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Santa Monica Daily Press

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NEWS OF THE WEIRD BY CHUCK SHEPARD

■ A February Atlanta Journal-Constitution dispatch from El Alberto, Mexico (near Mexico City), profiled a theme park in which potential and wannabe emigrants to the United States can test their survival skills in an obstacle course that touches on the rigors migrants endure sneaking across the border. The cost of this rehearsal for a better life is an admission fee of the equivalent of US\$13.

■ In November, Yeslam Bin Laden, one of 53 siblings and half-siblings of Osama, announced in Paris that he would soon bring to market upscale floral fragrances for men and women at about \$30 an ounce, though the products will bear his first name rather than his last, for obvious reasons. (However, in February, the trademark authority in Switzerland, where Yeslam lives, resolved in his favor his long-held-up application to use the "Bin Laden" name commercially, in case he decides to.) Yeslam said he hasn't seen Osama in 17 years and is appalled by his Al-Qaeda activities.

■ Kim Chan, 40, of a village in the Cambodian province of Kampot, announced in March that he had a cow that was heavenly possessed and could cure illnesses by exposure to its bodily fluids, but local official Khun Somnang immediately discounted the claim, saying, "We had a holy cow here a year and a half ago (and you) don't get two that close together."

QUOTE OF THE DAY

"If you aren't fired with enthusiasm, you will be fired with enthusiasm."

VINCE LOMBARDI
US FOOTBALL COACH (1913-1970)

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Thousands turn out for Gov.'s speech



Fabian Lewkowicz/Special to the Daily Press

Thomas J Donner, Santa Monica College's interim president, gives Governor Arnold Schwarzenegger an appreciation award after he delivered a commencement address to SMC's graduating class on Tuesday. Gov. Schwarzenegger is an alumni of SMC.

At least 1,000 rally against governor over education budget

BY RYAN HYATT

Daily Press Staff Writer

SMC — California Governor and former Hollywood action hero Arnold Schwarzenegger on Tuesday bid the Santa Monica College graduating class a pleasant journey on their maiden voyage into the real world in front of thousands of fans and foes.

In a speech riddled with optimism, more than 4,500 friends and relatives showed up on Tuesday evening at Corsair Field to hear Gov. Schwarzenegger speak to 600 Santa Monica College students who will be moving on with their educational and career endeavors.

Gov. Schwarzenegger, who attended SMC during the 1970s, took to the podium at 6:45 p.m. after more than 1,000 students, teachers and community activists protested for two hours against the state's top politician for what they called his continued neglect of public education in California.

"Education is a tool to be successful," Gov. Schwarzenegger

See GRADUATION, page 5

Local businessman to face fraud charges

By Daily Press staff

DOWNTOWN LA — A local media agency owner who is accused of stealing money from his clients will face charges of fraud and conspiracy next month.

Thomas Edward Rubin, the chairman and CEO of Focus Media, Inc., a media placement agency once located in Santa Monica, appeared in federal court in Los Angeles last week where he was arraigned on federal fraud charges, according to Richard Garcia, assistant director in charge of the FBI in Los Angeles, and Debra Yang, United States Attorney for the Central District of California.

Rubin, 57, of Malibu, was taken into custody on June 2 on

A status hearing is scheduled for June 27 in federal court in downtown Los Angeles.

charges of mail fraud, wire fraud and conspiracy, which are included in a seven-count indictment returned by a federal grand jury in Los Angeles. Also arrested was Thomas Patrick Sullivan, 63, a resident of Westlake Village, who had been the chief financial officer of Focus Media.

Rubin was released on a \$2 million bond. Sullivan had been released the previous week on a \$250,000 bond. They both pleaded not guilty.

The trial is scheduled for July 12. A status hearing is scheduled

for June 27 in federal court in downtown Los Angeles.

According to the indictment, Focus' principal business was to buy advertising time on television and radio stations for clients, including Sears, Roebuck and Company, which was Focus' largest client. Among other allegations, the indictment charges that, after Rubin and Sullivan received approximately \$35 million from Sears to pay for advertisements that Focus placed on Sears' behalf

See FRAUD, page 6

Eco-friendly motorcycle to exhaust competition

BY RYAN HYATT

Daily Press Staff Writer

CITYWIDE — Enthusiasts say a motorcycle soon to hit Santa Monica streets will not only draw eyes with its sleek features, but also deliver an amazing eco-friendly performance that might change the face of local transportation forever.

See ECO-CYCLE, page 6

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Out late tonight, Capricorn

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)
★★★★ Others question you, causing a very strong reaction. Do not go to war over anything. You have an unusually hot temper. Talk could be abundant and overwhelming. Actions count. Allow others to take the lead while you do your thing. Tonight: Accept an invitation.



TAURUS (April 20-May 20)
★★ Your anger cannot be suppressed much longer. You could explode or become ill. Let others know how you feel before the end results are negative. Use your energy to work out tension. Tonight: Work through stress.



GEMINI (May 21-June 20)
★★★★ Your ingenuity peaks, especially when focusing on a long-term desire. You might be surprised by what happens if you simply brainstorm. A child or new friend could overwhelm you with a request. Tonight: Romp the night away.



CANCER (June 21-July 22)
★★★ Someone you need to deal with could lose his or her cool. Hang out by yourself if possible. Even better: Work from home. Discussions prove to be productive by the end of the day. Tonight: Happiest at home.



LEO (July 23-Aug. 22)
★★★★ Add that extra touch when others act or say something harshly. Read between the lines with someone who is angry. Perhaps he or she feels vulnerable or hurt. Reveal your feelings too. Tonight: Hang with friends.



VIRGO (Aug. 23-Sept. 22)
★★★ Deal with finances head-on. You have a great way of spending money, but you could also make money just as easily. Use more discretion; there is a tomorrow. Brainstorm with friends about a less-expensive way of enjoying yourselves. Tonight: Redo your budget.



LIBRA (Sept. 23-Oct. 22)
★★★★★ You hit your power days. As a result, your magnetism soars, and others respond heavily. Someone might be a bit jealous of all the attention you get. Take charge at work or in a public meeting. Tonight: As you wish.



SCORPIO (Oct. 23-Nov. 21)
★★ Take your time. You are a barrel of dynamite, close to unstoppable. Get as much done as possible. Use your instincts in a discussion or with new information. Find an expert. Tonight: Get some extra R and R.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You get what you want because of your ability to discuss different issues, be they financial, emotional or intellectual. A meeting or group of people benefits you. Jot down ideas that come up, as everyone seems to have so many suggestions. Tonight: Go where the crowds are.



CAPRICORN (Dec. 22-Jan. 19)
HHH Others overwhelm you with their ideas and feelings. You might want to pull back and get other opinions. Claim your power. Know that ultimately, despite the flak, you will have to make the decision. Tonight: Out late.



AQUARIUS (Jan. 20-Feb. 18)
★★★★ It will be you who adds reason to different situations. Efficiency matters, as you have a lot of territory to cover. Distance helps you find answers. Make calls. Start thinking about a vacation, even if it's just for a weekend. Tonight: Rent a movie on the way home.



PISCES (Feb. 19-March 20)
★★★★ One idea after another pops up. Somehow you feel as if your suggestions fall on deaf ears. Be careful with your spending. You could be more aggressive than you can afford. Tonight: Go along with another's suggestions.



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PUBLISHER Ross Furukawa ross@smdp.com EDITOR Carolyn Sackariason editor@smdp.com STAFF WRITER Ryan Hyatt ryanh@smdp.com SANTA MONICA PARENTING Nina Furukawa nina@smdp.com ADVERTISING SALES MANAGER Robbie P. Piubeni rob@smdp.com	ADVERTISING ACCOUNT EXECUTIVE Rob Schwenker schwenker@smdp.com ADVERTISING ACCOUNT EXECUTIVE Stewart O'Dell stewarto@smdp.com TRAFFIC MANAGER Connie Sommerville connies@smdp.com PRODUCTION MANAGER Alejandro Cesar Cantarero II alex@smdp.com PRODUCTION DESIGNER Frantz Lovell dandemite@hotmail.com	NIGHT EDITOR Michael Tittinger ...somechum@smdp.com NIGHT EDITOR Lori Luechtefeld lori@smdp.com CLASSIFIEDS SALES MANAGER Annie Kotok anniek@smdp.com CIRCULATION Keith Wyatt CIRCULATION Glenn Bolan SPECIAL PROJECTS Dave Danforth dave@smdp.com MASCOT Maya Furukawa maya@smdp.com
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LOCAL



COMMUNITY BRIEFS

Samohi has ‘Eyes on the Prize’

By Daily Press staff

The Santa Monica Civil Rights Coalition will be showing “Eyes on the Prize,” a 14-part film about the Civil Rights movement. Dr. Terrence Roberts, the first black student to graduate from Little Rock Central High School where national guards were required to escort students through its front doors, will be speaking after the viewing. The event is free, and food will be provided. Parking will be located at the north lot of campus, off Olympic Avenue. The event will be on Friday, June 17, from 6 p.m. to 9 p.m. at the humanities center of the Santa Monica High School campus, located at 601 Pico Blvd.

Walk the Labyrinth

By Daily Press staff

The First United Methodist Church of Santa Monica is inviting the public to walk the Labyrinth, an ancient meditation tool used for centering and prayer. The church’s Labyrinth is a 30-foot-by-30-foot canvas with the labyrinth design painted on it — a replica of the one laid in the floor of Chartres Cathedral in the Middle Ages. The event is free, and no reservations are needed. Participants are asked to bring white socks to protect the labyrinth’s surface. Shoe covers are provided for those who prefer not to remove their shoes. Walk anytime between the designated hours of 10:30 a.m. to noon (last entry at 11:15 a.m.) and 2 p.m. to 4:30 p.m. (last entry at 3:45 p.m.) on Sunday, June 19. The First United Methodist Church is located at 1008 11th St. Call Mary Garbesi at (310) 393-8258 or visit www.santamonicaucmc.org for more information.

Local authors, illustrators at Venice Library

By Daily Press staff

Venice is known to be full of artists, but there are a few authors living there, too. The Friends of the Venice Library, celebrating its 10th anniversary, and the Venice of America Centennial are hosting a Venice author book signing, featuring local authors and illustrators. The event will be on Tuesday, June 28, from 6 p.m. to 8 p.m. at the Venice-Abbot Kinney Memorial Library in the Jon David Waldron Community Room. The library is located at 501 South Venice Blvd. in Venice.

Donate blood, attend the circus

By Daily Press staff

Giving blood can be a real circus. The first annual Ringling Bros. and Barnum & Bailey Blood Drive will take place in conjunction with the Southern California Hospital Recruitment Alliance. Anyone who donates at any of the participating SCHRA hospitals will receive a voucher for one free ticket to an LA or Orange County performance of the 135th edition of Ringling Bros. and Barnum & Bailey circus this July. With the summer season approaching, hospitals throughout Los Angeles typically reach a critical shortage level, posing a potential danger to residents in need of blood, health care officials say. Although 90 percent of Americans will require a blood transfusion at some point in their lifetime, fewer than 5 percent of eligible donors actually give blood, officials say. In order to donate blood, eligible donors must bring identification; be at least 17 years of age (or 16 with parental consent); weigh a minimum of 110 pounds; and be in good health. Donors should eat at least two to three hours before donating blood and drink plenty of fluids. Individuals are eligible to donate blood as often as every eight weeks. Saint John’s Health Center, one of 10 Southern California area hospitals participating, will have its blood drive on Friday, June 17, from 8 a.m. to 6 p.m. at 2020 Santa Monica Blvd., third floor, conference rooms D and E. Appointments are recommended and can be made by calling (310) 829-8025.

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SURF REPORT

Wednesday we’re expecting the SW to back off, dropping in size at south-facing breaks toward waist high. NW wind swell should remain in the knee- to waist-high zone.

Today the water is:

64°

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

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	7:31	0.2	6:19	3.1	2:59	3.4	N/A	N/A
SUNDAY	8:14	0.3	7:40	3.1	12:23	4.8	3:51	3.6
MONDAY	8:57	0.6	9:24	3.0	1:13	4.3	4:32	3.8
TUESDAY	9:40	0.9	10:58	2.6	2:19	3.8	5:04	4.1
WEDNESDAY	10:22	1.2	N/A	N/A	3:45	3.4	5:33	4.5
THURSDAY	12:07	2.0	11:02	1.4	5:17	3.2	6:00	4.9
FRIDAY	12:58	1.2	11:43	1.7	6:39	3.2	6:31	5.4

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The Q Line

While participating in the United Nations World Environment Day conference held in San Francisco a couple weeks ago, Santa Monica officials, along with representatives from about 70 cities worldwide, pledged to improve the city’s sustainability efforts and work toward becoming a “greener” community. So, this week Q-Line wants to know,

“Where should the city start? What environmental issues in Santa Monica should be given priority?” Call (310) 285-8106 before Friday at 5 p.m. and we’ll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

Master your migraine

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Dr. Lawrence Dardick of the Santa Monica Bay Physicians Group hosts the Migraine M.A.S.T.E.R.S. Program management advice, support, tools and educational resource seminar.

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OPINION

LETTERS TO THE EDITOR

Talking trash about City Hall

Editor:

In regard to “Utility hikes to be considered” (SMDP, June 13, page 1), it was interesting to read this article, and then the My Write column by Bill Bauer, “City wastes money on its garbage operation” (SMDP, June 13, page 4), in which he compares Santa Monica’s garbage rates with other local cities. Of course Santa Monicans pay more than any other local cities. This is the punitive nature of the city of Santa Monica to its residents. Another example is street parking meters. We have to pay 25 cents for 20 minutes — 20 cents for 15 minutes anywhere near the ocean. Anywhere else in southern California is 20 cents for 30 minutes. In Los Angeles, the city-maintained lots near businesses are free after 6 p.m. Not so in Santa Monica.

I have noticed that the large blue recycling trash containers are mostly broken, with large holes in the sides. This is not caused by vandalism. All you have to do is watch the truck’s arms pick up the container. They break through the plastic. They are broken all over the city. Are we rate payers being asked to cover replacing these? It seems to me that the trash department should be able to order containers that their own trucks don’t destroy. It seems unfair to pass the purchase price of new containers onto the rate payers. We are simply paying our bills, assuming that the equipment purchased with our tax money will not be destroyed when used. Whatever purchasing department that ordered the trash cans should be responsible to buy the new containers with their own personal money. Why should we have our rates increased for their mistakes?

Peter Davison
Santa Monica

Loveland wants to do good for all

Editor:

I read the letter by Mr. Robert McMullen (SMDP, June 6, page 4) with great joy and I wish to applaud him for his excellent writing. I, too, attend Loveland Church, located at 14th and Arizona. Pastor Robert and Patricia are people just like us, but they have been given the unique position to touch us where we live. Because they’ve been there, they have an advantage of knowing us as well as we know ourselves and in some ways, better, since they are on the other side and have two-dimensional viewing power — hindsight, in other words.

People keep referring to the “homeless problem” as though they are suffering with us. They are not — they may be “inconvenienced” by us, but they are not suffering. The people with mental illness, destructive habits and societal persecution — they are the ones who are suffering. Jesus said, “The poor you will always have with you — but me, you will not,” because he was returning to his Father in heaven.

There are many of us out here looking for work who have skills and principles, and who wish to do good for all the residents of this state, not just for the homeless. That is why we have formed Workers in the Light of Christ of Loveland Church in Santa Monica. We haven’t found steady work earning a regular paycheck, so we fill in the time we do have by helping those in the community.

With a little community help and goodwill, I believe we are in the beginning stages of getting a foothold on how to clear up the homeless problem and bring the community together. We could also use Mr. Bobby Shriver’s help.

Heidi Olinger
Santa Monica

What about Schwarzenegger’s Hummer?

Editor:

I read with interest Terence Chea’s article, “Schwarzenegger unveiling global warming plan for U.N.” (SMDP, June 2, page 7). The article stated that, “Schwarzenegger has made other attempts to rein in greenhouse gases. His ‘hydrogen highways’ program encourages the installation of enough hydrogen fueling stations to enable the use of zero-polluting vehicles across the state ...” Commendable.

Tell me, is he still driving his Hummer around? And if so, did he drive it to the United Nations environmental conference on Wednesday? Just asking.

Marilyn Brennan
Santa Monica

Jury should be schooled

Editor:

Whether or not one agrees with the verdicts handed down in the Michael Jackson case, I strongly believe the jury situation needs to be looked at. I don’t know the level of education of the Jackson jury, but I recall there was only one juror who’d completed high school in the O.J. Simpson case. At least a high school diploma should be mandatory for serving on a jury. Also, I believe there should be an age limit, so that people suffering from senile dementia are not allowed to participate in crucial legal decisions. Requirements such as these can at least be mandated. Alas, our society’s excessive and immature obsession with celebrity cannot.

Sunny Kreis
Santa Monica

Prisoner abuse is not part of American way



INCITES
BY ED SILVERSTEIN

(Editor’s note: Ed Silverstein is on vacation. This column was originally printed in May of 2004.)

I want to start by doing what President Bush should have done — apologize to the Iraqis who were mistreated by American soldiers.

I’m sorry for what my country, under the leadership of President Bush, has done to you. It was sadistic and unforgivable and there is no excuse. I understand that any apology is entirely inadequate and that the United States can never make up for the mistreatment you endured.

I know this because my own father, at the age of 18, spent 14 months in a German P.O.W. camp during World War II. To this day, 60 years later, he still carries the psychological and physical scars.

My father’s P.O.W. camp also had abusive guards, or as Lindsey Graham (R-South Carolina) called them during the Senate investigation, “A few individuals having a little perverted fun.” But this “fun” left my father filled with hatred. And when he was liberated, he grabbed a rifle and went to murder one of those guards. Thankfully he couldn’t bring himself to pull the trigger. That was not the case with another group of POWs whose hate lead them to decapitate one of the other abusive guards. And, by my father’s own admission, the abuse he experienced at the hands of the Germans was far less than that suffered by the Iraqis and with none of the sexual humiliation.

Bush continues to maintain that these are isolated incidents. His cheerleaders, such as Rush Limbaugh, try to dismiss this torture as “frat house pranks.” I’d be curious to know what fraternity he attended and if the Big Fat Idiot — as Al Franken dubbed him — would feel the same if it was him handcuffed to the wall, stripped naked, sodomized and then ripped open by vicious dogs. Say, that does sound like “fun.”

Bush was right about one thing: This abuse is not representative of America. But it is representative of this Administration.

Let’s start with Bush’s contempt for civil rights. After 9/11, Attorney General John Ashcroft secretly rounded up 5,000 Muslims. They were held without due process or allowed to contact their families. Out of 5,000, only three were ever accused of crimes and only one convicted. In Iraq, military intelligence admits that 70 percent to 95 percent of those detained were arrested by mistake. Yet the military only began to release prisoners after the photos of abuse surfaced.

More damnable is the Bush Administration’s implicit support of torture. They have repeatedly turned over suspected terrorist prisoners to regimes or countries that condone torture. Such was the case of Maher Arar, a Canadian citizen who was born in Syria. Arar was pulled off his flight to Montreal when it made a stop at JFK, arrested, questioned

for nine hours without a lawyer, jailed and deported to Syria, where it was well known that he would be tortured, all without the knowledge of the Canadian government. Arar was brutally tortured for more than 10 months, yet he maintains that he is innocent of any terrorist activity and cannot understand why this was allowed to happen.

Further, contrary to what the administration would like you to believe, the abuse of prisoners is not isolated to a single facility or even to a small group of soldiers. It is widespread and systemic.

The first reports of mistreatment — in this case it was Afghani prisoners — came out of Guantanamo Bay. But these revelations were largely ignored and resulted in little disciplinary action, sending a clear message that this behavior is acceptable.

So it seems disingenuous when Bush and others within his Administration express disgust and disbelief that such abuse could occur at Abu Ghraib and other facilities throughout Iraq. If nothing else, the Bush Administration’s attitude was responsible for creating an environment that fostered such abuse. But I believe they are far more complicit.

Charles J. Hanley, Associated Press’ Pulitzer Prize-winning correspondent, reported complaints of abuse starting in October of last year. The abuse began, maybe too coincidentally, about the same time that the Administration began to realize that there were no weapons of mass destruction. If we are to believe allegations that intelligence officers ordered MPs to soften up the prisoners for interrogation, it seems all too conceivable that those orders could have come from a Bush Administration that was becoming increasingly desperate to find WMDs.

Was Rumsfeld personally involved?

Rumsfeld admits that he was aware of the abuse in January and that he notified the president that same month. Yet despite photos that clearly evidence serious criminal activity, not one of those soldiers was relieved of duty or charged in a Court Martial until the photographs became public.

Considering the Administration’s penchant for secrecy, it is unlikely, if not for the efforts of New Yorker magazine and CBS 60 Minutes II, that these photos would ever have seen the light of day. This leaves us to wonder, had these photos not surfaced, if any of those involved would have been punished.

In fact, it is beginning to look more like Rumsfeld was involved in a cover-up of what can only be described as war crimes. If this is true, the next question becomes — and this may sound familiar — what did President Bush know and when did he know it?

Even if Bush is not directly involved in condoning torture, it remains that leaders lead by example. And the example set by the George W. Bush is that it doesn’t matter if you break the law, ignore civil rights or do grievous harm as long as you get what you want. Maybe it’s time the president learned that that is not what America is all about.

(Ed Silverstein is a freelance writer being held at an undisclosed location in Santa Monica. Comments can be sent to edsincites@aol.com.)



Gov. Schwarzenegger delivers commencement speech amidst boos

GRADUATION, from page 1

said during his commencement speech. "It will not make you automatically successful. It is a means to an end."

Gov. Schwarzenegger described being an Austrian youth at age 15 who dreamed of coming to America and modeling himself after body-builder movie heroes he read about in magazines.

"My father used to say, 'what is body-building?'" Gov. Schwarzenegger said to a throng of boos, claps and a few laughs. "He asked me why I didn't take up one of those Austrian sports, like skiing."

But Gov. Schwarzenegger successfully pursued the American Dream. He came to Southern California and while making the rounds as a body builder and establishing himself as an action hero, he took courses at SMC, first in general education subjects and later in business, which led to a four-year degree.

Gov. Schwarzenegger said a great source of inspiration for his goals as a student and later pursuits came from retired SMC English professor Dick Dodge. Gov. Schwarzenegger said Dodge taught him to say simple expressions such as "I will go to school."

Gov. Schwarzenegger said Dodge inspired him to continue with his education and his dreams. The knowledge Gov. Schwarzenegger gained from the business courses he took helped manage his real estate dealings well enough to afford to choose his own parts as an actor.

"I had an offer to play a part as a Nazi officer, but my vision was to have (a leading role)," Gov. Schwarzenegger said. "I got my chance with 'Conan the Barbarian,' and all of the obstacles in my life became a big asset to me."

PROTESTERS MARCH TO THE BEAT OF ANOTHER DRUM

Santa Monica Police officers parted rush hour traffic on 20th Street and Pico Boulevard so 15 people carrying a red banner that read, "Arnold, stop the power grab," could cross the street.

They were followed by at least 1,000 students, teachers and community members carrying hundreds of signs, all gathering at SMC's northeast parking lot. They arrived to the rallying point to the sound of several supportive car horns and giant speakers blasting old school hits such as "I Love LA" and "Respect."

A retinue of SMC faculty, organizers and unions officials spoke to the tune of how Gov. Schwarzenegger, although willing to give a commencement address, was not willing to put money where his mouth is.

"Governor, skip the rhetoric and stop trying to balance the budget with those who can least afford it, the students," said SMC faculty member Kenneth Mason.

wealth of this great state.

"What kind of math class did you take?"

Mason said Gov. Schwarzenegger would be doing much more for the future of California if he supported public education, which would provide skilled jobs for people who could pay taxes and help support the state and economy.

As the graduation ceremony began at 6 p.m., hundreds of the protesters headed for Corsair Field.

Walking along Pico Boulevard, they met a group of 30 supporters of Gov. Schwarzenegger — many of whom were older politically-active Republicans wearing red, white and blue. A medley of political discussions flared up but no serious altercations occurred.

"Governor, skip the rhetoric and stop trying to balance the budget with those who can least afford it, the students. These are not the people who possess the wealth of this great state."

KENNETH MASON
SMC faculty member

Dick McDonald said he came out to support Gov. Schwarzenegger because he is doing what he said he would when he took office.

"He's getting back to fiscal discipline," McDonald said. "He's gotten rid of Davis, who was spending money like a drunken sailor."

McDonald said the educational budget woes have to do with statewide overpaid administrators and educators.

"We can cut the education budget immensely if we get rid of the stupid administrators," McDonald said.

THE GOVERNOR SIGNS OFF

Schwarzenegger said it was imperative that graduating students ultimately look to themselves to find the inspiration to move forward.

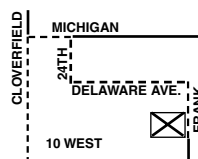
"Be strong, go after your goal," he said amidst loud shouts and boos. "There are no other obstacles but you in your mind."

"You live in the greatest state in the greatest country in the world. Never forget that, and go all out."

Gov. Schwarzenegger took off in a golf cart toward the west end of Corsair Field, surrounded by Secret Service agents dressed in black suits, who ran along beside him.

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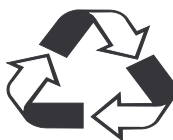
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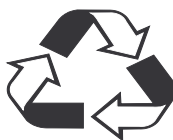
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LOCAL

Former media agency heads deny allegations

FRAUD, from page 1

in 1999 and 2000, Rubin and Sullivan failed to pay the media outlets and, instead, allegedly misappropriated and converted to their own purposes approximately \$23 million.

Sears had fired the agency and filed suit alleging breach of contract and constructive fraud, claiming the media shop was holding on to as much as \$50 million Sears had given it to purchase media.

Focus Media went into bankruptcy in 2000. It was Sears' missed media payments that eventually forced Focus Media out of business, as NBC, ABC and PaxTV filed to move the company into involuntary bankruptcy over unpaid media bills owed by Focus, according to an article posted on Adweek on Oct. 16, 2000.

Rubin's attorney, David Lafaille, who is based in Santa Monica, was unavailable for comment on Tuesday. But he told Adweek last week that, "This seems to be a terrible mistake. The U.S. attorney for the Central District of California alleges causes of action virtually identical to those previously pled by Sears and NBC. Those civil cases were dismissed. I expect a similar favorable outcome here. We have complete faith in our judicial system and know that any fair-minded judge or jury will exonerate him."

Bruce Margolin, Sullivan's attorney, said his client denies all allegations.

The case was investigated jointly by the United States Postal Inspection Service, Internal Revenue Service-Criminal Investigation Division and the FBI.

Motorcycle emits water vapor

ECO-CYCLE, from page 1

Intelligent-Energy, a British energy solutions company that is relocating to Santa Monica this summer, unveiled the world's first consumer "fuel cell" motorcycle on Tuesday at the Pacific Design Center in West Hollywood.

Called an "Emissions Neutral Vehicle," the eight-horsepower motorcycle runs on a six-kilowatt electric motor and a detachable fuel cell stack the size of a briefcase that can be refueled in less than five minutes. The ENV has a top speed of 50 miles per hour and can be driven for 100 miles, or approximately four hours, without needing to be re-charged.

Intelligent Energy expects to produce 10,000 units of the ENV in its first production run, to be on the market by 2006.

The cost for one motorbike is expected to be \$6,000.

Harry Bradbury, chief executive officer for Intelligent Energy, said it's the ENV's "radically compact" fuel cell that will drive the success of the company. He said the unique battery used by the bike will be compatible with other consumer products Intelligent Energy intends to help develop, which will have far-reaching applications for users.

"In the not-too-distant future, people will be able to use a bike like ENV to leave work in the city, drive to the countryside, plug the fuel cell into a motorboat, then plug it in again to power a small log cabin."

Intelligent Energy was founded in 2001 and employs 80 people between its offices in South Africa, the United Kingdom and the United States — currently in Long Beach, Calif., and

Albuquerque, New Mexico.

The company is looking to establish itself by the end of summer along the Wilshire commercial corridor.

Bradbury said part of the reason his company will be focusing on Santa Monica and the rest of the Southern California market is because of the area's reputation as the "heartland of new energy technology."

**"It is a product we feel
will be attractive to many
in Santa Monica and their
urban lifestyle."**

HARRY BRADBURY
CEO, Intelligent Energy

"We have been untainted by commercialization for so many years," Bradbury said. "Now that we have the backing we need, we have the chance to change people's lives while running a substantial business."

He said the technology his company supports has been in existence for the last 15 years, but he and his associates have been "waiting for everyone else to catch up" before taking Intelligent Energy into the alternative energy and consumer vehicle market.

"We have a whole vehicle on the market which we built ourselves and didn't require anyone else's participation," Bradbury said. "It is a product we feel will be attractive to many in Santa Monica and their urban lifestyle."

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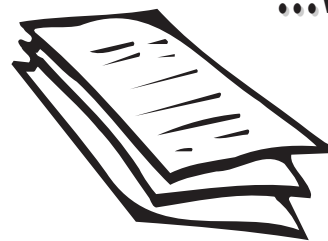
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Santa Monica Daily Press

STATE



Lawyer: Jackson won't be vulnerable again

BY LINDA DEUTSCH

AP Special Correspondent

SANTA MARIA, Calif. — Michael Jackson's lawyer said Tuesday he is convinced that the pop star "has never molested any child," but he said Jackson would no longer let children or their families sleep in his room.

"He's not going to do that because it makes him vulnerable to false charges," attorney Thomas Mesereau Jr. told The Associated Press in a wide-ranging interview.

Mesereau said he believes that Jackson will continue to be "a convenient target for people who want to extract money or build careers at his expense." As a result, the attorney said, Jackson will have to change his lifestyle and "not easily allow people to enter his life."

Mesereau and his colleague, Susan Yu, spoke to the AP the morning after Jackson's acquittal on charges he molested a 13-year-old cancer survivor at his Neverland ranch.

Both attorneys described Jackson as the most vulnerable person they have ever met. They said he is physically depleted from the four-month trial and will need time to rest before he again ventures into the public.

Jurors said the accusations of a young boy and his family were not credible — a legal victory that triggered jubilation among the pop star's fans and embarrassment for the district attorney's office.

The Jackson Web site mjjsource.com trumpeted the acquittal with graphics declaring "Innocent" and showing a hand

giving a victory sign as a fanfare plays. A scrolling calendar highlights historic events such as "Martin Luther King is born," "The Berlin Wall falls," "Nelson Mandela is freed," and finally, "June 13, 2005, Remember this date for it is a part of HIStory." The reference was to Jackson's 1995 album "HIStory: Past, Present, and Future Book I."

A raucous welcome greeted Jackson as he returned to his Neverland Ranch on Monday afternoon. As a convoy of black SUVs carrying him and his entourage pulled through the gates, his sister LaToya rolled down a window, smiled widely and waved. The crowd responded with a euphoric cheer.

"All of us here and millions around the world love and support you," proclaimed a banner strung across a fence by the compound in Los Olivos that Jackson said he created to provide himself with the childhood he never enjoyed.

"It's victory," said Tracee Raynaud, 39. "God is alive and well."

Aside from the Web site message and lawyer comments, there was no statement from Jackson or his family Tuesday morning. He has no media representative since Raymont K. Bain was dismissed last week.

The acquittals marked a stinging defeat for Santa Barbara County District Attorney Tom Sneddon, who displayed open hostility for Jackson and had pursued him for more than a decade, trying to prove the rumors that swirled around Jackson about his fondness for children.

Sneddon sat with his head in his hands after the verdicts were read.

"We don't select victims of crimes and we don't select the family. We try to make a conscientious decision and go forward," Sneddon said afterward, adding "I'm not going to look back and apologize for anything that we've done."

Not all the jurors were convinced the King of Pop had never molested a child.

"He's just not guilty of the crimes he's been charged with," said juror Ray Hultman. He told The Associated Press he was one of three people on the 12-person panel who voted to acquit only after the other nine persuaded them there was reasonable doubt about guilt in this particular case.

Prosecutors presented testimony about Jackson's allegedly improper relationships with several boys in the early 1990s, including the son of a maid who testified that Jackson molested him during tickling session between 1987 and 1990. Another, Brett Barnes, took the stand to deny that he was molested during sleepovers at Neverland.

Hultman said he believed it was likely that both boys had been molested. He said he voted to acquit Jackson in the current case because he had doubts about his current accuser's credibility.

"That's not to say he's an innocent man," Hultman, 62, said of Jackson.

Some jurors noted they were troubled by Jackson's admission that he allowed boys into his bed for what he characterized as innocent sleepovers.

"We would hope first of all that he doesn't sleep with children anymore and that he learns that they have to stay with their families or stay in the guest rooms or the houses or whatever they're called down there," jury foreman Paul Rodriguez said. "And he just has to be careful how he conducts himself around children."

Some jurors acknowledged they flatly disliked the accuser's mother, portrayed by the defense as a welfare cheat who brought a trumped-up lawsuit against J.C. Penney, accusing store guards of roughing her and her family up.

One juror said she felt sorry for the accuser and his siblings, believing they had been trained by their mother to lie. "As a mother, the values she has taught them, it's hard for me to comprehend,"

she said. "I wouldn't want any of my children to lie for their own gain."

The verdict means Jackson will be free to try to rebuild his blighted musical career. But his legal victory came at a terrible price to his image.

Prosecutors branded him a deviant who used his playland as the ultimate pervert's lair, plying boys with booze and porn. Prosecution witnesses described other bizarre behavior by Jackson: They said he licked his accuser's head, simulated a sex act with a mannequin and kept dolls in bondage outfits on his desk.

Defense lawyers described Jackson as a humanitarian who wanted to protect kids and give them the life he never had while growing up as a child star.

The defense said the family exploited the boy's battle with cancer to shake down celebrities, then concocted the charges after realizing Jackson was cutting them off from a jet-set lifestyle.

Jackson was cleared of 10 charges in all, including four counts that he molested the boy in early 2003. Jackson also was charged with providing the boy with wine — "Jesus juice," the pop star called it — and conspiring with members of his inner circle to hold the accuser and his family captive to get them to rebut a damaging documentary.

Jurors also had to consider four lesser charges related to the alcohol counts, forcing them to render 14 verdicts in all.

The case was set in motion by the 2003 broadcast of the British TV documentary "Living With Michael Jackson" that Jackson had hoped would actually improve his image. In the program, Jackson held hands with the boy who would later accuse him, and he acknowledged sharing his bed with children, a practice he described as sweet and not at all sexual.

After the verdict, a weary Jackson retreated to Neverland where, according to his family, he went straight to bed. The entertainer, who appeared exhausted as he shuffled out of court, is "trying to get back his strength," said his father, Joe Jackson.

Emily Smith, 24, of London, one of the few fans who got courtroom passes to hear the reading of the verdicts, said: "I believe justice has been done today. I can't tell you how good it feels."

Agency to decide on protected status for California spotted owl

By The Associated Press

SAN FRANCISCO — The U.S. Fish and Wildlife Service said Tuesday it will begin a detailed review of the health of the California spotted owl to determine if the species should be protected under federal law.

The agency's decision comes in response to a petition filed by environmentalists who say the California spotted owl, a subspecies of spotted owls, should be listed as endangered under the U.S. Endangered Species Act.

The agency will open a 60-day public comment period and plans to make a decision on whether to propose listing the California spotted owl as threatened or endangered by March 2006.

The review marks the second time the service has reviewed the California spotted owl's status in three years. After the

agency determined that protected status wasn't warranted in February 2003, the Center for Biological Diversity and other conservation groups filed suit in May 2004 challenging the agency's finding.

Those groups filed a new petition to list the species in September, and in March a federal judge stayed the litigation and directed the service to respond to that request. The environmentalists' petition claims that several changes over the past two years threaten the California spotted owl, including the destruction of habitat by wildfires and the expansion of barred owls that take over its territory.

The California spotted owl lives in mature and old-growth forests in the state's Sierra Nevada and southern coastal mountains. Two other spotted owl subspecies, the northern and Mexican, have been designated as threatened because of habitat loss.



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Court unlikely to overturn immigration law

BY DAVID KRAVETS

Associated Press Writer

SAN FRANCISCO — A federal appeals court was urged Monday to overturn a voter approved Arizona law denying welfare and other benefits to illegal immigrants.

A three-judge panel of the San Francisco-based 9th

U.S. Circuit Court of Appeals, however, appeared inclined to leave intact the nation's only such law requiring state and local welfare workers to report suspected illegal immigrants to immigration officials.

Lawyers for the Mexican American Legal Defense and Educational Fund argued that the law was a "scheme" to deport illegal immigrants, and therefore must be nullified because only Congress can adopt immigration laws. "The state has no authority to enact it," MALDEF lawyer Hector Villagra said of Arizona's Proposition 200.

The measure, the only one of its kind in the nation, passed with 56 percent of the vote in a state with porous borders along Mexico. Arizona, the busiest illegal entry point on the country's southern border, spends millions of dollars annually on social services for illegal immigrants.

The passage of the law emboldened Arizona legislators to propose other anti-immigration bills. Gov. Janet Napolitano vetoed a number of them, including one that would have given local police the power to enforce federal immigration laws.

Arizona Deputy Attorney General Mary O'Grady urged the court not to tinker with the law that denies monthly general assistance payments, assistance in paying utility bills, and help with vision benefits.

She told the judges that the law is not pre-empted by Congress because it does not dictate who can enter the U.S. lawfully.

"This isn't a regulation of immigration," she said. "We are simply verifying eligibility."

Two judges appeared to question why MALDEF was even in court. They noted that the main plaintiff in the

case was a private social service organization, Friendly House, and was not a person denied benefits or deported.

Judge Alfred Goodwin suggested that the courts cannot intervene until somebody is denied benefits and sues, an assertion backed by Judge Johnnie Rawlinson.

"Suppose it is a mean-spirited, foolish law," Goodwin asked. "Until somebody is injured in fact by it, courts don't go around deciding these foolish laws unconstitutional."

Villagra, of MALDEF, said Friendly House was being injured because it was besieged by illegal immigrants too afraid to seek government assistance. Since the passage of Proposition 200 in November, he added, illegal immigrants are less frequently using emergency room services and baby delivery services — areas not covered by the law.

He said some illegal immigrants are afraid to take their children to hospitals for emergency care because of Proposition 200.

State welfare officials have reported only two illegal immigrants to immigration authorities for seeking state government-sponsored utility benefits under the new law.

After the 45-minute hearing, Villagra said in an interview that MALDEF didn't have illegal immigrants as plaintiffs because they feared being deported if they were part of the lawsuit, and their incentive to sue would be nonexistent if they were deported.

A federal judge declined to block the law and MALDEF appealed to the 9th Circuit. The three-judge panel did not indicate when it would rule.

The measure also prohibits illegal immigrants from registering to vote.

Hispanics advised to change beliefs to narrow wealth gap

BY JONATHAN J. HIGUERA

Associated Press Writer

PHOENIX — It's the Hispanic version of the tale of two cities: Even as many are enjoying a solid middle-class lifestyle, more are struggling to gain a financial foothold.

Nationally, the gap in net wealth between Latinos and non-Hispanic whites remains huge. In many cases, it could be closed with something as simple as homeownership. In Arizona, the gap is likely smaller because Hispanic homeownership rates are higher than they are nationally.

Still, last year's report from the Pew Hispanic Center was a wake-up call for many. It found that the average net worth of Hispanic households nationwide was \$8,000 while for Anglo households it was nearly \$89,000.

Earl de Berge, research director at the Behavior Research Center, says his firm's work shows a much stronger economic picture for Arizona Hispanics than is the case nationally because it leaves out undocumented immigrants and focuses on permanent residents.

"It's still less affluent than the general community, but it's closing the gap pretty quickly," he said.

To further close the gap, Hispanics may have to tweak their cultural beliefs when it comes to wealth-building, says financial adviser Louis Barajas, who has written a book, "The Latino Journey to Financial Greatness."

"We have these wonderful values of family and working hard, but it's hurting us when it comes to economic abundance," he said.

For example, he dispels the belief some clients hold that they have to work twice as many hours to double their income. Or that financial advice from a family member is the best advice.

Barajas reached his conclusions after he left a job advising wealthy clients and returned to the community of his youth in East Los Angeles.

One success story is Fernando Castillo, 52, who understands the value of saving and investing. For 23 years, he worked for Arizona Public Service Co. in customer service positions. With the help of company savings and investing plans, he did well enough to make a career change into the nonprofit world several years ago.

"What it's done for me is given me a chance to focus on nonprofits," he said of his APS job. "When you go to a nonprofit, you're not doing it for the money."

So after sending two kids to private schools and college, he now serves as executive director of Rosie's House, which provides music lessons to low-income

children in south Phoenix.

Castillo, like other Latino professionals, remembers his modest beginnings growing up with eight siblings in a two-room house with dirt floors.

"My parents didn't know about checking accounts, SEPS, property investments," he recalled. "They did the best they possibly could, but there wasn't a lot of surplus revenue to invest."

The situation of haves and have-nots within the Latino community hasn't gone unnoticed by many Latinos.

"I've seen Latinos doing much better than I've ever seen in the past, but we still have so many low-income families," said Dave Gonzales, senior vice president of State Farm Insurance Co.

"We've always been savers and entrepreneurial," said Loui Olivas, a provost at Arizona State University. "We just have not been taught how to invest it and make it grow."

He recalled how his parents never viewed the family home as simply a home. He, on the other hand, saw it as an investment that could get to a higher net worth.

While new immigrants to Arizona play a large role in the disparity, it's not always the reason for differences in income and wealth. Many second-generation Latinos are performing better economically than ones with deeper roots in the United States, some research has indicated.

Still, Hispanics often find their economic situation tenuous. The Pew Center found that from 1999 to 2001, net worth for Hispanics and blacks fell by 27 percent, while it grew by 2 percent for Anglo households.

"The 2001 recession and jobless recovery that followed were much harder on the net worth of minority households," the report noted.

For many Latinos, moving beyond the boundaries of their youth into financial security is new ground.

"As second- or third-generation, we may have gotten the education but still didn't have parents who taught us how to get financial wealth," said Maria Echeveste, a senior vice president of community development at Bank of America.

Barajas uses his background and understanding of the working-class Latino experience to dispense advice.

He says his message is pertinent to both those struggling to make ends meet and Latinos who have reached a modicum of success and stability.

"We're the largest minority group but also the poorest," Barajas said. "Everybody is talking about our spending power — but not about our savings power."

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NATIONAL



Reason for new mad cow tests remains unknown

BY LIBBY QUAID

Associated Press Writer

WASHINGTON — Senior congressional Democrats on food and farm issues asked Monday why the Agriculture Department suddenly ordered new tests on tissue from a cow declared free of mad cow disease seven months ago.

Now, a brain sample from the cow is being sent to England for further study because a third round of tests came back positive late Friday. The Agriculture Department's inspector general suddenly ordered those tests last week.

The department has not explained why the new tests were ordered. The inspector general's office, an independent arm of the agency, would not comment Monday, saying a brief statement would be issued Tuesday.

"That's absurd," said Rep. Rosa DeLauro, D-Conn., the House Appropriations Committee's senior Democrat on farm issues. "What we're doing by delaying this information is that you put the public health at risk, and you put the industry at risk. Who's going to feel comfortable with our products?"

DeLauro and Iowa Sen. Tom Harkin, the Senate Agriculture Committee's top Democrat, said they will ask the department to explain why new tests were

ordered and why it took months to do so.

A consumer group that had requested the new round of testing applauded the decision but called the delay unfortunate.

"We just hope they will proceed extremely rapidly to track down the herd mates and not prolong this assessment any longer than it needs to be," said Jean Halloran, director of food policy initiatives at Consumers Union.

"There may well be cows that ate the same feed this one did that have already been slaughtered and eaten by people," she said. "It's a crucial seven months that we've lost, but better that they've caught it now than not to have caught it at all."

Agriculture Department investigators are tracking the movements of the cow and other animals from its herd, said Dr. John Clifford, chief veterinary officer of the department's Animal and Plant Health Inspection Service. The animal was incinerated last year after the first round of "rapid" tests indicated the presence of the disease, Clifford said.

Tissue from the cow's brain has been kept frozen at the National Veterinary Services Laboratory in Ames, Iowa. Scientists there will decide this week which portions to send to an internationally recognized laboratory

in Weybridge, England, and which portions to keep in Ames for further testing, Clifford said.

Also Monday:

■ The cow in question was born before the government created safeguards against the spread of infection, Clifford said. The ban against feeding cattle remains to cattle was issued in August 1997. The only known way the disease spreads is through feeding infected cattle remains to other cattle.

■ Canadian Ambassador Frank McKenna said Canada will not close its border to imports of U.S. beef. In an interview with The Associated Press, McKenna said U.S. beef packing workers are being laid off while Canadian packing jobs grow because the U.S. border remains closed to shipments from Canada, which discovered its first case of mad cow disease in 2003.

■ Taiwan indicated it will ban U.S. beef, again, if new tests confirm the suspected U.S. case of mad cow disease.

■ Japan, formerly the largest customer of U.S. beef, indicated a positive test result would not deter officials from resuming imports of U.S. beef. Japan agreed to reopen its market last fall but has not actually lifted its ban.

Gov. Owens assails U.S. 'hypocrisy' in mad cow policy

BY STEVEN K. PAULSON

Associated Press Writer

BRECKENRIDGE, Colo. — Colorado Gov. Bill Owens said Monday it is "hypocrisy" for the United States to pressure Japan to lift a ban on U.S. beef over mad cow concerns while banning Canadian beef for the same reason.

"It's this sort of hypocrisy that makes it very difficult for the U.S. to win any sort of trade war," Owens said at the Western Governors' Association meeting.

Owens and other governors said the U.S. action is encouraging Canada to build its own meatpacking plants, instead of relying on plants south of its border, and taking away jobs in Western states.

The premiers of two Canadian provinces told the governors the U.S. ban had gone on long enough.

"It's time for this nonsense to stop," Alberta Premier Ralph Klein said.

Klein said animals have been crossing the Canadian-U.S. border for years without problems. He said the ban is hurting both countries.

Saskatchewan Premier Loren Calvert said both countries need to eliminate agriculture subsidies and promote free trade.

"I'm not sure this is beneficially mutual for either of us," he said.

Only one case of mad cow disease has been confirmed in the United States, in a dairy cow in Washington state in December 2003. Since then, preliminary tests indicated the existence of the disease in three cows, but subsequent tests ruled out any infection.

Agriculture Secretary Mike Johanns told the governors that public reaction was mild after additional tests performed on one of the three cows turned up positive

last week.

Johanns said additional tests have been ordered, but all three cows were kept out of the food chain.

"The fact is, the safeguards did work," Johanns said.

Johanns said the new test result should not interfere with efforts to persuade foreign beef customers to reopen their markets. Dozens of countries banned U.S. beef imports after the Washington state case. Japan, once the biggest customer of U.S. beef, has not yet lifted its ban despite agreeing to do so last fall.

The United States imposed a ban on Canadian cattle imports after the first mad cow case there in May 2003. The U.S. Department of Agriculture planned to reopen the border in March, but a federal judge in Billings, Mont., ordered it be kept closed at the request of ranchers suing to block Canadian cattle imports.

Also Monday, the governors asked Congress to relax the Endangered Species Act so states could combine federal requirements to deal with several species at the same time.

They also established a council to help coordinate local, state and regional plans to help the greater sage grouse, which has been declining in numbers for 20 years. Its habitat is located along 110 million acres over 11 states, including northwestern Colorado.

Environmental groups sought to have the greater sage grouse placed on the federal endangered species list. The U.S. Fish and Wildlife Service rejected the petition in January but said conservation efforts should be continued.

Listing the bird as endangered or threatened would place restrictions on grazing, oil and gas leasing and hunting. Western officials have said cooperation with landowners rather than regulation will help save the birds.

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Fewer Californians can afford a home, report shows



**BUYING
AND SELLING**
BY THOMAS KHAMMAR
& BRENT PARSONS

20 percent down payment. The minimum household income needed to purchase a median-priced home was up from \$102,350 in April 2004, when the median price of a home was \$452,680 and the prevailing interest rate was 5.42 percent.

The minimum household income needed to purchase a median-priced home at \$206,000 in the U.S. in April 2005 was \$48,660.

At 34 percent, the High Desert region was the most affordable C.A.R. region in the state, followed by the Sacramento region at 21 percent. The northern wine country region was the least affordable in the state at 8 percent.

C.A.R.'s May 2005 sales and median price report for the state and regions within the state will be released on June 23.

C.A.R. HOUSING AFFORDABILITY INDEX *			
	Apr-05	Mar-05	Apr-04
California	17	18	20
California - Condos	24	25	31
United States	50	54 r	57 r
C.A.R. REGION			
Central Valley	2	21	32
High Desert	34	36	52
Los Angeles	16	17	20
Monterey Region	10	10	12
Northern California	15	17	24
Northern Wine Country	8	9	14
Orange County	11	11	13

Palm Sprgs/Lwr Desert	11	n.a.	13
Riverside/SBernardino	20	21 r	28 r
Sacramento	21	23	33
San Diego	10	10	14
San Francisco Bay Area	12	12	17
San Luis Obispo	11	13	20
Santa Barbara County	10	9	13
Santa Clara	18	19	24
Ventura	13	14 r	17
COUNTY			
Alameda	11	12 r	18
Contra Costa	10	10	11
Fresno	24	24	34
Marin	12	11	16
Merced	16	16	30
Riverside	19	19 r	22 r
San Bernardino	24	23 r	35 r
San Francisco	8	9	12
San Joaquin	14	15	28
San Mateo	10	11	17
Santa Cruz	12	12	15
Sonoma	8	9	15
Stanislaus	19	21	35

(Shows percentage of California households that can afford to purchase a median-priced home)
r – revised

Source: California Association of Realtors

(For any local information or statistics, contact The Powerhouse Team at 310-482-2016 or brent@pwrhteam.com.)

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Sold	510 MESA RD	SANTA MONICA 90402	
Santa Monica	SqFt: 6,284	List Price: \$2,895,000	Bed: 4
06/08/2005	Lot Size: 15,400	Sold Price: \$2,910,000	Bath: 6.00
Sold	1838 16TH ST	SANTA MONICA 90404	
Santa Monica	SqFt: 3,041	List Price: \$925,000	Bed: 5
06/08/2005	Lot Size: 7,497	Sold Price: \$896,000	Bath: 3.00
Sold	1117 SAN VICENTE	SANTA MONICA 90402	
Santa Monica	SqFt: 2,337	List Price: \$2,195,000	Bed: 3
06/08/2005	Lot Size: 13,000	Sold Price: \$2,250,000	Bath: 2.50
Sold	627 7TH ST	SANTA MONICA 90402	
Santa Monica	SqFt: 1,910	List Price: \$1,695,000	Bed: 4
06/07/2005	Lot Size: 7,450	Sold Price: \$1,751,000	Bath: 2.00
Sold	370 23RD ST	SANTA MONICA 90402	
Santa Monica	SqFt: 3,366	List Price: \$2,895,000	Bed: 4
06/07/2005	Lot Size: 7,696	Sold Price: \$2,850,000	Bath: 3.50
Sold	823 PINE ST	SANTA MONICA 90405	
Santa Monica	SqFt: 1,721	List Price: \$1,250,000	Bed: 3
06/10/2005	Lot Size: 6,477	Sold Price: \$1,250,500	Bath: 2.00
Sold	1314 16TH ST #A	SANTA MONICA 90404	
Santa Monica	SqFt: 1,278	List Price: \$759,000	Bed: 3
06/10/2005	HOD: \$250	Sold Price: \$750,000	Bath: 2.50
Sold	925 14TH ST #2	SANTA MONICA 90403	
Santa Monica	SqFt: 1,315	List Price: \$899,000	Bed: 2
06/08/2005	HOD: \$360	Sold Price: \$952,000	Bath: 2.50
Sold	814 6TH ST #7	SANTA MONICA 90403	
Santa Monica	SqFt: 1,229	List Price: \$678,000	Bed: 3
06/10/2005	HOD: \$275	Sold Price: \$751,000	Bath: 2.00
Sold	948 16TH ST #D	SANTA MONICA 90403	
Santa Monica	SqFt: 1,042	List Price: \$699,000	Bed: 2
06/08/2005	HOD: \$250	Sold Price: \$750,000	Bath: 2.00
Sold	2911 4TH ST #114	SANTA MONICA 90405	
Santa Monica	SqFt: 1,513	List Price: \$718,000	Bed: 4
06/07/2005	HOD: \$257	Sold Price: \$720,000	Bath: 2.50
Sold	516 SAN VICENTE #207	SANTA MONICA 90402	
Santa Monica	SqFt: 997	List Price: \$625,000	Bed: 1
06/08/2005	HOD: \$257	Sold Price: \$642,000	Bath: 1.00
Sold	50 HALDEMAN RD	SANTA MONICA 90402	
Santa Monica	SqFt: 6,500	List Price: \$28,000	Bed: 5
06/07/2005	Lease Option: Yes	Sold Price: \$0	Bath: 5.50
Sold	650 PACIFIC ST #5	SANTA MONICA 90405	
Santa Monica	SqFt: 1,490	List Price: \$3,600	Bed: 2
06/09/2005	Lease Option: No	Sold Price: \$4,000	Bath: 2.50
Sold	2677 CENTINELA AVE #104	SANTA MONICA 90405	
Santa Monica	SqFt: 1,489	List Price: \$2,395	Bed: 2
06/09/2005	Lease Option: No	Sold Price: \$2,395	Bath: 2.00
Sold	1102 21ST ST	SANTA MONICA 90403	
Santa Monica	SqFt: 1,876	List Price: \$5,200	Bed: 2
06/12/2005	Lease Option: No	Sold Price: \$5,050	Bath: 2.50
Sold	2910 NEILSON WAY #313	SANTA MONICA 90405	
Santa Monica	SqFt: 1,420	List Price: \$5,000	Bed: 2
06/07/2005	Lease Option: No	Sold Price: \$4,500	Bath: 2.00

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ANSWER: Because your name is not on title to the home, only your partner is entitled to deduct up to \$250,000 principal residences sales profits allowed by Internal Revenue Code 121. However, if your name were also on the title, then you also would become entitled to deduct up to \$250,000 tax-free principal residences sale profits. To Qualify your partner should sign and record a quitclaim deed to you for half interest in the home. You would need to hold title at least 24 months before becoming eligible for the \$250,000 exemption. Of course, this presumes that you both meet the 24-month out of last 60-month occupancy test of Internal Revenue Code 121 before selling your principal residence. Always consult your Tax Attorney

****Should I Quitclaim my House?****

QUESTION: I am a 76 and in pretty good health. But I'm short on income. My daughter and son-in-law offered to make my mortgage and property tax payments if I deeded my house to them, retaining a life estate. They have excellent income. What do you think of the idea?

ANSWER: I don't like the idea at all. Gifting your home to your daughter and son-in-law is very good for them even though you retain a life estate. But you will lose control of your home. For example, suppose in a few years you need to move-in to assisted-living home. How will you pay for the care if you've already given up your home? A far better alternative for you is to obtain a reverse mortgage to provide the income you need for the rest of your life. But you still control your home, for

more information contact us at the numbers below.

****Lot for Sale****

QUESTION: We sold a lot that we bought over 30 years ago. Do we have to declare it on our income tax returns?

ANSWER: Yes. Your investment in the lot was a capital asset. When you sold it, presumably at a profit, it is taxed as a long term capital gain. Fortunately, the federal tax rate on capital assets held more than 12 months is only 15% plus any applicable state tax. For details, consult a tax attorney. If you are thinking of selling that lot contact us at the numbers below.

****Federal Tax on \$55,000****

QUESTION: I'm buying a house. My good brother is giving my \$55,000 to help me with the purchase. Does he have to pay any gift tax? Do I pay any tax on this gift?

ANSWER: Unless your brother has given away more than 1 million in a lifetime (excluding charitable gifts) that exceed \$11,000 per donee per year, he won't owe any federal gift tax on your \$55,000 present. However, because the gift exceeds the yearly \$11,000 gift exemption per donor per donee, he must file a federal gift tax form even though no gift tax will be due. As the recipient, you don't owe any tax on the gift. For details, consult a tax advisor.

****"Suspended Loss" cuts taxable gain****

QUESTION: Since 1983 we have owned a rental property. On our income tax returns, we took annual depreciation deductions. But the "tax loss" was usually more than we could use to offset our other ordinary income. Now that we plan to sell the property, what do we do with these unused losses?

ANSWER: Your situation, in which a tax loss from the rental property exceeded the amount you could deduct against your ordinary taxable income, is a "suspended loss". After your rental property sale closes, subtract suspended losses from your capital gain, thus reducing your taxable gain. For details, consult a tax advisor.

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Trend in transit-oriented real estate development gains speed



**DAYS ON
THE MARKET**
BY JODI SUMMERS

"Transit is trendy. There is a growing demand for real estate development close to transit," notes Jennifer L. Dorn, administrator for the Federal Transit Administration.

"Transit-oriented development has the potential to become an unprecedented catalyst for community growth," she recently said.

Currently there are about 3,340 fixed transit stops across the country. Studies by the nonprofit organization Reconnecting America show plans for an additional 630 stations by 2025. It is estimated that 14.6 million households may be looking for housing within a half-mile radius of fixed-guideway transit stations by 2025, compared with about 6 million households in 2000. Fixed-route transit is defined as rail systems, streetcars, trolley buses, bus rapid transit and cable cars.

Santa Monica is scheduled for a light rail system connecting our fair city to downtown Los Angeles, but no one will give dates as to when it will happen. According Rick Thorpe, the Metropolitan Transit Authority's chief management officer, the MTA is focused on the "first phase of the project," the Mid-City Exposition Light Rail Transit Project, which will run from downtown Los Angeles to Culver City.

The "first phase" of the westside edition of the Los Angeles light rail system will call for 9.6 miles of light rail and 11 stations, three of which will include park-and-ride lots. The MTA expects the \$444.5 million project to be completed in 2010 and estimates that by 2020, 45,000 riders will use it every day.

The second phase of the project will connect Culver City to Santa Monica. Still in the planning stages, no start date has been set and its station sites have not been identified, though rumor has it that the Santa Monica station will be the site of the Sears automotive center on the southeast corner of Fourth Street and Colorado Avenue.

The Los Angeles light rail system is one of dozens of transit projects across the country that is in final design stages, or awaiting federal money. Currently there are 27 metropolitan regions operating some form of fixed-route transit, according to the Reconnecting America report. In 2003, 25 new transit projects were being built under full-funding grant agreements with the Federal Transit Administration. Metro areas building fixed-guideway transit systems for the first time include Charlotte, N.C.; Columbus, Ohio; Fort Collins, Colo.; Las Vegas; Nashville, Tenn.; and Reading, Pa. Metro areas with major expansion plans include New Orleans, Seattle, Los Angeles, Cleveland, Phoenix and New York, among others. Additionally, 52 pro-

jects are in some stage of federal approval, and about 151 additional projects were named in the last federal transportation bill.

Transit-oriented development has become an international trend. The United Nations projects that urban population growth will make up about 90 percent of the world's population growth. It estimates that in 20 years, 85 percent of the population in the United States will live in urban areas; in Europe, 83 percent; in Asia, 55 percent; and Africa, 54 percent.

In the decades that followed World War II, the American Dream for many people was an affordable home away from urban areas. Suburban living has now gone out of fashion.

"We have already seen that American home buyers are creating a new version of the American Dream. Their interpretation of the American Dream doesn't involve a home in the suburbs," the FTA's Dorn noted.

Studies by the National Association of Realtors and Smart Growth America have come to describe the ideal smart growth community as a mix of apartments, condos, townhouses and single-family detached houses on various sized lots with sidewalks and places to shop, eat, read and go to school within walking distance. It also was described as a community where public transportation is nearby and a one-way commute is less than 45 minutes.

When individuals were queried about what they want in their neighborhood, 79 percent of respondents said that commute times of 45 minutes or less were important factors in deciding where to live. Seventy-five percent said easy highway access was important and 72 percent said a walkable community is important. Sixty-five percent said it is important to live in a community with people of all ages, and 60 percent said it is important to live in a place that is away from it all. Fifty-seven percent said it is important to have a large house on more than one acre of land. Fifty-one percent said it is important to be within walking distance of stores and restaurants.

Minorities are more likely than other Americans to choose a walkable neighborhood that has a shorter commute, with 59 percent of women, 57 percent of Hispanics and 78 percent of African Americans selecting urbanized communities over communities with bigger lots and longer commutes. Most survey participants said they favored the attributes of walkable, smart-growth communities over sprawling communities with longer commutes.

Ironically, home-ownership rates tend to be lower in transit zones. The average home-ownership rate in transit zones is about 31 percent, while the property ownership rate for U.S. metro regions overall is about 66 percent.

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

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Transit plan already being touted as a national model

BY JON SANCHE

Associated Press Writer

DENVER — Richard Feuerborn has ridden a bus from suburban Arvada to his job in downtown Denver for seven years. An infrequent driver at best, he believes more people would get out of their cars if they had more, and more convenient, opportunities for riding instead of driving.

"It's not going to get any better as the metro area grows," he says. "We have a window of opportunity here to help."

Feuerborn was referring to an extraordinary plan to add 119 miles of train and bus service in and around the Denver area — extraordinary not because of its scope, but because voters in a car-worshipping red state approved a \$4.7 billion tax increase to pay for it.

The FasTracks proposal is already being held up as an example of how to boost mass transit around the nation. Despite opposition from the governor, his transportation chief and an influential think tank, nearly 58 percent of the voters in Denver and six surrounding counties last fall bought the argument that their 12-year investment would pay off with reduced congestion.

In fact, ballot initiatives proposing public spending on transit projects fared well around the country last year, with voters approving 42 of 53 proposals worth some \$55 billion, according to the Center for Transportation Excellence, a Washington-based pro-transit organization.

Local governments and residents everywhere are committing more money to easing traffic congestion, said David Schrank, co-author of the Texas Transportation Institute's latest Urban Mobility Report. The annual study found that time lost to traffic delays in 2003 hit 3.7 billion hours, with roads nationwide congested an average of 7.1 hours per day.

Attempted solutions include new toll lanes, high-occupancy lanes and more mass transit, Schrank said.

"The attack is becoming more and more diverse," he said.

In Denver, voters approved FasTracks seven years after rejecting a similar proposal and two years after the

Details of FasTracks plan

By The Associated Press

Highlights from the 12-year, \$4.7 billion FasTracks project in metropolitan Denver and other details from the Regional Transportation District:

■ 119 miles of new light rail and commuter rail stretching from Longmont in the northwest to Lone Tree in the southeast and from Denver International Airport in the northeast to Highlands Ranch in the southwest. Lines also would serve Golden and north Denver.

■ 18 miles of new bus rapid transit service from Boulder to Denver.

Regional Transportation District first tried to put it on the ballot but was turned away for technical reasons. After the 2002 attempt, FasTracks backers put together a plan the transportation center has since incorporated in a campaign-strategy guidebook.

They lined up endorsements from each mayor in the region and from scores of businesses. People were trained to talk up the project at community meetings and they drew up counterattack plans to handle critics.

One of the keys was showing voters exactly what was going to be built and when, and the fact that the few light rail lines in the Denver area had become so popular that parking is hard to find at the stations, FasTracks campaign manager Maria Garcia Berry said.

"Opponents were totally disconnected as to what's happening in the region," said Berry, whose firm handles FasTracks' public relations. "There is no magic bullet any more to congestion and growth. You have to have a combination of things. You have to have enhanced roads but you also have to have transit."

"I think the opponents always tried to cast it as black and white, but in (voters') view it's not; you have to have multiple solutions."

Republican Gov. Bill Owens and Jon Caldara, president of the conservative Independence Institute, said the project was too expensive, and the same goals could be better accomplished with highway projects and expanded bus service. Transportation Department Executive Director Tom Norton said it would pull money from road-widening projects.

Some opponents also thought residents simply wouldn't want to give up the independence of driving to work. Supporters said they vastly overestimated that sentiment, especially given the population explosion the Denver area experienced in the past decade, with many people coming from cities with established transit systems.

■ 21,000 new parking spaces at rail and bus stations.

■ Voters simultaneously approved a sales tax increase of 4 cents on every \$10 in purchases of items excluding groceries, prescription drugs, gasoline or home heating fuel.

■ In 2025, the RTD estimated travel time from Denver International Airport to downtown Denver by car would be 48 minutes, while use of the planned rail line would take 39 minutes.

■ In 2025, estimated travel time from Longmont to downtown Denver by car would be 133 minutes, compared to 61 minutes by rail.

■ In 2025, estimated travel time from north Denver to the Denver Tech Center south of the city would be 149 minutes by car, compared to 68 minutes by rail.

"I don't think that the 'You'll pry my car keys out of my cold, dead hands' (attitude) is something that keeps voters away from these kinds of initiatives," said Stephanie Vance, program manager for the transportation excellence center. "As long as it's not pitted against the car, but providing additional transportation choices around the community, everyone wants more transportation choices."

The recent success of mass transit projects stems not only from fed-up motorists, but also from an increasing concern about diminishing global oil resources, said Patricia Nelson Limerick, chairwoman of the board at the University of Colorado's Center of the American West.

"Every congested urban highway at rush hour is a seminar, it's a workshop, a chance to say 'Well, look what we've gotten ourselves into as a nation, as a society. Is this the best way to live?'" she said. "If we tried to design a system where people would sit and contemplate the results of their choices, I don't think you could contemplate anything better than congestion at rush hour."

That was the case for FasTracks supporter Brian Carmichael, who voted for the measure even though he probably would never give up his 35-minute commute to downtown Denver from suburban Lakewood.

"It's a better luxury having my own car and coming and going as I need to without worrying about the schedule," he said.

Vance said transit projects often get support from die-hard drivers who believe the trains or buses will ease congestion and cut their commuting time.

"It's the vision of rail that's very important. People were very focused on (the fact) it was about trains. People like that," Berry said. "They get the fact that the train doesn't travel with cars, and buses do. It's a totally different feel of how they think they want their community to be."

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NATIONAL



Many downwinders have unknown diseases

By The Associated Press

SALT LAKE CITY — A University of Utah study on nuclear fallout is winding down, but researchers say they still must notify hundreds of participants they have thyroid cancer or other problems.

The study, led by Dr. Joseph Lyon, examined the connection between radioactive fallout and thyroid disease among people living downwind of aboveground atomic testing in Nevada during the 1950s and early 1960s.

It was cut short after the Centers for Disease Control and Prevention pulled funding from Lyon's team, alleging in part the research didn't follow scientific procedures. Still, researchers examined about 1,700 of a planned 4,500 people, mostly from southwestern Utah.

"We identified several hundred cases of disease," Lyon

told the Deseret Morning News for a copyright story in Tuesday editions. "We have to notify several hundred individuals they have problems and will need follow-up."

Disease can cover a broad range, from benign thyroid nodules to cancer. Lyon did not offer additional details of the findings.

In March, the CDC said it would no longer fund the study, which had cost \$8 million and continued for 3 1/2 years.

In an April 5 letter to Sen. Orrin Hatch, R-Utah, Dr. Julie Louise Gerberding, director of the CDC, wrote, "The scientific quality of the study was questioned by external scientific reviews. ... Both reviews focused on the lack of scientifically defensible dosimetry, power and treatment of uncertainty. Those issues form the foundation upon which the study is based."

Lyon and his associates have challenged those points in detail, and environmental groups have criticized the CDC for abandoning what could have been a comprehensive fallout study.

He said the CDC paid close to \$50 million to study possible health effects from radiation at the nuclear weapons laboratory at Hanford, Wash., and the study came up with no association between radiation and health effects.

"We're at \$8 million," Lyon said. "We're saying we have found an association (between fallout and health effects) and these people do have problems, and they need further follow-up. And the answer from the government is, 'Yeah, we're not interested.'"

The study will be over by Aug. 31, but most of the employees working on it will be laid off by June 30.

Colorado governor, once rising GOP star, sounds bipartisan theme

BY KIM NGUYEN

Associated Press Writer

DENVER — He was a cover boy for the National Review, a Republican governor whose tough talk on taxes and accountability in education made him a darling of conservatives who wondered whether he might be White House material in 2008.

Then something happened: Gov. Bill Owens nearly dropped off the national radar and now faces perhaps his toughest task: Persuading Colorado voters to give up \$3.1 billion in tax refunds over the next five years to help bring the state out of the red.

Owens will be doing his lobbying alongside Democrats, who took over both houses of the state Legislature this year. The two sides worked together to come up with the November ballot proposal, something that angered more conservative members of the GOP.

Whether Owens invests a lot of time or political capital in the ballot measure campaign remains to be seen. But observers say the governor has already made a series of key decisions recently — public and private — to set himself up for another political job after term limits force him out of office in 2007.

"The question is, what campaign?" asked John Straayer, a Colorado State University political science professor. "I think the only logical thing anywhere in the near future, that would be on the U.S. Senate. And he passed on that."

Last year, GOP Sen. Ben Nighthorse Campbell decided to step down and Owens declined to jump in the race eventually won by a Democrat, Ken Salazar. GOP Sen. Wayne Allard doesn't face another election until 2008.

Owens, who declined an interview request, often talks as if he is ready to sample life without political pressures. He says he doesn't know what he wants to do and that he is not expecting a call from the White House for a Cabinet post. He is 54 and he has three children.

"He has been quoted and has told people privately that he's wanting to go into the private sector," said Floyd Ciruli, an independent Denver pollster. "There's more money in the private sector and his kids are growing up. They're in college now."

Still, the last time Owens was out of politics was more than 20 years ago, back when he was an executive at the Colorado Petroleum Association. With degrees in political science and history, he could start a consulting firm, though Ciruli said Owens is an unlikely lobbyist.

"I think, generally, higher level political leaders prefer not to have to call on their counterparts for the specific purpose of leading a client," he said.

Two years ago, Owens seemed destined for GOP stardom and won praise from conservatives for, among other things, his backing of Colorado's Taxpayer's Bill of Rights, considered the nation's strictest cap on how much a state can tax and spend.

Owens' personal life may have interfered with his career: He announced a separation with his wife, Frances, in August 2003. The two refused to discuss their problems in public, then disclosed their reconciliation last month — a move observers say may help Owens should he seek another political job.

If he does, Owens can portray himself as a moderate: He worked with Democrats on the bipartisan ballot measure, backed Pete Coors over a more conservative candidate in last year's Senate race and didn't veto a measure that will protect gays under Colorado's hate crimes statutes.

At the same time, he did issue a record number of vetoes this year (47), including plans intended to encourage utilities' energy efficiency programs and help the poor get discounted prescription drugs.

"His vetoes and the threat of veto kept the Democrats at bay," said Bob Martinez, chairman of the Colorado GOP. "He led by example, made some tough decisions."

Even Democrats offered praise.

"We respect his decisions and he respects ours," said

House Speaker Andrew Romanoff. "But if you told me a year ago that the Democratic leadership and Republican governor were going to forge nine-tenths of their agenda, I wouldn't have believed it. It was a good year for bipartisanship."

Owens faces one more legislative session with Democrats in control, but the ballot test comes before that.

Over the past three years, the state has cut spending by a total of about \$2 billion because of the recession and the taxpayer bill of rights.

Without the effort to suspend \$3.1 billion in tax refunds over the next five years, "there would have been serious negative impacts on the state," Straayer said. "I think that would have been Bill Owens' legacy: The guy driving the stagecoach off the cliff."

But his support for suspending the refunds has led to criticism from conservatives who say he has strayed from his principles. Jon Caldara, president of the conservative Independence Institute, called a rally of GOP leaders backing the change — including Owens — "a meeting of squish-bag Republicans" who support tax increases.

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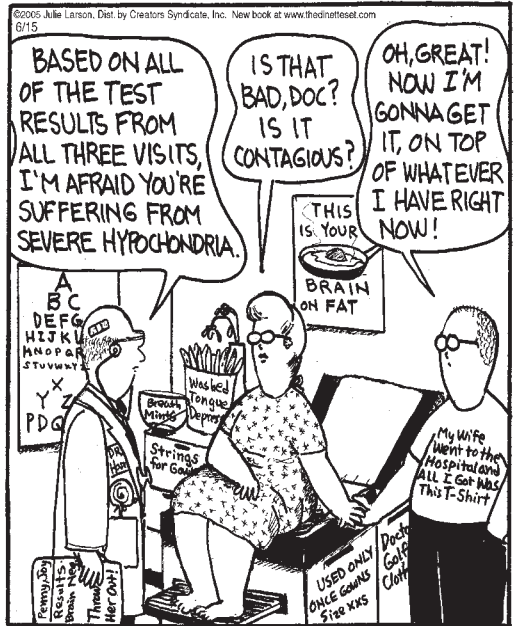
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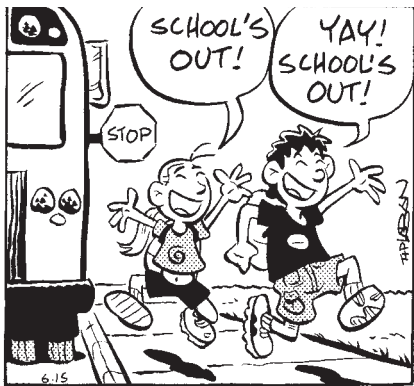


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- 5 Stuck, in a way
- 11 Had on
- 12 City on Lake Ontario
- 13 The whole range
- 14 Emergen-cy horn
- 15 — Diego
- 16 Cry
- 17 Yonder
- 19 Dieter's no-no
- 22 Star
- 24 Dry up
- 26 Sills song
- 27 One or more
- 28 Colorings
- 30 Sheets
- 31 Go out with
- 32 Wolf Pack member
- 34 Gusted
- 35 "Platoon" setting
- 38 Like cows and hens
- 41 Unspoken feeling
- 42 Eggy dish
- 43 Formerly
- 44 Alterca-tions
- 45 Sunset direction

DOWN

- 1 "— brillig ..."
- 2 Smidgen
- 3 Site of activity
- 4 Turkish topper
- 5 Ends with a show of hands
- 6 Snoozing
- 7 Trade
- 8 Cowboy nickname
- 9 Big head
- 10 Oxford VIP
- 16 Spider's home
- 18 Miami team
- 19 First half of a golf course

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Yesterday's answer

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- 23 Pennsyl-vania port
- 25 China setting
- 29 Morose
- 30 Depres-sed
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- 37 Come together
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- 40 Fellows
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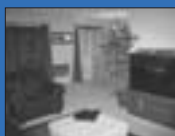
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