



LEE EXERCISES 'CAUTION'
PEOPLE IN THE NEWS 15

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

**MEGA**
MILLIONS

5 29 35 52 53
Meganumber: 9
Jackpot: \$17M

**Super**
LOTTO

1 11 14 30 31
Meganumber: 12
Jackpot: \$60M

**Fantasy 5**

2 4 10 21 29

DAILY 3

MIDDAY: 4 8 5
EVENING: 0 5 3

**DAILY DERBY**

1st: 11 Money Bags
2nd: 12 Lucky Charms
3rd: 06 Whirl Win
RACE TIME: 1:47.92

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: <http://www.calottery.com>

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ In Miami, actress-dancer Alice Alyce, 29, sued the owners and managers of the musical “Movin’ Out” for \$100 million in March after they fired her, allegedly because they believed her breasts are too large for her role.

■ Schoolteacher Sue Storer, 48, filed a lawsuit against the government in Bristol, England, in March, asking the equivalent of \$1.9 million for having fired her when she complained of, among other things, never getting a replacement for her classroom chair, which she said emitted a “farting” noise every time she sat down.

TODAY IN HISTORY

Today is the 160th day of 2006.
There are 205 days left in the year.

On June 9, A.D. 68, the Roman Emperor Nero committed suicide.
In 1870, author Charles Dickens died in Godshill, England.

QUOTE OF THE DAY

“The public! the public!
How many fools does it take to make up a public?”

NICOLAS CHAMFORD
FRENCH WRITER (1740-1794)

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City moves to exit case

Judge considers clearing City Hall of responsibility in Farmers Market tragedy

BY KEVIN HERRERA
Daily Press Staff Writer

SM COURTHOUSE — A judge is considering whether or not City Hall can be held liable for a catastrophic car accident nearly three years ago in which an elderly man drove his car

through a crowded Farmers Market, killing 10 and injuring dozens more. Judge Valerie Baker said Thursday before more than a dozen attorneys and spectators that she will reconsider her tentative motion, issued June 6, which ordered City Hall and Bayside District Corp. be

removed from a civil lawsuit filed by victims of the crash, who charge both entities, along with the operators of the Farmers Market, of failing to properly protect the public on the day of the accident. Her tentative ruling found that Santa Monica could not be held

liable because of a design immunity, and that Bayside, a management company that acts as a liaison between City Hall and merchants downtown, has no duty to ensure public safety at the Farmers Market.

See **FARMERS MARKET**, page 6

Don't mind him, he's ditching work



Fabian Lewkowicz/Daily Press

A crew member on Thursday works toward excavating dirt from the old RAND Corp. site on Main Street.

STATE

Police captain's son gets busted

By Daily Press staff

LOS ANGELES — An off-duty Santa Monica police officer helped nab the son of a Los Angeles police captain who was charged on Thursday

with robbery and other counts following his arrest earlier this week near a Westchester boutique, the District Attorney's Office announced. Kyle Bernard Jackson, 20, and two others were charged in the case,

and he was scheduled to be arraigned on Thursday. Jackson, being held on \$180,000 bail, is the son LAPD Capt. Kyle Jackson, com-

See **COP'S SON**, page 6

Cousins deny role in Juarez murders

BY MICHAEL J. TITTINGER
Daily Press Staff Writer

LAX COURTHOUSE — A pair of gang members already serving time in state prison on unrelated felony convictions, were led into a courtroom Thursday morning to answer to charges that they gunned down two brothers in a Santa Monica clothing store nearly eight years ago. David Robles and Jesse Garcia, both wearing blue LA County-issue jumpsuits, stood before Superior Court Judge Keith Schwartz and said they were “not guilty” of murdering Michael and Anthony Juarez in October of 1998 at a Lincoln Boulevard clothing store owned and operated by the victims’ cousin, Frank Juarez Jr. Judge Schwartz scheduled a hearing for July 25, at which time Deputy District Attorney Joseph Markus, who is prosecuting the case, and defense attorneys will establish a preliminary hearing date and comply with discovery — sharing evidence to be entered at trial and listing witnesses.

“The two entered the courtroom for arraignment, they waived the formal reading of the charges against them, and they plead not guilty,” Markus said.

Murder charges weren't filed

See **MURDERS**, page 7

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Eddie Guerboian



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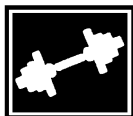
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Horoscopes

2

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Santa Monica Daily Press

A newspaper with issues



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Say yes, Scorpio

Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll Have:

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



ARIES (March 21-April 19)

★★★★★ You might find that a relationship is evolving to a different level. You might want to ride with the changes and not make an automatic assumption. Others go out of their way to communicate. Listen. Tonight: Be with a favorite person.



TAURUS (April 20-May 20)

★★★★★ Others seek you out and want to play a role in what happens. Allow them to play a stronger role than usual in what happens in your life. Think positively and work with others' thoughts and feelings. Events might not happen the way you want them to. Tonight: Ever playful.



GEMINI (May 21-June 20)

★★★★ Plunge in and clear out your to-do list. The weekend heads in your direction much faster than you realize. Think of the quality of the next few days. Ensure that you have a good time by clearing out your responsibilities. Tonight: Put your feet up and relax.



CANCER (June 21-July 22)

★★★★★ Your imagination helps find the right words to express your thoughts. The fountain of creativity comes from within. Your magnetism and charm become clearly evident to those who are willing to see and experience it. Tonight: Ever playful.



LEO (July 23-Aug. 22)

★★★★ You are a fiery one; hard to hold back and determined to make a difference. Yet today you might have to clear your set of obstacles. You know what works. You know what you want. Be ready to buck the status quo. Tonight: Head home. You will need all the rest you can get.



VIRGO (Aug. 23-Sept. 22)

★★★★ You might become distracted, as communication could go overboard. Speak your mind loud and clear. Others need to know what you feel and think. You do make a difference. Tonight: Chat and laugh away.



LIBRA (Sept. 23-Oct. 22)

★★★★ Your finances could whiz out of control before you know it. You can justify nearly any expenditure, especially with the mood you are in. You might express your feelings in a way that someone doesn't understand. Try a different way of communicating. Tonight: Please don't make assumptions.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ You are high-energy and close to unstoppable. You might want to rethink an idea before it becomes real. Your imagination could be unstoppable. Others might think some of your thoughts are alien. Remain positive. Tonight: Say yes.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Take your time before deciding that the lay of the land is a certain way. You might need to rethink an idea or get to the bottom of a problem. Lighten up and don't create drama. You might be sorely tempted. Tonight: Talk a problem through rather than react.



CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Leap into action, but be aware of how much you are committing emotionally and financially. Adjust, knowing that there are other ways and different solutions. You know what you want and how to get there. Tonight: Where your friends are.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ You are determined and unlikely to let others push you in any direction. Meaningful conversations occur for those who are willing to brainstorm creatively. You might not be as clear as you would like to be. Tonight: A force to be dealt with.



PISCES (Feb. 19-March 20)

★★★ You read between the lines and understand what might be really motivating others. Your ability to not get triggered makes you a sure-bet winner. Your imagination goes haywire. Share some of your wildest dreams. Tonight: Take off.



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COMMUNITY BRIEFS

Get out there and love it

By Daily Press staff

The Santa Monica REI is gearing up with a slew of outdoor-related events this month. From backpacking to bike maintenance, REI offers opportunities to be active with other nature-lovers. All classes are at the Santa Monica REI, located at 402 Santa Monica Blvd. The course listings are as follows:

The basic bicycle maintenance class is an informative class that will teach you how to lube a chain, fix a flat tire in record time, and make other minor adjustments to your bicycle. The class will be held Tuesday, June 13 at 6:30 p.m.

The class offers quality hands-on time working on your own bike with a certified bike technician leading the class. REI provides all tools and bike stands, but the class costs \$60 for members and \$75 for non-members. Space is limited. This class is on Saturday, June 17 from 8 a.m. to 1 p.m.

GPS 101: Come to REI and learn the fundamentals of GPS technology and become more confident in all outings. The class will take place Thursday, June 15 at 7 p.m.

Ecology and the LA River: Joe Linton, outreach director of Friends of the Los Angeles River (FOLAR) and author of "Down By The Los Angeles River: Friends of the Los Angeles River's Official Guide" will present on the history of the river, its current state and efforts to revitalize it. FOLAR has regularly scheduled walks of historic, cultural and ecological import along the Los Angeles River. Learn more at the talk on Thursday, June 22 at 7 p.m.

Lighten your load: This class will help you to backpack faster and farther by reducing your backpack weight. The instructor will demonstrate the newest lightweight gear and give some tips to lighten the load. The class is on Thursday, June 29 at 7 p.m.

For more information, call (310) 458-4370 or visit www.rei.com/stores/santamonica.

Some accents for your home

By Daily Press staff

This summer offers the opportunity to host a student from France for a few weeks. Like traveling, hosting an international student gives host families the opportunity to learn about France and French culture, develop an intimate connection with a new person, and even learn a bit of French. As an added bonus, host families will have the opportunity to accompany their student on outings such as Disneyland, Zuma beach and a Dodger game.

Any family, regardless of its status and composition, can become a host family. All that's required is to be open and eager to learn about another culture; willing to provide a home environment, share meals with a new member of the family and bring new experiences to the table. A host doesn't need kids of their own — just the willingness to open their heart and home.

The dates of the program are July 19 through Aug. 13. For more information or to sign up to become a host family call program coordinator Dalia Samansky at (310) 415-8112, or e-mail daliaws@gmail.com,

School in the summer doesn't have to be a bummer

By Daily Press staff

Perhaps summertime is the best time to increase your IQ.

It's not too late to sign up for summer classes at Santa Monica College, which is offering a full curriculum of six-week courses, including more than 40 online classes. SMC's summer session begins June 19.

Students at SMC can now purchase parking permits online. The online application and enrollment process has been designed for ease and for providing instant information on financial aid, assessment testing, counseling and orientation, said Teresita Rodriguez, dean of enrollment services.

SMC also is accepting applications and enrollment for fall semester classes.

The college's one-stop welcome center in the student cafeteria is where new students are able to enroll in classes, receive counseling, pay fees, apply for financial aid, and sign up for tours of the campus. The admissions office hours are 8:30 a.m. to 7:30 p.m. Monday through Thursday and 8:30 a.m. to 1:30 p.m. Friday. The admissions office is located at the main entrance to the campus at 1900 Pico Blvd.



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SNOW AND SURF REPORTS

SNOW CONDITIONS

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BEAR MOUNTAIN
CLOSED

JUNE MOUNTAIN
CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	0"	BASE DEPTH	84"-108	LIFT HOURS	7:00 AM - 2:00 PM	RUNS OPEN	35	LIFTS OPEN	4/28
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CONDITIONS: MACHINE GROOMED, SPRING, CORN

MOUNTAIN HIGH
CLOSED

MT. BALDY
CLOSED

SNOW SUMMIT
CLOSED

SNOW VALLEY
CLOSED

SURF CONDITIONS

WATER TEMP: 66°

SWELL FORECAST (2-3 FT)
TODAY IS LOOKING LIKE THE SMALLEST DAY IN THE FORECAST AS BOTH SOUTHERN HEMI GROUND SWELL AND WIND SWELL FADE. OVERALL, MOST ALL BREAKS ARE LOOKING AT ONLY KNEE TO WAIST HIGH SURF.

LONG RANGE SYNOPSIS
TRACKING SW'ERS FOR 17TH AND 19TH...

TIDE FORECAST FOR SANTA MONICA

SATURDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A
SUNDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A
MONDAY					
LOW TIDE	12:21 AM	2.03 FEET	11:28 AM	1.34 FEET	
HIGH TIDE	5:30 AM	3.26 FEET	6:24 PM	4.68 FEET	
TUESDAY					
LOW TIDE	1:09 AM	1.42 FEET	12:03 PM	1.61 FEET	
HIGH TIDE	6:43 AM	3.19 FEET	6:48 PM	5.02 FEET	
WEDNESDAY					
LOW TIDE	1:49 AM	0.81 FEET	12:37 PM	1.85 FEET	
HIGH TIDE	7:45 AM	3.22 FEET	7:13 PM	5.37 FEET	
THURSDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A
FRIDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A

The Q Line

PROUDLY BROUGHT TO YOU BY

It's good they had erasers. Last week, The Macerich Co. — owners of the embattled Santa Monica Place mall — announced that they had made a mistake by assuming residents would welcome a complex with three 21-story towers, and went back to the drawing board. Now comes news they plan to instead remodel. So this week, Q-Line wants to know: **"What would you propose for the shopping complex in the heart of downtown?"** Call (310) 285-8106 and we'll print your responses in the weekend edition.



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EDITORIAL

It takes two to progress



Any good relationship often means that one side must be willing to admit that they were wrong. And so it goes between the owners of Santa Monica Place — Macerich Co. — and the community at-large.

Macerich representatives publicly apologized earlier this week for their proposal of two years ago, which advocated erecting three separate 21-story skyscrapers in downtown Santa Monica. The proposal — which shocked many residents — was part of a massive redevelopment plan aimed at rethinking the economically faltering and aging mall, thrusting it into the new world of “shopping villages.”

The City Council voted against the proposal on the basis that it wasn't in step with Santa Monica's small-town atmosphere and would create even more traffic in a congested downtown. The denial sent Macerich back to the drawing board, weighing its options ever since.

Now, the company is ready to start anew and is opting for a more modest remodel of the Frank Gehry designed mall, which was built in the 1980s. The plan will likely include opening up the ground floor — extending the popular Third Street Promenade outdoor mall — and moving the food court to a third-floor patio so people can enjoy ocean views while they eat.

We hope there's more to it than that, but only time will tell what mall developers have up their sleeves. One thing is for certain: They won't make the same mistake again. This time, Macerich officials say they will actually listen to what community members want. A series of meetings were held during the last proposal, when people were given building blocks to play with so as to feel as if they were part of a design process. Residents were loud and clear in expressing their views that they wanted a development that didn't compromise the atmosphere of downtown. Translation: They wanted something small.

Still, mall designers were thinking big and it came back to bite them in the compass. They plan to hold another series of community meetings in the next 60 days to, again, see what residents want. The first thing Macerich representatives ought to do is go back through their notes and see what was said during the first round of community discussions.

Time is of the essence here for both the community's vitality and Macerich's bottom line. The mall, which has now been vacated by retailer Robinsons-May, is losing tenants and customers. Because of its enormous size, boxy design and its parking structures on either side, it shuts people off from the Santa Monica Pier and serves as a dead end to the rest of the downtown area.

We believe that extending the Promenade through the mall to Colorado Avenue, and having the pedestrian experience continue through a planned redesign of the Civic Center area and onto Main Street will be the highlight of a newly vibrant downtown Santa Monica. It would be uniquely Santa Monican for residents and visitors alike to be able to walk through a commercial and civic corridor from Wilshire Boulevard to the southern city limits.

Traffic is a concern, and likely always will be, as more development attracts more people. Redevelopment will attract more people too because whatever is built will hopefully revitalize an underutilized area of downtown.

The reality is that a successful downtown means there will be traffic. And that's a reality that we need to live with and plan for accordingly. It's not a matter of how to stop traffic from coming into the city; it's a matter of creating a flow to ease the congestion better.

There are real opportunities here to make Santa Monica an even stronger destination for shoppers, tourists and visitors. And with city officials currently revamping Santa Monica's general plan, which will dictate how development will occur over the next two decades, it is absolutely imperative that a planning director at City Hall is hired as soon as possible. The position has been vacant for more than a year. We need someone with vision, a planner who has experience in overseeing downtown areas that have reinvented themselves into pedestrian-friendly environments that include public spaces, housing and commercial districts.

Our caveat to residents is that we hope their desires to keep Santa Monica's essence intact does not impede the planning process. Change is good, inevitable and sorely needed. Residents need to compromise in the same vein that Macerich Co. has promised to do. Concerned residents need to understand that they, too, must compromise for progress — not compromise progress.

GUEST COMMENTARY BY JOHN W. WHITEHEAD

Even deplorable speech gets protection in U.S.

“You might go to church And sit down in a pew. Those humans who ain't human Could be sitting next to you.” — John Prine

On April 11, 2006, the family and friends of recently deceased Cpl. David A. Bass gathered in a Nashville church to pay their final respects to the 20-year-old Marine who was killed in Iraq when his 7-ton truck rolled over in a flash flood. While those at the funeral mourned, however, a small group of protesters celebrated his death across the street, holding signs that read “Thank God for Dead Soldiers” and “Thank God for I.E.D.'s.”

Insisting that God is killing American soldiers in order to punish the United States for its openness to homosexuality, these protesters from Westboro Baptist Church believe that fallen servicepeople should not be mourned. “You turned the country over to fags,” church members have proclaimed. “These soldiers are coming home in body bags.”

Most recently, members of this group staged a protest over the Memorial Day weekend at Arlington National Cemetery. Singing “God hates America” to the tune of “God Bless America,” they held signs that read “God is America's terror,” “Thank God for dead soldiers,” “You're going to hell” and “Bush killed them.”

Westboro's funeral protests, which many find morally repugnant and unpatriotic, have garnered a great deal of publicity — which Westboro clearly loves — and given rise to a national furor.

Reacting to the church's graveside activities, nine states have now passed laws limiting demonstrations at funerals. Kentucky's law has already been challenged by the ACLU, which insists that the law is so broad that it makes it a crime to whistle while walking within earshot of a funeral or to stop for a conversation on a public sidewalk adjacent to a funeral home or place of worship while a funeral service is in progress.

On a national level, President Bush has recently signed legislation that essentially bars free speech demonstrations within certain distances of cemeteries. This overreaching law bans “any picketing, any speech, the display of any banner, flag or the distribution of any handbill, pamphlet,” etc., at funerals. What this means is that any citizen even engaged in such nondisruptive expression as carrying an American flag while mourning the death of a slain soldier could also be in violation of the law. Moreover, anyone violating this law would face up to a \$100,000 fine and up to a year in prison. However, in the opinion of Westboro's pastor Fred Phelps, Congress and President Bush, who signed the legislation into law, are the ones “blatantly violating the First Amendment.”

Fred Phelps started the Topeka, Kansas-based Westboro Baptist Church in 1955. Consisting mainly of him and his extended family, the church became infamous in 1991 for its “God Hates Fags” message, which is also the name of its Web site. As the Web site explains, “By the time a person reaches the state of hard core, defiant, unrepentant, homosexual lifestyle, God has washed His hands of that person. God does not hate them because they are homosexuals; they are

homosexuals because God hates them.”

Devoted to its anti-gay campaign, Westboro's pastor claims that since 1991, Westboro has carried out 40 pickets a week, every week. And that may be a conservative number. However, it was not until the controversial death of Mathew Shepard in 1998 that Westboro attained a level of public notoriety. Shepard, a 21-year-old Wyoming college student, was brutally beaten and left for dead, reportedly because he was gay. Westboro members picketed his funeral and the murder trial of the men who had killed him with signs stating that Shepard was in hell for being gay.

Westboro not only condemns those who are openly homosexual but also those who do not speak out against homosexuality. For example, accusing Chief Justice William Rehnquist of not protecting the United States against homosexuality, they picketed his September 2005 funeral with signs reading “Judge in Hell.”

In fact, Westboro sees nearly every national disaster, act of human depravity and natural disaster as God punishing the U.S. for its stance on “fags” — and they go so far as to thank God for those tragedies. They insist that the Space Shuttle Columbia crashed as a way to punish the U.S., NASA and the astronauts for not using their position to speak out against homosexuality. They offered prayers of thanksgiving after the 9/11 terrorist attacks and even traveled to New York City to protest rescue efforts, mock victims and urge that those who were still alive should be left there to die. They also praised the devastation resulting from the tsunami in Asia and Hurricane Katrina as God's way of punishing those who have let the “fags” take over the world.

There may be some individuals who see Westboro Baptist Church as representative of Christianity. But they really have nothing to do with true Christianity or with spreading a Christian message. As Jesus Christ proclaimed, “You have heard that it was said, ‘You shall love your neighbor and hate your enemy.’ But I say to you, love your enemies, bless those who curse you, do good to those who hate you, and pray for those who spitefully use you and persecute you.”

In rejecting Christ's admonitions, Westboro has chosen instead to focus its efforts on spreading hate. Their actions are deplorable, particularly their protests at military funerals.

Whether their actions are illegal, however, is another matter altogether. The legal dispute centers on whether such tasteless protests can be considered protected free speech under the First Amendment. Indeed, James Madison, who authored the First Amendment, noted that the purpose of the Amendment was to protect the minority against the majority. And as Madison knew very well, the minority is often made up of extremists who have nothing better to do than foam at the mouth.

(Constitutional attorney and author **John W. Whitehead** is founder and president of The Rutherford Institute. He can be contacted at johnw@rutherford.org. Information about The Rutherford Institute is available at www.rutherford.org.)

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By Daily Press staff

Busted: Never let them see you sweat

On Saturday, June 3, at 9:52 p.m., Santa Monica Police officers in the area of Lincoln and Ocean Park boulevards observed a man walking fast and sweating profusely. Officers stopped the man to see if he was in need of medical assistance, and during their discussion with the individual officers, determined he was a parolee at large. Upon learning that he would be arrested, police said the man voiced concern for his girlfriend, who was staying alone at the Rest Haven Motel. The man was taken to the Santa Monica jail and detained.

Officers went to the motel to check on the girlfriend. When they arrived, police saw the front door of the motel room open, and observed a woman holding a hypodermic needle, attempting to inject herself with what appeared to be a controlled substance, police said. Officers were able to stop the woman and detain her. Officers learned the substance in the needle was methamphetamines. They placed the woman under arrest and recovered baggies containing crystal methamphetamine, as well as a glass pipe, hypodermic needle and other paraphernalia used to smoke or inject meth.

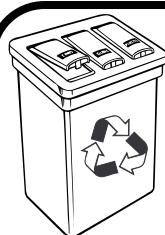
The woman was identified as Sue Ann Hoy, 35, of Santa Monica. The parolee was identified as Sergio Paez, 37, also of Santa Monica. Hoy's bail was set at \$20,000. No bail was set for Paez because of a parole warrant issued.

On Wednesday, May 17, at 3:14 p.m., police responded to the 1200 block of Third Street Promenade — Barnes & Noble — regarding a theft investigation. When they arrived, they spoke to a store manager who said employees were conducting inventory when they found a large amount of books to be missing. The manager said he conducted an internal investigation and discovered the suspect was an employee of the book store and that this employee had taken 23 books valued at \$3,520.78. The books were recovered and returned to the store, and the employee was arrested on June 1 and booked for grand theft. He was identified as Alexandre Costa, 24, of Playa Vista. His bail was set at \$20,000.

On Wednesday, May 31, at 10:15 p.m., police responded to the corner of Arizona Avenue and Berkeley Street regarding a hit-and-run accident that had just occurred. Officers responding to the crash were given a description of the vehicle believed responsible for the accident. While en route, officers spotted the car, a silver BMW, in the 1200 block of 20th Street and noticed the vehicle was unoccupied. Armed with a description of the suspect, officers in the 1800 block of Wilshire Boulevard saw an individual who matched that description. Police stopped the individual in the 100 block of 19th Street and began to question him. During their investigation, police said they noticed the scent of alcohol on the suspect's breath. When officers asked the suspect if he had been drinking, the suspect became uncooperative. He was placed under arrest for driving under the influence and for leaving the scene of an accident. He was identified as Steven Yokoyama, 35, of Marina del Rey. His bail was set at \$40,000.

On Sunday, June 4, at 8:25 p.m., police responded to the 1600 block of Cloverfield Boulevard — Ralph's — regarding a theft suspect who allegedly became combative. When officers arrived, they spoke with an employee who said the alleged thief walked into the store, stole 10 doughnuts and two 20-ounce cups of coffee. When the man left the store without paying for the items, an employee confronted him and a fight ensued, police said. The suspected thief was later arrested and booked for strong arm robbery. He was identified as Gabriele Barcellasi, 36, of Los Angeles. No bail was set.

On Friday, June 2, at 9:36 p.m., officers were called to the 400 block of Wilshire Boulevard regarding an assault investigation. When officers arrived, they spoke with a man who said he was in a gas station when he saw another man yelling at a woman, possibly his girlfriend. When he tried to leave the location, he said the yelling man followed him out into the parking lot and asked him, 'What's your problem?' The alleged victim said he refused to answer and tried to walk away. That's when the aggressor pushed him in the back. The alleged victim notified police and the man accused of assault was arrested. He was identified as Chad Pardee, 33, of Las Vegas. His bail was set at \$20,000.



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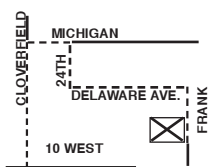
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City should know its role in Weller case next week

FARMERS MARKET, from page 1

Baker said she should issue a final ruling by Wednesday, June 14, on motions filed by City Hall and Bayside to be excused from the case.

In what attorneys for the victims described as one of the most tragic events in Santa Monica's history, Russell Weller, now 89, apparently lost control of his car after he rear-ended a Mercedes Benz at the intersection of Fourth Street and Arizona Avenue on July 16, 2003. Weller then hit the accelerator instead of the brake and traveled 995 feet through the bustling Farmers Market at speeds of up to 60 mph, avoiding parked cars but hurling pedestrians into the air before stopping, a California Highway Patrol report said.

The 10 people killed ranged in age from 7 months to 78 years old.

Weller has pleaded not guilty to 10 felony counts of vehicular manslaughter with gross negligence. No date for the criminal trial has been set. A hearing is scheduled for July 31.

The criminal trial has been delayed several times, forcing Baker to postpone the beginning of the civil action because Weller has refused to give testimony until his criminal proceedings are complete. Attorneys for City Hall have argued that without Weller's testimony, they will be unable to present an adequate defense.

Attorneys for the victims have charged county prosecutors of purposefully postponing the criminal trial for political gain, which has resulted in some of the victims being denied their right to have their cases heard in a timely fashion. At least one person injured in the crash has died while waiting to testify in the civil trial, and others are said to be in poor health. Once they die, their claims are dismissed, which is exactly what the city wants, attorneys for the victims charge.

During more than four hours of oral arguments, Geoff Wells and Gregory Moreno, attorneys representing the victims, pointed to Bayside's role as an advisor to City Hall and as the guardian of the promenade, including the maintenance, security and operation of one of the city's main tourist attractions. At the ends of the promenade, there are steel barriers preventing cars from driving onto the pedestrian walkway. Moreno said Bayside should have known that the same kind of danger posed by cars driving onto the promenade was also present at the Farmers Market, even more so since the market is protected only by "plastic sawhorses."

"They (Bayside officials) had that knowledge, and they had a contractual obligation

to advise them (city officials) of that danger," Moreno said. "This case cries for the community to decide."

Wells said Bayside was trying to avoid responsibility, passing the buck onto the city and operators of the Farmers Market, Southland Farmers Market Association. Wells also said that testimony by Bayside's executive director, Kathleen Rawson, on the organization's duties and responsibility was contradictory to a city-issued contract signed by Rawson.

Wells continued to pick apart Rawson's testimony in a deposition conducted in April in which Rawson said no one from the city had ever contacted Bayside regarding security at the Farmers Market.

"There is no factual showing that Ms. Rawson had personal knowledge of whether or not all 11 of her employees had spoken with someone from the city," Wells said. "On that basis alone, the motion for summary judgment should be denied ... Let a jury decide."

Attorneys representing Bayside said Rawson, as executive director, is the only person who would know with certainty whether or not her employees had spoken with city officials about something as serious as security on or near the promenade, and if she said no one spoke with her employees, than no one did.

As for the contract to provide services, attorneys for Bayside said nowhere does the contract state that Bayside would be responsible for activities taking place within its jurisdiction, that being downtown. While the operation and maintenance of the promenade is something that Bayside is heavily involved in, they do not make the final decision. That duty lies with the City Council.

Following a break for lunch, attorneys for the victims began their offensive regarding City Hall's motion to be excused from the case. Attorneys representing City Hall argued Santa Monica is protected because the design of the intersection where the accident occurred was approved by planning officials as being designed according to proper safety standards. If that's true, City Hall would be granted design immunity.

However, attorneys for the plaintiffs counter City Hall was negligent because it created a potentially dangerous situation by allowing a Farmers Market to be held in the middle of a busy street with only plastic barricades in place to prevent a car from driving through. With increased traffic, the plaintiff's attorneys argued city officials should have adjusted the barriers, which were put in place in 1987, to reflect the greater possibility that an accident could occur.

Undercover SMPD officer helps in arrest of cop's son

COP'S SON, from page 1

manding officer of the department's robbery homicide division.

Jackson and a second man, John Richard Rebeiro, 21, allegedly robbed the Jennifer Jeanne Boutique in the 8300 block of Lincoln Boulevard on Tuesday afternoon. As they were running away, they were seen by an off-duty SMPD officer who followed them after they sped away in a vehicle. Police stopped the car about two miles from the boutique

and arrested Jackson, Rebeiro and Mallory Eddy, 20. All three are from Los Angeles.

Jackson and Rebeiro are charged with one count each of second-degree robbery and receiving stolen property. Both are charged with the special allegation of personally using a handgun. In addition, Jackson is charged with one count of dissuading a witness from reporting a crime. Eddy is charged with one count of receiving stolen property.

If convicted, Jackson faces up to 15 years, eight months in state prison.

Volumes of evidence still being gathered

MURDERS, from page 1

against both Robles, 30, and Garcia, 29, until May 2, after evidence recovered at the crime scene was processed with current DNA technology. According to the Santa Monica Police Department, the DNA evidence was sent to the California Department of Justice, Bureau of Forensics Services DNA Laboratory and entered into their databank of known offenders.

The samples were ultimately matched with Robles and Garcia, cousins and noted gang members already behind bars for prior felony convictions.

Robles, also known as "Puppet," has been serving an eight-year sentence in Corcoran State Prison, after being convicted of voluntary manslaughter in February 2001. Garcia, also known as "Psycho," was convicted of carjacking and assault with a deadly weapon with a firearm causing great bodily injury in May 1999. He was being held in Ironwood State Prison.

On Oct. 27, 1998, two masked gunmen entered Westside Clothing — which was located between Pacific and Strand streets on Lincoln Boulevard — shortly before noon, and opened fire with numerous rounds from an assault rifle and pair of handguns on four occupants of the store. Michael Juarez and Frank Juarez Jr. ran toward the back door to try and escape the gunfire, according to police. Anthony Juarez was gunned down before he could make his way to the back. Frank Juarez Jr. and Matthew Vaughan, a customer in the store, were also shot multiple times, but survived.

The murders were believed to be in retaliation for a homicide that occurred in broad daylight just days before the Juarez brothers were gunned down. According to reports, a gang member was attending a drug class at the Clare Foundation on Lincoln Boulevard when he was shot while waiting for the bus, prompting the Culver City Boyz to retaliate against Santa Monica gang members.

The Juarez brothers weren't from Santa Monica, nor affiliated with any gangs. They were said to be interested in opening a store akin to Westside Clothing where they lived in Cayucos, a small town in San Luis Obispo County. They had come into Santa Monica the night before to check out their cousin's operation.

Michael Juarez was 27 when he died. His younger brother Anthony was 19.

Following the shooting at Westside Clothing, the masked assailants ran out of the store and got into a car awaiting them on Lincoln Boulevard, driven away by an unknown suspect. The car was subsequently discovered near LAX later that day, wiped clean.

Robles and Garcia, both of whom face two counts of murder and two counts of attempted murder, are eligible for the death penalty. A special committee will determine if the defendants should face capital punishment following a preliminary hearing.

According to Attorney Michael Norris, who is defending Jesse Garcia, a "voluminous" amount of discovery is still being turned over. Following Thursday's proceeding, he said it would be premature to comment on the case against his client.



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STATE BRIEFS

Wired teacher doesn't get off

By The Associated Press

MURRIETA — A kindergarten teacher who was arrested after coming to work with cocaine in her system has been sentenced to three years' probation and 180 days' week-end jail time.

"I want you to know we are giving you a chance to succeed," Judge Harold W. Hopp told Lynne Marie Filippini, 47, at Wednesday's hearing before warning her that she faces a two-year prison term if arrested again.

Filippini pleaded guilty last month to several misdemeanor drug charges and counts of child endangerment.

She was arrested in November at French Valley Elementary School after a day-care worker reported she was behaving erratically. A drug test later found life-threatening levels of cocaine in her blood.

She was arrested again two days later for possessing 13 grams of cocaine during a search of her apartment.

Filippini has been in drug rehabilitation since her arrest and remains on unpaid administrative leave from the Temecula Valley Unified School District.

Anti-immigrant message made loud and clear

By The Associated Press

IRWINDALE — Anti-illegal immigration activists are taking their message to the state's highways with a billboard campaign.

The first of the billboards paid for by the group Grassfire.org went up Wednesday near the Foothill and San Gabriel River freeways, group members said.

Some 15 more billboards with the message "Stop The Invasion: Save Our Border" are planned for the state, organizers said.

The group already has its message on billboards in Arizona, Texas, Georgia, Florida and West Virginia.

Grassfire.org President Steve Elliott said the billboards will send a message to Congress.

Some immigration advocates said the billboards are racist and inflammatory. The billboards' message could further unify Latinos on immigrant rights, Whittier Latino Coalition member Victor Ledesma said.

"This kind of billboard only brings us closer together," Ledesma said.

Megadump supporters get their fill

By The Associated Press

LOS ANGELES — County supervisors voted to merge two Sunshine Canyon Landfill sites into a single 1,528-acre megadump.

Tuesday's 3-2 vote by the county board would Browning-Ferris Industries to run its side-by-side dumps until 2036.

The plan now goes to the City Council for approval.

One of the landfill sites is in unincorporated county territory. The other is in the Granada Hills area of Los Angeles.

The landfill merger plan came before the Board of Supervisors after the Planning Commission rejected it in November and Browning-Ferris appealed.

Opponents of the plan continued Tuesday to criticize the lack of a cap on capacity and the length of the operating contract.

"As far as I'm concerned, it's one more time they've shafted the community," said Wayne Hunter, president of the North Valley Coalition.

Browning-Ferris argued that merging the sites would help it run the landfill more efficiently with a single set of equipment and governing rules.

"We are pleased that they saw things the way we did," district manager Greg Loughnane said.

Nobel school wants no part of security prize

By The Associated Press

LOS ANGELES — While other schools clamored for a share of the \$73 million the school district distributed this year for guards and gates, one campus was conspicuously silent.

Nobel Middle School in Northridge was the only one of the district's 550 campuses to opt out of a plan to surround schools with security fences.

More than 600 Nobel students wrote letters and circulated petitions opposing the proposed fence, while teachers and parents protested to the district.

At Nobel, the students "don't feel like it's a prison," Principal Robert Coburn said. "They feel like we trust them and they are very, very proud of that."

But some district officials are not entirely comfortable with Nobel's open campus, even if it is in a relatively secure neighborhood of million-dollar homes.

"We understand why they like it the way it is," said Donna Smith, an aide to school board member Jon Lauritzen, who proposed the fence. "But the safety and welfare of students and employees is a primary responsibility of the district."

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Fizzling out: Sequoia fire plan nixed

BY TERENCE CHEA

Associated Press Writer

SAN FRANCISCO — The Bush administration withdrew its fire protection plan for Sequoia National Forest, home to two-thirds of the world's biggest trees, nearly a year after a judge ruled the blueprint violated federal law.

The U.S. Forest Service notified a federal court Tuesday that it had withdrawn the fire plan, which laid out the agency's strategy for responding to lightning fires in the 328,000-acre Central California forest, which includes Giant Sequoia National Monument.

The Forest Service said it would not issue a new fire-control plan, but stressed the decision would not affect its ability to protect California's forests.

"We are still going to be aggressively fighting fires, especially the ones that affect human life, property and valuable resources," Forest Service Matt Mathes said Wednesday.

Attorney General Bill Lockyer, who sued to block the plan in March 2005 because it didn't undergo environmental review or incorporate public input, said the agency's decision to scrap it leaves the forest vulnerable at the start of the

state's fire season, which runs from June to November.

"It is time for the Bush administration to step up and deliver comprehensive plans based on sound science and input from experts and the surrounding communities," Lockyer said.

Sequoia trees, which grow up to 270 feet high and 30 feet wide and live for thousands of years, are only found in Central California.

The fire plan, first issued in 2002, allowed commercial logging in the monument. The Forest Service said the thinning of smaller trees was needed to protect the 38 sequoia groves.

The attorney general accused the agency of designing a plan that benefited timber companies, while putting forests and surrounding communities at risk.

The Forest Service argued it didn't need to conduct an environmental review because the plan was compiled from other documents that already provided such assessments.

In July, U.S. District Judge Charles Breyer sided with Lockyer and ordered the agency to revise the plan to comply with the law.

By withdrawing the plan this week, the agency said it believed the lawsuit was no longer valid.

Lockyer's office was still reviewing its legal options to see if it could compel the agency to develop a new one "to meet the needs of the community and take care of the forest," said spokeswoman Teresa Schilling.

Environmental groups and the attorney general's office have filed several legal challenges to federal logging and fire management plans.

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LAND RICHARDS - D
JUNE 7

ANDRE MANGA
OTMARO RUIZ - P
KAREN BRIGGS - VIOLIN
PAUL PINEDA - D
ANTTI KOTIKOSKI - G
JUNE 14 - One Show 8:30 P.M.

LARRY STEEN
WORLD JAZZ ENSEMBLE
LARRY STEEN - B
OTMARO RUIZ - P
KATISSE BUCKINGNAM - S
CHRIS WABICH - D
JUNE 14 - One Show 10:30 P.M.

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TEXAS TWO-STEP Actress Lily Tomlin portrays one-half of a folksy Midwestern singing duo in Robert Altman's film 'A Prairie Home Companion,' based on the radio program of the same name.

MOVIE REVIEW



BY DAN DUNN
Special to the Daily Press

It's rare to come across a film like this — one that has so much going on in every scene, yet manages to keep its audience perfectly at ease. Of course, Robert Altman is a rare talent, and as we've come to expect from this legendary director much of the beauty in "A Prairie Home Companion" lies

in the details. Pay attention while Meryl Streep and Lily Tomlin — magnificent together as folksy Midwestern singing sisters in the twilight of their careers — effortlessly toss rhetorical bullion back and forth and you may notice the date 4-5-94 scrawled in pen on the jeans worn by Streep's forlorn teenaged daughter (a low-key Lindsay Lohan). April 5, 1994, was the day Kurt Cobain killed himself. Who would think to add a little touch like that besides Altman?

"A Prairie Home Companion" plays out in

a musty old theater in St. Paul, Minn. over the course of the final live performance of a fictitious radio variety show much like the actual — and still-surviving — radio program hosted by Garrison Keillor, who co-wrote the screenplay with Ken LaZebnik and stars as the hangdog host. The show features a hilarious singing cowboy act (Woody Harrelson and John C. Reilly) the aforementioned Johnson Sisters and, of course, Keillor wielding his considerable down-home charm and deadpan wit. The cast of characters behind the scenes is

mighty impressive and includes Kevin Kline as security guard, Guy Noir, who is two parts Clousseau, one part Raymond Chandler. Virginia Madsen shines — literally — as an angel who comes to escort at least one of the film's principals to Heaven. Tommy Lee Jones is the cold-blooded corporate axeman come to level the old theater and turn it into a parking lot. He's from Texas, of course, because Altman and Keillor wouldn't have it any other way.

(RATED PG-13. RUNNING TIME: 105 MINUTES)

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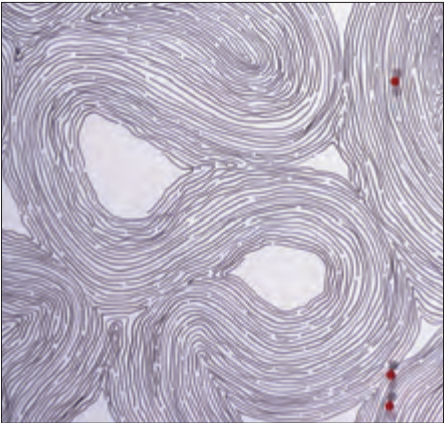
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ENTERTAINMENT BRIEFS



Photos courtesy

VISUAL TREAT The works of SMC art students are on display through June 24 at Arena 1.

Recognizing ‘Under the Radar’ talent

By Daily Press staff

Local students will show off their talent this month after being selected by their instructors for being the cream of the crop.

A collection of work by students in the Santa Monica College Art Mentor Program is currently on exhibit through June 24 at Arena 1 Gallery. The Art Mentor Program is a year-long program for gifted visual art students selected by the SMC Art Department faculty. The program — in many ways similar to a graduate school program — was created to provide an innovative, experimental and interdisciplinary environment for students to explore a variety of art forms, professional practices and critical theory. Students work in small groups with a professional artist or art historian, visit artists’ studios and art institutions, and participate in group discussions and critiques.

The opening reception for the exhibition “Under the Radar” will be from 6 p.m. to 9 p.m. on Friday, June 9, at the gallery, located at 3026 Airport Ave., in the Santa Monica Art Studios at the Santa Monica Airport. The works in the exhibit includes paintings, sculpture, ceramics, video, mixed media, digital images, performance and installation, and is as diverse as the artists who created it.

The student artists are Gustavo Almeida-Santos, Kathy Chin, Elizabeth Comay, Dante Cox, Julie Easton, Arlene Encell, Jaqueline Friedberg, Nathan Geare, Nat George, Scott Hillman, Stacey Kalkowski, Ed Krzyzaniak, Ophelia Lee, Nuttaphol Ma, Nancy P. Peterson, Christina Pierson, Leslie Porter, Bettina Staib, Agnes Szumski, Ariana Tosatto, Aneq Verdone, David Wexler and Kathleen Zadikian. Coordinators of the Art Mentor Program are SMC art professors Linda Lopez and Sharon Kagan.

Gallery hours are from noon to 6 p.m., Wednesday through Saturday. For more information, call (310) 397-7449 or go to www.santamonicaartstudios.com.

Gallery oozes experimentation

By Daily Press staff

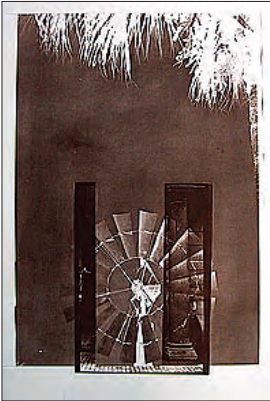
Walk through a retrospective of works by Robert Rauschenberg, named an “American Master” by PBS. Rauschenberg’s enthusiasm for popular culture and his rejection of the angst of the abstract expressionists led him to embrace materials traditionally outside the artist’s reach. From the mid ’60s through the ’70s, he experimented in prints by using aluminum, moving Plexiglas disks, clothes and other surfaces. He challenged the view of the artist as auteur by assembling engineers to help in the production of pieces technologically designed to incorporate the viewer as an active participant in the work.

Throughout the ’80s and ’90s, Rauschenberg concentrated primarily on collage and new ways to transfer photographs.

His new exhibit is on display through Aug. 12. Gallery hours are Tuesday through Friday, from 11 a.m. to 5:30 p.m.; Saturday 12 p.m. to 6 p.m. The gallery is located at Bergamot Station, 2525 Michigan Ave., suite G4. For more information, visit www.ikonltd.com.



Photos Courtesy
DRAWN IN The expressionist works of renowned artist Robert Rauschenberg, dubbed an ‘American Master’ by PBS, are on display through Aug. 12 at Bergamot Station.



SANTA MONICA ART PALETTE
MAKING ARTS AND CULTURE COME ALIVE IN SANTA MONICA

Welcome to the Santa Monica Art Palette for the weekend of June 9. The goal of the Art Palette, created by City Hall’s cultural affairs division, is to showcase the many eclectic arts and cultural opportunities available in Santa Monica every week, highlighting one or more of the many happenings within our borders. This weekend we’ve got music, dance, theatre, film and visual art events.

Aero Theater
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<http://www.americancinematheque.com/>
<http://www.myspace.com/americancinematheque>

American Cinematheque at the Aero Theatre Presents The Robert Altman Retrospective
The Aero Theatre hosts a retrospective by one of Hollywood’s living legends, Robert Altman. From Friday through Wednesday, June 14, you can catch some of Altman’s classic features including Nashville on Thursday night, The Player on Friday and Sunday night’s presentation of Brewster McCloud.



Space at Fountain’s End
The Tina Dance Reality Theatre
Conceived and directed by Michael Kerans. Noted actor, teacher and performance artist, Kearns brings his new work to Highways this weekend. The Tina Dance is a live docudrama revealing true stories of individual struggles with crystal methamphetamine. It is a dance of life and death, cautionary but not without hope.

Friday and Saturday at 8:30 p.m.
\$15 Highways
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1651 18th St.
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Celestial Landscapes Santa Monica College Photography Gallery
Santa Monica College presents an exhibition of mixed media constructions, jewelry and paintings of Carol Arutian, Chris Madans, Tina Riggs and Jane Shibata titled “Celestial Landscapes.” This is the last in a series of shows this year that has focused on the work of adjunct art professors at the college. The SMC Photography Gallery is located on the second floor of Drescher Hall at 1900 Pico Blvd. The opening reception will take place on Saturday night from 6 p.m. to 10 p.m. Gallery hours are noon to 5 p.m. Tuesday through Friday and 11 a.m. to 4 p.m. Saturday. For information, call (310) 434-4289.



City Garage Tucked away in the Fourth Street alley behind the Third Street Promenade lies one of Los Angeles County’s most exciting and daring theatre companies — City Garage. Frederique Michel and Charles Duncombe present incredibly challenging, smart and fascinating theatre. Their 2006 season is dedicated to Obie-award-winning playwright Charles L. Mee’s radical reworkings of three Greek tragedies: Agamemnon, The Bacchae, and Iphigenia. In Agamemnon, Mee transforms the classic tragedy by Aeschylus into a haunting meditation on the struggles and strife of our own time. Agamemnon, returning victorious from a ruinous and misguided war, only to find that the one thing he has accomplished is the destruction of his own society and ultimately, of himself.

Agamemnon

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1340 1/2 Fourth St. alley, between the Third Street Promenade and Fourth Street, and between Santa Monica Boulevard and Arizona Avenue. There is convenient parking in the neighboring parking Structure No. 3, located on Fourth Street. Exit via the back stairs of structure. The theatre is to the left.



Senior Gala
Saturday, June 10 at 7 p.m. in Barnum Hall at 601 Pico Blvd. on the Santa Monica High School campus, the Santa Monica High School Orchestras will present its annual Senior Gala Concert. The program will feature Samohi’s symphony, chamber and philharmonic orchestras, as well as performances by talented soloists. Be warned that these are no ordinary high school musicians. The Samohi Symphony was named best high school orchestra in the country at the 2005 National Orchestra Festival in Reno, Nev., and recently performed at Disney Hall, making it the only high school orchestra to ever receive that honor.

<http://samohiorchestra.org/> http://www.smmusd.org/samohi/performing_arts/htmls/orchestra_events.htm

The Outdoor Stage at The Morgan-Wixson Theatre
My Father’s World Finally, the Morgan Wixson Theatre is presenting a series of staged play readings this summer on a special outdoor stage. Tickets are \$5 per person. This Sunday, June 11, the theatre presents My Father’s World by playwright Brooke Bastinelli.

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Tickets available at the door
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<http://www.morgan-wixson.org/>



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Governor wants to put focus on border jumpers

BY ALICIA A. CALDWELL

Associated Press Writer

EL PASO, Texas — The governor of Texas wants to turn all the world into a virtual posse.

Rick Perry has announced a \$5 million plan to install hundreds of night-vision cameras on private land along the Mexican border and put the live video on the Internet, so that anyone with a computer who spots illegal immigrants trying to slip across can report it on a toll-free hot line.

"I look at this as not different from the neighborhood watches we have had in our communities for years and years," Perry said last week.

Some say it is a dangerous idea and a waste of money.

"This is just one of those half-baked ideas that people dream up to save money but have no practical applications," said Jim Harrington, director of the Texas Civil Rights Project in Austin. "We would be far better off to invest that money in Mexican small towns along the border so people wouldn't have to emigrate."

The plan marks a political about-face for Perry, a Republican seeking re-election, who has long argued that security along the state's 1,200-mile border with Mexico is strictly a federal responsibility.

This week, he said cuts in federal homeland security funding, a rise in reports of border violence and the crossing of Mexican soldiers into Texas about two years ago have demonstrated that "Texas cannot wait for

Washington, D.C., to act."

Under the plan, announced on the eve of the state GOP convention, cameras and other equipment would be supplied to willing landowners and placed along some of the most remote reaches of the border. The live video would be made available to law enforcement and anyone else with an Internet connection.

Viewers would be able to call day or night to report anything that looks like trespassing, drug smuggling or something else suspicious.

The governor plans to pay for it all with grant money the state already has, and wants the first cameras in place within 30 days.

The Border Patrol already has lots of its own surveillance cameras along the border, but the images are not made available to the

public. Border Patrol Chief David Aguilar did not comment directly on the governor's plan Wednesday, but said: "We are looking forward to the opportunity to sit down and discuss it with him to ensure that whatever is done will be aligned with the efforts of the Border Patrol."

Agency officials did not immediately return calls for comment Thursday.

Luis Figueroa, an attorney with the Mexican American Legal Defense and Educational Fund, warned that the cameras could lead to racial profiling and vigilanteism.

"This leaves the door open to anyone who has a vindictive state of mind or a racial motive," Figueroa said. "Anyone down there could easily be mistaken and falsely accused of something they didn't do."



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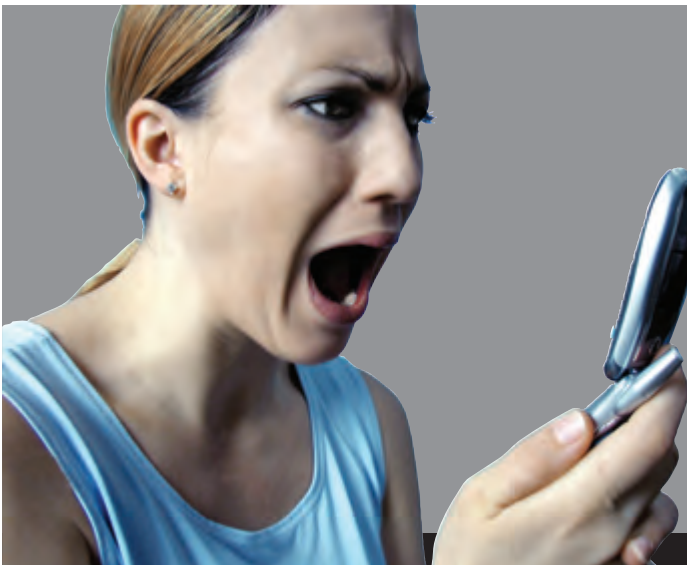
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Santa Monica Daily Press

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American climber takes a pass on peak

BY BINAJ GURUBACHARYA

Associated Press Writer

KATMANDU, Nepal — Just days after a British climber was left to die near Mount Everest's summit, a guide from Washington state abandoned his second bid to stand on top of the world so he could rescue a mountaineer mistakenly given up for dead.

Not only did Daniel Mazur not scale the world's highest peak from the northern side, he also failed to get his two paying clients to the top.

"It was very disappointing for me to miss my chance at the summit, but even more that I could not get my job done," Mazur, of Olympia, Wash., told The Associated Press upon returning to Nepal's capital, Katmandu, on Thursday.

Mazur, his two clients and a Sherpa guide

were just two hours from the 29,035-foot peak on the morning of May 26 when they came across 50-year-old Lincoln Hall, who was left a day earlier when his own guides believed he was dead.

"I was shocked to see a guy without gloves, hat, oxygen bottles or sleeping bag at sunrise at 28,200 feet height, just sitting up there," said Mazur, who scaled Everest once before, from the southern side, in 1991.

Mazur said Hall's first words to him were: "I imagine you are surprised to see me here."

Mazur said he knew Hall was OK because he was not crying for help and still had a sense of humor.

Mazur's team spent the next four hours pulling Hall away from the slopes, giving him bottled oxygen, food and liquids.

They also radioed the base camp to tell

Hall's surprised team he was still alive.

While Mazur's team was busy assisting Hall, two Italian climbers walked past them toward the summit. When asked to help, they claimed they did not understand English. On his return to base camp, Mazur discovered they did.

"I don't know why they didn't want to stop to help," Mazur said. "I hope when I am there, in that state, and someone passes me ... I hope it is someone like me."

Hall's rescue came just days after David Sharp, 34, died May 15, about 1,000 feet into his descent from the summit. Dozens of people walked right past him, unwilling to risk their own ascents.

By the time some Sherpas showed up to help get Hall back to base camp, Mazur, his clients and his own Sherpa were too exhaust-

ON THE NET

News and information on Everest
www.mounteverest.net

Daniel Mazur's company
www.summitclimb.com

ed to attempt the peak. They had no choice but to return without completing their climb.

"We all looked at the summit and then returned," he said. "We all agreed there was no choice."

But Mazur had no regrets.

"Oh yeah, it was worth it," he said. "You can always go back to the summit but you only have one life to live. If we had left the man to die, that would have always been on my mind. ... How could you live with yourself?"

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U.S. airstrikes take out top terrorist

BY PATRICK QUINN

Associated Press Writer

BAGHDAD, Iraq — Abu Musab al-Zarqawi, whose bloody campaign of beheadings and suicide bombings made him the most-wanted terrorist in Iraq, was killed when U.S. warplanes dropped 500-pound bombs on his isolated safe house, officials said Thursday. His death was a long-sought victory in the war in Iraq.

The targeted air strike Wednesday evening was the culmination of a two-week-long hunt for al-Zarqawi, the leader of al-Qaida in Iraq. Tips from senior militants within the network led U.S. forces to follow al-Zarqawi's spiritual adviser to the safe house, 30 miles outside Baghdad, for a meeting with the terror leader. The adviser, Sheik Abdul Rahman, was among seven aides also killed.

Fingerprints, tattoos and scars helped U.S. troops identify al-Zarqawi's body, White House spokesman Tony Snow said. The U.S. military showed a picture of al-Zarqawi's face after the air strike, with his eyes closed and spots of blood behind him.

"Al-Zarqawi was eliminated," Prime Minister Nouri al-Maliki said.

President Bush hailed the killing as "a severe blow to al-Qaida and it is a significant victory in the war on terror."

He cautioned: "We have tough days ahead of us in Iraq that will require the continuing patience of the American people."

Defense Secretary Donald H. Rumsfeld said al-Zarqawi's

death "will not mean the end of all violence in that country."

He added that it was apt that al-Zarqawi — who had tried to thwart Iraqi elections and formation of a new government — died on the day the new government in Baghdad finalized its cabinet.

Around the time news reports announced al-Zarqawi's death, two bombs hit a market and a police patrol in Baghdad, killing at least 19 people and wounding more than 40. Police differed on whether the bombs struck shortly before or after the 10:30 a.m. news. Later, a parked car bomb exploded in north Baghdad, killing six people and wounding 15.

Al-Qaida in Iraq vowed to continue its "holy war," according to a statement posted on a Web site.

"We want to give you the joyous news of the martyrdom of the mujahed sheik Abu Musab al-Zarqawi.

"The death of our leaders is life for us. It will only increase our persistence in continuing holy war so that the word of God will be supreme."

The Jordanian-born terrorist, 39, was Iraq's most-wanted militant and nearly as notorious as Osama bin Laden, to whom he swore allegiance in 2004. The United States put a \$25 million bounty on his head, the same as bin Laden. Al-Maliki told al-Arabiya television the bounty would be honored, saying "we will meet our promise," without elaborating.

As the leader of al-Qaida in Iraq, Al-Zarqawi oversaw a wave of kidnappings of foreigners and the killings of at least a dozen, including Arab diplomats and three Americans. He personally is believed to have beheaded two Americans — Nicholas Berg of West Chester, Pa., and Eugene Armstrong, formerly of Hillsdale, Mich. — prompting supporters to dub him "the slaughtering sheik."

Al-Zarqawi also was a master Internet propagandist, spreading the call for Islamic extremists to join the "jihad," or holy war, in Iraq. His group posted gruesome images of beheadings, speeches by al-Zarqawi and recruitment videos depicting the planning and execution of its most daring attacks.

His followers also frequently targeted Shiite civilians and mosques in an attempt to spark sectarian civil war, and in his statements, al-Zarqawi — a Sunni Arab — often vilified Shiites as infidels.

Just days before his death, Al-Zarqawi issued an audiotape on the Internet, railing against Shiites in Iraq and saying militias were raping women and killing Sunnis. He urged the community to fight back.

Elated at news of his killing, Iraqi police in Baghdad's Shiite slum of Sadr City fired their guns in the air and chanted. Other Iraqi citizens had mixed reactions.

U.S.-led forces came close to capturing al-Zarqawi several times since his campaign began in mid-2003. But Gen. George Casey, the top U.S. commander in Iraq, said the latest hunt began two weeks ago with intelligence from senior leaders of al-Zarqawi's network.

U.S. military spokesman Maj. Gen. William Caldwell said U.S. and Iraqi intelligence found al-Zarqawi by following his spiritual adviser, who visited al-Zarqawi at the safe house, prompting the air strike. He showed a videotape of an attack in which he said F-16 fighter jets dropped two 500-pound bombs on the site.

"We had absolutely no doubt whatsoever that Zarqawi was in the house," Caldwell said, adding that Iraqi and U.S. troops carried out 17 raids around Baghdad after al-Zarqawi's killing.

The safe house was located in a remote area 30 miles from Baghdad in the volatile province of Diyala, just east of the

provincial capital of Baqouba, officials said.

Baqouba has in recent weeks seen a spike in sectarian violence, including the discovery of 17 severed heads in fruit boxes. It also was near the site of a sectarian atrocity last week in which masked gunmen killed 21 Shiites, including a dozen students pulled from minibuses, after separating out four Sunni Arabs.

"Those who disrupt the course of life, like al-Zarqawi, will have a tragic end," the Iraqi prime minister said. He warned those who would follow the militant's lead that "whenever there is a new al-Zarqawi, we will kill him."

"This is a message for all those who embrace violence, killing and destruction to stop and to (retreat) before it's too late," he said. "It is an open battle with all those who incite sectarianism."

Al-Maliki said tips from area residents helped lead to the air strike. A Jordanian official said the kingdom also gave the U.S. military information on tracking down al-Zarqawi, who claimed responsibility for the triple suicide bombing of hotels in Jordan's capital, which killed 60 people. The attack drew condemnation from the Arab world, including Islamic militants.

The official, who spoke on condition of anonymity because he was addressing intelligence issues, said some of the information came from Jordan's sources inside Iraq and led the U.S. military to the Baqouba area.

Iraqi Foreign Minister Hoshiyar Zebari told The Associated Press that a serious effort to find al-Zarqawi had been under way since he appeared in a videotape in late April — the same week messages were broadcast by bin Laden and his top deputy, Ayman al-Zawahri. He said the location where al-Zarqawi appeared in the videotape had been "pinpointed," without elaborating.

A U.S. defense intelligence official, who requested anonymity while events were unfolding, said there is no intelligence indicating that extremists planned attacks that would be triggered by al-Zarqawi's death.

His death might bring retaliation, he said.

It was not clear to American authorities who would succeed al-Zarqawi. The official noted that a number of al-Zarqawi deputies have been killed in recent months, which could cause chaos among the group's top tier.

Caldwell, the U.S. military spokesman, said an Egyptian-born man he identified as Abu al-Masri will probably take over al-Qaida in Iraq.

In London, British Prime Minister Tony Blair said al-Zarqawi's death "was very good news, because a blow against al-Qaida in Iraq was a blow against al-Qaida everywhere." Afghan President Hamid Karzai called the killing "a significant step in ridding the world of the menace of terrorism."

In Jordan, al-Zarqawi's older brother said the insurgent leader was a martyr.

"We anticipated that he would be killed for a very long time," Sayel al-Khalayleh told The Associated Press by phone from Zarqa, the town from which al-Zarqawi derived his name. The family renounced him in the wake of the Amman bombing.

Iraqi citizens had mixed reactions to news of al-Zarqawi's death.

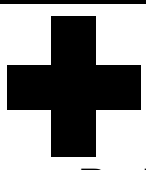
Thamir Abdulhussein, a college student in Baghdad, said he hoped the killing would promote peace between the fractured ethnic and sectarian groups.

"If it's true al-Zarqawi was killed, that will be a big happiness for all the Iraqis," he said. "He was behind all the killings of Sunni and Shiites. Iraqis should now move toward reconciliation. They should stop the violence."

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McCready wants payback

By The Associated Press

NASHVILLE, Tenn. — Mindy McCready has sued her former boyfriend for \$3 million, claiming he beat her last year and that the incident hurt her music career.

McCready, who had a No. 1 hit in 1996, “Guys Do It All the Time,” sued last month in Davidson County Circuit Court, The Tennessean newspaper reported Thursday. The lawsuit claims the alleged assault hindered the 30-year-old country singer’s ability to book performances and other work.

William McKnight is facing charges of attempted murder and breaking into McCready’s home and beating her severely in May 2005.

“One of the problems is that, literally, venues worried about whether ... McKnight would show up and someone would get hurt,” McCready spokesman Paul Berg said. “It’s been very interesting to see how difficult it’s been to even put her someplace to do a free show to raise money.”

McKnight is employed, his attorney, John Norris, said Thursday, but doesn’t have the amount of money that McCready is asking for. The lawsuit says McKnight is living in Brandon, Fla.

“The \$3 million is out of proportion to any actual damages she actually sustained,” Norris said.

Berg said McCready is “not expecting to get anything out of this. Many people have to file civil litigation to set the record straight, whether or not they collect.”

Norris said McKnight was disappointed by the lawsuit. “Based on the circumstances of this relationship, it’s hard to understand where she came up with that figure,” he said.

Berg said the \$3 million was derived from both lost potential income and the emotional trauma McCready endured.

McCready’s legal problems began before the alleged attack.

In 2004, she pleaded guilty to fraudulently obtaining OxyContin at a Brentwood pharmacy. She was also arrested and charged with drunken driving and still faces that charge and another for

violating probation.

Last July, McCready learned she was wanted in Arizona for her involvement with an alleged con man, but the charges were dropped in November.

McCready is raising her 2-month-old son, Zander. She claims McKnight is the father. If the singer wins her lawsuit, any money collected will go into a trust fund for her son, Berg said.

HONG KONG — Ang Lee was in Taipei this week, casting for his new film, the spy thriller “Lust, Caution,” his brother said.

Lee, who is based in the United States, planned to spend two days in his home island, his brother Lee Kang told The Associated Press on Wednesday. The younger Lee, a film distributor, is helping the Oscar-winning director with casting arrangements.

The Apple Daily newspaper reported that Lee had met with Chinese stars Zhang Ziyi (“Memoirs of a Geisha,” “House of Flying Daggers”) and Zhou Xun, the reigning Hong Kong Film Awards best actress.

Lee Kang declined to name the actors his brother planned to meet.

Ang Lee, 51, won an Oscar for 2005’s “Brokeback Mountain.” His films also include “Hulk,” “Crouching Tiger, Hidden Dragon” and “The Ice Storm.”

Lee plans to start shooting his new movie in September, with filming to take place in Hong Kong and Shanghai, his brother said.

NEW YORK — Barbra Streisand plans to embark on a national concert tour this fall, her first in over a decade.

The 64-year-old singer-actress will perform in 20 concerts in U.S. cities during October and November, her manager, Martin Erlichman, said in a statement Thursday. Streisand’s last U.S. tour was in 1994.

“Designated proceeds” from her performances will be distributed through the Streisand Foundation to support several causes, including the environment, education and women’s health.

“The increasingly urgent need for private citizen support to combat dangerous climate change, along with education and health issues, was the prime reason I decided to tour again,” Streisand said in a statement. “This will allow me to direct funds and awareness to causes that I care deeply about.”

The tour follows the release of her latest album, “Guilty Pleasures,” last September. In 2004, Streisand marked her return to the big screen, co-starring in the Ben Stiller comedy, “Meet the Fockers.”

Dates and locations will be announced at a later date.

STOCKHOLM, Sweden — Onstage, Madonna wears designs by Jean Paul Gaultier; offstage, the 47-year-old pop star and her “Confessions” world tour entourage will choose clothing from H&M’s 2006 collection.

Hennes & Mauritz AB, a fashion retailer with over 1,200 stores in 22 countries, says it will supply a complete offstage wardrobe for the Material Girl and her tour band, dancers and crew members.

“Partnering up with H&M feels like a perfect fit. We’ll all get to express ourselves in our own individual ways,” Madonna said Thursday in a statement. “The dancers and I are excited to go shopping together.”

The collaboration also will include a specially designed Madonna tracksuit that will be in stores in mid-August and an ad campaign featuring the singer and her dancers, the company said.

“Aside from being great fans of Madonna’s music and fashion sense, we admire her ability to always be ahead of the trends in everything she does,” Margareta van den Bosch, H&B’s head of design, said in a statement. “We look forward to seeing how her touring family translates H&M’s seasonal trends to their own personal looks.”

Madonna’s “Confessions Tour,” which opened May 21 in Los Angeles, is scheduled through Sept. 3, with stops including Chicago, Montreal, New York, Boston, London, Rome and Paris.

MOVIEGUIDE

SHOWTIMES: FRIDAY, JUNE 9, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

Keeping Up With the Steins (PG-13)
1:30, 4:45

Prairie Home Companion, A (PG-13)
1:00, 4:15, 7:15, 10:30

X-Men: The Last Stand (PG-13)
12:30, 2:00, 3:00, 5:15, 6:15, 7:30, 8:30, 9:30, 10:15, 11:00

Mann's Criterion Theatre
1313 3rd Street
(310) 395-1599

Friends With Money (R)
3:00, 7:40

Mission: Impossible III (PG-13)
1:10, 4:00, 7:00, 10:10

The Omen (R)
11:20am, 12:50, 1:30, 2:10, 3:40, 4:20, 5:00, 6:30, 7:10, 7:50, 9:20, 10:00, 10:40, 12:00am

Poseidon (PG-13)
12:30, 5:10, 9:50

Thank You for Smoking (R)
1:00, 3:20, 5:40, 8:00, 10:20

AMC7 Santa Monica
1310 3rd Street
(310)289-4262

Break-Up, The (PG-13)
11:00am, 11:40am, 1:45, 2:15, 4:15, 5:10, 7:00, 8:00, 9:35, 10:40, 11:40

Cars (G)
10:40am, 11:30am, 1:40, 2:30, 4:40, 5:30, 7:40, 8:30, 10:30, 11:30

Da Vinci Code, The (PG-13)
11:45am, 12:35, 3:00, 4:00, 6:30, 7:30, 10:00, 11:00

Over the Hedge (PG)
12:10, 2:35, 4:50, 7:20, 9:30

Nuwilshire Theatre
1314 Wilshire Blvd
(310)281-8228

Art School Confidential (R)
11:30am, 2:00, 4:30, 7:10, 9:45
District B-13 (Banlieue 13) (R)
11:45am, 2:15, 4:45, 7:30, 10:00

Laemmle 4-Plex Theatre
1332 2nd Street
(310)394-9741

An Inconvenient Truth (PG)
12:15, 1:30, 2:45, 4:00, 5:15, 7:00, 7:45, 9:30, 10:15

Peaceful Warrior (PG-13)
12:45, 3:45, 7:00, 9:55

Water (PG-13)
1:15, 4:15, 7:15, 9:55

Information: calendar@smdp.com

MORE TODAY IN HISTORY

In 1940, Norway surrendered to the Nazis during World War II.

In 1953, about 100 people died when a tornado struck Worcester, Mass.

In 1954, during the Senate-Army Hearings, Army special counsel Joseph N. Welch asked Sen. Joseph R. McCarthy: “Have you no sense of decency, sir?”

In 1969, the U.S. Senate confirmed Warren Burger to be the new chief justice of the United States, succeeding Earl Warren.

In 1973, “Secretariat” became horse racing’s first Triple Crown winner in 25 years by winning the Belmont Stakes.

In 1978, leaders of the Church of Jesus Christ of Latter-Day Saints struck down a 148-year-old policy of excluding black men from the Mormon priesthood.

In 1980, comedian Richard Pryor suffered almost fatal burns at his San Fernando Valley, Calif., home when a mixture of “free-base” cocaine exploded.

In 1985, American educator Thomas Sutherland was kidnapped in Lebanon; he was released in November 1991 along with fellow hostage Terry Waite.

Ten years ago: White House Chief of Staff Leon Panetta, appearing on NBC’s “Meet the Press,” said it was wrong for an investigator to have obtained secret FBI files on 341 people, including prominent Republicans, and President Clinton agreed with Panetta that an apology was called for.

Which of These Costly Mistakes Will You Make When You Sell Your Santa Monica Home This Summer

BY JAMES COSTELLO AND JOHN MCCORMACK

SANTA MONICA — A new report has just been released which reveals 7 costly mistakes that most homeowners make when selling their home, and a 9 Step System that can help you sell your home fast and for the most amount of money.

This industry report shows clearly how the traditional ways of selling homes have become

increasingly less and less effective in today’s market. The fact of the matter is that fully three quarters of home sellers don’t get what they want for their home and become disillusioned and — worse — financially disadvantaged when they put their home on the market.

As this report uncovers, most home sellers make 7 deadly mistakes that cost them literally thousands of dollars. The good news is that each and every one of these mistakes is entirely preventable.

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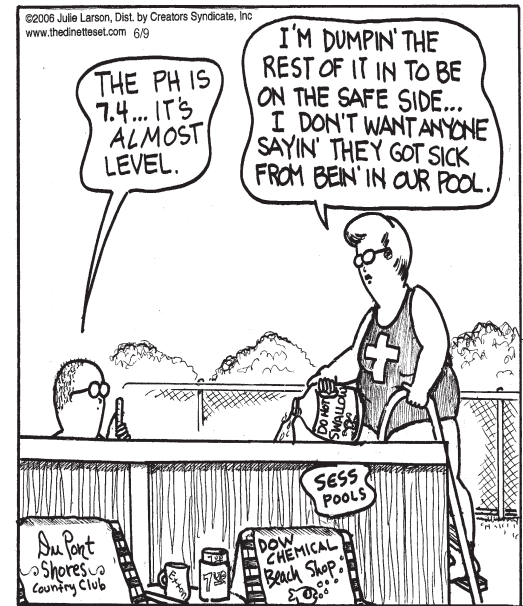
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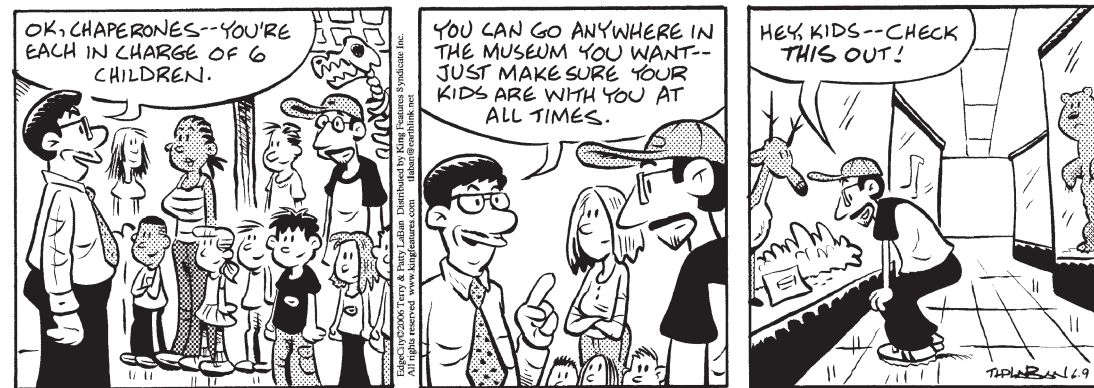
The Dinette Set

by Julie Larson



edge city

by TERRY & PATTY LABAN



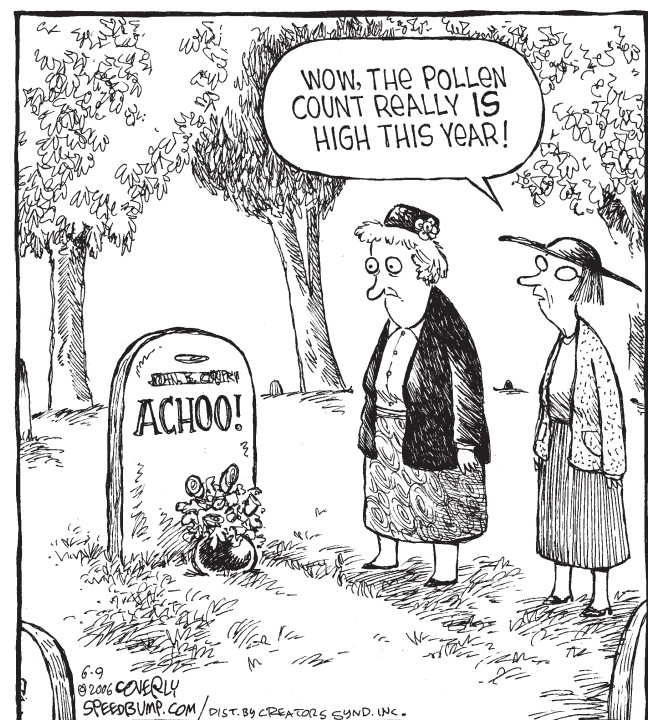
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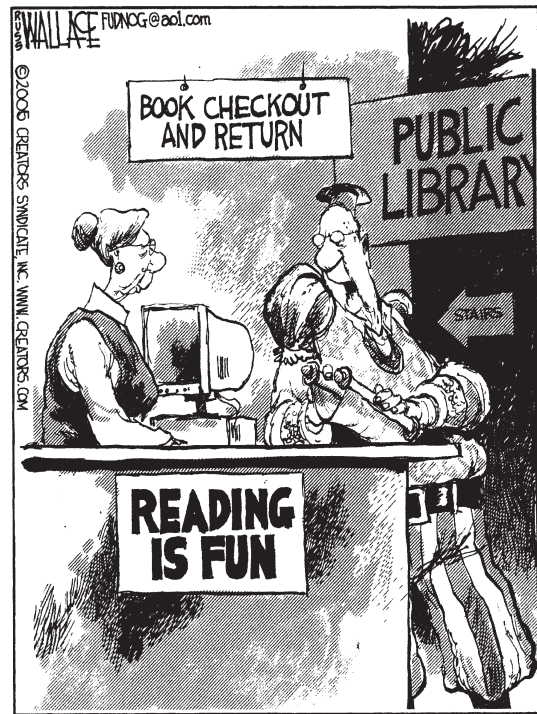
Speed Bump®

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Natural Selection®

By Russ Wallace



CROSSWORD

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ACROSS

- 1 State game
- 6 Sales spiel
- 11 Patriot Allen
- 12 Sneeze sound
- 13 Percolate
- 14 Bush and Gore, e.g.
- 15 Folder feature
- 16 Flying star
- 18 Comic's offering
- 19 Piercing tool
- 20 Jotting spot
- 21 Rebel general
- 22 Less relaxed
- 24 Singer Ives
- 25 Singer Iglesias
- 27 Junk, e.g.
- 29 Ring-shaped cakes
- 32 Ornate planter
- 33 Runner Sebastian
- 34 Before, in odes
- 35 Joplin tune
- 36 Drill sergeant's word

DOWN

- 37 Puzzle
- 38 Act part
- 40 Excuse
- 42 Permit
- 43 Vends
- 44 Takes ten
- 45 Good quality
- 1 Anne Rice character
- 2 Parliament Hill locale
- 3 Navy flying group
- 4 — kwon do
- 5 In theory
- 6 Made roads

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| 8 Duke team | 28 Wise answerer |
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| 10 Inn | 31 Biased, in a way |
| 17 Elk's kin | 33 Masti-cates |
| 23 It's a blast | 39 Canceling word |
| 24 Bakery buy | 41 "— Misér-ables" |
| 26 Mexican greeting | |

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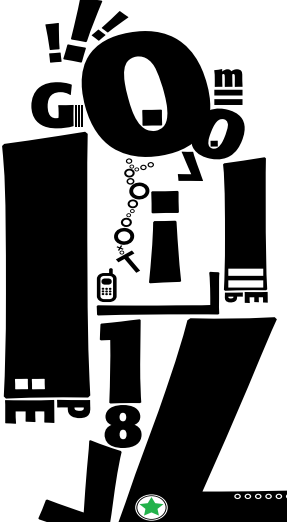
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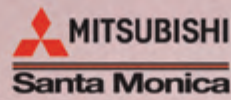
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