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Santa Monica Daily Press
FRIDAY, JUNE 7, 2013
Volume 12 Issue 179

Santa Monica Daily Press

We have you covered

DRUG PROBE HEATS UP
SEE PAGE 16

THE THE END IS NEAR ISSUE

Going behind scenes of Samo Grad Night

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

SAMOHI As the evening fades into night, the Santa Monica High School graduating class of 2013 will walk down a gangway today and onto a boat bound for Greek Isles, or at least the tennis courts of their alma mater, decorated to the nines.

In reality, they will be trapped there for almost 10 hours, a precaution meant to protect them from car crashes, the number one killer of teenagers according to the Centers for Disease Control.

If all goes according to plan, they will hardly notice.

Full from a meal with their families — and maybe a little tipsy — they will dance, rock climb and sumo wrestle long into the night, only to watch the sun rise with their class in what will likely be the last chance they will ever get to congregate with the people who have been with them through their entire Santa Monica educational experience.

This is Grad Night, a salute to the end of one chapter of a student's life and a celebration of things to come as they leave the vessel and head out into the world, probably to breakfast at a local eatery.

The night will look effortless. The young adults will leave without a notion of the sweat, tears, time and even shakedowns it took to make the last hur-

SEE GRAD PAGE 10

Trial begins for pirates charged with murdering St. Monica parishioners

BY BROCK VERGAKIS
Associated Press

NORFOLK, Va. Defense attorneys for three Somalis charged with murdering four American yachters in a pirate hijacking, two of whom were members of the St. Monica Catholic Church, said

SEE TRIAL PAGE 3



Rendering courtesy of FelCor Lodging Trust

NEW LOOK: **An artist's rendering of the proposed Wyndham Hotel at the corner of Second Street and Colorado Avenue.**

Former Holiday Inn could get major facelift

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

DOWNTOWN Owners of the former Holiday Inn in Downtown unveiled new plans Thursday that would replace the eight-story 1960s building with three new ones ranging from five to 15 stories tall.

The proposed hotel would have 211 guest rooms compared to the 132 in the current building now under the Wyndham brand, and would also include 25 condos in the tallest of the three sections, a 15-story, 195-foot building.

The building would be capped with a publicly accessible observation deck.

That building would step down to an eight-story, 107-foot-tall building with a fitness center, hotel rooms and roughly 5,470 square feet of meeting space. The last and most westerly building would have three floors of hotel rooms and a restaurant for a total of five floors.

Three floors of underground parking would serve hotel guests, visitors and the residents to the tune of 180 spaces.

Although the existing hotel is not unionized, the new one will be. The owners say they are in discussion with Unite Here! Local 11 and will find other jobs for existing employees during the estimated two-year construction process.

If approved, the hotel would open by 2018.

The new design, created by Venice-based architects The



Kevin Herrera *kevinh@smdp.com*

THERE NOW: **The Wyndham Hotel, formerly a Holiday Inn, as it currently sits. The hotel was built in the late 1960s.**

Jerde Partnership, envisions three almost tear-drop-shaped buildings that fit the unusually-shaped parcel on which the hotel sits.

Rather than the opaque walls there now, the design includes a lot of glass, and the three buildings have space between them

SEE HOTEL PAGE 12

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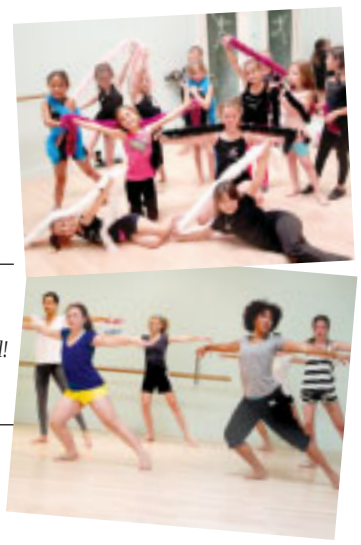
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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Friday, June 7, 2013

Get crafty
Santa Monica Civic Auditorium
1855 Main St., 10 a.m. — 6 p.m.
For the entire weekend you can attend the Contemporary Crafts Market featuring the distinctive works of over 240 of the nation's finest artists, ranging from intricate jewelry, glassware and ceramics. All items on display are for sale.
For more information
call (808) 422-7362 or
visit www.craftsource.org/index.html.
Admission: $8.

A trip back in time
Santa Monica History Museum
1350 Seventh St., 10 a.m. — 5 p.m.
Come experience the remarkable chapters of Santa Monica's history in the permanent exhibit gallery. Place yourself in the front-page news of a past era, explore Santa Monica landmarks, or step into a re-created section of a Douglas C-47. Admission: $5 general, $3 seniors and students, free for children under 12. For more information call (310) 395-2290 or visit http://santamonicahistory.org/

Different take
The Promenade Playhouse
1404 Third Street Promenade, 8 p.m.
In this madcap comedy from Santa Monica Rep, three guys in tights set out to perform all 37 of the Bard's plays in less than 100 minutes, with hilarious results. Shakespeare's classics undergo some changes, of course. Cost: $25 general admission, students and seniors $15. For more information call (213) 268-1454 or visit www.santamonicarep.org. Runs through June 30.

Music to your ears
Harvelle's
1432 Fourth St., 8 p.m. — 2 a.m.
Come enjoy an eclectic night of live music, featuring signed and unsigned local and national artist from all genres of music. This Friday features Tori Roze and the Hot Mess, Hunter Green and Noble Creatures. Cost. $10. Two drink minimum. For more information call (310) 395-1676 or visit http://santamonica.harvelles.com/

Saturday, June 8, 2013

Race day
Santa Monica Pier
7:30 a.m. — 4:30 p.m.
Hundreds of the best SUP and prone paddleboard racers will converge on the Santa Monica Pier to vie for $20,000 worth of prizes. The all-day, family friendly event is a celebration of surf, paddleboard and lifeguard history. The pier paddle event is a benefit for Santa Monica-based Heal the Bay and its public marine education facility, the Santa Monica Pier Aquarium that is housed underneath the historic Pier Carousel. For more information, visit www.pierpaddle.com or www.facebook.com/pierpaddle.

Recycle the stuff
City Yards
2500 Michigan Ave., 9 a.m. — 2 p.m.
The Resource Recovery & Recycling Division is offering a free paper shredding and electronics recycling event at the City Yards. Get rid of all that stuff you never use, responsibly. For Santa Monica residents only. Residents are limited to 25 normal sized file boxes (12 inches, by 17 inches by 9 inches). For more information call (310) 458-2223 or visit www.smgov.net/r3

Time for tiles
California Heritage Museum
2612 Main St., 9 a.m.
The California Heritage Museum is presenting its 13th annual Antique and Contemporary Tile Sale. Those who attend this colorful event by the sea will be able find among the hundreds of tiles for sale rare Malibu, Catalina, Calco and Batchelder tiles, many old tile tables and murals, as well as colorful Mexicana art and pottery. Tickets: $10 early bird, $5 regular. For more information call (310) 392-8537.

Summer reading kickoff
Main Library, MLK Auditorium
601 Santa Monica Blvd.,
11 a.m. — 11:45 a.m.
June 8 is the first day you can sign up for the citywide Summer Reading Program. To celebrate, come watch the Amazing Chris, a physical comedy show featuring amazing acrobatic feats!
Free tickets available at
10 a.m. the day of the show.

Ladies in the buff
Magicopolis
1418 Fourth St., 9:30 p.m.
The Dollface Dames, L.A.'s Theatrical Burlesque troupe, presents a night of movie burlesque hosted by Jessi-Belle (the Moonshine Madame) and Sean Owens. The night will include performances by popular Dames such as Kitty Kat DeMille (the Brainy Ballerina), Dixie Mae Rebel (the Dixieland Delight), Eva Eden (the Latina Princess) and Roxy Knight (the Coy Coquette).
Purchase tickets at
http://movieburlesque.eventbrite.com/

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

For more information on any of the events listed,
log on to smdp.com/communitylistings



CORRECTION

Incorrect information appeared in the June 6 article "Making it easier for disabled to enjoy surf, sand." Alan Toy is a current Recreation and Parks commissioner.

COMMUNITY BRIEFS

COLORADO AVE

Bomb scare shuts down city streets

Officers closed roads around an office building on the 2800 block of Colorado Avenue Thursday afternoon to investigate what appeared to be a stick of dynamite.

A man reported that the object had been brought to his office two days ago by another person who found it in the Temescal Canyon area, not knowing what it was.

Officers responded at 4:13 p.m., confirmed that it appeared to be an explosive and evacuated the immediate area, closing off roads in the process. The Los Angeles Police Department Bomb Squad arrived on scene and determined that the object was a movie prop.

The perimeter and road closures were cleared at 7 p.m., and no crime is being investigated at this time.

This isn't the first time a fake bomb has shut down Santa Monica streets.

In January 2011, a janitor alerted police to something that looked like a bomb in an alley west of Fourth Street and north of Wilshire Boulevard.

Police set up a perimeter and began evacuating nearby apartments and businesses from Fourth Street to Second Street, from Wilshire Boulevard to California Avenue, only to find that it was not an actual bomb, but rather a movie prop.

– ASHLEY ARCHIBALD

PICO BLVD

Pico Youth Center to hold annual gala

Santa Monica's Pico Youth and Family Center will hold its sixth annual Hope & Unity Awards Gala Saturday at the Sheraton Delfina Hotel.

The event, which starts at 6 p.m., will honor former State Sen. Tom Hayden with the Public Service Award. Father Greg Boyle of Homeboy Industries, a job training and education program for former gang members, will be presented with the Distinguished Service Award; and Leila Steinberg, who runs artist development workshops at the youth center, will be given the Youth Service Award.

Tickets, which are still available, are $100, and proceeds will help the center provide outreach and tutoring opportunities to disenfranchised and at-risk neighborhood youth. The goal is to raise $50,000

"The result of our collective work has been that gang violence and, more importantly, gang membership is at an all time low, strengthening public safety in our community," center officials said in a statement.

Launched in 2002 with sponsorship from City Hall and support from local stakeholders, PYFC has served thousands of local youth through tutoring programs, leadership missions and violence prevention initiatives.

PYFC's programs steer local youth to music, digital filmmaking and job development goals, working closely with schools to keep the teens and young adults academically inspired, officials said.

For more information or to purchase tickets visit http://picoyouth.org/

– DAILY PRESS

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NEW TO TOWN

Kevin Herrera *kevinh@smdp.com*

Business leaders celebrate the arrival of a new Starline Tours service that will shuttle tourists from LAX-area hotels to Santa Monica thanks to a partnership with Downtown Santa Monica Inc. and Santa Monica Place. Riders can present a voucher at the Santa Monica Place Concierge Desk to receive a complimentary Visitor Rewards Book with over $1,000 in savings when shopping and dining in Downtown. 'Seventy percent of Santa Monica hotel visitors never use a car while they are here and we are continually working to increase visitor spending while reducing impact to the local community,' said Misti Kerns, CEO/president of the Santa Monica Convention & Visitors Bureau.

TRIAL

FROM PAGE 1

Thursday there's no physical evidence proving their clients fired the shots that killed the Americans during a moment of chaos as U.S. Navy warships and special forces circled nearby off the coast of Africa.

The attorneys also suggested during opening statements in federal court that the other 11 men who have already pleaded guilty to piracy in the case have a vested interest in testifying against their clients, noting that they agreed to testify in exchange for the possibility of a reduced sentence. The 11 are currently serving mandatory life sentences.

The yacht's owners, St. Monica parishioners Jean and Scott Adam of Marina del Rey, Calif., and their friends, Bob Riggle and Phyllis Macay of Seattle, were shot to death in February 2011 after they were taken hostage at sea several hundred miles south of Oman. They were the first Americans to be killed during a wave of pirate attacks that have plagued the Gulf of Aden and Indian Ocean in recent years, despite an international flotilla of warships that regularly patrol the area.

The men who have pleaded guilty in the case have said they intended to take the Americans back to Somalia and hold them for ransom. Their plan fell apart after U.S. Navy warships began shadowing the Quest.

Assistant U.S. Attorney Brian Samuels said that after the Navy established contact with the Quest, the 19 men who boarded the American yacht split into two factions. One group wanted to accept the Navy's offer to release the Americans and be allowed to return to Somalia with the Quest. The other faction repeatedly threatened to kill the Americans if they weren't allowed to proceed to Somalia with them.

Samuels said the three men charged in the murders — Ahmed Muse Salad, Abukar Osman Beyle and Shani Nurani Shiekh Abrar — fell into the more aggressive camp.

What triggered the killings is unclear, but prosecutors and defense attorneys agreed on the general timeline. They said one of the men aboard the pirated yacht fired a rocket-propelled grenade at the USS Sterett, a guided-missile destroyer that had been maneuvering between the yacht and the Somali coast. Meanwhile, small boats of Navy SEALs were in the water and a U.S. Navy helicopter with a sniper on board was also hovering overhead.

SEE **PIRACY** PAGE 8

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

No new taxes

Editor:

Dear City Council,

I hope you do not even consider an additional property tax for affordable housing ("Time to put money where your mouth is," June 5). Homeowners are already hit with huge taxes. I believe any property tax which is put on a ballot should be passed by a majority of those that have to pay. That would mean renters cannot force taxes on those of us who have to pay them. How undemocratic; allow people who don't pay for something to vote on it. Isn't that taxation without representation?

Given 70 percent of our residents are renters, how about for a change we have a renter's tax? There are more of them and a smaller individual tax could actually raise more money. I'm willing to bet that all of those renters who are so enthusiastic about parcel taxes wouldn't be quite happy to vote for a tax they had to pay directly. It might be a better indicator of the true values of the community.

That being said, I've heard enough about affordable housing. It was a nice idea when we had the redevelopment funds. Just as they are gone, the idea of the city's taxpayers footing the bill for affordable housing should be abolished too. We have a hard enough time just paying for our own housing.

Affordability is not achieved by subsidies. It is a supply [and] demand issue. If you limit supply, then of course housing in a desirable area is going to be expensive. By requiring 30 percent of the housing to be affordable, you've just cut the availability of market rate by 30 percent and you drive up the prices.

In a city where the average single-family home is probably valued near $1 million or more, it would appear that rent control and affordable housing have failed. Santa Monica is one of the few areas that has these policies, but we're also probably the most expensive city to live in the region. We have limited the supply and high prices are the result. If our current policies continue, we will end up with a city of extremely wealthy people (who will probably get fed up with it and move) and people living on public benefits. Let's just try to make it fair for the average person. Increased taxes just makes living here less and less possible.

Linda Fineman
Santa Monica

Respect the limits

Editor:

Dear Mayor Pam O'Connor and City Council members,

I support the motion of Council members [Kevin] McKeown, [Tony] Vazquez and [Ted] Winterer that the City Council direct staff to bring forward only those Downtown development agreement applications where the proposed heights are within the maximum allowed for Downtown in the 1984 Land Use [and Circulation] Element. I believe that until the new Downtown Specific Plan is adopted, the (council) should only consider reasonable development that is within the existing limits.

In addition, all approved projects need to be evaluated as a whole for impact on the city. No system would be built one piece at a time if it is to work!

Julia Mangir
Santa Monica

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Your column here

Angel Villasenor — **Send comments to editor@smdp.com**

Understanding PYFC's impact

PRIOR TO WORKING WITH THE PICO Youth & Family Center I worked for City Hall as a community service program specialist at Virginia Avenue Park's Teen Center. Although we serviced much of the same youth, we didn't do what PYFC does. Most youth centers focus on outcomes, meaning they quantify success measuring numbers by calibrating the academic achievement, employment and non-employment of their participants. PYFC is held to the same standards, and structurally functions the same way, but it does something else.

When a person walks into PYFC they are greeted by a mural highlighting African-American and Latino heritage. As you continue through the center you will be struck by life-size portraits of civil rights heroes Malcolm X, Cesar Chavez and Rigoberta Menchu. You will also notice a banner that reads "Ya Basta!" Although it loses some of its essence when translated into English, it means "Enough." PYFC is an organization founded on the principles of social justice and as an organization it embodies those principles in everything that it does.

This community centered approach, which city officials call "unorthodox" and "deficient," has been widely accepted in social science research as being effective in helping to foster and develop positive self-identities among underprivileged youth. In a Supreme Court case, Fisher v. University of Texas, Austin, social scientists document just how effective strategies such as inter and intragroup dialogue, civic engagement, service learning, and cultural awareness and leadership are at countering some of the forces that stigmatize students of color.

Intergroup dialogue in the form of black and brown unity workshops reduces prejudices and helps develop cultural and racial competence. Civic engagement and community organizing allow youth to be agents of social change and empowers them in ways standardized forms of learning cannot. PYFC's barrio service learning program where undergraduates from UCLA and CSUN serve as mentors and role models, is also cited in research as best practice because it encourages underprivileged youth to pursue college. The cultural awareness component is the most valuable strategy because it affirms the identities of youth of color and enriches their understanding of themselves.

These strategies are emphasized nationwide by groups such as the Detroit Youth Dialogue, City University of New York's Public Science Project and Syracuse University's Intergroup Dialogue's Spotlighting Justice program. These social justice principles function to improve and service the needs of their communities. As a critical race theory student and a social justice educator, I assure you these methods are heavily cited in social science research as innovative educational practices.

So why then when used by a grassroots youth center is it deemed inefficient? What is inefficient is the way most Santa Monica youth centers operate because they overlook the cultural component and competency required to best serve the demographics of the Pico Neighborhood. By this I'm not talking about token celebrations of race and culture. I am talking about how race and culture should strategically be a part of the principles from which these organizations are founded.

At the Virginia Avenue Park Teen Center, we worked with youth and families from the community to build an altar, a traditional Latino practice used there to memorialize the youth and young adults lost in our community. Many of them were victims of gang violence. When I left the organization this memorial was removed from the place where it stood for five years. Opponents argued it was controversial, maybe a bit "too ethnic," so reverting back to "policy" and institutional practices the city staff removed the long standing community-based memorial.

To them it was about policy. To us it was yet another racist microaggression used to alienate … lifelong community members. Whether or not city staff understood this, the removal of a culturally affirming and community built memorial can only be interpreted as an insensitive and discriminatory act. Most people don't understand that racism is more than just overt isolated acts of discrimination. It is also covert, systemic and institutionalized, operating to disadvantage and disenfranchise people of color. The fact that there has never been a Pico Neighborhood resident of color on the City Council is a form of systemic racism. The Pico Neighborhood is home to the majority of Santa Monica's African-American and Latino community. This means that there has not been one single City Council member with first-hand knowledge of the conditions plaguing the Pico Neighborhood. This sends the message that our needs are not valued by our leaders

Unfortunately PYFC is currently on a lifeline and may be defunded by our City Council this June. All we ask is why?

I can't help but be reminded of the racism that's going on in Tucson, Ariz. where their school district's Mexican-American Studies program was forcefully shut down; a program the graduated over 90 percent of its cohort each year. There are parallels between what happened in Arizona and what is happening here. Arizona school board members and elected officials banned the program without attempting to witness first-hand the transformative effects this program had on its students. Much like Santa Monica's city manager, Rod Gould, who has never stepped foot inside of PYFC, yet he is proposing to defund it. That is a perplexing thought to fathom given that the previous city manager, Lamont Ewell, allotted PYFC with an additional $100,000 to help move and upgrade its facility after he spent a mere two hours inside PYFC some years ago. Need I remind you, Ewell is an African-American and understood that PYFC serves a need that most other youth organizations do not.

This again brings us to the question of why. I hope this helps you grasp how questioning financial deficiencies (that have been rectified) is code for racism. City staff claims that if PYFC is defunded they will appoint their staff to continue program operations. This is delusional. How would you feel as a youth walking in to the center you've come to know and love, to find that your friends, role-models, mentors, case managers, executive director, and ultimately the people you attribute as being life-savers are no longer there? I can't imagine such trauma either! Fortunately PYFC, its allies and community members understand that progress never came easy and they will stand together with the youth to do whatever it takes to keep PYFC and everything it stands for alive!

Like the old saying goes, where there is no justice there is no peace.

ANGEL VILLASENOR is a Syracuse University graduate student in Cultural Foundations of Education Program. He grew up in the Pico Neighborhood and attended PYFC as a youth.

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Laughing Matters

Jack Neworth
Send comments to editor@smdp.com

Taking on Synanon, Santa Monica's cult

I'VE BEEN FORTUNATE IN LIFE TO HAVE a number of long-term friendships. Paul Morantz, a semi-retired lawyer in Pacific Palisades, is one of them. Paul and I were teammates on Hamilton High School's "B" basketball team more years ago than I care to admit.

Given his humor I could have imagined Paul becoming a comedy writer. Instead, he had a renowned legal career fighting cults that brainwashed, abused and even kidnapped would be followers. In 1978, Paul did Santa Monica a tremendous favor that almost cost him his life.

In 1958 reformed alcoholic Charles Dederich founded Synanon, a drug rehabilitation organization. Using his $33 unemployment check, he held AA-style meetings in his seedy Ocean Park apartment. But Santa Monica city fathers feared Synanon would attract crime. Little did they know.

Synanon eventually moved to where the elegant Casa Del Mar is today. While it was constantly embroiled with police, Synanon's popularity grew. Enhancing its fame was a movie, "Synanon," starring Edmund O'Brien. Through private and corporate donors, Synanon amassed a reported $50 million in assets, including prime Santa Monica real estate.

However noble the intentions, Synanon typified the axiom "Power corrupts, absolute power corrupts absolutely." For example, when Dederich discovered that many Synanon graduates returned to drugs, he declared that no one was to ever leave. (The iconic Eagles' song "Hotel California" is reportedly about Synanon — "We are all just prisoners here.")

Imbued with an "us v. them" mentality, Dederich converted Synanon into a church. He also recruited "Imperial Marines," followers who violently enforced his commands (encouraging abortions and vasectomies and insisting that married couples switch partners).

In 1977, Paul was hired to represent a distraught husband whose emotionally troubled wife had been sent to Synanon. Her head was shaved and she was essentially a captive until Paul and the husband dramatically rescued her. Paul would later obtain a $300,000 judgment against Synanon. This, his rescuing children, winning additional judgments for victims of violence and getting the Department of Health to require Synanon to be licensed, put Paul at the top of Dederich's infamous hit list.

Paul sensed his life was in danger though even his girlfriend, the love of his life, doubted Dederich's threats. Non-violent, Paul nonetheless bought a shotgun and, before starting his car, would routinely check for a bomb.

Then one fateful day, Paul returned home from, ironically, a meeting with the Attorney General's Office about protection. He was about to watch a Dodger-Yankee World Series game when he nonchalantly opened his mailbox and was suddenly attacked by a humongous rattlesnake whose fangs dug deep into Paul's arm.

The snake had been planted by Imperial Marines who, along with Dederich, would plead "no contest" to charges of conspiracy to commit murder. By then, Synanon had attacked over 80 people during a four-year period and attempted to murder two others.

Through sheer luck Paul survived. (A neighbor was an expert on rattlesnakes.) The shocking story made international news, but Paul's life would never be the same. For one, his girlfriend, understandably frightened for her two children, ended the relationship with Paul.

Eight years ago, Paul was diagnosed with a blood disorder linked to rattlesnake venom forcing him to live on transfusions. (Paul jokes that he's developed simpatico with Dracula.) But the excess iron from the transfusions makes his day-to-day physical condition tenuous.

Following the murder conspiracy trial, civil judgments and assisting the Department of Justice in their tax fraud case, Paul helped closed Synanon down. Ending his 14-year ordeal, he had succeeded where Santa Monica had been unable. Indicative of the gratitude of many residents was a neighborhood liquor store owner.

Years later, buying alcohol on his way to a party, Paul was asked by the shopkeeper if he was the Paul Morantz who had battled Synanon, which Paul confirmed modestly. "Your money is no good in here," the man said appreciatively and described Synanon thugs terrorizing residents for years.

Stripped of the power and money he had so blatantly misused and now wheelchair-bound, Dederich spent the last years of his life in a Visalia, Calif. trailer park. Generously, Paul expressed compassion for the man who had abused his clients and their children. Dederich was a delusional megalomaniac similar to other cult leaders Paul would battle, i.e. Jim Jones of the ill-fated People's Temple, or The Rev. Sun Myung Moon, founder of the Unification Church.

But it was Dederich, the man who had ordered his murder, with whom Paul had been so intertwined and continues to be. This Sunday, Paul will attend "The Rise and Fall of Synanon," a historical look at the Synanon phenomenon.

After a screening of the movie "Synanon," Paul will be the evening's guest speaker to explain how Synanon tragically morphed into a violent religious cult. Despite the gravity, if I know Paul, he might sneak in a few jokes.

"The Rise and Fall of Synanon" will be held in the Cinefamily Theatre at 611 N. Fairfax Ave., Sunday, June 9 at 7 p.m. Admission is $12. Cinefamily is at (323) 655-2510. To learn more about Paul Morantz' remarkable career go to www.paulmorantz.com. **JACK** can be reached at jnsmdp@aol.com.

The Q Line

Putting tall buildings on hold

City Councilman Kevin McKeown is proposing a freeze on all development in Downtown over 84 feet tall until a more comprehensive land use plan is developed for the area. That could mean at least three major hotels planned for Downtown would be put on the back burner. Supporters of those projects and others say development would help bring architectural diversity and much needed revenue to the city.

So, this week's Q-Line question asks:
Are you in favor of a moratorium or is there a better way to proceed?

Contact **qline@smdp.com** before **Friday at 5 p.m.** and we'll print your answers in the weekend edition of the Daily Press.
You can also call **310-573-8354**.







NOTICE OF A PUBLIC HEARING
BEFORE THE SANTA MONICA PLANNING COMMISSION

SUBJECT: A public hearing will be held by the Planning Commission for the following:

Appeal 13-002 of Use Permit 11-006, 1602 Ocean Park Boulevard. The appellants request an appeal of the Zoning Administrator's approval of Use Permit 11UP-006 for a proposed AT&T wireless telecommunication facility on the rooftop of a single story commercial building located at 1602 Ocean Park Boulevard. Pursuant to Santa Monica Municipal Code Section 9.04.20.24.010, any person may appeal a decision of the Zoning Administrator to the Planning Commission. A decision of the Planning Commission on such appeal shall be final and not subject to further appeal to the City Council. [Planner: Grace Page] **Applicant/Appelant: Tom Hudson, Duilio Cascio, Et Al. Property Owner Santa Monica Moose Lodge No. 702.**

Conditional Use Permit 13-004; Variance 13-005, 2433 Main Street. A Conditional Use Permit (CUP) is requested to allow the operation of an exercise facility on the first floor of an existing mixed use building located in the CM-2 (Main Street Special Commercial) district. The existing 2,621 square foot tenant space would consist of 1,478 square feet of exercise space with gym equipment, 559 square feet of locker room, shower and laundry space, and 584 square feet of reception and retail space for sales of related products. A parking variance is also requested to waive the number of additional parking spaces required for the exercise facility, pursuant to off-street parking requirements (SMMC Section 9.04.10.08.040). Pursuant to Santa Monica Municipal Code (SMMC) Section 9.04.08.28.040(g), a Conditional Use Permit is required to allow the operation of an exercise facility. SMMC Section 9.04.20.10.030(b) allows the modification of off-street parking requirements through a variance application. [Planner: Rachel Dimond] **Applicant: First Phase Health and Fitness. Property Owner: Sequoia Shores, LLC.**

Text Amendment/Zone Change 13-002, 3402 Pico Boulevard. The applicant requests an amendment to the City's Official Districting Map to change the zoning designation from R2 Low Density Multiple Family Residential to C2 Neighborhood Commercial District for an approximately 39,000 sq. ft. portion of the property located at 3402 Pico Blvd. The zone change would bring the site into zoning compliance with the Mixed-Use Boulevard Low land use designation contained in the Land Use and Circulation Element (LUCE). [Planner: Paul Foley] **Applicant/Property Owner: TC Pico, LLC**

WHEN: **Wednesday, June 19, 2013 at 7:00 p.m.**

WHERE: Council Chambers, City Hall
1685 Main Street
Santa Monica, California

HOW TO COMMENT
The City of Santa Monica encourages public comment. You may comment at the Planning Commission public hearing, or by writing a letter or e-mail. Information received prior to the hearing will be given to the Planning Commission at the meeting.

MORE INFORMATION
If you want additional information about this project or wish to review the project, please contact the Project Planner (310) 458-8341. The Zoning Ordinance is available at the Planning Counter during business hours or available on the City's web site at www.smgov.net. The meeting facility is wheelchair accessible. If you have any disability-related accommodation request, please contact (310) 458-8341, or TYY Number: (310) 458-8696 at least five (5) business days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, Rapid 3, #7, and #9 service the City Hall and the Civic Center. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

ESPAÑOL: Esto es una noticia de una audiencia pública para revisar applicaciónes proponiendo desarrollo en Santa Monica. Si deseas más información, favor de llamar a Carmen Gutierrez en la División de Planificación al número (310) 458-8341.

FBI started asking about Calif. lawmaker years ago

BY DON THOMPSON & TAMI ABDOLLAH
Associated Press

LOS ANGELES The FBI started seeking information about the business and political dealings of state Sen. Ron Calderon and his brother Tom, a former state assemblyman, as long ago as 2005 though the investigation only came to light this week when agents raided Ron Calderon's offices in Sacramento.

Three people who have spoken multiple times with the FBI told The Associated Press on Thursday that agents initially were interested in virtually anything involving the brothers but more recently narrowed their questions to issues surrounding the Central Basin Municipal Water District, which paid Tom $11,000 per month as a consultant. Agents also wanted to know about Ron's involvement in legislation affecting the district.

The three include a current and former elected official in Los Angeles County, and a man who runs a local watchdog website under the pseudonym Pedro Paramo.

All spoke on condition of anonymity because of concern the FBI would be upset by public comments about an ongoing investigation.

The FBI hasn't disclosed any details on the investigation, which burst into the public realm late Tuesday when agents executed search warrants at Ron Calderon's two offices. The search warrants are sealed so it's unclear what authorities were after.

Ron Calderon, D-Montebello, hasn't commented on the investigation. His attorney, Mark Geragos, has denied any wrongdoing by his client.

Tom Calderon's attorney, Shepard Kopp, revealed that the FBI attempted to contact his client on Tuesday, the day of the raid. He couldn't provide details and denies any wrongdoing by his client.

Joseph Legaspi, a spokesman for Central Basin, said the district hasn't been contacted by the FBI and will cooperate if agents want information.

Calderon is part of a powerful Southern California political dynasty, along with his two brothers, Tom and Charles. Both brothers served in the state Legislature, and his nephew, Ian Calderon, was elected to the Assembly last year. Calderon has been considering running for state controller next year after he is termed out of the state Senate.

He has built a reputation as a moderate, business-friendly Democrat — one with an appetite for extravagant campaign fundraising events and gifts. Since 2000, he has accepted about $40,000 worth of gifts from lobbyists, more than twice as much as any other lawmaker during that period, according to a tally by The Sacramento Bee.

The Central Basin Municipal Water District is a public agency that purchases water from the Metropolitan Water District of Southern California and then wholesales it to cities, water companies, utilities and private companies in southeast Los Angeles County.

More recent discussions with FBI agents over the last year involved questions about legislation Ron Calderon supported on behalf of the Central Basin Municipal Water District and about Tom's connections to water contracts that his companies won while serving as a consultant to the district, according to two people who also told The Associated Press they were questioned by the FBI.

Agents wanted to know, "did we support this piece of legislation," said an elected L.A. official. "They kept bringing up certain contracts... 'Do I know about this contract, that contract, this piece of legislation related to that contract?...What relationship we have with our water board?'"

The official spoke on condition of anonymity because of concern the FBI would be upset by comments about an ongoing investigation.

The official said, in all, agents asked about four or five contracts awarded in the last several years to companies that were all connected to Tom Calderon and about legislation supported by Ron Calderon on water-related issues.

FBI agents asked open-ended questions such as "What do you know about the Calderons?" or "What have you heard about the Calderons lately?" In at least one case, they encouraged a former elected official to attend fundraising events or other social activities where he might encounter the Calderons.

"(They said,) 'If you are meeting with them, we would definitely want to know what's going on,'" the former official said. "The bureau always makes it real clear that you do what you normally do, you don't go doing something because of us."

Michael Franchek, former vice president of EcoGreen Services, said agents interviewed him twice and wanted to know about a contract his water conservation consulting company unsuccessfully sought from the city of Maywood, which is part of the Central Basin district. The contract went to a firm for which Tom Calderon served as president.

Calderon has introduced or opposed at least two recent pieces of legislation on behalf of the Central Basin Municipal Water District.

In 2011, he introduced a bill that would have given Central Basin authority over groundwater in the area. Committee hearings on the bill were canceled at Calderon's request and the bill never progressed.

Last year, Calderon vehemently, but unsuccessfully, opposed a bill by then-Sen. Alan Lowenthal, D-Long Beach, that gave control of the scarce resource to a competing water agency.

"What this legislation does is further fuel the flames of ongoing water wars" by "usurping" Central Basin's control, Calderon declared on the Senate floor at the time, and charged that "there is other motivation behind this legislation."

Central Basin hired an outside law firm last year to look into allegations of improper conduct and conflict of interest in awarding water contracts, including allegations involving Tom Calderon. Its 160-page report, reviewed by the AP, said no evidence was found to substantiate the allegations.

Email QLINE@SMDP.COM. WE'LL PRINT THE ANSWERS.
Sound off every week on our Q-Line™. See page 5 for more info.
smdp.com Santa Monica Daily Press office **(310) 458-7737**

Teacher charged with distributing child porn

BY GREG RISLING
Associated Press

LOS ANGELES A California middle school teacher was charged with distributing child pornography after he met an undercover agent in his classroom to look at sexually explicit images, authorities said Thursday.

John David Boyle, 49, of Glendora was arrested Wednesday. If convicted, he could face up to 20 years in federal prison.

Boyle was scheduled to appear in court later Thursday. It could not be immediately determined if he has an attorney.

Boyle was placed on administrative leave after 13 years with the Charter Oak Unified School District in the East San Gabriel Valley, where he teaches eighth-grade English, Superintendent Mike Hendricks said.

Hendricks said there was no indication that any of Boyle's students had been victimized. However, federal authorities said Boyle may have molested some of his students.

Boyle denied molesting boys to authorities. But a search of his video chat account showed a conversation in which he told another user that he had sexually abused his students, according to court documents.

He has not been charged with molestation.

Authorities said Boyle was involved for more than a month in online chats with the agent who used the identity of a person targeted by authorities in an unrelated investigation.

The two discussed their sexual interest in boys before meeting Sunday at his classroom at Royal Oak Middle School in Covina — two days after classes ended for summer break.

Court documents state that Boyle believed they were going to watch child pornography and have sex.

The agent said he gave a computer thumb drive to Boyle who began to upload the illegal, encrypted files onto a laptop.

Court documents also indicate he told authorities that he collects child pornography and has done video chats with boys who appear to be as young as 13.

Authorities also said they found several child porn videos on Boyle's laptop computer and a thumb drive.

Berries blamed for man's Hepatitis A

BY GREGORY BULL & SHAYA TAYEFE MOHAJER
Associated Press

ENCINITAS, Calif. Geoff Soza was celebrating his 30th wedding anniversary in Yellowstone National Park when the 64-year-old man learned the hard way that his seemingly healthy breakfast habit of mixing thawed berries with Greek yogurt had exposed him to a national outbreak of hepatitis A.

Dozens of illnesses have been reported, and federal officials have recalled a frozen berry mix sold by Costco and Harris Teeter in seven states.

Soza, a semi-retired contractor, was resting at his Encinitas home this week after an ordeal that threatened to put him on a liver transplant list.

He hadn't felt right in the weeks before leaving for Yellowstone on May 29 — but his lack of appetite and disorientation didn't merit canceling the trip.

"I thought, 'I'm getting something. I'm coming down with something' and I thought I'd just ride it out and live with it," he said.

His wife, Rita, said he doesn't complain much as "a very active, tough kind of person," but he seemed lethargic when they flew to Salt Lake City and rented a car to drive to the park.

On the second night of their trip, the Sozas called paramedics who examined Geoff and recommended he visit St. John's Medical Center. They didn't think a medical evacuation was necessary.

They thought they could wait until morning, but after a few hours, Rita drove three hours on dark rural roads to Jackson, Wyo.

Doctors initially thought Geoff Soza's gall bladder needed to be removed after finding signs of inflammation and stones.

But general surgeon Dr. Michael Rosenberg halted the surgery, scheduled for June 1, because of Soza's elevated liver enzymes.

After more tests, Soza was diagnosed with hepatitis A, Rosenberg said.

Soza could have suffered liver damage or excessive bleeding if the surgery had gone ahead as planned, Rosenberg said.

Doctors told Soza they could treat him, but if it didn't go well, they would have him taken to a regional liver transplant center in Utah.

"That's when it really struck me, like, 'Really? Liver transplant?' " Geoff Soza said.

Luckily, such measures are rarely, if ever, necessary for hepatitis A, Rosenberg said.

Hepatitis A can be spread by the ingestion of a microscopic amount of fecal matter from an infected person, typically a food worker who hasn't washed their hands.

Symptoms include fever, fatigue, loss of appetite, abdominal pain and jaundice — a yellowing of the skin or eyes. There is no specific treatment. The ill can feel sick for weeks — or up to six months — as their body heals itself.

Healthy and health-conscious, the Sozas always inspect their foods and select organic produce. They were surprised to learn that some of the fruit from Townsend Farms of Fairview, Ore., was from outside the United States.

The Centers for Disease Control said the recalled berries included products from Argentina, Turkey and Chile, in addition to the United States.

But the packaging convinced the Sozas the fruit was all-American because it bears the slogans "Grower. Processor. Distributor." and "Field to Farm to Family, since 1906."

"It was our distinct impression that these are raised under U.S. standards, especially organic food standards," Rita Soza said.

Geoff Soza said he chose the berries to have for breakfast for about 6 months. The Sozas are fairly adventurous eaters who like to experiment with new foods. Frozen berries were the last thing he thought would make him sick.

"I would have thought it would be from fish or something like that, but not ever from fruit, especially berries," Soza said.

Rita Soza said after she learned of the berries, she was upset by Costco's response, saying she unsuccessfully tried to call the number on her membership card for information — but she couldn't get a live person on the phone. She returned home to find a message on her answering machine Tuesday.

Costco Vice President for food safety Craig Wilson said the company contacted 240,000 members with information about the outbreak and received more than 10,000 calls over the weekend.

Some of those sickened by the berries have filed lawsuits seeking medical costs and damages, and at least one suit filed in Los Angeles this week seeks class action status. The Sozas say they haven't decided to take legal action.

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PIRACY
FROM PAGE 3

Almost immediately after the RPG was fired, shots rang out aboard the yacht. Each of the Americans was shot numerous times. Scott Adam survived the initial gunfire only to be approached by pirates a second time minutes later and shot again. Two pirates were also killed in a hail of gunfire at the time.

However, defense attorney Larry Dash said it was U.S. Navy snipers that fired the first shots. That contradicts prosecutors' account. Samuels said the Sterett's commanding officer had previously given an order not to return fire if fired upon.

Samuels said the Navy fired no shots until a team of SEALs boarded the yacht 10 minutes later, shooting one pirate dead. Another pirate who pretended to be injured fought with a SEAL and was stabbed to death. The Americans were flown aboard the USS Enterprise to be treated for their wounds, but medical personnel were unable to save them.

Prosecutors said they will show video taken by the Navy in the moments before and after the shootings took place. Some of the video shows who was standing where as the shots rang out.

Numerous Navy personnel are expected to testify, along with as dozens of FBI and NCIS agents, including some who specialize in ballistic and forensic evidence. The trial is expected to last six weeks.

Despite all the witnesses, DNA samples and ballistic experts, Dash said there is no physical evidence proving his client fired the fatal shot. Samuels noted that some DNA evidence wasn't available because of exposure to weather during the two days that the Quest was towed to Djibouti following the shootings.

That distinction could help determine whether the men face the death penalty. In all, In all, 22 of the 26 counts against the defendants are death-eligible offenses. Jury selection took more than two days, in part, because of questions about jurors' views of the death penalty. Piracy carries a mandatory life sentence.

Executions under federal law are rare. Only three out of more than 1,300 executions in the U.S. since 1976 have been carried out by the federal government, according to the Death Penalty Information Center, which tracks death penalty statistics and is opposed to the death penalty

U.S. Attorney General Eric Holder made the decision to seek the death penalty. Ultimately, the U.S. is trying to send a message to would-be pirates: Stay away from U.S.-flagged vessels.

Jean and Scott Adam were active members of St. Monica Catholic Community in Santa Monica, donating funds to help the high school. Jean Adam sang in the church choir.

"They were an extraordinary part of our community. They loved St. Monica, and we loved them," Msgr. Lloyd Torgerson told friends and family of the Adams during a memorial for the couple in 2011, according to Santa Monica Patch. "Their work was an extraordinary work. They were missionaries in so many ways. At this time of their life, they were retired, yet they wanted to do more. They wanted to make a difference in this world. So they went out and brought the word of God to people from all over different parts of this world, and they died doing this."



CRIME WATCH
BY DAILY PRESS STAFF

80 year old sliced for Whole Foods pizza

Crime Watch is a weekly series culled from reports provided by the Santa Monica Police Department. These are arrests only. All parties are innocent until proven guilty in a court of law.

SATURDAY, JUNE 1, AT 12:55 P.M.,

Santa Monica Police officers responded to the 600 block of Wilshire Boulevard – Whole Foods – regarding a report of an assault, with several witnesses following the suspect eastbound on Wilshire. When officers arrived they located the suspect, who was allegedly uncooperative at first, but eventually complied with the officers. The alleged victim, and 80-year-old man, said he was walking out of Whole Foods with some pizza when he was slapped in the face and thrown to the ground by the suspect, who then sat on his chest, cut his hand with a knife and yelled at him. The suspect took his wallet and the pizza he just purchased. Police said they recovered the wallet, but a driver's license and $150 in cash were not recovered. The suspect was booked for robbery, elder abuse, receiving stolen property, resisting arrest and a probation violation. He was identified as Bulmaro Magallan, 29, a transient. No bail was set.

SATURDAY, JUNE 1, AT 6:23 P.M.,

Officers received a report of an auto burglary that just occurred near the corner of Cloverfield Boulevard and Colorado Avenue. Witnesses provided a license plate number, which returned a stolen vehicle out of Los Angeles. While responding to the call, a second report was made stating that a traffic collision had just occurred at the corner of Harvard Street and Broadway involving the suspect vehicle. The occupants were detained by officers. Police said inside the suspect vehicle was a 17-year-old who was injured. Officers made contact with the alleged victim of the auto burglary who said he was walking to his car at the Colorado Center when he saw a black Honda parked alongside his car. Sensing something wasn't right, the man backed up and recorded the license plate and called police. The Honda then sped away and out of sight. While driving on Broadway the suspects failed to stop at a stop sign and collided with another vehicle. After being identified by the alleged victim and receiving treatment at a local hospital, the suspects were arrested and booked for various charges, including burglary, grand theft auto and contributing to the delinquency of a minor. The suspects were identified as Robert Wittman, 20, and Michael Chambers, 20, both of La Puente, Calif. Bail was set at $100,000 each.

SATURDAY, JUNE 1, AT 9:30 P.M.,

Officers responded to the Vons located at 1311 Wilshire Blvd. regarding a report of a suspected shoplifter in custody. When officers arrived they found security guards standing outside the store with the suspect, who was receiving treatment from the Santa Monica Fire Department. Officers were told that the suspect was seen concealing food inside his jacket. He then walked out of the store without paying. When he saw security following him, he took off running. He quickly tripped and fell to the ground, striking his head on the concrete. Meat valued at $35 fell out of his jacket, police said. The suspect was transported to a local hospital for treatment and then placed under arrest for burglary. He was identified as Brian Thompson, 32, a transient. His bail was set at $20,000.

SATURDAY, JUNE 1, AT 10:35 P.M.,

Officers responded to the beach parking lot located on the 1400 block of Pacific Coast Highway regarding a traffic accident that escalated into a fist fight. When officers arrived they saw one vehicle with heavy front-end damage attempting to leave. A second car with damage to the driver's side rear was parked by the Santa Monica Pier's pedestrian bridge. As officers approached the first car, the driver continued to idle forward. Officers ordered him to stop, but he continued driving. Police said an officer reached for the driver's arm, at which point he allegedly pushed the officer away. The officer grabbed the suspect and a struggle ensued. The suspect was taken to the ground with help from other officers and placed under arrest. The driver of the second car said he was in line waiting to leave the parking lot when the other car hit him at a high rate of speed. He got out of his car to exchange insurance information, at which time he said the driver of the first car and his passenger got out, said they were gang members and told the victim to leave. He didn't. That's when the two alleged gang members began beating the driver about the head and face, knocking him to the ground. Witnesses in the area pulled the suspects off the driver and called 911. Both suspects were arrested. Aswad Humphries, 37, of Los Angeles was booked for resisting arrest, assault and battery, and hit and run. His bail was set at $20,000. Don Taylor, 31, of Los Angeles, was booked for assault and battery. His bail was set at $20,000.

THURSDAY, MAY 30, AT 5:10 A.M.,

Officers on patrol were driving through a parking lot located at 1550 Pacific Coast Highway when they saw three men exit a red Ford Explorer. One of the men raised his arm in the air and, using what looked like a key or some access device, activated the Explorer's alarm. Officers ran the Explorer's plates and learned that it had been stolen out of North Hollywood. Offices followed the suspects and found the device in the sand near them. They went back to the car and used the device to unlock the car. They went back to the suspect who was first seen with it and placed him under arrest for grand theft auto. He was identified as Rene Serrano, 18, of Los Angeles. His bail was set at $35,000.

editor@smdp.com

Editor-in-Chief **KEVIN HERRERA** compiled these reports.

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GRAD
FROM PAGE 1

rah of their high school careers a success.

But the truth of the matter remains that it took a crew of dozens of dedicated parents and supporters committed to the cause to pull it all off in style.

GETTING IT TOGETHER

Grad Night is like a celebrity wedding that happens every year.

The event costs roughly $100,000 from start to finish, a tidy sum that covers game and decoration rentals, food and prizes for the graduates and the teams of adults it takes to police them.

Then there's the practical aspects — police oversight, a firefighter to keep an eye on some combustibles in the Memorial Greek Amphitheater and even private security which serves less to keep Samohi kids in and more to keep party crashers from nearby high schools out.

Most of that is covered by ticket sales — $100 at the beginning of the year, $125 at the door — but with almost 800 students that attend the event and a good portion of those on scholarship, it takes some hustle and generosity to bring it all together.

Parent volunteers spend a year gathering the funds, seeking out prize donations, coordinating all of the activities and cajoling parents of graduates or future graduates to come and work the event, some at the inhuman hour of 3 a.m.

Kim Eyler, a Samohi supermom, has spearheaded the task for the past decade.

The mother of four is the Grad Night guru, each event meticulously documented in a green notebook in small, neat writing.

She knows the company that can deliver the requisite number of sandbags to hold the Grad Night set together, when to order insurance for the night and where, exactly, each item that comprises the cruise ship facade is hidden in the dungeon of a basement underneath the high school history building.

"Kim's brilliance is that she can put it into sequential order," said Lisa Balfus, president of the Samohi Parent Teacher Association. "She's the master of execution and logistics."

Eyler is much more self-effacing, but apparently the parent community is on Balfus' side — Eyler won the Golden Oak, the highest award the PTA can give, for not just her work on Grad Night, but for all of the volunteering she does in the district.

"I love the event," she said. "It's a great way to be involved at Samohi."

The truth is, Grad Night wasn't always this grandiose production.

IN THE PAST

Prior to 1991, kids hopped on a bus and went to Disneyland with their class and those of whatever other high schools signed up to go that day.

The park began the tradition in 1961 in response to requests from three high schools in San Gabriel Valley. The year before, students celebrating at a party the night of their graduation died in a car crash, according to "In Service to the Mouse," a memoir of the park's first president, Jack Lindquist.

That year, the boys had to wear a coat and tie and the girls "dressy dresses."

"Basically, we wanted the students to have a great time, but we would not tolerate any rowdy behavior," Lindquist wrote.

That worked for years, but in 1990, school officials realized that the buses to Disneyland were getting progressively more empty, said Catherine Baxter, dean of students at Samohi.

At that time, she was the senior class advisor at the high school, and the community was struggling to find a way to keep young people safe around graduation.

"We found that our young people were just not going to Disneyland," she said.

That year, a group of parents discovered that schools in Orange County were doing a new version of the night, one based at their own school.

With guidance from those parents and the donation of a cardboard boat from a high school in Tustin, Calif. the parents put on the very first local Grad Night for the class of 1991, which also happened to be the 100th anniversary of the school's founding.

Local car dealerships loaned vans to transport children to the event, and parents with special skills like furniture construction and set design lent their talents to the night.

"The kinds of things that came out of the woodwork transformed the gym into something so different," Baxter said. "How do you take the smelly old gym and lock everyone into it?"

Every student's name was on a star that hung from the ceiling, and people who had been your teacher, your principal, your superintendent were there to make sure you had a good time.

Packing kids onto a bus was easier for the adults, but this was right for the community, Baxter said.

"It's something that we should never lose," Baxter said.

MAKING IT HAPPEN

Grad Night is 85 percent planning and 15 percent construction project.

Set designer and Samohi parent Woody Coleman built a new boat to replace the tired cardboard version, this time out of wooden panels marked for easy assembly.

The outer facade goes over the entrance to the tennis courts, built around scaffolding. The whole thing takes three weekends to set up and one weekend to come down, a task that falls primarily to a crew known as the "boat dads."

The moniker is something of a misnomer — some have been working Grad Night almost as long as the graduates themselves have been alive and have already seen children and even grand children go through the ritual themselves.

It's their contribution to the community, Coleman said. Parents who are doctors and nurses in their day jobs staff the medical tent, and have transported drunk teens to the hospital when they needed more than just a place to sleep it off.

Coleman estimates they've saved at least four lives since he began working on Grad Night.

Plus, it's fun, he said.

"These are all my friends," he said, pointing to the other men and women constructing the boat and putting up the panels on the inside of the tennis courts. "I get to see them four weekends a year."

Just two weeks from that day, the tennis courts will be filled with almost 800 graduating seniors, many of their parents and other volunteers. They will play games and do activities until 3 a.m., at which point they go en masse to the Greek to watch a video of their time in school, assembled by fellow students.

When 5:30 a.m. rolls around, the students return to find the tennis courts transformed and their diplomas waiting for them, distrib-

SEE NIGHT PAGE 11



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NIGHT
FROM PAGE 10

uted by a smiling superintendent.

"It was a great night," said Ben Allen, vice president of the Board of Education and Samohi graduate, class of '96.

He remembers the nostalgia of the night, the moment when people confront a wall of pictures from their elementary school years, look around and realize they will never see many of the people they're with again.

"For most people, high school is a collection of all sorts of different kinds of experiences. Positive, negative, everything in between," Allen said. "It's a moment to reflect with peers you've spent so much of your life with, to celebrate with them and say goodbye to them.

"There's a certain poignancy," he said.

After the graduates leave, the parents are still there, breaking down the event and preparing to clean up after the night of childish revelry.

This year it will have a different weight. It's Eyler's final year as chair — the last of her children is graduating that night — and she'll be preparing to pass the torch and that famous green notebook to two new volunteers, Lori Whitesell and Carol Golden.

Who will take over for the boat dads and learn the ins and outs of constructing the ship each year is less clear — the institutional knowledge embodied in the group of stalwart volunteers is as vast as the sea the cruise ship purports to sail.

Although volunteerism has slackened to some degree, Baxter, there since the beginning, knows the importance of pushing through and finding people, whatever their passion or talents.

"There's a job for everybody, no matter what they can do," she said. "Everyone comes out and helps. It really makes our community smaller. It's one of the great things we do in this city."

ashley@smdp.com



Brandon Wise *brandonw@smdp.com*

BLOOD, SWEAT, TEARS: **Parents work together at the Santa Monica High School parking lot to build the graduation boat for seniors. The whole thing takes three weekends to set up and one weekend to come down, a task that falls primarily to a crew known as the 'boat dads.'**

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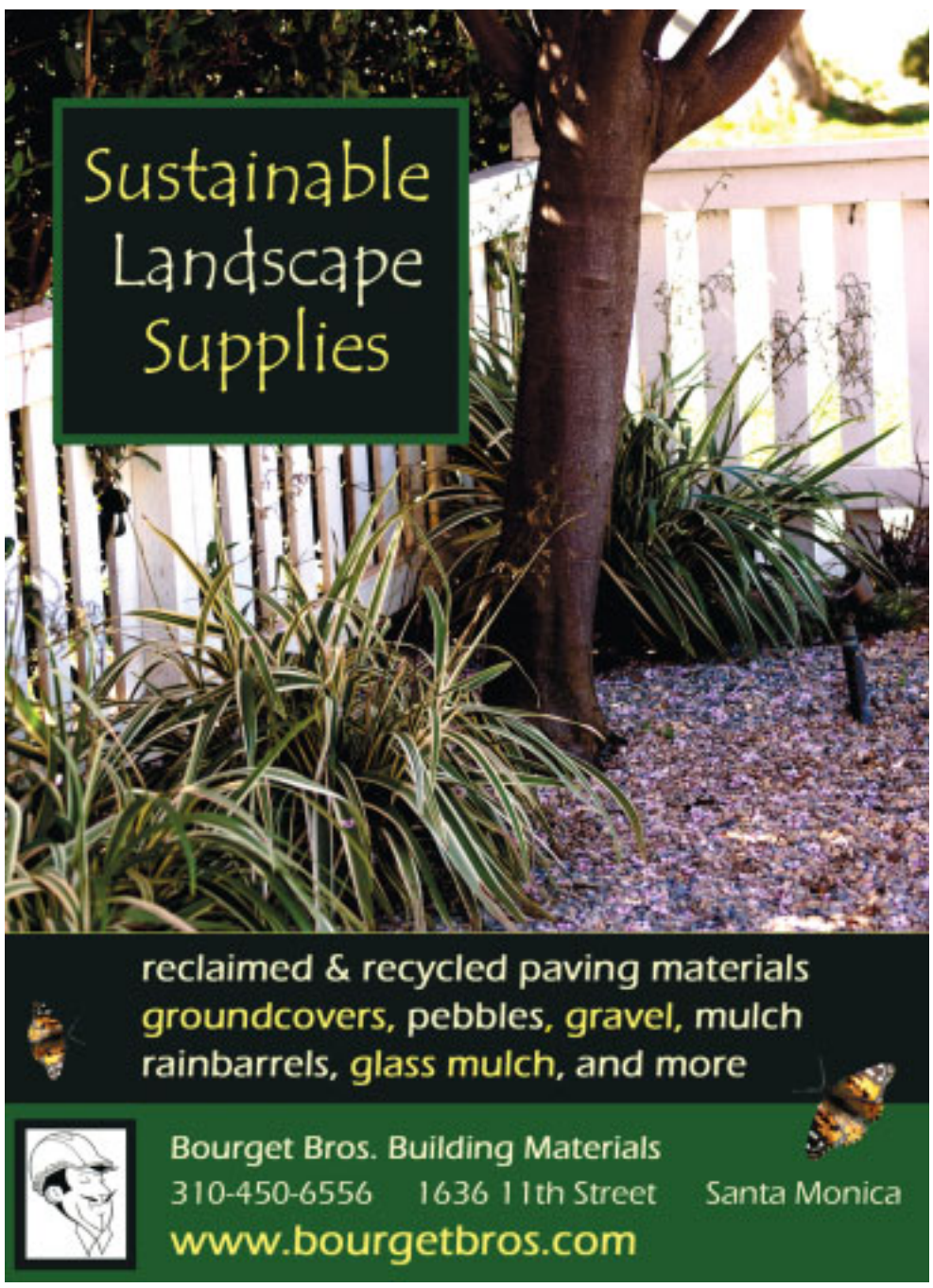
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PETTING ZOO

Brandon Wise *brandonw@smdp.com*

Santa Monica Animal Shelter Officer Stan Hernacki (left) allows residents to hold kittens while they talk about ways to deal with wild and domestic animals in their neighborhoods at the Ocean Park Library Wednesday afternoon.

HOTEL

FROM PAGE 1

to provide views to the $47 million Tongva Park currently under construction immediately adjacent to the site.

"When people see it, they will come to this hotel," said Tom Corcoran, co-founder of FelCor Lodging Trust, the owner of the hotel.

The overhaul represents a $155 to $175 million investment in the site, which FelCor purchased in 2004. Originally built in 1967, the existing building is large, yellow and box-like, with no windows facing the ocean, a situation Corcoran called "sinful."

The development team took it a step further in a letter to Planning Director David Martin, referring to the building as "unattractive and not pedestrian-friendly."

It was that description that brought former Planning Director Eileen Fogarty to FelCor's door in 2006 to ask the company if it wanted to take a crack at redeveloping the site in light of the changes coming to Downtown, Corcoran said.

The development agreement application asks for permission to build outside the normal boundaries of the zoning code in exchange for community benefits, which can take any number of forms including cash payments for specific uses, child care facilities or open space.

The proposed hotel goes outside the boundaries of that zoning code, and there's not much chance that the ownership will cut it down, said Debra Feldman, vice president of development at FelCor.

"We hear, 'The design is beautiful, is there any way you can make it smaller?'" Feldman said. "And the answer is no."

That answer hinges on economics, Feldman said.

The firm contracted with PKF Consulting for a financial feasibility study that looked at the proposal as well as a reduced alternative with 158 guest rooms and 12 residences.

The study showed room rates hopping up considerably from Holiday Inn prices of roughly $215 per night to $445 per night to make the bottom line assuming 78 percent occupancy, according to the PKF study.

The residences would cost as much as $1,895 per square foot, with the average unit size at 1,742 square feet. That works out to roughly $3.3 million per unit.

Under those assumptions, the new hotel could generate $4.8 million for City Hall, $3.5 million more than the existing business, which is already profitable.

Total economic impact would double from $44 million to almost $91 million, according to the study.

In contrast, PKF concluded that the smaller hotel would result in a $25.9 million loss compared to the existing hotel, and wasn't financially feasible.

City Hall will produce a study to check FelCor's numbers.

The size of the proposal may still be a problem for the City Council, which will take up an item at its Tuesday meeting that could stall any development in the Downtown area that exceeds 84 feet until the Downtown Specific Plan — an effort to set guidelines and standards about what can be built in Downtown — is completed.

That item was put forward by Councilmembers Kevin McKeown, Ted Winterer and Tony Vazquez partly in reaction to community opposition to what is widely seen as unchecked development at "opportunity sites" sprinkled throughout Downtown.

Those sites include other high-profile hotel developments like the Fairmont Miramar Hotel and the Frank Gehry-designed hotel on Ocean Avenue.

The move comes out of concern that the applications for development are getting ahead of planning, Winterer said Thursday.

"For four years, I've served on the Planning Commission and then on the City Council. Not once in a public hearing have I been asked what I thought about the concept of opportunity sites Downtown or what the specific height and (floor area ratio) limitations should be for any opportunity sites," Winterer said.

If approved, the motion would not mean a full kibosh on development, but rather a pause so that the council and community can define what's allowed at the opportunity sites, McKeown said.

"With proposed towers sprouting in new public presentations seemingly every week, the question becomes evaluation of cumulative effects, particularly what we as a community want our oceanfront skyline to look like," McKeown said.

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150 years ago, a brief Civil War truce for Mason burial

BY JANET MCCONNAUGHEY
Associated Press

ST. FRANCISVILLE, La. For a brief time during the Civil War, hostilities at St. Francisville stilled while Masons from the Union Navy and Confederate Army buried one of their own — a 38-year-old Union gunboat commander who shot himself.

This weekend, Masons and history buffs plan a 3-day commemoration for the 150th anniversary of the June 1863 truce called to bury Lt. Cmdr. John Hart of the USS Albatross. There will be a parade, a funeral re-enactment and talks about Civil War medicine and funerals, Hart and Confederate Capt. W.W. Leake, a Mason who approved the truce and put flowers on Hart's grave three times a year long after the war had ended.

Hart's death on June 11, 1863, came during the sieges of Vicksburg, Miss., and Port Hudson, La., during Union Gen. Ulysses S. Grant's campaign to cut the Confederacy in two.

"It's significant in the turmoil ... that they were able to become civilized to some degree. Here was an enemy of their country, so to speak, and they decided they would bury him with not only the Masonic service but the Episcopalian service," said Frank Karwowski, historian of the Masonic lodge in Schenectady, N.Y., where Hart entered freemasonry and rose to the rank of master six years before his death.

It wasn't the only time Masonic fraternity prevailed during the Civil War, at least for burial. In a 2006 article in The Scottish Rite Journal, Michael A. Halleran cited four others, one under fire just after the battle of Gettysburg. Union Capt. Thomas Foy took several men to collect the body of Confederate Col. Joseph Wasden of the 22nd Georgia Infantry and buried it in a nearby field, he wrote.

Two soldiers of the 2nd Rhode Island Volunteer Infantry Regiment described the incident in their diaries, Halleran said. Lt. Col. Elisha Hunt Rhodes (who later became a Mason and a general), wrote, "As I am not a Mason I do not understand the matter. While the burial was going on the skirmishers were constantly firing."

Hart's wasn't a battlefield burial. His executive officer, Theodore Dubois, was first allowed into St. Francisville to look for a coffin. Unable to find a sealed metal coffin in which to ship the body to New York, Dubois arranged to have Hart buried in the Masonic section of the cemetery at Grace Episcopal Church in St. Francisville. About 1900, the Daughters of the Confederacy got the Navy to set up a headstone, replacing a cypress board that had rotted away, Karwowski said, and in 1956 the Grand Lodge of Louisiana installed a marble slab over the grave.

About the time the Daughters of the Confederacy asked for the headstone, Karwowski said, the New Orlealns Picayune and other local newspapers reported that Leake still maintained Hart's grave. Leake died in 1912.

As he has since 1999, Karwowski will play Hart in the living history presentation Friday night and Hart's second-in-command in the funeral re-enactment Saturday. Leake has always been played by a member of the St. Francisville lodge — first U.S. Rep. John Rarick, then Leake's great-great-grandson Robert Leake, and now Paul Martin.

Four of Hart's descendants, including John Elliott Hart V and VI, are coming from California and Washington state for the ceremony. Great-great-great-granddaughter Mary Servais of San Diego said her family went once before, when they learned about the re-enactment. "Now we're going back because it's the 150th," she said.

Hart had spent half his life in the Navy and commanded the USS Albatross, a steamboat also rigged as a three-masted schooner, during the twin sieges of sites needed to control the Mississippi where it met the Red River, a vital Confederate supply line.

The night of March 14, 1863, the Albatross and Union Adm. David Farragut's flagship, the Hartford, had steamed past seven batteries of Confederate guns on a bluff over the Mississippi River at Port Hudson. The Albatross was one of three small gunboats lashed to larger sloops; the other two pairs and a side-wheel frigate didn't make it.

"Can I ever forget that awful night, when we came by them and for four miles took their heavy firing," Hart wrote to his wife in a chatty letter dated four days before his death.

He also wrote about her "tin party" — possibly something along the lines of a modern baby shower, since he wrote that she had not mentioned a rattle — "one very important piece of tin ware, that I am told is nearly always given on such occasions."

Their daughter died shortly after birth on July 8; it is not clear whether Hart knew, said Karwowski, who has been researching the story since 1979.

Accounts differ about both the funeral date and whether the Albatross had been shelling the town and church shortly before Hart's suicide. Christopher Pena, paid under a state grant in 2008 to research and write about Hart's death and burial, said the boat's log puts it shelling the northern Confederate batteries at Port Hudson before dawn on June 11, then sailing to Bayou Sara, at the bottom of the bluff on which St. Francisville was built. It gives a June 12 funeral date, he said. Church records put the funeral on July 13, Karwowski said.

Pena said the gunboat's acting assistant surgeon, Dr. William Burge, wrote that Hart had had spells of "great depression" for months, and when he died was suffering "remittent" — or fluctuating — fever "with frequent paroxysms of excessive despondency."

In a letter to the fleet surgeon, Burge also quoted a suicide note found under a vase on Hart's bureau: "I am a dyspeptic. Will God forgive this rash act? It has been a mania with me for years. God knows my suffering."

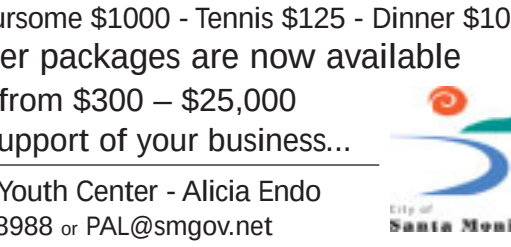
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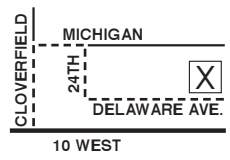


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Judge's ruling challenges U.S. transplant system

BY LAURAN NEERGAARD
AP Medical Writer

WASHINGTON It's a life or death matter: Who gets the next scarce donated organ? In an unprecedented challenge to the nation's transplant system, a federal judge has allowed one dying child — and a day later another — to essentially jump the line in rulings that could have ramifications for thousands of people awaiting new organs.

Over and over, the nation debates the fairness of transplant policies, from Mickey Mantle's liver in the 1990s to people today who cut their wait times by moving to another city where the list is shorter. But back-to-back rulings by a federal judge this week appear to be a legal first that specialists expect to prompt more lawsuits from people seeking a shorter wait, just like the parents of two patients in a Philadelphia hospital — 10-year-old Sarah Murnaghan and 11-year-old Javier Acosta.

"People who have privilege or people who complain more loudly or have political voice shouldn't be able to claim special treatment," said Lawrence O. Gostin, a prominent health law professor at Georgetown University, who questioned the legal basis of the rulings. Transplant policies aim to be "fair and just for everyone, not just for that one heart-wrenching case."

Johns Hopkins University transplant surgeon Dr. Dorry Segev put it more starkly: "Every choice that is made in transplantation in favor of one patient means the likely death on the list for another patient."

Indeed, when Health and Human Services Secretary Kathleen Sebelius refused to intervene in Sarah's case, she pointed out that three other children also at Children's Hospital of Philadelphia were in the same condition, and 40 other seriously ill Pennsylvanians over the age of 12 also were awaiting a lung transplant.

The Murnaghans challenged a lung transplant policy that matches children under 12 with pediatric donors, who are rare, or offers them adult lungs only after adolescents and adults on the waiting list have a chance at them. The family said Sarah will die without a new set of lungs soon and argued that children under 12 should have equal access to adult donations. Javier Acosta's family of New York City filed a similar lawsuit Thursday, saying he may die on the waiting list like his brother did two years ago. Like Sarah, Javier's lungs have been destroyed by cystic fibrosis.

"The problem is, we can't build a system around making exceptions for everybody that isn't getting the transplant when they need it," Dr. John Roberts, who heads the Organ Procurement and Transplantation Network's board, said Thursday.

The bigger issue that these lawsuits raise: Should the nation's transplant policy be changed so that children always get preference? Roberts said that is a fair question that society needs to debate, and if so, what age to set as the cut-off. Do 16-year-olds get the same preference as grade-schoolers?

Segev, the Hopkins surgeon who transplants kidneys and livers, offers a tougher example: What if an organ was available that would give a 25-year-old a 98 percent chance of success and a 15-year-old a 5 percent chance of success — who gets it, especially if the 15-year-old is a little sicker?

Transplant policies vary widely by organ, and Roberts said the under-12 policy for lungs accounts for younger children's different medical needs. They're particularly hard to transplant, children don't tend to fare as well and adult lungs don't always fit them. The policy includes steps to increase access: Lungs donated by 12- to 17-year-olds are first offered to patients that age and then to younger children before they're offered to adults, for example.

It's a balancing act that is set not just by doctors, but by committees that include transplant recipients, patient advocates and ethicists. The goals include limiting wait times and getting organs to patients who stand the best chance of success.

Segev said the biggest disparity in the country isn't about children but geography: In some areas, people donate more organs, allowing patients to shop around for shorter lines and even get on more than one list if they have the means to get to a far-away hospital within hours of an organ becoming available. For instance, Apple CEO Steve Jobs' 2009 liver transplant was in Tennessee, where the wait was much shorter than back home in California.

Then there are questions about people who need a transplant because of diseases caused by poor lifestyle choices. Nearly 1 in 5 liver transplants goes to current or former heavy drinkers, like Mickey Mantle back in the 1990s. Many transplant centers now require patients awaiting a new liver to give up drinking for six months to qualify.

Roberts compared setting transplant policies to a deadly game of musical chairs — there just aren't enough organs to around so that everyone has a shot at winning, something that would change if only more people were organ donors.

"If everybody wants us to always have a chair for the kids, we can but who else is that going to hurt?" Roberts said. "These are terrible decisions that have to be made when you don't have enough organs."



NSA whistleblowers say agency casts a wide net

BY PETER SVENSSON
AP Technology Writer

NEW YORK Former employees of the National Security Agency say the publishing of a court order asking Verizon to hand over all its phone calling records for a three-month period opens a new window on an operation that has been in place for years and involves all major U.S. phone companies.

"You can bet it's all the other carriers, not just Verizon," said Kirk Wiebe, a former analyst with the NSA. Weibe left the agency after the attacks of 9/11 in disgust, he says, over what he believes is a chronic failure to analyze large amounts of data effectively and with proper privacy protections.

Late Wednesday, British newspaper The Guardian published an order from the secret Foreign Intelligence Surveillance Court, requesting that Verizon give the NSA the details on every phone call on its landline and wireless networks on a daily basis from April 25 to July 19.

"These are routine orders," said Thomas Drake, another former NSA employee. "What's new is we're seeing an actual order, and people are surprised by it."

"We've been saying this for years from the wilderness," Drake told news program "Democracy Now" on Thursday. "But it's like, 'Hey, everybody went to sleep while the government is collecting all these records.'"

Drake started working for the NSA in 2001 and blew the whistle on what he saw as a wasteful and invasive program at the agency. He was later prosecuted for keeping classified information. Most of the charges were dropped before trial, and he was sentenced to one year of probation and community service.

William Binney, who left the agency with Wiebe after complaining about its inefficiency, estimates that the NSA collects records on 3 billion calls per day.

Wiebe sees the large-scale data gathering as a sign that the NSA isn't doing things right.

"To me, it reflects incompetence. If I cannot separate innocent from guilty, I'm incompetent," Wiebe said in an interview with The Associated Press.

In the late 1990s, Wiebe and Binney designed a system that they said could analyze vast amounts of data while preserving privacy protections, but they were frustrated by the agency's disregard for privacy and its choice of another system. The agency assures the public that it uses its data responsibly, but Wiebe believes the protections need to be coded into its software systems.

"There are technologies available to do it the right way," Wiebe said. "We don't need to sacrifice privacy for this."

The NSA had no immediate comment. The White House on Thursday defended the agency's need to collect the records.

The NSA's original charter was to eavesdrop on communications between countries, not inside the U.S. That expansion of its mission appears to have happened after 9/11, but the agency has continuously denied that it spies on domestic communications.

In March, for instance, NSA spokeswoman Vanee Vines e-mailed an Associated Press reporter about a story that described the NSA as a monitor of worldwide Internet data and phone calls.

"NSA collects, monitors, and analyzes a variety of FOREIGN signals and communications for indications of threats to the United States and for information of value to the U.S. government," she wrote. "FOREIGN is the operative word. NSA is not an indiscriminate vacuum, collecting anything and everything."

Verizon, AT&T and T-Mobile USA, three of the largest phone companies, said they had no comment on the matter. A representative from Sprint did not respond to a message. Verizon's general counsel e-mailed employees Thursday saying that the company has an obligation to obey court orders, but did not confirm the existence of an order.

James Bamford, a journalist and author of several books on the NSA, said it's very surprising to see that the agency tracks domestic calls, including local calls. In 2006, USA Today reported that the NSA was secretly collecting a database of domestic call information. However, some phone companies denied any involvement in such a program.

Bamford's assumption was that the uproar over a separate, post-9/11 warrantless wiretapping program and the departure of the Bush administration meant that the NSA had been reined in.

"Here we are, under the Obama administration, doing it sort of like the Bush administration on steroids," he said in an interview with the Associated Press. "This order here is about as broad as it can possibly get, when it comes to focusing on personal communications. There's no warrant, there's no suspicion, there's no probable cause ... it sounds like something from East Germany."

Bamford believes the NSA collects the call records at a huge data center nearing completion near Bluffdale, Utah. He estimates the center is designed to store data on the order of yottabytes, each of which is equivalent to a trillion 1 terabyte desktop hard drives. The agency has denied that the center is designed to hold domestic communications records.

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FRIDAY – **FAIR TO GOOD** – SURF: **5-7 ft** head high to 2 ft overhead
SW-SSW well peaks, larger sets at top breaks to 10';
minimal NW windswell; Beachbreaks mostly walled.

SATURDAY – **FAIR TO GOOD** – SURF: **3-5 ft** waist to head high occ. 6ft
SW-SSW well starts to ease; larger sets at top Southern Hemi breaks

SUNDAY – **FAIR** – SURF: **3-4 ft** waist to shoulder high
SW-SSW well continues to ease; larger sets at top Southern Hemi breaks.

MONDAY – **FAIR** – SURF: **2-3 ft** waist to stomach high occ. 4ft
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- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 5
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- Number of (C,D,F) grades for dry/wet weather -- 0 / 0

The Beach Report Card is made possible by: simplehuman, LAcurGUY, SIMA, and Groubeck Family Foundation

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

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	A+
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	A+
El Pescador State Beach, between Lechusa and Las Alisa creeks.		
Encinal Canyon at El Matador State Beach.	A+	A+
Broad Beach at Trancas Creek mouth.	A+	A+
Zuma Beach at Zuma Creek mouth.	A	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	A+
Escondido Creek, just east of Escondido State Beach.	A+	A+
Latigo Canyon Creek mouth.	A+	A+
Solstice Canyon at Don Blocker County Beach.	A	A+
Pearce State Beach at creek mouth.	A+	A+
Marie Canyon storm drain at Pearce Beach, at 24572 Malibu Rd..	A	F
Surfrider Beach at Malibu Colony fence.	A+	A+
Surfrider Beach (beach location) - daily.	F	A+
Malibu Pier - 50 yards east.	D	F
Carbon Beach at Sweetwater Canyon.	A	A+
Las Flores State Beach at Las Flores Creek (point zero).	A+	A+
Big Rock Beach at 19548 PCH stairs.	A+	B
Pena Creek at Los Tunos County Beach.	A+	A+
Tuna Canyon.	D	ns
Topanga State Beach at creek mouth.	A+	A+
Castlerock Storm Drain at Castle Rock Beach.	A+	A+
Santa Ynez Storm Drain at Castle Rock Beach.	A+	A+
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	F
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	F
Will Rogers State Beach at Pulga Canyon storm drain.	A+	A+
Will Rogers State Beach at Temescal Canyon drain.	A+	F
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A	A+
Santa Monica Beach at Montana Ave. drain.	A+	F
Santa Monica Beach at Wilshire Blvd. drain.	A+	F
Santa Monica Municipal Pier.	F	F
Santa Monica Beach at Pico/Kenter storm drain.	D	D
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	A+
Ocean Park Beach at Ashland Ave. drain.	A+	A+
Venice City Beach, at the Rose Ave. storm drain.	A+	A+
Venice Beach at Brooks Ave. drain.	A+	A+
Venice Beach at Windward Ave. drain.	A+	A+
Venice Fishing Pier - 50 yards south.	A+	A+
Venice Beach- projection of Topsail St..	A	A+
Marina del Rey, Mothers' Beach - lifeguard tower.	A+	A
Dockweiler State Beach at Ballona Creek mouth.	A+	F
Dockweiler State Beach at Culver Blvd. drain.	A+	F
North Westchester Storm Drain at Dockweiler State Beach.	A+	A+
Dockweiler State Beach at World Way (south of CMW jetty).	A+	A+
Dockweiler State Beach at Imperial Hwy drain.	A+	F
Dockweiler Beach - opposite Hyperion Treatment Plant.	A+	A+
Dockweiler State Beach at Grand Ave. drain.	A+	A+

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

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

Heal the Bay

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

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

MLB

MLB asks for FedEx, phone records in drug lawsuit

BY RONALD BLUM
AP Sports Writer

NEW YORK Major League Baseball's lawyers issued subpoenas to Federal Express, AT&T Mobility and T-Mobile USA in an attempt to gain records for its investigation of players suspected of using performance-enhancing drugs.

The subpoenas were issued May 23, according to a case file in Florida's Circuit Court for Miami-Dade County, where MLB sued Biogenesis of America, anti-aging clinic head Anthony Bosch and five others in March.

MLB asked Federal Express to turn over shipment records for Biogenesis, Bosch, the other defendants and a long list of individuals who appeared to be affiliated with Bosch.

MLB asked the phone companies for call records, texts and subscriber info for the phones of Juan Carlos Nunez, an associate of outfielder Melky Cabrera who was banned from big league clubhouses last year, and Porter Fischer, who was affiliated with the now-closed clinic.

In addition, a subpoena was issued for Biogenesis and related entities in March, seeking records involving major leaguers and 70 banned substances. No players were mentioned by name.

MLB hopes Bosch will provide information implicating players in the use of banned performance-enhancing drugs, and Bosch agreed this week to cooperate. Because any discipline could be challenged by the players' association in grievances before an arbitrator, MLB likely would want records to corroborate any testimony.

There was no indication in the files whether the companies planned to challenge the subpoenas.

"FedEx complies with all valid subpoenas, and we are unable to comment further," company spokesman Scott Fiedler said.

AT&T Mobility spokesman Mark Siegel said he was looking into the matter, and T-Mobile spokeswoman Anne Marshall did not return a phone call and an e-mail seeking comment.

MLB opened its latest drug investigation following a Miami New Times report about Biogenesis in January. Alex Rodriguez, Ryan Braun and Cabrera are among the players whose names appeared in Biogenesis documents, according to various media reports. All have denied any wrongdoing.

Rodriguez, meanwhile, plans to "monitor" developments in the investigation, and New York Yankees teammate Derek Jeter says he'll comment after A-Rod does.

MLB has already started interviewing players linked to Biogenesis.

"Myself and others are being mentioned in a media report before the process is even concluded," Rodriguez said Thursday in a statement issued by his new spokesman, Ron Berkowitz. "I will monitor the situation and comment when appropriate. As I have said previously, I am working out every day to get back on the field and help the Yankees win a championship. I am down here doing my job and working hard and will continue to do so until I'm back playing."

The All-Star third baseman is recovering from the hip surgery he underwent in January and regularly works out at the Yankees' minor league complex in Tampa, Fla.

After the Miami New Times story was published, Rodriguez issued a statement through spokesman Terry Fahn saying: "Alex Rodriguez was not Mr. Bosch's patient, he was never treated by him and he was never advised by him. The purported documents referenced in the story — at least as they relate to Alex Rodriguez — are not legitimate."

Rodriguez did not stop to speak with reporters before or after Thursday's workout in Tampa, where there was heavy rain from Tropical Storm Andrea.

But Jeter did, saying he had spoken with A-Rod and that he seemed "fine," but wouldn't go into further details.

"You guys know what I'm going to say," the rehabbing Yankees captain said. "I do not comment on anyone's situation until they comment on it first. Let him speak about it first."



MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(310) 260-1528

Mysterious Island (NR) 1hr 41min
One Million Years B.C. (NR) 1hr 40min
The Valley of Gwangi (NR) 1hr 36min
7:30pm

AMC Loews Broadway 4
1441 Third Street Promenade
(888) 262-4386

Fast & Furious 6 (PG-13) 2hrs 10min
11:55am, 3:15pm, 6:30pm, 9:45pm

Epic (PG) 1hr 42min
11:00am, 4:20pm, 10:00pm

Epic in 3D (PG) 1hr 42min
1:40pm, 7:10pm

Now You See Me (PG-13) 1hr 56min
11:00am, 1:50pm, 4:40pm, 7:50pm, 10:45pm

Purge (R) 1hr 25min
11:45am, 2:20pm, 4:55pm, 7:30pm, 10:05pm

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

Star Trek Into Darkness (PG-13) 2hrs 03min
10:45am, 5:05pm, 11:25pm

Iron Man 3 (PG-13) 2hrs 15min
11:10am, 2:15pm, 5:25pm, 8:30pm, 11:30pm

Fast & Furious 6 (PG-13) 2hrs 10min
10:30am, 1:40pm, 4:50pm, 8:00pm, 11:05pm

After Earth (PG-13) 1hr 40min
11:20am, 2:10pm, 5:00pm, 7:45pm, 10:30pm

Great Gatsby (PG-13) 2hrs 23min
3:25pm, 10:20pm

Great Gatsby in 3D (PG-13) 2hrs 23min
11:55am, 7:00pm

Star Trek Into Darkness 3D (PG-13) 2hrs 03min
1:55pm, 8:15pm

Hangover Part III (R) 1hr 40min
10:55am, 1:40pm, 4:30pm, 7:20pm, 10:10pm

Internship (PG-13) 1hr 59min
11:00am, 2:00pm, 5:00pm, 8:00pm, 11:00pm

Laemmle's Monica Fourplex
1332 Second St.
(310) 478-3836

What Maisie Knew () 1hr 39min
1:40pm, 4:20pm, 7:00pm, 9:30pm

Mud (PG-13) 2hrs 10min
1:10pm, 4:10pm, 7:10pm, 10:10pm

Shadow Dancer (R) 1hr 44min
1:50pm, 4:40pm, 7:30pm, 10:15pm

Frances Ha (R) 1hr 26min
1:00pm, 3:10pm, 5:30pm, 7:50pm, 10:10pm

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

BE REASONABLE TONIGHT, SAG

ARIES (March 21-April 19)
★★★ You might not be aware of the confusion that surrounds you. You feel centered and focused. Use caution with all your energy, as others simply are not on the same page. Make it a point to really listen to a friend or loved one. Tonight: Count on intensity.

TAURUS (April 20-May 20)
★★★ Whatever a boss or parent says, he or she means. How this person delivers the message might change, but the words will remain the same. Don't be surprised if you witness a minor display of frustration. The smart Bull will say little. Tonight: Maintain a sense of humor.

GEMINI (May 21-June 20)
★★★★ Others could associate your dynamic personality with many different experiences. Should you choose to reveal your fiery side, for example, people might link you to high-energy situations. Tonight: TGIF! Start your weekend now!

CANCER (June 21-July 22)
★★★ If you can take the day off, do. Take a walk by the water in order to center yourself. Choose this type of experience, and you'll bypass much of the confusion that marks today. Tonight: Keep your distance.

LEO (July 23-Aug. 22)
★★★★★ Focus on friendship. Let your imagination play into the moment. Your fiery side might emerge when dealing with a friend who seems to stomp all over your plans. Consider this behavior a manifestation of this person's confusion. Tonight: Where your friends are.

VIRGO (Aug. 23-Sept. 22)
★★★ You might decide to take the lead in a project, as you'll note a theme of chaos running throughout the day. Investigate what could be the root of this issue. Consider that you might not be hearing others clearly. The haze surrounds you, too! Tonight: Celebrate the weekend.

LIBRA (Sept. 23-Oct. 22)
★★★★ Listen to news with a bit of cynicism. Your sixth sense kicks in when you sense that something is off or not adding up. Confirm facts and ask questions, as your sources might not realize that they are giving out distorted information. Tonight: Try reading the tea leaves.

SCORPIO (Oct. 23-Nov. 21)
★★★ You'll want to rethink a personal matter. This could be difficult, as someone might refuse to leave you alone. Trust that the right moment will appear, perhaps in a few days. Tonight: Grab your favorite person, and go celebrate the weekend.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You might think that you have solid plans, but so many invitations will appear that you could need to make an adjustment. Whatever you are doing, make sure that all parties are on the same page. Tonight: Be reasonable.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Recognize your limits, as you start what you think is a very normal day. Apparently, others already seem to have bypassed their work schedule for Friday plans. Tonight: Do whatever makes you feel good.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ While others might act confused -- or in some cases, ornery -- you are caught up in your efforts of pleasing a loved one. You will have to decide what should be done and what should be left for a rainy day. A child could make you laugh. Tonight: Keep spontaneity a high priority.

PISCES (Feb. 19-March 20)
★★★★ Much is likely to wash right over you, which will prevent you from seeing clearly now. You might not want to deal with what is coming up. Use caution around a display of anger. You might be far more vulnerable than you are aware. Tonight: Home is where the heart is.

Friday, June 7, 2013

This year you attract new people. Stop and think before you confide in someone and tell him or her things that normally would take you years to reveal. Remember that trust is a gift, and time is on your side. If you are single, this person could be someone you might start to date. Still, use caution. If you are attached, you notice how often you and your sweetie are on different planes. You don't need to do anything about it -- just be aware. GEMINI understands you as if you were born in the same family.

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

INTERESTED IN YOUR DAILY FORECAST?
Check out the HOROSCOPES above!
smdp.com Santa Monica Daily Press office **(310) 458-7737**

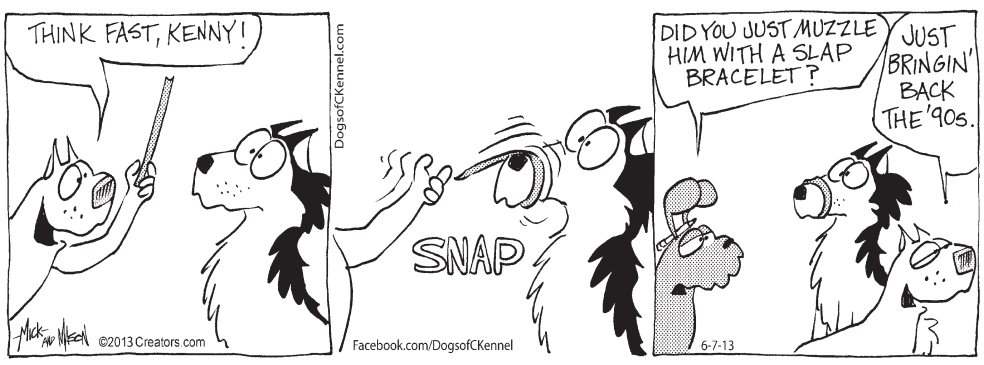
Speed Bump
By Dave Coverly



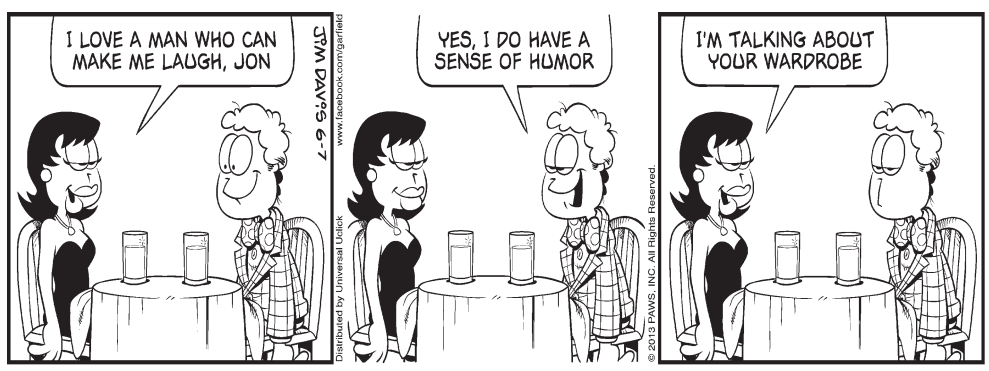
Strange Brew
By John Deering



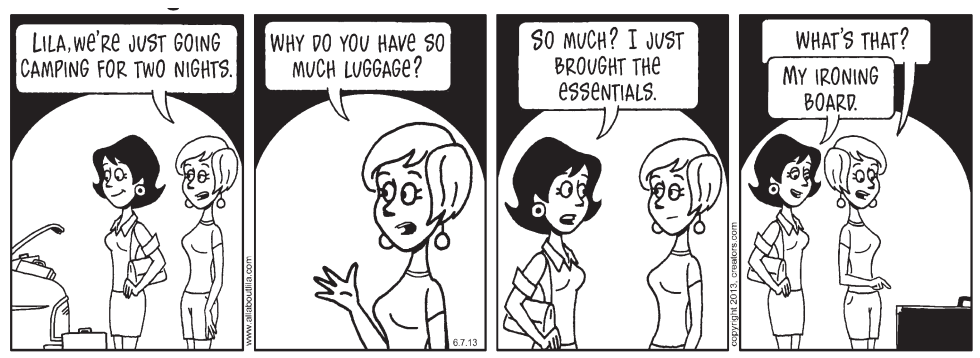
Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



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



Sudoku

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

Difficulty Level ★★★★

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

King Features Syndicate

GETTING STARTED

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

SOLUTIONS TO YESTERDAY'S PUZZLE

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

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MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

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

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Montana city
6 Corn
11 Theater worker
12 Bugs bugs him
13 Davis of "Thelma & Louise"
14 Become narrower
15 Misplaced
17 Private dinner
18 Hoosegow
20 Sneaker problem
22 Tyler of "Armageddon"
23 Some sweatshirts
26 Come up
28 Strand unit
29 Act of contrition
31 Tell tales
32 Be effusive
33 Blown away
34 Letter start
36 Othello's betrayer
38 Coffee add-in
40 Parrot
43 Last letter
44 China piece
45 Crossed the creek
46 Reason

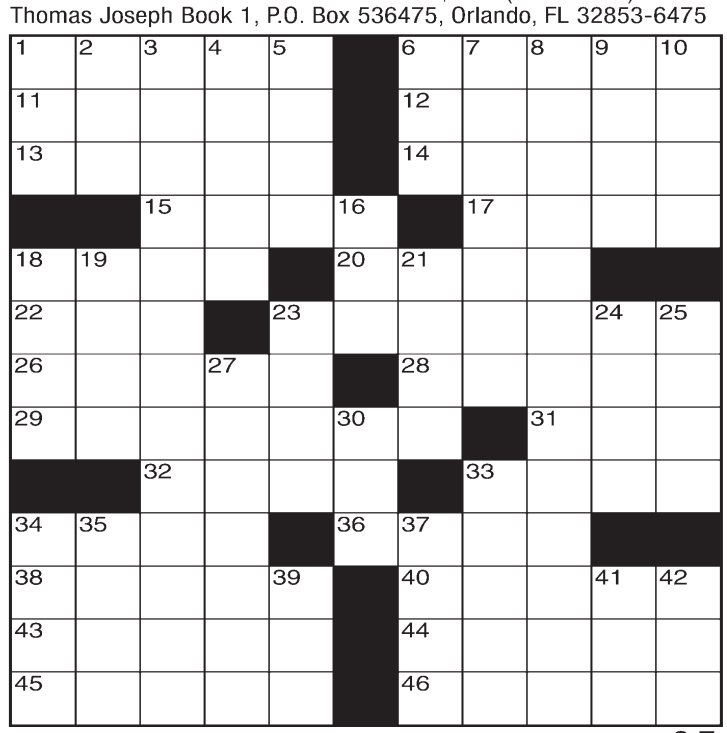
DOWN

1 Program error
2 Try out
3 Pearl S. Buck book
4 Choir member
5 Periods
6 Got together
7 Fashionable
8 Pearl S. Buck book
9 Last letters
10 Blunders
16 In addition
18 Sign of freshness
19 Makeshift swing
21 Blockhead
23 Coop group
24 Huron neighbor
25 Downhill glider
27 Pizza topping choice
30 The Cubs, on scoreboards
33 Like gymnasts
34 Flat-bottomed boat
35 Role for Shirley
37 Band boosters
39 Seething
41 "— a deal!"
42 Horseshoe shape

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

Yesterday's answer

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



6-7

DAILY LOTTERY

POWERBALL
Draw Date: 6/5
4 26 33 36 55
Power#: 32
Jackpot: $60M

MEGA MILLIONS
Draw Date: 6/4
10 11 12 20 55
Mega#: 19
Jackpot: $14M

SUPER LOTTO
Draw Date: 6/5
5 8 28 35 39
Mega#: 8
Jackpot: $16M

Fantasy 5
Draw Date: 6/6
23 26 27 34 36

DAILY 3
Draw Date: 6/6
MIDDAY: 5 8 3
EVENING: 2 2 3

SANTA ANITA PARK
Draw Date: 6/6
1st: 09 Winning Baseball
2nd: 04 Big Ben
3rd: 08 Gorgeous George
RACE TIME: 1:48.97

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ In one of the more prominent recent "that's my story, and I'm sticking to it" cases, Vicky Pryce, 60, finally gave up in March and admitted to a judge that her husband, not she, was driving their speeding car in 2003. She was married at the time to high-ranking British government official Chris Huhne, whose license would have been suspended had he been driving -- and thus, she volunteered. The couple's 10-year ruse had inspired two trials ending without decision. (Huhne "rewarded" Pryce for her loyalty in 2010 by having an affair. The couple are divorced and will be imprisoned separately for perverting justice.)

■ "Recovered memory" was a popular psychotherapy diagnosis in the 1980s, ultimately responsible for jail sentences for priests, parents and school officials after patients suddenly somehow "remembered" long-suppressed bizarre and vicious (and sometimes "satanic") sex crimes that never actually happened. Dr. Elizabeth Loftus, of the University of California, Irvine, and other skeptics have since proven that false memories can be created and are now concentrating on fashioning them for beneficial purposes -- to lose weight, to stop smoking, to curb drinking. An April report in Time magazine noted that "up to 40 percent" of people could be convinced that they had had bad experiences with a certain behavior and that, properly identified, those people could be taught to avoid it. Said Dr. Loftus, "We do have a malleable memory."

TODAY IN HISTORY

1892 - Benjamin Harrison becomes the first President of the United States to attend a baseball game.

WORD UP!

trachle
\ TRAH-khuh \ , noun;
1.
an exhausting effort, especially walking or working.

Santa Monica Daily Press

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FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2013078383 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 04/17/2013 The following person(s) is (are) doing business as THE EGYPTIANILES LUXE, THE CANDY STRIPER, CANDY BARS INTL. . 3717 S. LA BREA AVE. STE #437 , LOS ANGELES, CA 90016. The full name of registrant(s) is/are: JUANITA CAMILLA DORIS 3717 S. LA BREA AVE. STE #437 LOS ANGELES, CA 90016. This Business is being conducted by: an Individual. The registrant commenced to transact business under the fictitious business name or names listed on (Date)01/01/2006. /s/: JUANITA CAMILLA DORIS. This statement was filed with the County Clerk of LOS ANGELES County on 04/17/2013. NOTICE: THIS FICTITIOUS BUSINESS NAME

DBAS

STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 05/17/2013, 05/24/2013, 05/31/2013, 06/07/2013.



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