

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

5 19 35 38 46
Meganumber: 13
Jackpot: \$32 Million

FANTASY 5

3 6 35 37 39

DAILY 3

Daytime: 6 8 1
Evening: 6 2 8

DAILY DERBY

1st: 01 Gold Rush
2nd: 08 Gorgeous George
3rd: 12 Lucky Charms

RACE TIME: 1:48.87

NEWS OF THE WEIRD BY CHUCK SHEPARD

■ In March, Billy Reed, 49, of Fleetwood, Pa., lost a 19-month battle with the state Department of Transportation over his insistence that he has a right to have his eyes closed in his driver's license photo, because of freedom of expression and his "right to happiness." After a Commonwealth Court ruled against him, Reed (who said he studies law in his spare time) said he would probably appeal. "I didn't set out on this as a mission. It's one of those things that happen in life. Here you are. Life takes you down a path, and you end up where you are."

■ In 1989, after his release from prison on petty crimes, John L. Stanley undertook the serious study of criminology, lecturing and even hosting a Dallas radio program on crime, but in December, he confessed to robbing a Commerce Bank in Kansas City, Mo., because he needed to return to prison to further his study, telling the judge, "(T)here are some things about crime you can't understand unless you get into the belly of the beast" and that he needed to "be secluded and do the things I need to do while I still have the time." "You can take a butterfly and put it on a light stand, but until you are a butterfly and fly, you can't understand why a butterfly flies." (Stanley showed up for sentencing in March in a wheelchair, which was the result of his, not surprisingly, being beaten up by another inmate.)

TODAY IN HISTORY

Today is the 162nd day of 2005.
There are 203 days left in the year.

On June 11, 1776, the Continental Congress formed a committee to draft a Declaration of Independence calling for freedom from British rule.

QUOTE OF THE DAY

"It is impossible to defeat an ignorant man in argument."

WILLIAM GIBBS McADOO
AMERICAN GOVERNMENT OFFICIAL (1863-1941)

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Ascent of a woman



Fabian Lewkowicz/Special to the Daily Press

Nathalie Demirdjian, of Santa Monica, enjoys a stretch and the view from the top of an exercise rope at the original 'Muscle Beach' just south of the pier.

Residents want SM to let mall plans out of bag

BY RYAN HYATT

Daily Press Staff Writer

DOWNTOWN — A group of residents is suing City Hall in the hopes of shedding light on what will become the new Santa Monica Place, but city leaders said their efforts may prove unnecessary.

The Santa Monica Coalition for a Livable City (SMCLC), the group suing City Hall, last week submitted a petition to the Los Angeles Superior Court for a "writ of mandate," asking the city of Santa Monica to produce records related to the re-development of Santa Monica Place. The group, comprised of 100 residents, requested the information two months ago, but has yet to receive an adequate response from City Hall. A hearing regarding the case is expected within the next two months.

The SMCLC filed a request for public records with the city of Santa Monica for documents, including all written communications between City Hall and the mall's owner, the Macerich Co., that relate to the proposed redevelopment of Santa Monica Place.

SMCLC sought public documents from January 2000 to the present because its membership believed — through discussions with officials and residents, and

by re-reading news articles and City Council agendas — that Macerich officials had "floated" to City Hall at least one prior proposal to redevelop Santa Monica Place that wouldn't have dramatically increased building density on the site.

"I'm mystified there are some who feel there is an agreement with the city on any plan for Santa Monica Place. It's simply not true."

RANDY BRANT

Senior V.P., The Macerich Co.

Plans to build skyscraper luxury apartments, with commercial and retail buildings below, were scrapped earlier this year after being presented to the public and met with stiff resistance. A new proposal is expected this fall.

SMCLC also sought docu-

See SM PLACE, page 5



MARIE SCOTT

Promenade art dealer dies at 48

BY WINTER JOHNSON

Special to the Daily Press

Marie Scott, who began her art career selling posters on Venice Beach and went on to become the managing director of the Art One Gallery on the Third Street Promenade, died on May 12. She was 48.

A lover of animals and children, Scott affected everyone around her, from artists to customers to publishers. As managing director for the last 14 years,

Scott also had the gift of persuasion, according to Helen Randall, Art One's owner and Scott's close friend. Customers would often come into the store not intending to buy art, and by the time Scott finished talking to them they would walk out with a new piece.

"Marie was loud and tough and could talk to anyone, but she was also filled with compassion and had a gentle side," Randall said.

An active participant in the Make-A-Wish Foundation, Scott

was known for talking to any and everyone about art, from customers to kids eager to learn about the arts she so loved.

Scott had a son, Tony, who died at the age of 25.

Marie Scott's funeral was held on May 19 at Gates, Kingsley and Gates Moller Murphy Mortuary, followed by a burial in Salt Lake City, Utah. Scott's funeral attracted guests from as far away as Fort Lauderdale, Fla.

She is survived by her husband, Bennie.

Jacquie Banks

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Santa Monica Daily Press

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)
★★★★★ Your personality dominates others far more than you realize. Extremes mark nearly every interpersonal conversation. Try to harness some of the enthusiasm that surrounds you. Tonight: Whatever makes you happy.



TAURUS (April 20-May 20)
★★★ Much that you accomplish will be done quietly and on your own. Thoughts or ideas involving money or an investment are worth checking out. You have more energy when you enjoy what you do. Tonight: Continue the vanishing act.



GEMINI (May 21-June 20)
★★★★ You do well dealing with groups and/or meetings. Your creativity and enthusiasm encourage others to back you. Don't hesitate. Go for what you want. Others will support you in their unique ways. Tonight: Add more fun.



CANCER (June 21-July 22)
★★★ Others need you to take control or at least lead them through what appears to them to be a maze. You see what they don't right now. Your appeal is high, but so is your sensitivity. Think in terms of not taking something or someone for granted. Tonight: Could be late.



LEO (July 23-Aug. 22)
★★★★★ You have a way of shedding new light on any situation. You have the ability to incorporate new information and use it to its fullest. You might need to screen your calls, as you are in demand. Focus on one item at a time. Tonight: Use your mind — read a book; play Scrabble; or chat with an erudite buddy.



VIRGO (Aug. 23-Sept. 22)
★★★★★ You will be able to get down to basics. Once you reach that point, you will feel a lot better off than you thought you were originally. Share some of your good feelings with a key associate or partner. Tonight: Let another know that he or she is king or queen of your world.



LIBRA (Sept. 23-Oct. 22)
★★★★ You might go to extremes trying to impress others. You have a lot to offer. Stop trying to steal the limelight. Make it OK to share it with someone else. Let others express their needs more often. Tonight: The only answer is yes.



SCORPIO (Oct. 23-Nov. 21)
★★★★ Realize that you don't have all the answers, but you are capable of finding them and implementing good ideas. Sometimes you might push too hard for others' tastes. Know when to cool your jets, OK? Tonight: Work late.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ You have ideas and solutions while others have a "duh" moment. Encourage dynamic thinking. A brainstorming session turns into a lot more if you allow it to. A child or flirtation could be taking up your time. Tonight: Let go and enjoy.



CAPRICORN (Dec. 22-Jan. 19)
★★★ Cut your losses while you can. Not everyone needs to agree with you, nor do you really want them to. Understand how important it is to work with different ideas. A boss gives you the leeway you want and need. Tonight: Happy at home.



AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Realize that you might have the right ideas and answers, but convincing someone else could take talent and time. You might push way too hard to make an impression on someone at a distance — just be yourself. Tonight: Catch up on a friend's news.



PISCES (Feb. 19-March 20)
★★★ Financial matters take precedence. You might not be able to get an agreement in a domestic discussion. Know when enough is enough. Work closely with a partner or associate. Together you blaze a new path. Tonight: Your treat.



Santa Monica Daily Press

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LOCAL



COMMUNITY BRIEFS

Dealing with life's 'Final Mystery'

By Daily Press staff

Dealing with death isn't easy, but it is inevitable. UC Irvine Extension is offering a new workshop, "Facing the Final Mystery," an interactive course that evaluates the way society regards aging, dying and death. It also is designed to help identify options and resources for end-of-life care. The one-day workshop helps health care professionals and individuals prepare for death, while incorporating new psychosocial approaches to overcome the resistance and cultural obstacles to dialogues with clients and family. "Facing the Final Mystery" is offered on the UC Irvine Extension campus on Saturday, June 4 and is open to both the public and professionals dealing with aging and end-of-life issues. The workshop is being co-instructed by Laura Larsen, author of "Facing the Final Mystery" and Santa Monica resident, Patricia Armhein, Ph.D. Armhein will address psychological intricacies of end-of-life issues, while Larsen will draw upon her 30 years as a health care provider. She also will address culture's avoidance of dying and death as a critical stumbling block in the ability to live life fully. For more information, visit www.extension.uci.edu or call (949) 824-5414.

The songs of summer hit SMC

By Daily Press staff

The Santa Monica College Music Department will present an eclectic range of concerts in June. All but two of the concerts will be held in the SMC Concert Hall, 1900 Pico Blvd. The lineup is:
■ Thursday, June 2 at 11:15 a.m.: SMC Percussion Ensemble Recital, with Matthew Altmire, director. (Free)
■ Friday, June 3 at 8 p.m.: SMC Chamber Choir Recital, under the baton of Niké St. Claire. Repertoire includes sacred and secular compositions, ranging from folk songs to gospel. (Tickets are \$10).
■ Saturday, June 4 at 7 p.m.: SMC Musical Theatre Workshop Highlights, under the direction of Adrienne Harrop and Frank Turner. (Tickets are \$8).
■ Sunday, June 5 at 4 p.m.: SMC Concert Band, under the baton of Kevin McKeown. A "Pops" concert featuring music from motion pictures, television, Broadway and more. (Tickets are \$8).
■ Sunday, June 5 at 7:30 p.m.: SMC Concert Chorale, under the direction of James Smith. A joint concert with the Chancel Choir of the First United Methodist Church in Santa Monica, it will feature Durufle's Requiem, Verdi's Te Diem and more. First United Methodist Church, 11th Street and Washington Avenue in Santa Monica. (Tickets are \$15 general admission and \$10 for students and senior citizens).
■ Monday, June 6 at 8:30 p.m.: SMC Jazz Band's "Birthday Tribute to Oliver Nelson," featuring an all-star group made up of members of the Clayton/Hamilton Jazz Orchestra, Luckman Jazz Orchestra, Bob Florence Limited Edition, and the SMC music faculty.

Catalina Bar & Grill, 6725 Sunset Blvd., Los Angeles. (Admission is \$15 plus dinner or two-drink minimum). For tickets and information, call (310) 434-3000 or (310) 434-4323. For the June 6 event at Catalina, call (323) 466-2210.



Wes Thompson, aka "Mr. Big", is this week's mystery photo winner. Thompson accurately described that this photo was taken outside of the Church of the Nazarene at the corner of 18th Street and Washington Avenue. Thompson has won a gift certificate to Izzy's Deli. Check out Monday's edition for the next mystery photo contest.

SPECIAL TAX (PROPOSITION Y) FOR 2005-2006

Notice is hereby given that the Board of Education of the Santa Monica-Malibu Unified School District will conduct a public hearing and adopt a resolution on the matter of a Special Tax (Proposition Y) for 2005-06.

The public hearing will be held on June 16, 2005 at 8:00 p.m., in the Santa Monica City Council Chambers at 1685 Main Street, Santa Monica, CA 90401.

Subsequent to the public hearing on June 16, 2005 at the regularly scheduled meeting, it is the intention of the Board of Education to adopt a resolution to levy the tax at the rate of \$111.63 per parcel, which includes a 4.8% CPI adjustment.

The CPI-U for Los Angeles-Riverside-Orange County, base year 1982-84=100, from April, 2004 through April, 2005, was used to calculate the adjustment.



SURF REPORT

Wednesday may see some light offshores in the AM, at least for SoCal. Look for some SW to stick around for some occasional waist-high sets around south-facing breaks. The NW wind swell is expected to increase towards the waist- to chest-high zone, but with short periods, around 10 seconds or so.

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

Today the water is:

61°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	8:19	-0.8	7:42	2.9	12:30	5.8	3:36	3.8
SUNDAY	9:22	-0.5	9:33	2.7	1:41	5.2	4:35	4.1
MONDAY	10:20	-0.2	11:10	2.1	3:06	4.6	5:23	4.6
TUESDAY	11:13	0.2	12:24	1.4	11:13	0.2	12:24	1.4
WEDNESDAY	12:24	1.4	11:59	0.7	6:00	3.9	6:39	5.5
THURSDAY	1:22	0.6	12:41	1.1	7:13	3.8	7:13	5.9
FRIDAY	2:18	0.9	1:17	0.9	8:09	3.4	7:45	5.2

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Staffers within City Hall are proposing significant utility rate increases for Santa Monicans because they say the money is running out. However, as they analyze the city budget prior to its adoption in June, City Council members are questioning why and if the rate increases are necessary. Staff says solid-waste, water, wastewater and stormwater fund balances have been decreasing to varying degrees over the last four years. So, the costs are most likely going to be passed to the

users. So this week, Q-Line wants to know, "Do you support rate increases on your utility bills to restore the fund balances to healthy levels? How much are you willing to pay?" Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

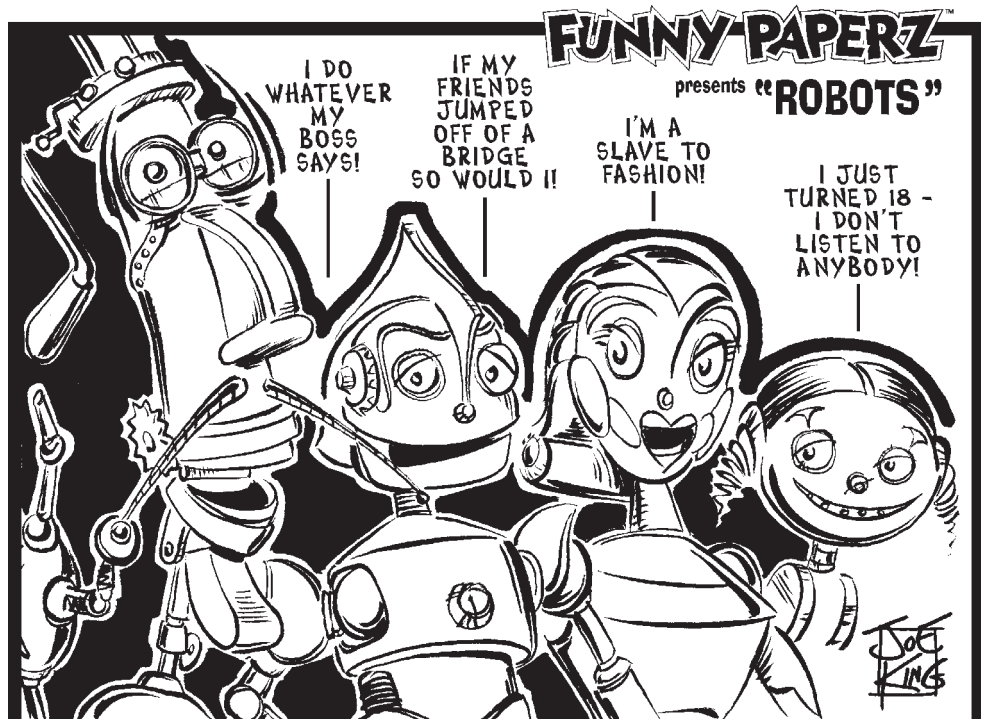
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OPINION



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LETTERS TO THE EDITOR

Gone Fisher: Water storage a good idea

Editor:

I read the recent article (SMDP, May 17, page 1) about constructing a water reservoir under the Fisher Lumber site.

I think it's an incredibly great idea. Your article also cleared up my longtime curiosity about how and where Santa Monica could/would/should store extra water for emergencies.

I highly commend the staff recommendation of this project.

Thank you again for a great solution to our water storage problems.

Cheryl Erb
Santa Monica

A blink of brilliance, with an edge

Editor:

Finally, Ron Scott Smith finally wrote something he knows about, little blinky lights around his house (SMDP, May 26, page 4). I was full on expecting him to blame the Bush administration for "wasted light" in his home. I was pleasantly surprised when he didn't mention the administration once ... DOH!

I forgot to read the last paragraph of his column, and there it is, he mentioned "Bushamerica." At least he is consistent in his blind hatred of this man and the people around him.

Billy Woody
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 editor@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 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

God only knows why we still kill in his name



INCITES

BY ED SILVERSTEIN

"... Palestine (Jews vs. Muslims); The Balkans (Orthodox Serbians vs. Catholic Croats, Orthodox Serbians vs. Bosnian and Albanian Muslims); Northern Ireland (Protestants vs. Catholics); Kashmir (Muslims vs. Hindus); Sudan (Muslims vs. Christians); Sri Lanka (Sinhalese Buddhists vs. Tamil Hindus); Indonesia (Muslims vs. Timorese Christians); and the Caucasus (orthodox Russians vs. Chechen Muslims, Muslim Azerbaijanis vs. Catholic and orthodox Armenians) ..."

As evidenced by the above quote, Sam Harris, in his book "The End Of Faith" blames religion for the vast majority of wars and conflicts. It also is the catalyst responsible for many of history's greatest atrocities. The crusades, pogroms, witch-hunts, the Spanish Inquisition and the Holocaust, were all religious persecutions.

But this comprehensive, compelling and thought-provoking argument against the ridiculousness and danger of organized religion — one that might even give hard-core evangelicals pause — goes much further.

Women have suffered horribly under the tyranny of religion. Hundreds have been killed over nothing more than the length of their hemlines and bikinis are treated as deadly weapons, says Harris. Women are regularly stripped of their rights, worth and even their life simply because of the belief in and the selective interpretation of a book that is purported to be the word of God.

"If a Christian fundamentalist were told that his wife was having an affair or that yogurt makes you invisible, he would want evidence," Harris writes. "But that same person has no trouble believing in a book that was supposedly written by an invisible man that could subject you to a fiery eternity if you don't follow it every word."

Harris asks us to imagine if we were to wake up with all our past knowledge erased and we read the Bible. We would likely be incredulous and frustrated by this confusing, often contradictory, story that justifies and promotes brutal violence

against anyone who disagrees with the author's point of view.

The Old Testament, for instance, demands that Jews kill all those who have not embraced their religion. In other words, God demands that we become serial killers in order to avoid damnation — bad news for DeLay, Frist and Bush who would have us believe that this text is the literal word of God.

Such calls for violence are nearly universal in every religious text, none more so that the Koran, according to Harris. He supports this contention with five pages of passages, which he says appear on nearly every page of the Muslim Holy book, extolling violence and murder.

"Religion is one of the great limiters to moral identity," Harris writes. "It turns everything into an 'us against them.' It eliminates moral concern for those outside the faith. If they are going to hell, who cares what happens to them?"

Which, according to Harris, may explain the glaring similarity between the torture of witches and our treatment of Muslim enemy combatants.

"The idea that religion is the source of our deepest ethical institutions is absurd," Harris writes. He argues that the origins of ethics come from the natural world and religious teachings are at best equivocal.

Further, Harris suggests that it is only through numbers that behavior that would normally be considered mad. For example, how can the belief in a guy born of a virgin, who walks on water and returns from the dead, who we eat on a cracker each week and who will send us to heaven if we do everything he says, or roast us if we don't, gain legitimacy?

"Is there any difference," Harris asks, "between a teen who believes he will receive 72 virgins for blowing himself up and one who is beaming up to the mother ship?"

But the biggest problem with religion, according to Harris, is that any despicable act of brutality or mass murder cannot only be justified, but will provide the perpetrator salvation. This is particularly frightening in a time where there are weapons capable of killing millions and religious fanatics willing to use them.

Can a religious world survive in a nuclear age? Not according to Sam Harris.

(Ed Silverstein can be reached at incites@incites.net.)

Walking to the nearest newsstand increases circulation.
Santa Monica Daily Press

LOCAL



New mall plans on the table in three months

SM PLACE, from page 1

ments that would show the value of the land and the parking structures on the site — which are owned by City Hall's redevelopment agency — and those related to recent city-facilitated telephone surveys asking residents their opinions about the future of Santa Monica Place.

The SMCLC said City Hall "produced very few documents and virtually none in these categories."

City attorney representatives were unavailable for comment.

Judy Rambeau, a city spokeswoman, said the phone survey has been part of the public input process promised by the City Council since the last proposal was disregarded. She said the survey will be paid for by Macerich.

Diana Gordon, a spokeswoman for SMCLC, said what has prompted the group's action is fear that traffic impacts and the project's scale were not being seriously factored into the public input process.

"What we want to know is, is the city considering the effect of traffic and the environment on the project?" Gordon asked. "A few years of construction for re-development could cause serious traffic and environmental problems."

The SMCLC was formed in January as an action group intended to keep plans for Santa Monica Place in check.

Gordon said part of the reason SMCLC members feel there may have been other proposals floating in front of city officials stemmed from news articles the group has collected.

The SMCLC claims it has exhausted its attempts to negotiate with City Hall to obtain the public documents, so it has pursued litigation.

Randy Brant, senior vice president of leasing and development for Macerich, said he was surprised to hear of the SMCLC's lawsuit.

"I'm mystified there are some who feel there is an agreement with the city on any plan for Santa Monica Place," Brant said. "It's simply not true."

Meanwhile, elected officials, who will review and approve the final proposal for the new Santa Monica Place, said there have been no secret deals with Macerich.

"As far as I know, there are no secret deals of any kind," said City Councilman Herb Katz. "I think some people feel we live in back rooms, but the fact is we told Macerich to get out in the community and find out what people will live with."

Macerich representatives did, however, meet individually with City Councilmembers and City Council candidates before the election last November to gauge their response to their proposal to build 21-story towers in downtown Santa Monica.

The question of how Santa Monica Place should be redeveloped is something that city officials have been trying to answer recently. "Re-Imagine Santa Monica Place," a series of public workshops sponsored by City Hall, were held in March to determine how to redevelop the downtown indoor shopping mall between Broadway and Colorado Avenue, and Second and Fourth streets.

Brant said the current site needs to be redeveloped because it was built in the 1980s on an outdated suburban shopping mall model that doesn't compete well with the Third Street Promenade in today's market.

Macerich scrapped a proposed development last year due to controversy about the height of high-rise buildings that were slated for the site. If created, the project would have involved demolishing the existing mall and erecting three 21-story residential towers, an eight-story office building and an eight-story apartment building. Those buildings were to be built on top of a new outdoor mall, which

developers described as a natural extension of the Third Street Promenade.

Assistant City Manager Gordon Anderson said City Hall has been authorized by the City Council to spend between \$150,000 to \$250,000 to hire Moore Iacofano, and another consulting firm, Keyser Marston Associates, to facilitate a proposal that falls within nine council-directed guidelines intended to better satisfy the public's vision for Santa Monica Place redevelopment.

Moore Iacofano representatives hosted the workshops, with city staff and

Macerich representatives on hand to observe and answer questions.

Keyser Marston Associates will do an economic feasibility study in tandem with city planners to determine the pros and cons of concepts for the Santa Monica Place site that originated from the public discussion.

Those concepts will then be presented to the City Council and the public for final approval, which will likely be in September or October, Anderson said. Macerich will then reimburse City Hall for the costs of the consulting services.

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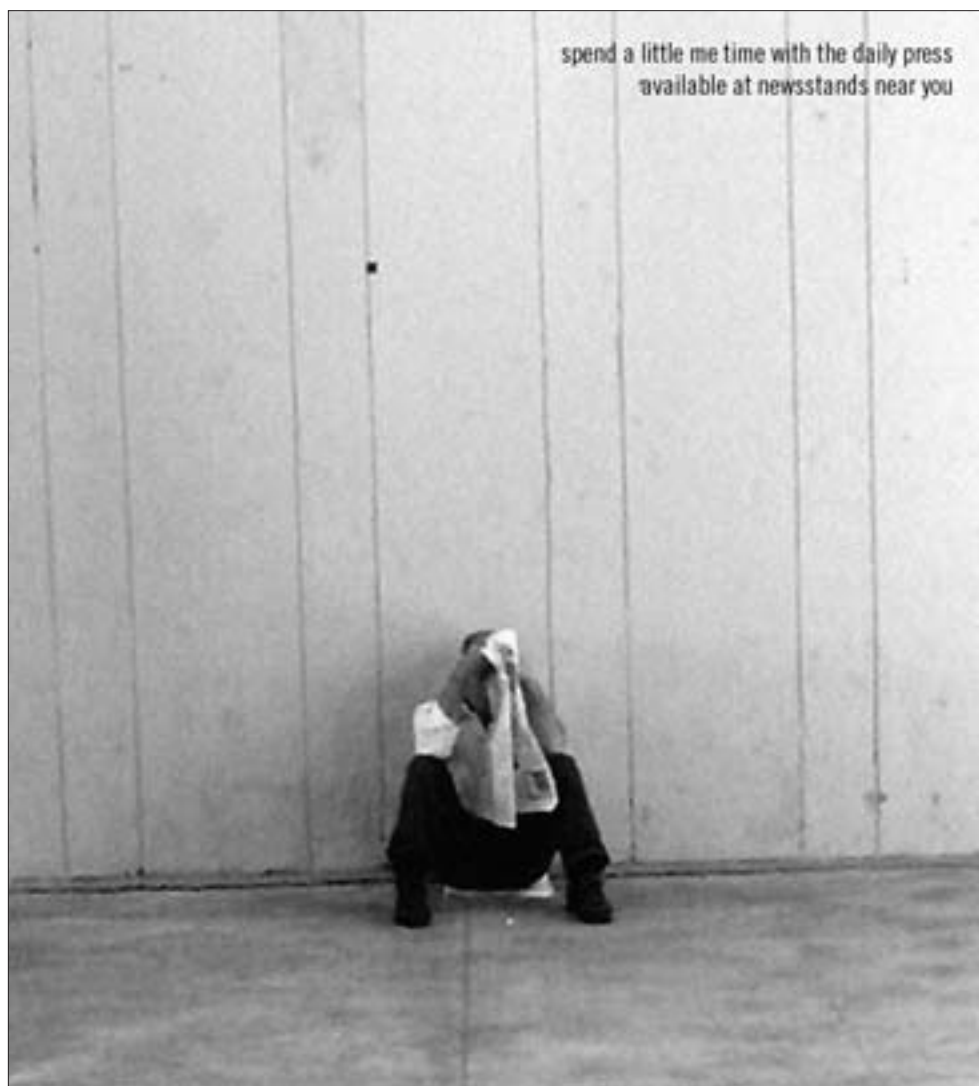
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STATE

A two-sided tale will wrap up Jackson trial

BY LINDA DEUTSCH
AP Special Correspondent

SANTA MARIA — When prosecution and defense attorneys present closing arguments in Michael Jackson’s child molestation trial, they will tell two different stories based on the same facts, a reprise designed to convince jurors that Jackson is either a predatory pedophile or a wealthy victim of scheming grifters.

As in the classic movie, “Rashomon” — where critical events related at a trial change when seen through different perceptions — jurors will be asked to look at both sides and decide which one is the truth.

Was Jackson a humanitarian trying to aid a cancer-stricken boy and his family, or was he a self involved celebrity trying to repair his damaged image by holding an entire family captive until they made a video praising him?

Loyola University Law Professor Laurie Levenson, who has attended the trial, said that unlike most cases, closing arguments would be critical in this one.

“Neither side was able to dominate the trial enough to be confident in what the verdict will be,” she said. “Both sides have to persuade the jurors what to see in the facts that have been presented. They have to help them figure out the biggest enigma: who is the real Michael Jackson?”

In closing arguments that could begin as early as Wednesday, prosecutors will

paint Jackson as a manipulative molester, a weird appearing celebrity who thinks he is immune from the rules that govern normal people’s conduct.

The defense has taken the tack of embracing Jackson’s odd appearance and lifestyle and is likely to argue that he should not be penalized for being different.

They will remind jurors — perhaps through the use of videotape evidence — that although Jackson did not testify, they heard him sharing details of his difficult childhood and his desire to make children happy with his Neverland amusement park.

The defense will seek to demonize the accuser and his family as well as those they contend fell for their story. They will say there are financial motives everywhere and remind jurors how the mother approached other celebrities with her tale of woe before she hit on Jackson.

Prosecutors are relying not just on the current case but on a series of allegations against the star 12 to 15 years ago. They will suggest he got away with molestation before and wants to get away with it again.

They have highlighted so-called propensity evidence they were allowed to present under a unique California law known as penal code section 1108. It allowed them to resurrect allegations from the early 1990s that Jackson molested other boys — claims that never resulted in criminal charges. Jurors were not told that Jackson paid millions to make two of the

claims go away. They did hear, however, that some of his accusers sold stories to tabloid magazines for thousands.

Prosecutors called one young man to say he was touched inappropriately during tickling sessions many years ago. The defense called three now grown-up men, including actor Macaulay Culkin, to say they were never touched sexually by Jackson.

Prosecutors are expected to say as they did in opening statements that Jackson was a star on the skids trying to resurrect his image by granting access to an interviewer who skewered him with his own words in a video documentary, “Living With Michael Jackson.”

On that video, the world saw the boy who would become his accuser holding Jackson’s hand and resting his head on the pop star’s shoulder.

When the show raised a storm of controversy because of Jackson’s acknowledgment that he allowed children to sleep in his bed, albeit non-sexually, prosecutors say he entered a panic mode, decided to produce a rebuttal video and needed the boy and his family to participate. They will say he was at the heart of a conspiracy that involved child abduction, false imprisonment and extortion.

And in the weeks after the family performed on the video, prosecutors allege that Jackson then for the first time molested the boy. The defense is expected to ridicule that time line as unbelievable.

Prosecutors also say Jackson gave the

boy alcohol to make him a willing victim and they cite as circumstantial evidence a large trove of girlie magazines found at Jackson’s home and one or two art books that contained photos of men in homosexual poses.

Defense attorneys will attack the boy’s mother as a money hungry charlatan who was playing for high stakes. They maintain it is absurd to think the mother will not sue Jackson for millions. Her history as a welfare cheat and her behavior in a lawsuit against a department store that brought her \$152,000 will be cited as evidence of her propensity to lie.

Prosecutors will certainly remind jurors of the demeanor of the boy, both on the witness stand and in a powerful video shown at the very end of their case in which he haltingly described the alleged abuse. They will say that if jurors believe him, they must convict. The defense will remind jurors that the boy took acting lessons, has been described as cunning and shrewd, and that the boy himself said Jackson broke his heart by rejecting him as a friend. They will say this is a case of revenge.

Rather than escaping from Neverland, the defense may argue that the family was forced to leave and their exodus was akin to the exile from Eden, the end of their dream of spending their life in luxury with Jackson as their father figure and benefactor.

“Jurors will not easily decide this case,” said Levenson. “They know that they will be second guessed on so many things.”

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City Council Chamber
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STATE



Surfing pioneer passes

By The Associated Press

MISSION VIEJO, Calif. — Master surfboard designer Dale Velzy, who helped popularize surfing along the California coast and at one time was the world's biggest maker of surfboards, has died. He was 77.

Velzy died Thursday of lung cancer at the Mission Hospital Regional Medical Center in Mission Viejo, hospital administrative supervisor Brian Noakes said Monday.

Himself a surfer, Velzy built a reputation as a shaper by putting a brand on his designs. His most famous board was the "Pig," which debuted in 1955 and is now a collectors' item priced at more than \$3,000.

By the late 1950s, Velzy was considered the world's largest surfboard manufacturer, operating five shops and two factories that sold as many as 200 custom-built boards a week. He made boards for legendary surfers such as Duke Kahanamoku, George Downing and Mickey Dora.

"I can't tell you strongly enough how he was the original surfer-cowboy-hot-rodder in Southern California," said Allan Seymour, who had known Velzy since the eighth grade. "When we grew up, you couldn't get a higher compliment than, 'You're a Dale Velzy guy.'"

Velzy, the son of a lifeguard, earned the nickname "The Hawk" for his keen eyesight. He began repairing and reshaping surfboards in the family garage in 1949 and later opened shop under the Manhattan

Beach Pier in Los Angeles County.

He expanded the business to Venice and later Hermosa Beach, joining Harold Jacobs in 1953 to produce boards under the Velzy-Jacobs label until buying out his partner six years later.

Velzy also helped launch the surfing-movie genre by providing money for the 1957 film "Slippery When Wet."

"Velzy's lasting legacy is the billion-dollar surf industry," said Sam George, global editor for Surfer Magazine. "He created the archetype and everyone has followed it: Get the hottest guys to ride your equipment, get a photo of it, and market it."

Velzy wasn't always a good businessman. The Internal revenue service shut down his shops in 1959 after it found faulty record keeping. He reopened the business a decade later.

Today Velzy's name can be found throughout the surfing world.

Velzyland, a popular surfing spot on Oahu's north shore, was named after him. The Doheny Longboard Surfing Association named its annual surfing contest in his honor.

In 1997, he was inducted as a "surf pioneer" into the Huntington Beach Surfing Walk of Fame. He also was inducted into the Hermosa Beach Surfers Walk of Fame in 2003.

Velzy is survived by his longtime girlfriend, Fran Hoff, of San Clemente; son Matt, of Makawao in Maui, Hawaii; and daughter Malia Cohen, of Thousand Palms.

Services were pending.

STATE BRIEFS

Aviation companies weary of FAA hang-ups

By The Associated Press

RIVERSIDE — Several aviation-related businesses want the Federal Aviation Administration to reassign an inspector whose alleged delays have damaged economic development efforts.

The businesses claim FAA inspector Dixon "Brad" Howard has cost them money and he refuses to help them find ways to expand or begin new operations.

"As a result of this interpretation and application of the handbook guidance by Inspector Howard, numerous operators have elected to cease operations, surrender certificates or move out from under the jurisdiction of the Riverside Flight Standards District Office," wrote Anthony Costanza, a retired FAA inspector who was based in Riverside.

Howard said he was unaware of the complaints.

"We're very confident with Mr. Howard's ability and performance as an inspector," said Donn Walker, an FAA spokesman based in Los Angeles.

FAA officials plan a meeting Wednesday at Riverside Municipal Airport.

Larry Hansen, an owner of ATW Jets charter company and other businesses based at French Valley Airport near Temecula, said Howard's repeated delays in providing inspections and certification flights have cost his companies time and money.

Hansen is circulating a petition that complains of "FAA abuse of power and air-safety degradation."

"It is time to stand together and fix this problem that the FAA management has not fixed as it should have years ago. They are incompetent and out of control and it is not safe for anyone," the petition reads.

Here, here: Prison ditches mid-day headcount

By The Associated Press

CHINO — The midday count of 6,500 inmates at the California Institution for Men has been dropped, leaving a 12-hour gap between the head counts.

Acting Warden Tom Felker felt the prison was doing enough to keep track of prisoners so he stopped the 11:45 a.m. inmate count, prison spokesman Sgt. Ari Sams said.

"It was an unnecessary count," Sams said.

The Department of Corrections' operations manual states that prisons must count inmates at least four times a day, and mandates the times for those counts. The Chino prison is still doing six head counts daily, but there is now a 12-hour gap between the 4:45 a.m. and 4:45 p.m. counts.

Prison officials are also considering a proposal to poll guards at the prison's main entrance and delivery gate.

"It's not definite," Sams said. "It's just a proposal that has come up and is being discussed among managers."



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STATE

Women with abortions are breathing a bit easier

BY LISA LEFF
Associated Press Writer

OAKLAND, Calif. — After she had an abortion at age 23, Aspen Baker longed for a place to process the unexpectedly difficult milestone — a place where a pro-choice woman who felt stupid for getting pregnant could express both her regret and relief.

"I wanted to tell my story and be heard for the different parts of me that I don't think really get heard when you are a woman who has an abortion," said Baker, now 29. "To want that and not find it made me feel I must be outside the norm, that I was crazy or weird."

As it turned out, she was neither. Funneling her frustration into action, Baker banded with four like-minded women to found Exhale, a post-abortion telephone counseling service that occupies a novel niche in a debate often marked by extremes.

Run by Baker, one other staff member and more than two dozen volunteer counselors on an annual budget of \$200,000, the talk line until now only has been available to women in the San Francisco Bay area. In response to requests from abortion providers in other states, it will be made available to callers nationwide beginning June 1.

Launched in January 2002, the confidential talk line has operated from the assumption that the emotional challenges that accompany an abortion can be as varied as the reasons for ending a pregnancy. Unlike similar call-in counseling services sponsored by churches that regard the procedure as an immoral act or the pre-abortion programs offered by reproductive rights groups, Exhale's approach is religiously non-prescriptive and mindful that a woman's experience with abortion doesn't end at a clinic.

"It's not about turning someone pro-choice or anti-abortion," said Baker. "It's about listening and valuing and respecting."

Although the line will continue to be operated and staffed exclusively from Oakland, expanding Exhale's reach has brought in counselors who speak Vietnamese, Cantonese and Spanish. About 700 people called the service last year. Baker expects to hear from about 3,000 callers in a year once the service goes national.

Since the conversations are confidential, Baker and program director Carolina De Robertis haven't surveyed the callers for demographic information, but the users' stories tell them they are serving a diverse clientele.

For instance, while 38 percent of the

callers contact Exhale within one month after having an abortion, the feelings the procedure arouses have no expiration date.

"We get calls from people within a day after their abortion and a year later. We've gotten calls from people 30 years after their abortion," said De Robertis, 29.

And women who have had abortions aren't the only ones who need to talk. About 13 percent of the calls come from mothers, fathers, sisters and friends who don't know how to help a loved one. Nine percent of the callers are men.

The young women who call 1-866-4-EXHALE are sad and ashamed. They also are relieved, angry, proud, numb or too confused to make sense of the their feelings.

13 percent of the calls come from mothers, fathers, sisters and friends who don't know how to help a loved one.

Monica Lois, 27, contacted Exhale a year-and-a-half ago, nine months after having an abortion. The 20-minute conversation gave her a way to cope with the complexity of her situation.

"I started feeling this huge amount of grief and feelings like I killed my baby and it was very difficult for me because I'm like, 'I'm pro-choice, why do I feel like this?'" Lois said. "It was infuriating I couldn't just say that to anyone and have them honor the decision I had made."

Exhale's philosophy reflects a growing recognition among pro-choice activists that if they are going to keep abortion safe and legal they need to recognize the full range of women's experiences, negative as well as positive.

That awareness has led to initiatives such as the Abortion Conversation Project, a project of the National Coalition of Abortion Providers that seeks to remove the stigma associated with the procedure by promoting honest discussions about it.

"Pro-choice people have a really understandable fear that anything that isn't completely positive is going to be used and used very negatively and they are right," said Ava Torre-Bueno, a San Diego, Calif., social worker and author of "Peace After Abortion."

"But I really believe that talking is what will make it safer. If women can talk about their experience, whatever it is, they won't become easily manipulated."



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STATE



Due to DeLay, others' expenses are disclosed

BY LARRY MARGASAK

Associated Press Writer

WASHINGTON — Scrutiny of Majority Leader Tom DeLay's travel has led to the belated disclosure of at least 198 previously unreported special interest trips by House members and their aides, including eight years of travel by the second-ranking Democrat, an Associated Press review has found.

At least 43 House members and dozens of aides had failed to meet the one-month deadline in ethics rules for disclosing trips financed by organizations outside the U.S. government.

The AP review of thousands of pages of records covered pre-2005 travel that was disclosed since early March. That's when news stories began scrutinizing DeLay's travel, prompting lawmakers to comb through their files to make sure they had disclosed their travel.

While most of the previously undisclosed trips occurred in 2004, some date back to the late 1990s. House Minority Whip Steny Hoyer recently disclosed 12 trips, the oldest dating back to 1997.

Stacey Bernards, a spokeswoman for the Maryland Democrat, said the office searched the files after the travel issue was raised initially by "Republicans doing opposition research to deflect from their own ethical issues."

Hoyer's undisclosed trips were nearly doubled by Rep. Ellen Tauscher, D-Calif., with 21. Rep. Luis Gutierrez, D-Ill., reported 20 past trips and Rep. Elijah Cummings, D-Md. reported 13.

Several other California House members or their aides also filed late reports. Rep. Tom Lantos, D-San Mateo, reported two 2004 trips to give speeches, one in New Haven, Conn., and one in Detroit.

Rep. Gary Miller, R-Diamond Bar, reported nine days in Toulouse, France, last August with his wife, Cathleen. The \$10,434 tab was paid for by Airbus North America. He listed the purpose as aviation/transportation fact finding mission.

An aide to Rep. John Doolittle, R-Rocklin, and an aide to Rep. Diane Watson, D-Los Angeles, both filed late reports for 2004.

Republican and Democratic House members were nearly equal rules violators in failing to disclose their personal trips within 30 days after the trip's completion. There were 23 GOP members, 19 Democrats and 1 independent, all of them months or years late in their reporting to the House public records office.

Staff members for House Minority Leader Nancy Pelosi, D-Calif., disclosed 11 prior trips, while staff members for DeLay, R-Texas, had 4. Rep. John Linder of Georgia, a former chairman of the House Republican campaign organization, belatedly filed 9 trips, as did Rep. Maxine Waters, D-Calif.

The volume of unreported trips surprised the former chairman of the House ethics committee, Rep. Joel Hefley, R-Colo.

"I didn't realize the extent of the problem," Hefley said. "There is no particular sanction (for tardiness) if you come back and file. They get lax. They don't think about it."

"People will be more aware now. The ethics committee will be more aware that it's a problem."

A spokesman for Gutierrez said the seven-term lawmaker did not know of his obligation to file the required travel disclosure reports.

"In late April, the congressman approached our staff to ask why in the news he was reading all this information about trips," spokesman Scott Frotman said.

Cummings spokeswoman Trudy Perkins said the original reports were sent to the House's public records office on time throughout 2004, using an internal mail system. They never made it to the public files.

"It was our understanding they were on file. It was odd, certainly," Perkins said.

Hayley Rumbach, press secretary for Tauscher, said, "A recent review of our travel records showed that while all travel was properly disclosed on annual financial disclosure statements, some additional travel disclosure forms were not filed. We have corrected this oversight."

The travel in question is not for official government

trips known as CODELS, shorthand for Congressional Delegations.

The special interest trips are usually financed by corporations, trade groups, think tanks, universities and others. They often pay for first-class commercial seats or provide corporate jets for lawmakers.

Many trips combine speeches, seminars and fact-finding tours with golf, sightseeing, shopping and accommodations at first-class hotels — often in foreign countries.

"This sudden rush to file reports on previously undisclosed trips is certainly filling many pages of congressional passports," said Kent Cooper, head of the PoliticalMoneyLine Internet site that tracks political donations and travel.

Some lawmakers and staff members wrote apologetic letters to the House ethics committee.

Rep. John Boehner, R-Ohio, said he discovered "my staff had failed to submit a travel disclosure" for a trip to Scotland in August 2004, an error made "during a staff transition."

Republican and Democratic House members were nearly equal rules violators in failing to disclose their personal trips within 30 days after the trip's completion.

Elizabeth Greer, an aide to Rep. F. Allen Boyd Jr., D-Fla., took responsibility for not filing her documents after a trip to Kenya in December 2004. She said she completed the form soon after the trip, but "found it still buried on my desk recently. It simply slipped off my radar screen and found its way to the bottom of a pile."

One late filer, Republican Rep. Melissa Hart of Pennsylvania, is a current member of the ethics committee who could make judgments on DeLay's travel.

DeLay has asked the committee to review his travel, following allegations that a lobbyist paid for some of his trips despite a ban on such payments.

"Someone had done a story and incorrectly listed my travel," Hart said in an interview, explaining what led her to check her records. She found an unreported trip she made to Hungary and Germany last November.

Popular destinations listed in the tardy disclosures included Amelia Island, Fla.; New York City; San Juan; San Francisco; San Diego; Miami and Las Vegas. Foreign sites included Cuba, Taiwan and Israel.

Among the most expensive trips:

■ Rep. Jim Matheson, D-Utah and his wife, Amy, traveled to Australia last November, listing a combined airfare of \$24,804 paid by the American Australian Association. The nonprofit group says it is devoted to strengthening relations between the United States and two allies, Australia and New Zealand. Matheson said meals and lodging were picked up by the Australian government, but no amounts were specified.

■ Rep. Bob Beauprez, R-Colo., and his wife, Claudia, traveled to Israel and Spain last November and December, listing the cost at \$21,226. The travel, for participation in a Jerusalem conference, was financed by the Michael Cherney Foundation. The organization has various charity projects in Israel, including help for victims of suicide bombings.

■ Rep. John Linder, R-Ga., and his wife, Lynne, traveled to Israel and Jordan in January, 2004 at a cost of \$19,650. Linder said the trip, sponsored by The Jerusalem Fund, was designed to promote international understanding.

Waters, the California Democrat, insisted her late reports were unrelated to DeLay's troubles, and blamed those who paid her way.

"Sometimes they run late because the people who are responsible for inviting you have to get you all the receipts and they are so slow," Waters said.

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Something to escrow about for homeowners



BUYING AND SELLING
BY THOMAS KHAMMAR & BRENT PARSONS

If you plan to buy or sell a home in the near future, it might be a good idea to understand the nuances of escrow.

Escrow is defined as “neutral party holding funds and documents until all parties to the escrow have performed.” All instructions to escrow are requested in writing. When the escrow holder has mutually agreeable written instructions and funds adequate to comply with those instructions, the escrow is closed.

The escrow account is an independent depository wherein all funds, instructions, and documents for the sale of your home are held, including the buyer’s down payment, lender’s funds, documents for the new loan, hazard and title insurance, inspection reports, and your grant deed. At the close of escrow, the “escrow holder,” such as a title company delivers these items to the appropriate parties, disburses the funds, and processes the associated paperwork.

What does an escrow holder do?
The escrow holder’s duties include:

At the close of escrow, the “escrow holder,” such as a title company delivers these items to the appropriate parties, disburses the funds, and processes the associated paperwork.

- Serving as the neutral agent and the liaison between all parties involved.
- Requesting a preliminary title search to determine the status of title to the property.
- Requesting a beneficiary statement if debt of obligations are to be taken over by the buyer.
- Requesting a payoff demand from beneficiaries.
- Complying with the lender’s requirements as specified in their instructions to escrow.
- Securing releases of all contingencies or other conditions imposed on escrow.
- Preparing or securing the deed and other documents related to escrow.
- Prorating taxes, interest, insurance and rents.
- Preparing escrow instructions.
- Receiving purchase funds from buyer.
- Receiving loan funds from buyer’s lender.
- Closing the escrow pursuant to

- instructions supplied by the seller, buyer and lender.
- Recording the deed and any other documents.
- Disbursing funds as authorized by the instructions, including chargers for title insurance, recording fees, real estate commissions and loan pay-offs.
- Preparing final statements for all parties involved in that account for the disposition of all funds held in the escrow account.
- Requesting the title insurance policy.

Although escrow seems to be a lengthy and confusing process, in all reality it’s the opposite. A good escrow officer will be and should be a non-biased middle man in any transaction and should be fair to all parties involved.

(For more information, contact Brent from ThePOWERHOUSETeam at (310) 943-7656 or you can e-mail him at brent1@georgechungrealtors.com.)

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Sold	909 MICHIGAN AVE	SANTA MONICA 90404	
Santa Monica 05/27/2005	SqFt: 810 Lot Size: 2,073	List Price: \$649,000 Sold Price: \$655,000	Bed: 2 Bath: 1.00
Sold	470 17TH ST	SANTA MONICA 90402	
Santa Monica 05/25/2005	SqFt: 3,404 Lot Size: 7,500	List Price: \$2,200,000 Sold Price: \$2,300,250	Bed: 5 Bath: 5.50
Sold	2010 CLOVERFIELD BLVD	SANTA MONICA 90404	
Santa Monica 05/27/2005	SqFt: 1,013 Lot Size: 4,748	List Price: \$599,000 Sold Price: \$637,500	Bed: 2 Bath: 2.00
Sold	1732 FRANKLIN ST	SANTA MONICA 90404	
Santa Monica 05/24/2005	SqFt: N/A Lot Size: 4,517	List Price: \$799,000 Sold Price: \$840,000	Bed: 3 Bath: 1.00
Sold	1018 4TH ST #304	SANTA MONICA 90403	
Santa Monica 05/25/2005	SqFt: 1,951 HOD: \$375	List Price: \$1,149,000 Sold Price: \$1,301,500	Bed: 2 Bath: 2.50
Sold	1012 7TH ST #14	SANTA MONICA 90403	
Santa Monica 05/27/2005	SqFt: 924 HOD: \$235	List Price: \$550,000 Sold Price: \$550,000	Bed: 2 Bath: 2.00
Sold	2519 4TH ST #4	SANTA MONICA 90405	
Santa Monica 05/26/2005	SqFt: 562 HOD: \$205	List Price: \$489,000 Sold Price: \$489,000	Bed: 1 Bath: 1.00
Sold	847 5TH ST #106	SANTA MONICA 90403	
Santa Monica 05/26/2005	SqFt: 1,202 HOD: \$330	List Price: \$639,000 Sold Price: \$650,000	Bed: 2 Bath: 2.00
Sold	1227 24TH ST #C	SANTA MONICA 90404	
Santa Monica 05/26/2005	SqFt: N/A HOD: \$325	List Price: \$599,000 Sold Price: \$607,000	Bed: 2 Bath: 1.75
Sold	1231 EUCLID ST #7	SANTA MONICA 90404	
Santa Monica 05/26/2005	SqFt: 662 HOD: \$225	List Price: \$400,000 Sold Price: \$400,000	Bed: 1 Bath: 1.00
Sold	827 BAY ST #1	SANTA MONICA 90405	
Santa Monica 05/27/2005	SqFt: N/A HOD: \$219	List Price: \$585,000 Sold Price: \$591,000	Bed: 2 Bath: 1.00
Sold	937 12TH ST #209	SANTA MONICA 90403	
Santa Monica 05/25/2005	SqFt: 805 HOD: \$325	List Price: \$519,000 Sold Price: \$550,000	Bed: 1 Bath: 1.00
Sold	2519 KANSAS AVE #105	SANTA MONICA 90404	
Santa Monica 05/27/2005	SqFt: 1,367 HOD: \$250	List Price: \$555,000 Sold Price: \$556,000	Bed: 2 Bath: 2.50
Sold	701 GRANT ST #9	SANTA MONICA 90405	
Santa Monica 05/24/2005	SqFt: 938 HOD: \$330	List Price: \$499,000 Sold Price: \$610,000	Bed: 2 Bath: 1.50
Sold	2621 CENTINELA AVE #2	SANTA MONICA 90405	
Santa Monica 05/24/2005	SqFt: 649 HOD: \$220	List Price: \$365,000 Sold Price: \$360,000	Bed: 1 Bath: 1.00

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Helping Buyers and Sellers Save

Remodeling proves to be worth considering



DAYS ON THE MARKET

BY JODI SUMMERS

Your place in Santa Monica is worth \$1.7 million as is. You paid \$725,000 for it, way back when. The house you want to move up into is \$2.1 million. The upside of your current residence is that the mortgage is manageable, and your kids have friends on the block. Do you really need to move, or should you remodel? If you're a local homeowner, you're already in an AAA location. And so the upside of moving would be? Everything is new: The neighbors. The family friends. The mortgage. Do you really want that much change in your life? Would it be easier to remodel? Only you know the answer.

If you're like most homeowners, sooner or later you will give serious thought to remodeling. You will run the numbers and see if they make sense. If you bought several years ago, your home has shot up in value. Pencil it out. Say your remodeling vision costs \$150,000. Is the total for purchase plus the renovation of your house greater than or less than the market average on a home in your hood? If you're totals are under current market value, perhaps it makes sense to remodel.

Homeowners and rental property owners spent a record \$233 billion on remodeling in 2003, according to the Joint Center for Housing Studies at Harvard. The report, "The Changing Structure of the Home Remodeling Industry," noted that baby boomers account for more than half of all the spending. But between 1995 and 2003, home improvement spending by Generation Xers increased 5 times — to \$28 billion as their homeownership tripled to 12.4 million units.

"Households with incomes of \$120,000 and up accounted for 60 percent of the growth in spending since 1995," noted Nicolas P. Retsinas, the center's director.

Gen Xers, and the next generation Echo-Boomers, will continue to have an increasing impact on the housing market as their incomes grow.

In a more normal real estate market, homeowners don't usually don't recoup 100 percent on a major renovation if they sell immediately after the work is done.

The National Association of Realtors "2004 Cost Versus Value Report," reveals that nationally, the average percent recouped on a bathroom remodel was 90.1 percent. In Los Angeles, the average price for that bathroom renovation was \$11,408, and the amount that was recouped was 86.9 percent. Across the nation the rate of return was 88.1 percent for a deck addition, but that number grew to 100.1 percent in Los Angeles, where the average price for the job was \$6,810.

The return on a remodeling investment also depends upon the value of your home in relationship to the value of homes in your neighborhood. If you have a small home in a neighborhood of larger, pricier homes, you could come out ahead by enlarging your home. Obviously during this phat market, you're more likely to recoup more on your remodeling investment than you would during times of minimal appreciation. If you plan on living in your home for a while, it will definitely turn out to be worth your while.

"There's a certain sense of well being to be derived from a home that suits your lifestyle while aptly reflecting who you are," notes renowned real estate author and columnist Dian Hymer.

From an investment standpoint, it makes sense to consider resale value before splurging on a major renovation. Please yourself, make your home your home, but if your long-term goal is to recoup as much of your investment as possible, think about what local homebuyers want — and it isn't a family room. Good taste is timeless. Choose a style that will make future buyers think your improvements add value.

"A general rule-of-thumb for remodeling is to make sure that you don't over-improve your home for the neighborhood," concludes Hymer. "... Over-improving for the neighborhood ... it's not a good idea, from an investment standpoint, to improve your home to the point that it's best house on the block."

Next week, we look at the 2004 Cost vs. Value Report, which will help you better understand the price and the recoupable price of remodeling various areas of your home.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call (310) 309-4219.)

JODI SUMMERS

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Kynan McGary grew up over-seas in London, England. He graduated from Trinity University in San Antonio, TX, with a BA in Economics. He has utilized his entrepreneurial spirit and business skills to work in many industries over the years both locally and internationally. However, after years of property management and design development consulting, he decided to become a real estate agent, who specializes in residential and income properties here in the Los Angeles area. As a Realtor®, he specializes in effective marketing, pricing, and sales planning strategies for all his clients. His professional dedication and retention of client loyalty has established a consistent referral business and networking.

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Home prices just keep going upwards

By Daily Press staff

Los Angeles, San Diego and San Francisco all posted double-digit gains and record highs in the first quarter of 2005 compared to a year ago, according to the First Republic Prestige Home Index™ by First Republic Bank, one of California's leading providers of full-service banking, investment management and trust services.

The Index, which has tracked luxury homes since 1985, found:

■ Los Angeles values jumped 3.4 percent from the fourth quarter of 2004 to the first quarter of 2005 and rose 23.1 percent from the first quarter a year ago. The average luxury home in Los Angeles is now a record \$2 million, up \$384,000 from a year ago.

■ San Diego values increased 7 percent from the

fourth quarter of 2004 to the first quarter of 2005, and were up 20.4 percent from the first quarter a year ago. The average luxury home in San Diego is now a record \$2 million, up \$334,000 from a year ago.

■ San Francisco Bay Area values rose 6 percent from the fourth quarter of 2004 to the first quarter of 2005 and gained 13.9 percent from a year ago. The average luxury home in San Francisco is now a record \$2.7 million, up \$329,000 from the first quarter a year ago.

"In the first quarter of 2005, luxury home values set records in California due to low interest rates, limited supply, continued demand, and the traditional increase in activity this time of year," said Katherine Auguste-Wilde, chief operating officer of First Republic Bank. "While 2005 is off to a strong start, driven in part by seasonal buying, it is unlikely values will continue appreciating as rapidly as they have over the past few years."

LOS ANGELES AREA VALUES

In Los Angeles, average luxury home values topped \$2 million for the first time. The 23.1 percent gain from the first quarter of 2004 to the first quarter of 2005 was the ninth consecutive quarter of double-digit gains on a year-over-year basis.

Real estate agents said the market has remained exceptionally strong due to limited inventory, the desire to live and work in Southern California, and the economic vitality of the region's booming entertainment industry.

"This is the craziest market I've seen," said Natalie Janger of Sotheby's International in Beverly Hills. "People have a lot of money, and they feel the housing market is going to continue to be OK. Many buyers don't want to be in the stock market; they want to be in real estate. It's pretty amazing."

In the Santa Barbara area, prices also have been rising sharply due to an influx of buyers from Southern California drawn to the region's natural beauty and lifestyle.

"Market dynamics haven't changed: We still have increasing demand for the Santa Barbara coastal region

and a finite supply of homes," said Randy Solakian of Coldwell Banker Previews in Montecito. "Santa Barbara remains a very, very desirable place to live. I don't see any foreseeable or significant change in that equation."

In Orange County, the market also is strong, particularly along the coastal communities.

"Everyone wants to be on the water, and the offers automatically come in at full price or better," said Yvonne Smith of First Team Estates in Newport Beach. "This is also the time of year when the market always picks up. Everyone predicted the market would burst at the beginning of the year, but it didn't. I think the market is likely to remain about this strong."

HOW IT'S INDEXED

First Republic Bank (NYSE: FRC) produces the Prestige Home Index each quarter with Fiserv CSW Inc., a leading provider of automated property valuation services and home price metrics to U.S. financial institutions. Historical results of the Index are accessible at www.firstrepublic.com.

The First Republic Prestige Home Index™ is the first statistical model of its kind customized to measure changes in homes valued at more than \$1 million in key California urban markets. Some common features of luxury homes in the Index: 3,000 to 6,000 square feet, three to six bedrooms, and three to six bathrooms. Properties in Los Angeles represent a cross-section of luxury homes in Arcadia, Beverly Hills, Calabasas, La Cañada Flintridge, Encino, Los Angeles, Malibu, Marina del Rey, North Hollywood, Pacific Palisades, Pasadena, Playa del Rey, Santa Monica, Studio City and the West Los Angeles enclaves of Bel Air, Brentwood and Westwood.

In producing the Index, Fiserv CSW, Inc. draws upon its economic database and years of experience in tracking single-family home values; collects and cross-checks data from multiple sources; achieves a weighted balance of validation elements such as repeat sales, comparable sales, and physical home characteristics; and combines this with First Republic's extensive local market knowledge.

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NATIONAL



No splintering in the courts over \$80M alder log lawsuit

By The Associated Press

PORTLAND, Ore. — A federal appeals court Tuesday upheld an antitrust judgment of nearly \$80 million against timber giant Weyerhaeuser Co. for trying to maintain a monopoly on alder logs.

The 9th U.S. Circuit Court of Appeals in San Francisco affirmed the 2003 verdict of a U.S. District Court jury in Portland, which found that Weyerhaeuser artificially increased prices for alder logs to drive Ross-Simmons Hardwood Lumber Co. of Longview, Wash., and others out of business.

Weyerhaeuser appealed, arguing that it had no market

power in the alder log business, so antitrust law did not apply. The company asked for a new trial, arguing Judge Owen Panner's instructions to the jury misstated the law of predatory overbidding. And it sought a reversal of the damage award on grounds it was based on speculation.

The appeals court rejected all of Weyerhaeuser's claims.

"The record contains direct evidence of Weyerhaeuser's injurious exercise of market power," the appeals court wrote.

"The jury based its damages award upon a reasonable estimate of damages," the court added. "Therefore, we affirm the jury's damages award."

Bush labels 'absurd' human rights report alleging prisoner abuse by U.S. authorities

BY TERENCE HUNT

AP White House Correspondent

WASHINGTON — President Bush on Tuesday dismissed a human rights report as "absurd" for its harsh criticism of U.S. treatment of terrorist suspects at Guantanamo Bay, Cuba, saying the allegations were made by prisoners "who hate America."

"It's an absurd allegation. The United States is a country that promotes freedom around the world," Bush said of the Amnesty International report that compared Guantanamo to a Soviet-era gulag.

In a Rose Garden news conference, Bush defiantly stood by his domestic policy agenda while defending his actions abroad. He repeatedly pledged to press ahead — "The president has got to push, he's got to keep leading" — despite mounting criticism.

With the death toll climbing daily in Iraq, he said that nation's fledgling government is "plenty capable" of defeating insurgents whose attacks on Iraqi civilians and U.S. soldiers have intensified.

Bush spoke after separate air crashes killed four American and four Italian troops in Iraq. The governor of Anbar province, taken hostage three weeks ago, was killed during clashes between U.S. forces and the insurgents who abducted him.

Bush said the job of the U.S. forces in Iraq is to help train the nation's own forces to defeat insurgents.

"I think the Iraqi people dealt the insurgents a serious blow when we had the elections," Bush said. "In other words, what the insurgents fear is democracy because democracy is the opposition of their vision."

Bush shot back at critics who suggest his diplomatic approach to North Korea is allowing the communist regime to expand its nuclear program. "If diplomacy is the wrong approach, I guess that means military. That's how I view it as either diplomacy or military. I am for the diplomacy approach," he said. "And for those who say we ought to be using our military to stop a problem, I would say that while all options are on the table, we've still got a ways to go to solve this diplomatically."

Bush said he expressed concerns with Russian President Vladimir Putin about legal proceedings against former oil tycoon Mikhail Khodorkovsky. Once the richest man in Russia, Khodorkovsky was convicted Tuesday of fraud and tax evasion and sentenced to nine years in prison following a trial widely denounced as politically motivated.

"Here, you're innocent until proven guilty and it appeared to us, at least people in my administration, that it looked like he had been judged guilty prior to having a

fair trial," Bush said. "We're watching the ongoing case."

The president said he has questioned whether the case shows a backsliding away from the rule of law and democracy in Russia and said it will "be interesting to see" how Khodorkovsky's expected appeal is handled by the government.

He said it was a "reasonable decision" to allow Iran to apply for WTO membership as a way to advance diplomatic discussions with Europe on Iran's nuclear program.

On the Amnesty International report, Bush said, "It seemed like to me they based some of their decisions on the word of the allegations by people who were held in detention, people who hate America."

The president opened the news conference by urging Congress to pass his stalled energy legislation, restrain the growth of government spending, approve the Central American Free Trade Agreement and overhaul Social Security with a partial privatization plan.

Despite democratic opposition and Republican skittishness about his plans for Social Security, he said he would push forward. "It's like water cutting through a rock. I'm going to keep working and working and working," he said.

"...The people are watching Washington and nothing is happening. Except you've got a president who's talking about the issue and a president who's going to keep talking about the issue until we get people to the table."

He declared that the economy is strong, with 3.5 million jobs in two years and an unemployment rate of 5.2 percent. "Obviously, these are hopeful signs, but Congress can make sure the signs remain hopeful," he said in a five-minute opening statement in the Rose Garden.

After a bruising week on Capitol Hill, Bush urged both political parties to "set aside partisan differences" and work together.

Bush did not challenge the premise of a question about the Supreme Court. He did pledge to consult with Congress about his nominee or nominees at "an appropriate time," though he didn't say how early in the process those talks would come.

Turning to the controversial issue of embryonic stem cell research, Bush said that the extra embryos created during fertility treatments should be adopted.

"There's an alternative to the destruction of life," he said. "But the stem cell issue is really one of federal funding, that's the issue before us, and that is whether or not we use taxpayers' money to destroy life. ... I don't believe we should."

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NATIONAL

Senate compromise not all that agreeable

BY DAVID ESPO
AP Special Correspondent

WASHINGTON — The signatures of 14 Senate centrists, seven from each party, spilled across the last page of a hard-won compromise on President Bush's judicial nominees. But whatever elation the negotiators felt, the Senate's Democratic leader did not share it.

In the privacy of his Capitol office last week, Sen. Harry Reid, D-Nev., asked for commitments from six Democrats fresh from the talks. Would they pledge to support filibusters against Brett Kavanaugh and William Haynes, two nominees not specifically covered by the pact with Republicans?

Some of the Democrats agreed. At least one, Sen. Ben Nelson of Nebraska, declined.

Details of Reid's attempt to kill the two nominations within minutes of the agreement, as well as other events during this tumultuous time, were obtained by The Associated Press in interviews with senators and aides in both parties. They spoke on condition of anonymity, citing confidentiality pledges.

The conversation in Reid's office was among the final acts of a drama that played out unpredictably over several weeks. It culminated in a deal that cleared the way for votes on some nominees long blocked by Democrats, left other nominees in limbo and averted a bruising fight over the Senate's filibuster rules.

"I think the place would have shut down or been severely disrupted had there been that bitter vote," said Sen. Susan Collins, R-Maine.

Instead, Texas Supreme Court Justice Priscilla Owen was confirmed last week to the 5th U.S. Circuit Court of Appeals after a four-year wait. Other nominees advanced.

Yet soon after, partisanship flared anew, this time over the nomination of John R. Bolton to be U.S. ambassador to the United Nations.

Still, senators involved in last week's compromise on judicial nominees expressed hope that the "mutual trust" cited in their accord could withstand even the challenge of a nomination battle over a Supreme Court vacancy.

"If we can work through that, we can work through anything," said Sen. Mark Pryor, D-Ark. The first-term Democrat played a prominent role in the talks.

Added Nelson: "It's not a contract that's enforceable. It's a mutual agreement that is self-enforcing."

The crucial negotiating sessions took place around a coffee table in the memento-filled inner sanctum of Sen. John McCain's office. A small glass bust of Theodore Roosevelt, one of the Arizona Republican's heroes, gazed down from the mantle.

Two weeks earlier, McCain had returned from a memorial ceremony for the late Democratic Rep. Morris Udall of Arizona, recalling a seemingly bygone era of trust among lawmakers. At a weekly lunch of GOP senators, he said a deal with Reid on judges was possible and that Republicans should seek it.

Not a single Republican rose to second the thought. In reply, Senate Majority Leader Bill Frist — a potential presidential candidate in 2008, like McCain — asked which of Bush's conservative candidates should be jettisoned as part of a deal.

Frist's own negotiations with Reid had foundered on that point. The Tennessee Republican insisted on a "simple principle," he said repeatedly: a yes or no vote for each nominee.

Said Reid: "They want all or nothing, and I can't do that."

Among those senators who got involved, Nelson had been at it the longest. A Democrat seeking re-election in a Republican state, he and Sen. Trent Lott, R-Miss., had explored a compromise this year without success.

Now Senate leaders were at an impasse. A close vote loomed on the showdown. Nelson, McCain and a politically eclectic group of senators took over. Nelson provided the first in a series of drafts that eventually numbered 30 or 40.

Discussions had a free-flowing, almost chaotic nature as senators discussed the meaning of senatorial trust, the definition of "extraordinary" and which nominees would not make the cut.

The involvement of two senior lawmakers, Sens. Robert C. Byrd, D-W. Va., and John Warner, R-Va., lent prestige. Byrd helped bring Sen. Daniel Inouye, D-Hawaii, another veteran lawmaker, into the group.

Ironically, though, progress slowed 10 days ago when Byrd and Warner proposed using the document to encourage Bush to consult more widely in the future with the Senate on judicial nominees.

Sen. Mike DeWine, R-Ohio, stepped in last weekend, helping narrow the language so it did not impinge on presidential prerogatives.

Reid had offered to permit a vote on some of Bush's stalled nominees for the appeals courts, including one nominee from among those Democrats opposed most strongly. Negotiators added a second to the list, then a third. That left two nominees without guarantees.

Meantime, a compromise over future nominees was elusive.

Democrats wanted the right to filibuster, while insisting Republicans abandon their threats to ban the practice.

Republicans insisted on some sort of linkage — limiting the potential for filibusters, while reserving the right to respond forcefully if Democrats broke their word.

Draft proposals, bearing language written by Reid's staff, envisioned future filibusters only "under extraordinary circumstances." Sen. Chuck Schumer, D-N.Y., a member of the leadership, weighed in from a distance. Republicans agreed each senator could exercise "his or her own discretion and judgment" in deciding whether to filibuster.

Republicans objected forcefully at other points.

At a private lunch among senators, Sen. Mitch McConnell, R-Ky., and other GOP leaders equated a pending draft with unilateral disarmament. They said it

would allow Democrats to filibuster without fear of retaliation.

Back around the coffee table, McCain, DeWine, Sen. Lindsey Graham, R-S.C. and others insisted that Democrats yield ground.

Finally, as the negotiators returned to the Capitol last Monday, the day before the scheduled vote, the centrists were optimistic they had a deal.

It called for allowing final votes on Owen, California Supreme Court Janice Rogers Brown for the U.S. Court of Appeals for the District of Columbia Circuit and former Alabama Attorney General William Pryor for the 11th U.S. Circuit Court of Appeals.

Also, final votes would go ahead on three nominees for the 6th U.S. Circuit Court of Appeals: Michigan Court of Appeals Judge Richard Griffin; U.S. District Court Judge David McKeague; and Wayne County, Mich., Circuit Judge Susan Bieke Neilson.

The deal specified no commitment on the Interior Department's former top lawyer, William Myers III, for the 9th U.S. Circuit Court of Appeals, or Michigan Court of Appeals Judge Henry Saad for the 6th Circuit.

That morning, Reid met in his office with Nelson and Mark Pryor. Reid wanted changes in the draft to specify that there was no guaranteed final vote for two other nominees:

- Kavanaugh. As associate independent counsel under Kenneth Starr, he had leading roles investigating the Whitewater case involving President Clinton and the 1998 Clinton impeachment case. Later, in the Bush White House, Kavanaugh was one of the president's lawyers working on getting the president's judicial nominations through the Senate. Kavanaugh was nominated for the U.S. Court of Appeals for the District of Columbia Circuit. Democrats argued that he was too conservative for the bench.

- Haynes. As the Pentagon's top lawyer, he wrote a controversial memo about interrogation of prisoners at the U.S. Navy base at Guantanamo Bay, Cuba. He was nominated for the 4th U.S. Circuit Court of Appeals.

Senate Republicans pushed back when the centrists got together last Monday evening for what proved to be their final meeting. GOP lawmakers noted that the Senate Judiciary Committee had not acted on either Kavanaugh or Haynes.

At Collins' suggestion, their names, as well as those of McKeague, Griffin and Neilson, were dropped from the document.

Final tinkering remained.

The draft said Democrats could filibuster only in "extraordinary circumstances" and that Republicans would oppose any rules changes "in light/assuming the spirit and commitments made in this agreement."

"In light" of, a construction credited to Graham, won out.

Collins successfully sought insertion of one additional word, obliging Democrats to "continuing" commitments.

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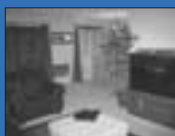
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