that the mistreatment was not authorized by superior officers. "If they saw what was going on, there would have been hell to pay," Spc. Jeremy C. Sivits told military investigators.

But most of those accused said they were just following the orders of intelligence officers and civilian contractors who told them to humiliate the prisoners and thereby make them more willing to reveal information.

In letters home to his family, Staff Sgt. Ivan L. Frederick said that he was told "this is how military intelligence wants it done," and that when he questioned his battalion commander about the harsh inmate conditions, he was told "to do as he says."

The treatment of prisoners at Abu Ghraib "was being controlled and devised by the military intelligence community and other governmental agencies, including the CIA," said Guy Womack, an attorney for Spc. Charles Graner Jr., who was arraigned in Baghdad along with Frederick and Sgt. Javal Davis. "There's going to be plenty of evidence that they orchestrated all of this."

The defense just might work, said Tim Naccarato, the former chief of the criminal law division of the Army's Judge Advocate General School.

"If these lower-ranking military policemen can make the case they were told to do these things, instructed to do these things, they were cooperating with intelligence to soften up these prisoners so they would provide more information, they have the ability to be found not guilty based not so much on 'I was following orders' but based on the theory that a criminal act requires not only an act but criminal intent," Naccarato said.

Some members of Congress want to

investigate whether the Bush administration erected a legal foundation that opened the door for the mistreatment by announcing in 2002 that al-Qaida detainees did not qualify for protection by the Geneva Conventions, which prohibits mistreatment.

Defense Secretary Donald H. Rumsfeld dismissed that assertion as "garbage," but Sen. John Warner, R-Va., chairman of the Senate Armed Services Committee, insisted that questions remain about "how those in positions of responsibility either ordered, encouraged or authorized _ or maybe looked the other way."

The superior orders defense will be extremely difficult to assert in the courts-martial because the accused must prove who gave them the orders.

"Certainly, the lawyers they're going to have their work cut out for them," said Eugene Fidell, a defense attorney and president of the National Institute of Military Justice.

Military law experts could not recall a single case in which the superior orders defense completely cleared a defendant, but said it often works to reduce prison time.

"It may not absolve you, but it would certainly mitigate what you've done," said David Sheldon, a former Navy attorney.

Davis, 26; Frederick, 37; and Graner, 35, face charges along with Spc. Megan M. Ambuhl, 29; Pfc. Lynndie R. England, 21; and Spc. Sabrina Harman, 26.

Graner can be seen grinning broadly behind a pile of naked Iraqis in one photograph; others show England holding a naked prisoner by a dog leash and Ambuhl posing with detainees on leashes. Harman is seen smiling over a pile of naked prisoners. Davis is said to have stepped on the toes and fingers of prisoners. Frederick is accused of forcing prisoners to masturbate and form naked human pyramids.

A teary-eyed Sivits, 24, took some of the most explosive photographs. He pleaded guilty to four reduced abuse charges _ the equivalent of misdemeanors _ and is expected to testify against others.

The following-orders defense, also known as the Nuremberg defense, got its modern-day start in 1945, after some of the 22 Nazis indicted for war crimes claimed they were carrying out orders during Germany's decade-long drive to kill millions of Jews. Eleven were sentenced to death, three were acquitted and the others were sent to prison.

The defense did not help Calley during his trial. He was sentenced to life in prison in 1971 for ordering his Charlie Company to kill everyone in the Vietnamese village of My Lai. Still, some believed he was made a scapegoat for an undisciplined Army, and President Nixon ordered him released after three years.

The defense may be more successful in the prison-abuse scandal than in cases involving genocide or murder. There is no dispute that murder is wrong, and that an order to commit murder would be an unlawful order. But laws governing proper interrogation tactics are more open to interpretation.

STATE



Schwarzenegger becomes pitchman for California

BY BETH FOUHY

AP Political Writer

SAN FRANCISCO — Gov. Arnold Schwarzenegger knows better than most politicians that celebrity sells and is lending his considerable star power to two new state-sponsored television ad campaigns promoting California tourism and products.

The Department of Food and Agriculture was to launch a \$4 million television campaign Thursday, with Schwarzenegger as its star, urging consumers to purchase "California Grown" products.

That effort follows a \$1.2 million TV ad campaign sponsored by the state's travel and tourism commission, where Schwarzenegger and his wife, television journalist Maria Shriver, join other famous Californians beckoning visitors to the state.

While many governors have appeared in television ads to promote their states, none has the fame or the potential sales potential as Schwarzenegger. That's why backers of the California ad campaigns are banking on Schwarzenegger's unparalleled celebrity to boost indus-

tries still battered by the state's economic slowdown.

"Our campaign is all about the same kinds of things the governor campaigned on — economic growth and building the state," said Scott Horsfall, director of the Buy California agriculture program. "The choices consumers make really do matter, not just for farmers but for the entire state."

The new ads, which build on an agricultural marketing campaign launched almost two years ago, feature "real" Californians praising the state's products. Schwarzenegger, standing in front of the capitol, utters the tag line: "Be Californian — buy California Grown."

Horsfall said that while the campaign had originally been conceived during the administration of former Gov. Gray Davis, Davis hadn't been featured in the ads.

The tourism ads, which were developed to help the state's battered tourism industry after the Sept. 11, 2001, terrorist attacks, were edited in February to include Schwarzenegger and Shriver.

"When Gov. Schwarzenegger came in, he was the perfect celebrity persona to bring into our effort — frankly, as chief spokesman for California," said Caroline Beteta,

executive director of the state's Travel and Tourism Commission. "The governor and Maria are the perfect complement to the state's core brand image — very positive, fun and whimsical."

The ad now begins with images of the first couple in casual clothes, strolling and smiling on a sunny beach.

"Welcome to California!" Schwarzenegger says.

"So come on!" beckons Shriver later in the ad, after actor Clint Eastwood, celebrity chef Wolfgang Puck and others invite visitors to eat, ski and swing golf clubs in California.

The ad, which appears on network television stations in Phoenix, Seattle and Portland, Ore., will run through the end of the summer, Beteta said.

Marty Kaplan, who studies the intersection of politics and pop culture at the University of Southern California, called Schwarzenegger's fame a "huge asset" for promoting the state but warned that it might not necessarily move consumers to change their behavior.

"Whether people will actually want to eat our produce or visit our beaches in the fantasy that they might run into him and Maria is an open question," Kaplan said.



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STATE

'Forests with Future' avoids chopping block

BY DON THOMPSON

Associated Press Writer

SACRAMENTO — The U.S. Forest Service's \$90,000 contract with a public relations firm to promote a tripling of Sierra Nevada logging did not violate a prohibition on spending for "publicity or propaganda," the Agriculture Department has ruled.

Inspector General Phyllis K. Fong declined a request by two Democratic congressmen to investigate, citing a legal opinion on the issue by the department's general counsel, Nancy S. Bryson.

Bryson cited two different legal prohibitions, both of which ban spending "for publicity or propaganda purposes." In this case, "the Forest Service seems to be explaining and defending its policies and responding to arguments against those activities — a legitimate activity," Bryson wrote.

Both Fong's letter and Bryson's opinion were released this week. The Forest Service is an agency within the Agriculture Department.

The legal opinion echoed the reasoning of Forest Service officials in California who signed the contract with the San Francisco firm.

The Forest Service hired OneWorld Communications Inc. to work on a "Forests

with a Future" campaign justifying increased logging on 11.5 million acres of Sierra national forest as necessary to avoid catastrophic wildfires of the sort experienced in Southern California last fall.

U.S. Rep. Nick Rahall, D-W.Va., a member of the House Resources Committee, and Rep. Jay Inslee, D-Wash., senior Democrat on its forests subcommittee, said the contract appeared to violate a federal law that says "funds may not be used to pay a publicity expert unless specifically appropriated for that purpose."

They had asked for the inspector general's investigation, and Rahall called the Bryson legal opinion validating the contract "convoluted if not extravagant."

"At issue here is a contract with a company which provided slogans to the Forest Service to help sell a controversial logging plan for the Sierra Nevada, complete with marketing advice such as 'perception is king'" he said in a statement. "... The general counsel now claims the firm's contract is simply about advocating 'silvicultural (forestry) techniques.'"

Environmental groups contend the plan increases logging and limits wildlife protections under the guise of preventing forest fires.

STATE BRIEFS

Taxpayers paving the way

By The Associated Press

VENTURA — A majority of the county's 10 cities support a half-cent sales tax initiative that would generate about \$50 million a year for highway and road improvements.

Although three cities have yet to vote on the ballot proposal, it got the necessary support this week to be considered by the county Transportation Commission, which will decide June 4 whether to ask the Board of Supervisors to place it on the November ballot.

"We have enough to do it now," said Kerry Forsythe, deputy director of the commission. "It would just be nice to have all the cities participate."

Moorpark, Oxnard and Port Hueneme city councils voted this week to back the ballot measure, joining Camarillo, Fillmore, Santa Paula and Simi Valley.

The Ventura, Ojai and Thousand Oaks councils take up the issue next week.

Supervisors have a June 30 deadline to place it on the November ballot.

If approved by voters, the half-cent sales tax would raise about \$1 billion over 30 years for long-delayed highway and local road improvements. The county's sales tax is currently 7.25 percent.

Money collected from the tax would be divided, with 40 percent going for highway projects, 40 percent to cities for street improvements and 20 percent for public transit and bike and pedestrian projects, officials said.

Meth-it to his madness: Cop cops to stealing drugs

By The Associated Press

RIVERSIDE — Ex-Deputy James J. Reynolds was sentenced to a year in jail for stealing methamphetamine from crime scenes to feed his drug habit.

Before sentencing Thursday, Reynolds told Superior Court Judge Helios J. Hernandez that he had changed his life since his arrest and had graduated from a drug rehabilitation program. The judge also placed him on four years' probation.

Deputy District Attorney Angel Bermudez had asked for a two-year prison sentence, saying he had little pity for Reynolds' battle with drugs since, as a police officer, he knew of the danger and made no effort to quit until he was caught.

"This is the worst violation a peace officer can engage in, tampering with evidence," Bermudez said.

Reynolds, a seven-year deputy based in the Jurupa Valley station, pleaded guilty March 22 to 12 counts of stealing evidence and using methamphetamine and marijuana while on duty.

Sheriff Bob Doyle said Reynolds had been fired.

Last July, during a sting operation arranged by the Sheriff's Department, Reynolds stole 6.6 grams of methamphetamine from a staged crime scene inside a Rubidoux motel room. Investigators found the meth and more than 20 grams of marijuana in his car.

STATE



Lien on me: State steps in to protect homeowners

BY JIM WASSERMAN

Associated Press Writer

SACRAMENTO — A bill greatly restricting the use of home foreclosures to collect late homeowner association assessments passed the Senate without opposition this past week, representing a major initial victory for homeowner activists in more than 36,000 privately governed California neighborhoods.

The Senate voted 34-0 to end a widespread practice of allowing homeowner associations to foreclose on homes when owners get slightly behind on assessments, which has provoked growing opposition in California and nationally. The new bill requires that for amounts less than \$2,500, most associations must take the matter to small claims court or put a lien on the property.

Homeowner associations, run by volunteer boards and assisted by an industry of collection attorneys, agencies and trustees, can now auction off homes for any amount of late payments, a practice forbidden in traditional neighborhoods governed by city halls or county courthouses.

Lawmakers introduced the bill after a retired Calaveras County couple lost their home last year over a \$120 late payment.

"That's such an extreme example of how the law can lead to a loss of equity that we've got to find a new way to address it," said the bill's author, Sen. Denise Ducheny, D-San Diego.

The Senate vote sets the stage for a summer legislative showdown with national implications as homeowners try to curb the foreclosure power of private associations that govern one fourth of California's residences and 60 percent of its new housing. Nationally, one in five Americans live in 260,000 homeowner associations, many of them also holding the power to take residents' homes for falling behind on assessments.

Previous attempts in California, Arizona and other states to ban most home foreclosures have been blocked by political groups representing association boards, property managers and attorneys.

Without the ability to foreclose, associations will have difficulty getting payment for late fees, said Sandra Bonato, legislative chair for the Executive Council of Homeowners, which represents associations in Northern California.

"To take away all our remedies is very, very worrisome," she said.

Skip Daum, lobbyist for the Virginia-based Community Associations Institute, which advises associations, warned, "If they go judicial, it's going to take longer and cost four times as much."

Homeowners associations collect assessments from residents to cover costs of maintaining neighborhood streets, pools, landscaping and buildings.

Ducheny's bill, which applies only to homeowner associations with more than 25 homes, must clear the full Legislature by Aug. 31 and be signed by Gov. Arnold Schwarzenegger by Sept. 30 to become law.

The idea of foreclosing on homes over small amounts without a judge's oversight originated nearly 20 years ago in California. Amid an explosion in the number of new privately run neighborhoods in California, that law helped associations crack down on homeowners who fell behind on assessments, allowing nonjudicial foreclosure, as well as new late fees, attorneys fees and interest payments on the late amounts.

Now, however, homeowner activists say state law launched the concept of nonjudicial foreclosure nationally and contributed to numerous examples of homeowner

associations residents losing their homes over small late assessments. The Calaveras County case involving Tom and Anita Radcliff followed earlier ones in San Diego, Houston, Las Vegas and St. Petersburg, Fla., where residents lost homes over amounts ranging from \$81 to \$990.

Michael Macomber of Sonora, the Radcliff's lawyer, called the Senate vote "a good first step to make sure a foreclosure like this doesn't happen again to anybody else."

He said the Radcliffs are still living in their home while a lawsuit against their homeowners association proceeds.

The bill passed is one of several up for votes this month as homeowners and association boards struggle over reforming the rules of private government in a public society. The state Assembly is soon to vote on a similar bill to rein in foreclosures, and limit the amount of yearly assessments an association can authorize without a vote of residents. Another bill to provide potential new homeowners with more information about assessments and potential hikes to build up reserve funds is also pending. Monday, the Senate passed a bill requiring secret ballots for homeowner board elections and prohibiting candidates from counting votes.

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NATIONAL

Administration on a roll in environmental battles

BY MATTHEW DALY
Associated Press Writer

WASHINGTON — Since December when President Bush signed a new forestry law, the government has won 17 straight court cases favoring timber cutting over challenges by environmentalists.

Bush pushed for the law that sponsors named the Healthy Forests Restoration Act, saying it would reduce wildfires in national forests by thinning trees while also limiting appeals and environmental reviews of proposed timber sales.

Environmentalists say the new law has undercut important protection for old-growth trees and remote, roadless areas.

In a memo obtained by The Associated Press, the Agriculture Department's general counsel, Nancy Bryson, touted the Forest Service's success in winning all 14 court cases decided in March.

Asked about the memo, Mark Rey, the Agriculture Department undersecretary who directs U.S. forest policy, said, "Any month when you win 14 out of 14 cases is a good month."

Since then, the agency has won at least three more cases without a loss, officials said Thursday.

The court victories mark a turnabout from recent years, when environmentalists succeeded in delaying and halting logging projects that the Bush administration and many Western lawmakers said could have removed the trees and underbrush fueling wildfires.

Court challenges "are still taking up a lot of time," he said. "Every one of these lawsuits was a delay in getting a project started. But what I think we are getting is, finally, some consistent direction from the courts that they want this work done too."

Environmentalists said the Forest Service's winning streak would be more impressive if the law had not been changed to favor the administration's approach.

If the new law "is now making it harder for people to challenge timber sales, then that is exactly what everyone was worried about," said Kristen Boyles, a lawyer for Earthjustice, an environmental group that has challenged many of the administration's tree-cutting projects in court.

"It's no secret that environmentalists think 'healthy forests' is misnamed," Boyles said. "It's not about healthy forests, it's about getting out the cut."

The law authorizes up to \$760 million a year to treat up to 20 million acres of federal forests and grasslands at risk of catastrophic fire. At least half the tree-cutting on that land has to be concentrated in areas near homes and communities.

Judges are required by the new law to weigh the environmental consequences of inaction — and the risk of fire — in considering tree-cutting projects. And any court order blocking such projects must be reconsidered every 60 days.

Scott Greacen of the Environmental Protection Information Center, a California-based advocacy group, said the Forest Service memo mischaracterized at least one of the projects the Agriculture Department cited as a legal victory.

A March 22 ruling by a federal judge in California allowed the agency to continue with a timber sale in the Klamath National Forest. The 578-acre Knob timber sale calls for a variety of "fuel treatments" and commercial thinning to reduce the risk of

fire, the memo says.

"If that's commercial thinning, I would hate to see what logging old-growth trees looks like," said Greacen, whose group has appealed the ruling of U.S. District Judge Garland Burrell in Sacramento to the 9th U.S. Circuit Court of Appeals. Among the trees marked for cutting is one that is more than 7 feet in diameter, Greacen said.

Chris West, vice president of the American Forest Resource Council, a timber industry group, said "what the judges are recognizing — as Congress did overwhelmingly — is that we have a crisis situation facing our forests."

Rep. Richard Pombo, R-Calif., chairman of the House Resources Committee, said the Knob case and other recent rulings show that the new law is working as intended.

"The less time the Forest Service spends in court, the more time and energy it can spend protecting our communities from catastrophic wildfire," he said. "Dealing with hazardous forest fuel loads, not case-loads, must continue to be the focus."

Hang nine: Schools wave surfing into list of sports

By The Associated Press

WAILUKU, Hawaii — The Hawaii Board of Education has unanimously approved surfing as an official high school sport in the Islands.

Board members meeting on Maui voted 9-0 this week after about an hour of testimony mostly in favor of sanctioning the sport.

Despite its history as the birthplace of surfing, Hawaii had never allowed recognized interscholastic high school surfing teams, citing concerns over safety, cost and liability.

The attorney general's office recommended against surfing as an official sport in 2002. Opponents argued that surfing involves an unpredictable environment, including waves, sharks and collisions with other surfers.

"It's time for Hawaii to have surfing in the schools," said Kim Ball, a scholastic surfing advocate who organizes surf contests on Maui.

Longtime Maui surfer Snake Ah Hee agreed.

"I want my 16-year-old son to have the chance to surf at home for his high school," he said.

Hawaii public school students now compete in surf meets as members of clubs, but they can't use their schools' names. The new policy would allow such clubs to be official school teams.

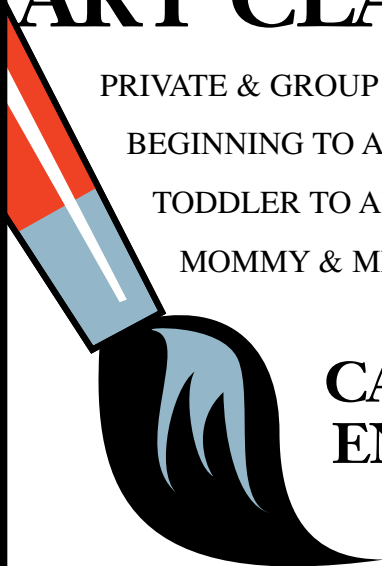
The decision whether to have a surfing team would be left to individual schools.

The new policy directs the Department of Education to adopt regulations to implement surfing as a high school sport. Those rules would need to address liability, logistics, safety, equipment and funding. Interscholastic leagues would not be required to offer competitive surfing.

Abortion rights advocates stick by Kerry even if he's open to anti-abortion judges

In the hourlong interview with the AP, Kerry covered

Kerry said he regrets his vote for Scalia, saying he didn't see at the time of the vote in 1986 "such a level of ideology and partisanship" that he now sees in the justice.



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Israel was here

By The Associated Press

RAFAH, Gaza Strip — Israeli troops pulled back from two neighborhoods in this sprawling Palestinian refugee camp Friday, leaving behind a bleak landscape of demolished and damaged homes, torn-up roads and flattened cars.

Israel said its four-day military offensive in search of arms-smuggling tunnels and militants will continue. The army said no tunnels have been found so far and only one Palestinian was arrested after soldiers questioned hundreds. Security officials believed most of the militants fled before the invasion.

Municipal officials said at least 43 homes were demolished and dozens more damaged in the camp since the offensive began Tuesday. Forty Palestinians have been killed, including gunmen and eight demonstrators hit by a tank shell.

The army said it deliberately demolished seven

homes, including one belonging to an Islamic Jihad militant. Other damage to homes and roads was caused by heavy military vehicles and Palestinian militant roadside bombs, the army said.

Push into Pakistan

By The Associated Press

MIRAN SHAH, Pakistan — U.S. troops and Afghan forces entered a tribal region in northwestern Pakistan while chasing terror suspects, but they made no arrests and crossed back to Afghanistan, residents and defense officials said Friday.

The incursion happened Thursday near the village of Lowara Mandi, 15 miles west of Miran Shah, the main town in Pakistan's North Waziristan tribal region, said a defense official in the capital, Islamabad. Local residents said the Americans stayed for three hours.

Pakistan has refused to grant U.S. troops the right to pursue guerrillas on its territory. The defense official, who spoke on condition of anonymity, said the Pakistani army has asked the government to lodge a strong protest with Washington over the intrusion, the second this month.

A U.S. Embassy spokesman in Islamabad said he had no information on the allegation.

Al-Qaida leader Osama bin Laden is believed to be hiding in Pakistan's tribal areas hugging the border with Afghanistan. Officials say supporters of Afghanistan's ousted

Taliban regime and its al-Qaida allies use the area to mount attacks on U.S. troops and government forces in Afghanistan.

Hung up on talks

By The Associated Press

MERIDEN, Conn. — Nearly 100,000 unionized SBC Communications Inc. workers in 13 states across the nation began a four-day walkout early Friday to protest the local phone company's latest contract offer.

SBC, the second-largest and most profitable of the four "Baby Bell" local-phone providers, said it will mobilize about 40,000 managers, contract workers and retirees to cover key tasks during the strike, which is scheduled to end at 12:01 a.m. Tuesday.

The Communications Workers of America, which represents 102,000 SBC employees in 13 states, says the San Antonio-based company's latest contract offer falls short in several key areas, including benefits and the level of outsourcing.

SBC serves Texas, Arkansas, California, Connecticut, Illinois, Indiana, Kansas, Michigan, Missouri, Nevada, Ohio, Oklahoma and Wisconsin.

SBC has proposed annual pay increases while also asking workers for higher medical co-payments.

Painful reminder

By The Associated Press

PIKEVILLE, Ky. — The generic form of the powerful painkiller OxyContin

already is for sale on the black market in Appalachia, even though it's not yet available in all pharmacies.

Dan Smoot, chief detective for an anti-drug task force in eastern Kentucky, said undercover narcotics investigators began purchasing the generic drug from street-level dealers earlier this week. Investigators suspect a shipment of the drug was stolen from a storage building in eastern Kentucky.

"When we first got the pills, we didn't know what they were," Smoot said. "They look nothing like the OxyContin we were familiar with."

OxyContin is a long-lasting version of oxycodone, a narcotic considered important therapy for many patients suffering chronic, moderate to severe pain from illnesses such as cancer. The tablet, when swallowed whole, provides 12 hours of pain relief.

But the drug can produce a quick and potentially lethal high if it is chewed, snorted or injected. It has been linked to more than 100 deaths and bears the government's strongest warning label.

The Food and Drug Administration has given approval for Teva Pharmaceuticals of North Wales, Pa., and Endo Pharmaceuticals of Chadds Ford, Pa., to sell generic versions of the drug.

Million-dollar man

By The Associated Press

WASHINGTON — John Kerry raised roughly \$1 million a day last month, building his presidential campaign total to a Democratic record \$117 million but still trailing President Bush's cash reserves.

Kerry began May with \$28 million in the bank after devoting millions to his first major ad buys since the Democratic primaries. In all, Kerry spent \$35 million last month and at least \$89 million since January 2003, says a campaign finance report filed late Thursday.

Bush opened the month with nearly \$72 million on hand. The Republican spent \$31 million in April — much of it on ads — and has used up a presidential record of \$126 million since officially starting his re-election effort last May, according to his new finance report to the Federal Election Commission.

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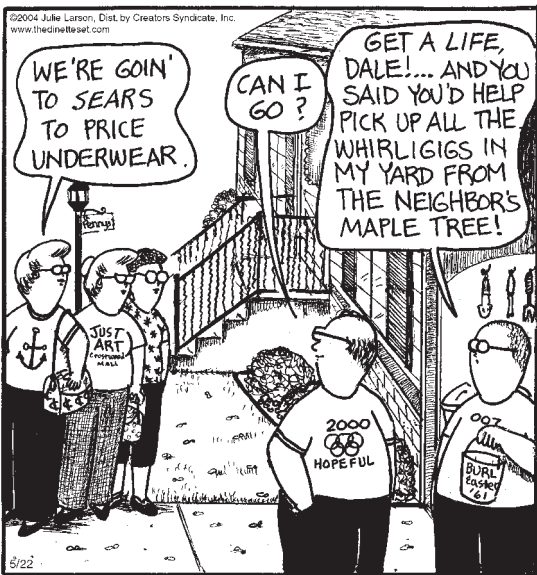
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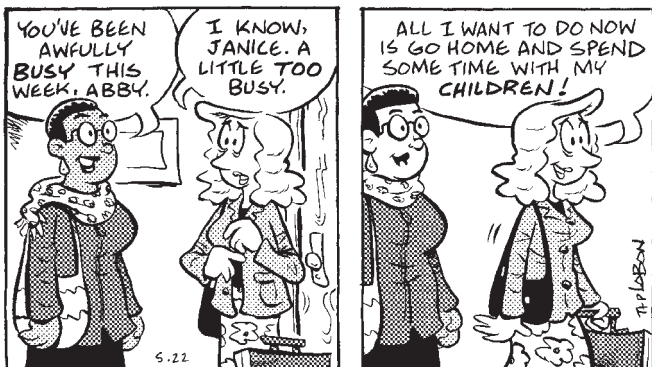
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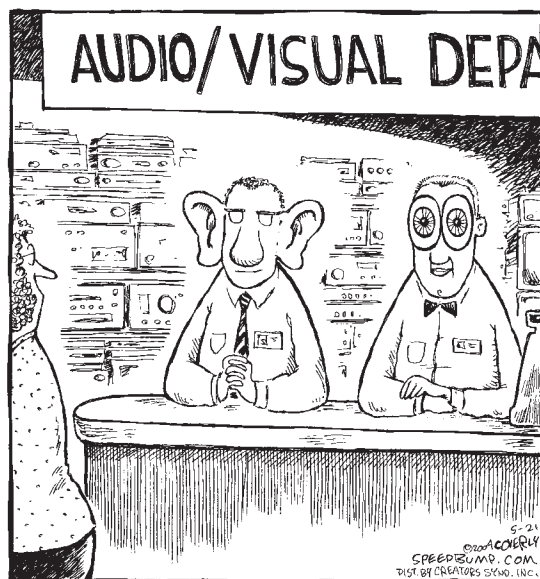
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- 24 Cracker requester
- 25 Verve
- 27 Punch sound
- 30 Shut out
- 31 "— dream-ing?"
- 32 Chart shape
- 33 Field game
- 35 Kitchen wear
- 38 As
- 39 Explosive stuff
- 40 Ram rival

41 Sailor's

- worry
- 42 Ocelot features

DOWN

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- 2 Fold
- 3 Ski
- 4 Neighbor
- 5 Bureau-crat's nuisance
- 6 Frodo's friend
- 7 Expert
- 8 Saw red
- 9 Goofs
- 10 Beak
- 16 News-stand offerings
- 20 Rapid declines
- 21 Layer
- 24 ATM code
- 25 "Never mind!"
- 26 — Rico
- 27 "Serpico" star
- 28 Diner order

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CC/Check OK www.USLove.com	Obituaries Lawrence (Larry) Dries 1939 - 2004 Lawrence (Larry) Dries, 64, longtime Santa Monica bartender, and in later years, a driver for Excalibur Cabs, passed away on March 22, 2004, at his residence in Sioux Falls, South Dakota, after a year long battle with throat cancer. He was a native of Iowa, one of 13 children growing up in the small farm communities of Northwest Iowa. He moved to Sioux Falls in July 2003, to be near his son, Scott Dries, and other family members. He tended bar at Bob Burns, The darwin, Black Forest, and friend will recall he was a fixture at Chez Jay's, working both sides of the bar, for many years. He lived the California lifestyle for 25 years, in his rented cottage, on the sand, just north of the Santa Monica pier. Friends and family plan a memorial for this summer, in the beach area. Larry's siblings in the Midwest called him Spike, a loving appellation, that compared him to the Peanuts cartoon dog, who withdrew into the desert, and talked to cactus plants. he was friendly and humble man, he loved the Dodgers, Packers, Diane krall, Sinatra, crossword puzzles, golf, lotto, goulash, movies, his son Scott, and the view of the Santa Monica pier, and you descend the ramp from Ocean Ave. down to the Pacific Coast Highway. Not unlike many, or all of us, he had his private wars, along with the variables that help define the intensity of those conflicts. If there was a time that he abandoned all pretense of conquering the addictions that he knew were consuming him, he never acknowledged it, and when the cancer came he accepted the terminal diagnosis with a minimum of self-condemnation. He prayed only that the treatment would grant him enough recovery to travel back to his boyhood roots, in the Sioux Falls area. Once there he was to discover that he was a grandfather to a lovely teenage college student. He grew weaker with the changing seasons, and his allotted days dwindled down, he made friends with the God of his youth, and passed away on his own terms, near those he loved. There was a eulogy at Robert Kennedy's services in 1960, by his brother Ted that comes to mind. In part it said: "Our brother need not be idealized or enlarged in death, beyond what he was in life, he need only be remembered as a good and decent man.....". He was that. CLASSIFIED ADVERTISING CONDITIONS :REGULAR RATE: \$2.50 a day. Ads over 15 words add 20¢ per word per day. Ad must run a minimum of twelve consecutive days. PREMIUMS: First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. TYPOS: Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. 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PEOPLE IN THE NEWS

Estee Lauder bets people will smell ducky with Diddy

By The Associated Press

■ **NEW YORK** — Sean Combs seems to have teamed up musically with everyone, from Notorious B.I.G. and Usher to Sting and Dave Navarro.

But his next collaboration, through his fashion designer persona, is with Estee Lauder: The cosmetics company is planning to create and market a new line of fragrances under the rapper's Sean John name.

"People express themselves in many ways — through their music, through the way they dress, and also through the fragrance they choose, so deciding to make a fragrance was very natural for me," Combs said Thursday.

"This is an extraordinary opportunity to partner with one of the fastest-growing and most dynamic young fashion brands in the market, as well as with a man who has built a phenomenal reputation as a tastemaker in music, in fashion and in business," said William P. Lauder, chief operating officer of The Estee Lauder Companies.

Terms of the multiyear deal were not disclosed.

Combs, 34, also is starring in a Broadway revival of "A Raisin in the Sun."

■ **NEW YORK** — Helen Hunt and her boyfriend, writer-producer Matthew Carnahan, have something to be mad about besides each other: a baby girl.

The 40-year-old actress gave birth in Los Angeles Thursday night to a daughter, named McKenna, People magazine reported Friday on its Web site. This is the couple's first child.

Hunt has been dating Carnahan, 43, since 2001. The former "Mad About You" star, who won an Oscar for "As Good As It Gets," previously was married for about a year and a half to Hank Azaria, who voices several characters on "The Simpsons."

■ **STOCKHOLM, Sweden** — Critics and fans alike consider him blues royalty, but B.B. King said Friday that he gets nervous meeting a real monarch.

"I never met a king before," the Itta Bena, Miss.-born bluesman said in the Swedish capital, where he'll receive the 2004 Polar Music Prize from King Carl XVI Gustaf next week.

"I did meet the queen of England once and I shiver every time I think about it now," he added. "So I'm wondering what will happen now that I have a chance to meet the royal family. I'm grateful, but I'm still scared."

The 78-year-old King and Hungarian-born composer Gyorgy Ligeti were selected for the annual prize by the Royal Swedish Academy of Music earlier this year. Both will receive the prize Monday, but the 80-year-old Ligeti, had to cancel his trip because of illness, his assistant said.

Ligeti, who lived in Sweden during the 1960s, was "very unhappy that he's not able to be here," Louise Duchesneua said. "He was looking forward so much to be able to show off his Swedish."

The \$130,887 award, founded in 1989 by Stig Anderson, manager of the Swedish pop group ABBA, is typically split between pop artists and classical musicians. Previous winners include Bob Dylan, Paul McCartney, Isaac Stern, Bruce Springsteen, Pierre

Boulez and Quincy Jones.

The academy praised King for his "significant contributions to the blues" and a "total dedication to his music, a rich recording history and tireless touring lasting more than half a century (that has) made him one of the most prominent figures within the blues."

Ligeti was cited for "stretching the boundaries of the musically conceivable from mind-expanding sounds to new astounding processes in a thoroughly personal style that embodies both inquisitiveness and imagination."

■ **LAS VEGAS** — Casino developer Steve Wynn and his wife, Elaine, spent \$8.8 million for one of John Singer Sargent's best-known works, "Portrait of Robert Louis Stevenson and His Wife."

Wynn plans to hang the painting in his new casino, Wynn Las Vegas, scheduled to open in 2005, The New York Times reported Thursday.

The 1885 painting, which sold Wednesday at Sotheby's, is the second of three Sargent works portraying Stevenson, the Scottish novelist and poet. The painting was given to the Stevensons, who hung it in their house in Dorset, England.

The painting comes from the Greentree Foundation, which has been selling portions of the collection first formed by Payne and Helen Hay Whitney.

Records show Helen Hay Whitney bought the painting at a sale of Stevenson's estate in 1914 and left it to her son, John Hay Whitney, who served as editor in chief and publisher of The New York Herald Tribune and later chairman of the International Herald Tribune.

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