

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

**MEGA MILLIONS**
27 30 36 38 45
Meganumber: 13
Jackpot: \$12M

**SUPER LOTTO**
6 9 10 22 25
Meganumber: 4
Jackpot: \$76M

**Fantasy 5**
3 18 26 30 39

DAILY 3

MIDDAY: 6 2 2
EVENING: 7 5 7

**DAILY DERBY**
1st: 05 California Classic
2nd: 07 Eureka!
3rd: 12 Lucky Charms
RACE TIME: 1:48.75

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

Ernest G. Johnson, 42, was arrested in Shreveport, La., in May after he, posing as an insurance company employee, roamed the corridors at LSU Hospital seeking to photograph women wearing casts. Said a police detective, "It's like all he wants is to be in the presence of a woman with a cast on and have her attention." And in April in Wausau, Wis., Thomas Vogedes, 58, was sentenced to six months' probation for incidents in which he hung dozens of bras and panties (new and used) from car mirrors and videotaped them.

TODAY IN HISTORY

Today is the 172nd day of 2006.
There are 193 days left in the year.

On June 21, 1788, the U.S. Constitution went into effect as New Hampshire became the ninth state to ratify it.
In 1834, Cyrus Hall McCormick received a patent for his reaping machine.

QUOTE OF THE DAY

"It is only on paper that one moralizes — just where one shouldn't."
RICHARD LE GALLIENNE
ENGLISH POET AND ESSAYIST

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City Hall courts victory

Regulating public food lines and demonstrations not unconstitutional

BY KEVIN HERRERA
Daily Press Staff Writer

CITYWIDE — The Ninth Circuit Court of Appeals, long labeled the most progressive judicial body in the country, found free speech to be alive and well in Santa Monica as it has upheld a local law regulating public food lines and spontaneous demonstrations.

The law, officially known as the city's Community Events and Food Distribution Ordinance, was passed in 2002 and requires groups of 150 people or more that gather in public places, including parks, streets and sidewalks, to obtain an event permit from City Hall, and if food is served, a permit from Los Angeles County

See **FOOD NOT BOMBS**, page 5



File Photo

FREE FOR ALL: City Hall has prevailed in regulating public food lines.

Lost leader: Schools lose Matthews

BY KEVIN HERRERA
Daily Press Staff Writer

SMMUSD HDQTRS. — Mike Matthews, who has served as the interim superintendent of the local school district for the past few months, has resigned.

He has accepted the position of vice president of a San Francisco-based firm specializing in the development of after-school programs for struggling students. Matthews will work for firm's newly-created Los Angeles office.

Matthews said he will serve as interim superintendent through July and will facilitate the transition of the new superintendent in August. The school board is interviewing candidates and should select a finalist within the next few weeks.

Matthews' departure, announced by the district late Monday, comes as the school board tries to grapple with the loss of several, high-ranking educators, including three principals and the district's chief academic officer, Donna Muncey, who is leaving to follow former superintendent John Deasy. Deasy left earlier this year for a similar job in Prince George's County, Maryland.

"I would say that there is certainly a significant amount of transition hap-

See **SCHOOLS**, page 7

Getting their kicks



Fabian Lewkowicz/Daily Press

Soccer fans on Tuesday filled the Ye Olde Kings Head Restaurant and Pub to watch the England versus Sweden World Cup game. The matchup ended in a tie, 2-2.

The truth is found in advertising

BY CAROLYN SACKARIASON
Daily Press Staff Writer

DOWNTOWN LA — A federal jury here has convicted two former executives of a Santa Monica advertising placement agency on various fraud and money laundering charges for stealing tens of millions of dollars

from corporate clients such as Sears, Roebuck & Co. and Universal Studios, who paid their firm to place ads with broadcast media, including ABC, NBC and Warner Brothers.

Thomas Edward Rubin, the chairman and CEO of Focus Media, Inc., a now defunct media placement agency once located in Santa

Monica, was found guilty Monday afternoon of 25 felony counts, including conspiracy, mail fraud, wire fraud, bank-



THOMAS EDWARD RUBIN

See **CONVICTION**, page 6

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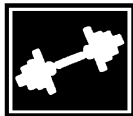
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Horoscopes

2

WEDNESDAY, JUNE 21, 2006

Santa Monica Daily Press

A newspaper with issues



MORADI STUDIO

Hair Cut & Blow Dry (Long Hair Extra)	20
Highlight Full Head	50 & UP
Goldwell Touch-up	35
Perm or Body Weave	50 & UP
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Waxing	5 & UP

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Easy does it, Sag

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)

★★★★ Understand what is happening within a financial partnership or arrangement. You simply might not see eye to eye with someone else. On some level, you could be heading down the warpath. What happens hits you in a vital spot. Tonight: Take some thinking time.



TAURUS (April 20-May 20)

★★★★ You distinctly have the edge. You make the difference. It might not be important to decide if someone is contrary. Communicate past others' barriers. Tonight: Accept an unexpected invitation.



GEMINI (May 21-June 20)

★★★ Assume a low profile, and you will be much happier. Understand that you don't always have to have the answers. Sometimes you need to simply rethink what you hear and think is going on. Tonight: Get some extra R and R while you still can.



CANCER (June 21-July 22)

★★★★ You might have to hop over a couple of obstacles to get to the bottom of a problem. You might want to say your piece. Someone is ready to hear it loud and clear. You could be angry with a friend. Tonight: Where your friends are.



LEO (July 23-Aug. 22)

★★★★ Many look to you for answers. On some level, you might be worn out and tired from everyone acting up or demanding this or that. It is important to sort through what you must do. Think positively. Tonight: In the limelight.



VIRGO (Aug. 23-Sept. 22)

★★★★★ Your ability to be thoughtful and intellectual merge. Where others become wild and out of control, you stay solid and thoughtful. A friend wants what he wants and could do whatever he needs to do to achieve the results. Tonight: Put on some happy music.



LIBRA (Sept. 23-Oct. 22)

★★★★ Work with one person at a time. Your focus and attention mean a lot to each person. Know when to cut back and when to take action. You might want and need to step back. Take a stand if need be. Tonight: Be with a favorite person.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ Observe what occurs, and listen to what others say. You know what works with them. Take an overview. Think carefully and understand how unpredictable or volatile a situation might be. Move only after you feel you have grasped the situation. Tonight: Say yes.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You want to defer to others very quickly. You don't need to carry the weight of a problem. You need to discover what makes you tick, as a partner could challenge your very essence. Tonight: Easy does it.



CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Your imagination takes you in a new direction. Test your limits when dealing with someone who can be a hot-head, especially with money. Think positively about a difference of opinion, and work with each individual. Tonight: Use your imagination.



AQUARIUS (Jan. 20-Feb. 18)

★★★ You could get into it with a fellow associate, loved one or friend. Be smart; don't take the bait. You might be unpredictable financially. Your checkbook could hurt you before you know it. Tonight: Happy at home.



PISCES (Feb. 19-March 20)

★★★★★ Your fiery energy could put others off. You have little tolerance for sticks-in-the-mud right now. Realize that you could be overly critical. You could switch gears quite suddenly, out of the blue. Tonight: Out with friends.



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COMMUNITY BRIEFS

Won't you be my neighbor?

By Daily Press staff

The Wilshire Montana Neighborhood Coalition (WILMONT) will hold its annual general membership meeting on Saturday, June 24 at 1 p.m.

For more than a decade, WILMONT has organized to work with the city of Santa Monica and local businesses to ensure that the voices of local residents are heard. Representing the largest population of any neighborhood organization in the city, WILMONT serves the area bordered by both sides of Montana Avenue to the north, Pacific Coast Highway to the west, 21st Street to the east, and Wilshire Boulevard to the south (north side only), and all streets between.

The new City Manager of Santa Monica P. Lamont Ewell will speak, and residents will have an opportunity to ask questions about his plans for Santa Monica and to voice concerns about community issues.

A panel discussion with experts also is scheduled for the meeting, to discuss options for Santa Monica's proposed general plan revisions, and how they might impact neighborhood development and density.

The meeting will be held in the Reed Park Auditorium at Christine Emerson Reed Park, located at Lincoln and Wilshire boulevards. Lunch refreshments will be served, and door prizes were donated by local merchants such as Three Bags Full, Panera Bread, Staples, and Number One Beauty. For more information, call (310) 840-2257, e-mail info@wilmont.org, or visit www.wilmont.org.

Police throw a party for the kids

By Daily Press staff

The Santa Monica Police Activities League (PAL) is throwing a party on the Santa Monica Pier. The second annual PALpalooza benefit will funnel proceeds to PAL's community youth programs. A ticket gives you free admission to all Pacific Park rides, a free meal, \$6 for games and a choice between popcorn or cotton candy.

The SMPD will display classic and contemporary patrol vehicles, present SWAT team members for discussions and showcase canine and horse units.

PALpalooza will take place at Pacific Park on the Santa Monica Pier on Wednesday, June 28, from 5 p.m. to 11 p.m. Tickets are \$20 each, or \$60 for a family four-pack. Advance purchase is required. Call (310) 458-8988 for details.

RAND gets speech from Swede

By Daily Press staff

The featured speaker at RAND's commencement will be Carl Bildt, former prime minister of Sweden, who will speak about the challenges of building stable states around the world in places such as Iraq, Afghanistan and in parts of Africa. Bildt has worked on behalf of the European Union and the United Nations to settle conflicts in the former Yugoslavia.

Commencement ceremonies will be held for the Pardee RAND Graduate School (PRGS), one of the nation's oldest and most prestigious public policy training schools.

PRGS was founded in 1970 as one of America's original eight graduate programs in public policy and remains the only one based at a think tank. The interdisciplinary doctorate in policy analysis offered by the school is designed to train creative thinkers to play important roles in solving major problems facing the world. Students get the opportunity to work alongside top RAND researchers on a broad range of projects as part of their on-the-job training.

Twenty-four Ph.D. candidates will receive their doctoral degrees during the ceremonies. Graduates have moved on to leading positions in government, academia and the private sector.

The commencement ceremony will take place Saturday, June 24, from 10 a.m. to 12 p.m. at the RAND Corporation, located at 1776 Main St. in Santa Monica.



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SNOW AND SURF REPORTS

SNOW CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN
CLOSED

JUNE MOUNTAIN
CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	LIFT HOURS	RUNS OPEN	LIFTS OPEN
0"	48"-72"	7:00 AM - 2:00 PM	35	4/28

CONDITIONS: MACHINE GROOMED, SPRING, CORN

MOUNTAIN HIGH
CLOSED

MT. BALDY
CLOSED

SNOW SUMMIT
CLOSED

SNOW VALLEY
CLOSED

SURF CONDITIONS

WATER TEMP: 67°

SWELL FORECAST (5-7 FT)
TODAY THE SW SWELL WILL STILL BE KICKING UP WAVES HEAD HIGH TO WELL OVERHEAD,
LONG RANGE SYNOPSIS
FACING SMALLER WEEKEND...

TIDE FORECAST FOR JUNE IN SANTA MONICA

DAY	LOW 1	LOW 2	HIGH 1	HIGH 2
1	8:19 AM	7:48 PM	12:25 AM	3:59 PM
2	9:10 AM	9:39 PM	1:23 AM	4:47 PM
3	10:04 AM	11:05 PM	2:40 AM	5:21 PM
4	10:42 AM	N/A	4:03 AM	5:45 PM
5	12:09 AM	11:19 AM	5:25 AM	6:14 PM
6	1:01 AM	11:54 AM	6:39 AM	6:35 PM
7	1:36 AM	12:32 PM	7:39 AM	7:05 PM
8	2:13 AM	1:05 PM	8:28 AM	7:29 PM
9	2:49 AM	1:39 PM	9:18 AM	8:05 PM
10	3:31 AM	2:10 PM	10:04 AM	8:35 PM
11	4:05 AM	2:51 PM	10:49 AM	9:16 PM
12	4:46 AM	3:32 PM	11:36 AM	9:57 PM
13	5:30 AM	4:19 PM	12:22 PM	10:42 PM
14	6:21 AM	5:16 PM	1:14 PM	11:27 PM
15	7:04 AM	6:26 PM	2:07 PM	N/A
16	7:58 AM	7:49 PM	12:25 AM	2:57 PM
17	8:43 AM	9:25 PM	1:31 AM	3:45 PM
18	9:38 AM	10:59 PM	2:52 AM	4:35 PM
19	10:24 AM	N/A	4:25 AM	5:15 PM
20	12:10 AM	11:16 AM	6:01 AM	5:57 PM
21	1:10 AM	12:05 PM	7:20 AM	6:39 PM
22	2:02 AM	12:49 PM	8:27 AM	7:21 PM
23	2:49 AM	1:39 PM	9:27 AM	8:02 PM
24	3:32 AM	2:19 PM	10:13 AM	8:42 PM
25	4:13 AM	3:06 PM	11:00 AM	9:26 PM
26	4:58 AM	3:43 PM	11:39 AM	10:00 PM
27	5:36 AM	4:25 PM	12:20 PM	10:42 PM
28	6:08 AM	5:10 PM	1:04 PM	11:16 PM
29	6:45 AM	6:05 PM	1:45 PM	N/A
30	7:21 AM	7:03 PM	12:00 AM	2:21 PM

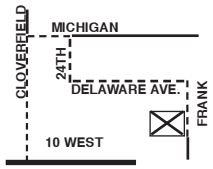
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The Q-Line

Let go of the railing.

Last week, the City Council agreed to purchase more than 104,000 square feet of land currently owned by Sears Roebuck and Co. for a cost in excess of \$35 million. The downtown real estate has been highly coveted by the city with its proximity to the Promenade, the Pier and the Civic Center redevelopment plans along Main Street. It's also no secret the city envisions the parcel as a possible site for a Light Rail terminus that would connect Santa Monica to Los Angeles.

So this week Q-Line wants to know:

Would the viability of easy transportation to and from downtown Los Angeles be a good thing in light of our city's homeless population?

Call **(310) 285-8106** or leave your post at smdp.com/forum and we'll print your responses in the weekend edition.

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LETTERS TO THE EDITOR

Q-line respondents lack logic

Editor:

After reading the responses to this past week’s Q-line question (SMDP, June 17-18) I was amazed that the respondents even had the intelligence enough to use a phone to give feedback. The majority of the responses were filled with the same old, party-line, no-clue, idiotic rhetoric. Especially the second one, which calls our president a terrorist and calls for him to be killed — unreal. I truly am amazed at the ignorance of a good portion of the Santa Monica residents.

Billy Woody
Agoura Hills

Shame on Big Blue Bus bullies

Editor:

I wonder if deputy city attorney Debra Kanoff would still be “wondering if the incident ever occurred in light of the bus driver never having come forward to claim responsibility,” (SMDP, June 15, page 1) if she knew that this is not the first time a bus driver has done this. A few years back, I was driving down Santa Monica Boulevard with three children in my car and stopped for a pedestrian. The Big Blue Bus behind me rear ended my car, sending drinks and food flying. I had to send my car to the repair shop with \$1,600 of damage and see a chiropractor for some time.

The Big Blue Bus driver had pulled over and yelled at me for stopping for the pedestrian. Apparently, bus drivers must be exempt from that. I asked to see his license and he said all I needed was the bus number. I was very upset since I had kids in the car and was not thinking properly when I followed his instruction and wrote the bus number down and went home. I phoned the bus company and my insurance company and reported the incident to both. I thought that this would be the end of it, but the bus company refused to pay my insurance company. I hired an attorney and I was told by my attorney that the Big Blue Bus was saying that the incident never occurred and that we could not prove that it did. The bus driver bullied me into believing all I had to do was write the bus number down and time of incident and it would be taken care of. He obviously denied hitting me, which according to this article, is “against policy and carries consequences.”

Shame on the Big Blue Bus for not taking responsibility for my accident and any others it has bullied its way out of.

Joni Tomson
Santa Monica

Unwise rent regulations increase friction

Editor:

A recent letter by Alan Toy (SMDP, June 15, page 6), a member of the Santa Monica Rent Control Board, claims that property owners cause skyrocketing increase in voluntary-vacated apartments. Of course, the amount of rent charged in an open market is a direct result of supply and demand and, indirectly, the cost of housing production and maintenance. Many residents are aware that the rent control board and Santa Monicans For Renters Rights do everything in their power to raise market rents and the cost of housing restricting supply and raising fees. Let us review some relevant actions:

1. Restriction in supply of market housing by conversion to low-income housing or construction of low-income units on parcels of land that could be used for market-rate housing. This city law stipulates that 30 percent of all housing in Santa Monica shall become low income (one in three residents to become low income). This restriction is responsible for huge increases in the cost of new housing, as well as making a growth industry out of Santa Monica low-income housing.

2. Low-income housing fees averaging \$24.21 per square foot (see <http://pen.ci.santa-monica.ca.us/housing/AHPP.htm>) for all new multi-family housing of two units or more. This raises the cost of a new housing by about \$24,210 per 1,000-square-foot unit at the rate of about \$200 per month.

3. Severe downzoning in parcels available for market-rate housing but huge upzoning in parcels for low-income housing. Parcels in Ocean Park, as well as several other city areas, have been downzoned so that one can build less than 50 percent of the number of existing units. On the other hand, low-income units are allowed building more than 400 percent of the number of units allowable for market-rate housing. This restriction is also responsible for huge increases in the cost of new housing.

4. Unwise rent control regulations increase tenant evictions, causing tenants to unnecessarily suffer huge rent increases in order to secure market-rate housing. The rent control board has enacted many tenant protections that make it almost impossible to evict a troublesome tenant. Often the property owner has only the Ellis option in getting rid of the troublesome tenant but at the cost of evicting all other tenants. Also, the rent control board has kept some rents dangerously low. In today’s environment, it is difficult to pencil out a new apartment building based on market rents. So, rents that are substantially below market provide an awfully strong motivation for property owners to convert buildings for use by their families or for selling out to condominium developers.

In conclusion, Alan Toy is part of the group of people that are directly responsible for high-market rents. Unwise rent control board regulations increase friction between property owners and tenants and thus eliminate any fun from owning rental property. It is no accident that many property owners get fed up and do an Ellis to get out of the reach of the rent control board.

George Balanis
Santa Monica

The march of tolerance continues in lockstep



Tolerance continues to march on. It is reported that Maryland Governor Ehrlich recently canned a public official for expressing his personal belief that homosexuality is immoral. In explaining his tolerance policy, Ehrlich said he is intolerant of any view that opposes the homosexual lifestyle and its promotion in government. Apparently he feels such people’s morals are opposed to his administration’s commitment to tolerance. I guess the gist of it all is that he just won’t tolerate people who are morally opposed to tolerating anything else other than more tolerant people may want to do. So, you few remaining out there who do have morals that contradict the politically correct should beware that George Orwell’s world lives.

One down side to all of this is that many — if not most — of our laws are predicated on some basis of morality. From requiring fair play in business to thou shalt not murder, cheat and steal, our laws are a reflection of our culture’s collective morality. That morality, in turn, is the product of consensus, and that requires open discourse. When some people’s freedom to express their opinions about morality is chilled, however, the consensus that will be reached over time will become increasingly skewed and our laws will follow.

A prime example of this principle is the moral debate that surrounded the death of Terri Schiavo. There were some who believed that all human life has an inherent sacred value. Generally speaking, they were referred to in the debate as the “Christian Right.” As such, they were relegated by our culture’s mainstream media to the fringe as nut-bar extremists whose opinion shouldn’t count for much. Thus, in the end, we witnessed a court of law ordering that a woman be made to suffer an excruciating death by dehydration for lack of anyone being permitted to give her a drink of water. The court apparently felt that life has value only sometimes, and when that is, or is not, is something that is subjective. In other words, the court held that in some instances someone may decide for someone else when they should die due to their having found that that person’s life is qualitatively not worth continuing. In the case of Schiavo, that subjective decision was obviously made by someone other than the woman whose life was to be ended. If that is acceptable, however, why then shouldn’t the reasoning of that decision be extended also to cases when the person who is going to die is capable of making the decision for themselves? And, if that’s all right, why should we have any problem with a person like Kervorkian?

I realize that many of you out there may have had no problem with what happened to Schiavo. I’m am sure there are many of you who would find that what Kervorkian did was not morally wrong, and would therefore support his release from prison. So far so good? Well, here’s the rub. If all of that is true, consider the three men who are being

prosecuted for castrating other men on video in their basement. In that case, the men who were castrated were willing participants. Apparently they had decided for whatever reason that their experiencing this particular procedure would somehow enhance their “well being.” So why is our society choosing to prosecute the men who performed the castrations? Probably because our moral consensus is that their conduct is offensive and should be condemned. But my question is for how long will that be true? And here’s the reason I ask.

Several weeks ago, I was interviewed on public television about the very castrations at issue. Initially, the interviewer’s gut reaction to these events was the same as mine — the men’s actions were repugnant and deserving of punishment. Then the conversation took a twist. When the interviewer started questioning that conclusion, I said that the mutilation of even a willing participant’s body is immoral and should be deserving of punishment to reflect society’s condemnation of the act, as was the case with Kervorkian and should have been the case with Schiavo. Then I said if the interviewer were to think about it, if she favored punishing the castrators, she would ultimately have to agree that it is because society should hold inviolate the physical integrity of all human life. And, if she agreed with that premise, she also would ultimately have to find herself agreeing with the “Christian Right’s” positions in the cases involving Kervorkian and Schiavo.

Well, that did it. There was no way on God’s green earth that she was going to allow herself to be found taking the Christians’ position on any subject, and said so. It was all this lady had to hear for her to then vehemently opine that nothing these three castrators did in their self-made dungeon to other consenting adults was in any sense wrong, and thus, they should not be prosecuted. Then she went even further. She said it was her opinion that anything that anybody wanted to do to any other consenting adult should be tolerated under the law and not prosecuted. In other words, all imaginable forms of consensual sado-masochistic conduct should be legal? “Yes,” she answered, and sadly, to me she appeared to be serious. Well, good for her.

For the rest of us, however, the question becomes whether it is a good idea for our society to be silencing those among us who may hold views contrary to my interviewer. If they are, and only people who think like my interviewer are allowed to be heard, there is one certainty. Society’s consensus as to what the appropriate response should be when confronted with people like our three dungeon dudes will in time skew in favor of “tolerance” — and the law will soon follow. I ask you — do we really want to go there? If not, perhaps we should seriously reconsider the implications of silencing those who, based on their sense of morality, are only hoping to restrain us as a society from descending head-long into that abyss.

(Cliff Nichols is an attorney practicing criminal defense in Santa Monica. He may be contacted at either (310) 917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com. You may join his blog at www.thedailystand.com.)

A thriller to unfold in SM

By The Associated Press

SANTA MONICA COURTHOUSE — A year after Michael Jackson was acquitted of child molestation charges, a lawsuit by a former associate is headed for a trial that will put Jackson's chaotic financial dealings in the spotlight. The pop star is not expected in court but he will be seen through videotaped depositions.

"To my knowledge, he's not scheduled for any court appearances," said Jackson's spokeswoman, Raymone K. Bain. She said that Jackson, who has been living in Bahrain, is traveling in Europe. He answered questions twice in depositions in London.

Jackson is being sued by F. Marc Schaffel for \$3.8 million in what Schaffel says are unrepaid loans and expenses, unpaid salary for work on a charity record and his share of proceeds from two TV specials that were produced to bolster Jackson's battered reputation after child molestation allegations surfaced.

Facts involved in Jackson's criminal trial last year are likely to be revisited when Schaffel testifies about his role in attending to the family of a boy who claimed he was molested by Jackson.

But most of the witnesses called by Schaffel will be money managers and business advisers. Jury selection is set for June 26.

Free speech, not a free-for-all

FOOD NOT BOMBS, from page 1

health officials.

Those who choose to hold a spontaneous rally and therefore cannot apply for a permit in time for the event are allowed to gather, but must do so only on the lawn in front of City Hall.

Organizers who apply for permits also are required sign an agreement that protects City Hall against any lawsuits, liabilities or losses resulting from the event. If the group applying for a permit has a history of personal injury or property damage claims against them, they are required to purchase liability insurance.

The local law was challenged by civil rights activists, anti-war groups and organizations that provide food for the homeless at Palisades Park, City Hall and other locations throughout the city.

Carol Sobel, an attorney for Food Not Bombs, an anti-war group that provides food to the homeless, argued the law was too restrictive and inhibited free speech by requiring groups to apply for a permit at least 48 hours before an event, something which could be denied or delayed by City Hall. Sobel also argued portions of the law were too vague and that restricting spontaneous speech only at City Hall prevented groups from fully communicating their message because it separates them from the event they are protesting, whether that be a controversial figure speaking at a local college or a presidential candidate attending a fundraiser at a nearby hotel.

Obtaining insurance also was seen as a burden for many groups.

Sobel could not be reached for comment regarding the court's opinion.

A panel of three judges interpreted the law differently, stating in their 66-page ruling which was issued on June 16, that the law "is a content-neutral time, place and manner restriction that does not violate the First Amendment."

Essentially, City Hall has regulated free speech, but not to the point where it is prohibited—a delicate balance but one the justices found was reached in the local ordinance.

The court, which addressed 14 challenges to the law, did rule that two minor provisions were not constitutionally sound and, therefore, could not be enforced. That will have no dramatic effect on the law, said Barry Rosenbaum, City Hall's senior land use attorney. The provisions had to do with the ordinance's use of the word "may," as well as the argument that if an event was advertised in local media, it is not assumed more people would attend.

The ruling was seen as a major victory for municipalities, which have long struggled with how to better regulate and protect the public

during demonstrations, or in Santa Monica's case, the public food lines for the homeless. City officials were worried that public safety could be threatened during some events and that some groups were dominating certain public spaces. There also has been some concern from city officials that public health standards are not being enforced during the feedings, and that the law could be a way to force food providers indoors.

There have been mixed results, as many food providers still hold public feedings or "family picnics," but limit themselves to 149 people so as not to trigger the permit requirement.

City Councilman Richard Bloom said that despite those groups have learned how to tip-toe around the permit process, the law has worked. Through discussions with City Manager Lamont Ewell and former county Supervisor Ed Edelman, Santa Monica's homeless czar, some food providers are giving up the picnics and are serving food at local social service agencies, thereby linking the homeless to more than just hot meals.

"Through the really terrific resources we have in the City Attorney's Office, we were able to craft an ordinance that was sure to pass the muster of probably the most progressive appellate court that one would assume would be the most skeptical when it comes to abridging civil rights," Bloom said. "This ruling is very important and allows us to be fair in the regulation of our public spaces."

Paul Grymkowski, whose organization Helping Other People Eat (HOPE) serves about 100 to 150 people each Wednesday and Thursday at Palisades Park, said he had no comment on the ruling and how it would effect future food lines. However, he did say he has developed a stronger relationship with City Hall and is in talks with Ewell and Edelman to possibly move the feedings indoors.

"I don't think the Ninth Circuit ruling will have any impact on the positive relationship we're creating with the city," Grymkowski said.

While the ruling may not have major implications for people like Grymkowski, Rosenbaum said it will certainly be helpful for other cities who have tried to regulate the use of open space, but have so far had their laws rejected by the courts, particularly when it comes to the indemnity clause and the advance-notification requirement, which is two days under the Santa Monica law.

Groups that have challenged the law have the option of requesting another hearing by an expanded panel of judges or appeal to the U.S. Supreme Court. Rosenbaum said he did not know if Sobel would file another appeal.

Rosenbaum said the total cost of defending the law over the last three years is unknown, but "we did spend a tremendous amount of man hours preparing for the arguments and in litigation."



John McGrail, C.Ht.

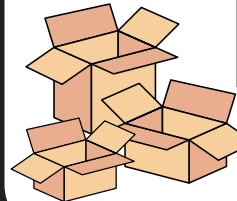
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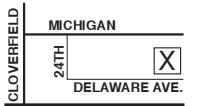
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Former SM businessman faces hundreds of years in prison

CONVICTION, from page 1

ruptcy fraud and money laundering. Rubin, a 58-year-old Malibu resident, faces several hundred years in federal prison when he is sentenced on Oct. 23, said Thom Mrozek, spokesman for the United States Attorney's Office in Los Angeles.

The same jury that convicted Rubin also determined that Focus Media's chief financial officer, Thomas Patrick Sullivan, was guilty of 27 counts that virtually overlapped those against Rubin. Sullivan, a 64-year-old Westlake Village resident, also faces a lengthy prison term when he is sentenced on Oct. 23 by United States District Judge Gary A. Feess.

The third defendant in the case, attorney Geoffrey C. Mousseau, was found guilty of conspiracy, two counts of concealing a total of \$500,000 in assets in a bankruptcy proceeding, one count of aiding and abetting the making of a false declaration in a bankruptcy proceeding, one count of perjury in a deposition in a bankruptcy proceeding, and one count of willfully withholding books and records in a bankruptcy proceeding. Mousseau, a 45-year-old resident of Glendale, also is scheduled to be sentenced by Judge Feess on Oct. 23.

Focus Media's principal business was buying advertising time on television and radio stations for clients, including Sears and Universal, which by the second half of 1999 were the firm's two largest remaining clients. For more than a decade, Focus Media was a successful firm, but its fortunes changed in 1999, when it started losing most of its client base. Complicating the matter was that Rubin had taken \$16 million out of the company in the form of shareholder loans between 1996 and 1999.

During an approximately one-year period that started in November 1999, Rubin and Sullivan conspired to defraud Focus Media's remaining corporate clients, Sears and Universal, as well as the media outlets from which it ordered advertising, by simply taking the money remitted by its advertising clients to pay the media outlets and using it for their own private purposes, according to the United States Attorney's Office.

Rubin and Sullivan collected funds to pay for advertising for the last quarter of 1999, misappropriated that money and never paid the media outlets who ran the ads. Even after Sears and Universal obtained court orders prohibiting Rubin and Sullivan from misappropriating their funds, the defendants continued to do so, paying themselves, their lawyers and Focus Media employees, author-

ities said.

During the course of the year-long scheme, Focus Media collected in excess of \$45 million from clients, with no more than \$10 million being paid to media outlets. A large portion of the missing funds — approximately \$12 million — was used to pay Rubin's tax liability after Focus Media forgave the millions of dollars in loans he had received over the preceding four years, authorities said.

On Oct. 6, 2000, Focus Media was forced into bankruptcy by three of the unpaid media outlets, including ABC and NBC, which were hoping to preserve whatever assets were left in the firm. A bankruptcy court judge soon after appointed an interim trustee to manage Focus Media's finances and preserve its assets, but Mousseau joined a conspiracy with Rubin and Sullivan to pay Mousseau, and other law firms, with Focus Media funds without the knowledge of the trustee, according to the United States Attorney's Office. As part of the scheme, Mousseau funneled approximately \$500,000 into his attorney-client trust fund to pay his legal fees and to fund payments to other lawyers, authorities said.

Sears and Focus Media feuded in civil court at about the same time of the bankruptcy over the payment of media bills. Sears had fired the agency and filed suit alleging breach of contract and constructive fraud, claiming that Focus Media was holding onto as much as \$50 million Sears had given it to purchase media.

Rubin's attorney, David Lafaille, couldn't be reached for comment.

Rubin established Focus Media 30 years ago as one of the nation's first media buying services with the goal to increase the efficiency and effectiveness of the buying function. Prior to establishing Focus Media, Rubin was owner of a marketing company and was a television sales executive at RKO's television in Los Angeles, where he identified the demand for a company specializing in media buying. He also sat on the board of directors of the Global Security Institute, an international organization focused on nuclear arms control, non-proliferation and disarmament.

Rubin and Sullivan were arrested on June 2, 2005. Both pleaded not guilty. Rubin had been released on a \$2 million bond and Sullivan had been released on a \$250,000 bond.

Rubin is due back in court at 9:30 a.m. today for a hearing to determine whether he should be detained as a result of Monday's convictions.

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Los Angeles law enforcement almost robotic

BY JEREMIAH MARQUEZ

Associated Press Writer

LOS ANGELES — This could be the shape of things to come in crimefighting.

In the months ahead, the Los Angeles County Sheriff's Department will test an unmanned, remote-controlled surveillance plane.

If deputies want a birds'-eye view of a standoff, they might scramble the unmanned drone instead of a helicopter to get a closer, quieter look. Within minutes, real-time color video would be streamed to a portable computer system manned by an officer 250 feet below.

Officials with the nation's largest sheriff's department said it is believed to be the first field test of drones by local police in a major U.S. urban area.

Much lighter and smaller than the military drones flown over Iraq and Afghanistan, and only a fraction of the cost, the aircraft is not much bigger than a model airplane and will initially be limited to scanning rooftops for break-ins and finding lost children or hikers.

Depending on the outcome of the tests,

the department could eventually put as many as 20 of the aircraft into service, expanding their use to searching for suspects on the run and monitoring hostage situations, among other things. The drones would be used in addition to the sheriff's fleet of 18 helicopters.

"We're really beyond the cutting edge," said sheriff's Cmdr. Sid Heal, who heads the department's technology exploration project. "We think this has great potential."

So do police and security officials nationwide. The federal Department of Homeland Security has used unmanned aerial vehicles, or UAVs, to patrol the seas and spot illegal border crossings. President Bush is pushing Congress to provide funding for more drones to step up surveillance along the Mexican border.

Elsewhere, police in Gaston County, N.C., said earlier this year they would use a drone to find drug fields and keep large community events peaceful. Sheriff's officials in Charles County, Md., tested an unmanned plane while monitoring a gathering of bikers.

Where authorities see a novel law enforcement tool, others worry about intru-

sive government surveillance.

If a plane is used to gain evidence that police would otherwise need a search warrant to collect, that could infringe on privacy rights, according to law professor Charles Whitebread of the University of Southern California.

In a 2001 case, the U.S. Supreme Court found that federal agents had carried out an illegal search in violation of the Fourth Amendment when they used thermal imaging equipment to spot marijuana grown inside a private home.

Heal said the Sheriff's Department has no plans to spy on people. He said the unmanned planes would not give deputies that much more surveillance capability than helicopters.

One drone costs \$20,000 to \$30,000. In contrast, a helicopter and the necessary fuel, maintenance and manpower cost millions.

The sheriff's helicopters are often involved in other calls and unavailable for emergency use. Helicopters also make so much noise that SWAT teams have been known to order them away because they interfered with ground communications.

In the past two years, the Sheriff's

Department has teamed with Octatron Inc. of La Verne, Calif., to develop the SkySeer, a five-pound UAV powered by replaceable battery that lasts about 70 minutes. It has aluminum and nylon fabric wings atop a Kevlar fuselage.

With a top speed of just under 29 mph, the unmanned plane is too slow for car chases.

Equipped with an infrared sensor, it can operate at night to help find people lost in cold, mountainous areas. About 6 1/2 feet wide and almost 3 feet long, the plane can be folded easily into a tube small enough to fit in the back seat of a squad car.

Last week, sheriff's officials demonstrated the UAV in an abandoned field. A deputy on the ground adjusted coordinates on a laptop that beamed a signal to the plane's global positioning system. Soon, the drone was circling in a holding pattern. Another screen showed real-time, color images fed from above.

Landing proved tricky. As officials attempted to bring it down, the plane suddenly nose-dived into the ground and crashed.

"Everything works in the lab," Heal joked.

Another one gone

SCHOOLS, from page 1

pening right now that would give anyone cause for concern," Matthews said in an interview Tuesday. "However, this district is so strong, its vision so clear, and its reputation intact that I'm confident we will continue to excel."

Several school board members, while saddened to see Matthews go, said they too are confident the district will stay the course and continue raising student achievement for all students.

"A similar phenomenon occurred when we were hiring John Deasy ... so I'm not really concerned," school board Vice

President Kathy Wisnicki said of the departures of Matthews and Muncey. "Even though it seems very fragmented right now, the day-to-day work of the district will continue. We have a very capable professional staff who are constantly working to make sure that our students' needs are being met."

Upon his departure, Matthews will assume full responsibility for expanding after-school programs developed by Extreme Learning, a firm that works with low-performing schools that have been placed in a program improvement program under No Child Left Behind, the federal law which sets strict goals for student achievement and fines those schools that are not making the grade.

"It will be a lot of hard work, very different work," said Matthews, a 13-year veteran of the district who got his start in 1993 as principal of Malibu High School. "We've talked a lot about closing the achievement gap in Santa Monica and Malibu. We have been very devoted to that and now I get some direct experience to help that happen."

"That has certainly been a clear part of the mission in our district and such a clear mission for the nation, that any way I can get experience doing that successfully will be beneficial to myself and to the people I work with."

Matthews said he will miss public education, but plans to return once his stint in the private sector is over.

Matthews had shown interest in becoming

the district's next superintendent, but withdrew his name from the pool of applicants just over two weeks ago after learning the school board wanted someone with more qualifications.

His departure has nothing to do with the external superintendent search, Matthews said. The board did ask him to remain on staff as assistant superintendent of human resources, a position he has held since 2004, but Matthews decided to look elsewhere.

"There are no hard feelings," Matthews said. "Absolutely not. The board has always been very supportive and continues to be. This decision was about the best opportunity for me to grow and this was an offer I couldn't pass up."



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STATE BRIEFS

The devil made him do it

By The Associated Press

SANTA ANA, Calif — Jurors convicted a man of killing his mother by striking her in the head with a barbell and stabbing her with scissors and a vegetable peeler.

Jamie Balint, 35, of Huntington Beach, who claims he was insane when he killed his 55-year-old mother Pamela Balint on Dec. 23, 2003, was convicted Monday of first-degree murder.

The Orange County Superior Court jury then began hearing evidence to determine the sanity of the defendant when the woman was killed in the apartment they shared.

A Huntington Beach police officer testified at trial that Balint told officers a “prophet told me to do it.”

Deputy Public Defender Scott Sanders said his client has been in and out of mental facilities for much of his adult life.

If jurors decide Balint was sane, he faces up to 25 years to life in state prison. If found insane, he could be sent to a mental institution until it is determined that he is no longer a threat to himself or others.

Lutherans to get schooled by new prez

By The Associated Press

THOUSAND OAKS, Calif. — A Colorado educator has been picked as president and chief executive officer of California Lutheran University.

The Board of Regents announced Monday that John Sladek will become the university's sixth president starting Aug. 15.

Sladek, 63, is currently vice chancellor for research at the University of Colorado at Denver and Health Sciences Center. He is also a professor of psychiatry and neuroscience in Colorado and previously held faculty positions at the Chicago Medical School and the University of Rochester.

“We’re very pleased that Dr. Sladek has accepted our offer,” said regent Kate McLean, who led an 11-member presidential search committee. “Personally, I am very pleased that he has such a great background in both undergraduate and graduate studies.”

Sladek will spend the next two months finishing up in Colorado and preparing to leave his research laboratory there. He has spent the past five years investigating cell replacement therapies for Parkinson’s disease.

Sladek will be filling the position vacated by former President Luther Luedtke, who resigned in December to take a job as president and chief executive officer of the Education Development Center in Newton, Mass.

Patrons will be bowled over at new fountain

By The Associated Press

LOS ANGELES — The Streamline Moderne-style fountain at the entrance to the Hollywood Bowl has been refurbished after three decades of neglect.

Built in 1940 by the sculptor best known for creating the Oscar statue, the fountain’s dancing waters are again greeting visitors at the Highland Avenue entrance after a nearly \$2 million rehabilitation.

The 200-foot long, 22-foot high sculpture was heralded as one of America’s most ambitious art projects in 1939 when artists and craftsmen hired by the federal government for the Depression-era WPA Federal Arts Project began constructing it.

In 1937, George Stanley was commissioned to design the fountain by the Hollywood Bowl Association and the Board of Supervisors for the federally financed, \$125,000 construction project.

Stanley was already famous for molding the original Academy Awards statuette in 1927.

The fountain later fell into disrepair. But now, Supervisor Zev Yaroslavsky said, renovation is “symbolic of the renaissance of arts and culture in Los Angeles. It takes us back to another time but points us to the future.”

Baby Boomers blamed for bike deaths

By The Associated Press

LOS ANGELES — Baby boomer bikers may be the cause of a 67 percent rise in motorcycle deaths between 1999 and 2003.

The rise follows a large drop in deaths after passage of California’s 1992 helmet law, the county Department of Health Services reported. Still, deaths and injuries haven’t reached pre-1992 levels.

Still, there is concern.

“You’re talking about fairly sizable numbers. Putting aside the personal tragedy and the human suffering, consider the health care costs,” said Dr. Paul Simon, the director of health assessments and epidemiology.

Motorcycle deaths in the county rose from 43 in 1999 to 72 in 2003, the most recent year for which data was available. Hospitalizations jumped 56 percent, from 555 to 866.

There is no official reason for the increases. Rae Tyson, spokesman for the National Highway Traffic Safety Administration, said it’s been more than 20 years since the group last conducted a study of motorcycle accident causes.

Increasing ridership by older, inexperienced riders may play a role, said University of Southern California professor emeritus Harry Hurt, who was the principal investigator on the safety administration’s last study.

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A kinder, gentler forest plan sought for Sierra

BY DON THOMPSON

Associated Press Writer

SACRAMENTO —The management plan for 11.5 million acres of national forest in the Sierra harms wildlife while illegally increasing logging under the guise of fire prevention, environmental groups told a federal judge Monday.

They want the U.S. Forest Service to return to a 2001 plan approved in the last days of the Clinton Administration, a plan they say offers more protection for the environment and 200 scarce species such as the California spotted owl, martin and Pacific fisher.

The hearing, which was set to conclude Tuesday, is the latest legal skirmish in a 15-year battle over managing the 11 national forests. U.S. District Judge Morrison C. England Jr. said he might schedule additional hearings before ruling in what he called an enormously complicated lawsuit.

U.S. Agriculture Undersecretary Mark Rey approved the plan in March 2005, agreeing with Forest Service officials

who advocated increased logging. They argued that thinning trees, particularly around communities, is needed to cut the risk of deadly wildfires such as the ones that cut a swath of destruction throughout Southern California in 2003.

The Sierra Nevada Forest Protection Campaign, Sierra Club, Natural Resources Defense Council, Center for Biological Diversity and The Wilderness Society sued even before Rey's decision.

They argued that the new plan triples the amount of timber to be logged and that there was no scientific justification for the Forest Service's decision to boost logging. They particularly object to the decision to allow logging of larger trees — those up to 30 inches in diameter, compared to 20 inches in most areas under the 2001 plan.

The Forest Service says the logging of commercially valuable trees is needed to help pay for thinning of less desirable smaller trees and brush.

Despite the increased logging, the timber industry says the

Forest Service's plan calls for cutting less than 1 percent of the larger trees over the next decade. The plan permits thinning

trees in 25 percent of the forests, but much of the logging is around communities and is intended to create fire breaks.

The lawsuit by the environmental groups is one of three related to the Sierra management plan.

England has not yet scheduled hearings on one filed by California Attorney General Bill Lockyer, nor for another filed by the California Forestry Association. The forestry group says the management plan should include provisions to help the timber industry.

ON THE NET

Read the lawsuits

<http://www.ag.ca.gov>

<http://www.earthjustice.org>

Read the Forest Service's decision

<http://www.fs.fed.us/emc/applit/nhappdec.htm>

Read about the Sierra Nevada Forest Plan

<http://www.fs.fed.us/r5/snfpa>

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Evolving real estate climate means acclimating



DAYS ON THE MARKET

BY JODI SUMMERS

Did you know that 40 percent of homes sold during the recent real estate boom were bought as investments? Now that the market is shifting, you are seeing a lot of residential and some commercial — particularly retail and development property — sitting on the market. With market trends changing, a

lease option or a lease purchase may be a fine way to dispose of excess properties.

The difference between the two is legal. With a lease option, you have the legal right to purchase the property for a fixed period of time, but are not required to purchase the property. With a lease purchase, you have a purchase agreement declaring that on a given date you will purchase the property for the price and terms set forth in the contract. With a lease purchase contract, you have to buy.

With a lease purchase, there are two documents involved — a lease or rental agreement, and a purchase contract to buy the property at a later date. Extra bonuses are

that you do not have to pay closing costs, and there is not a traditional down payment or other fees normally found in purchases funded by conventional mortgages.

"A lease purchase is different from a lease option because it obligates the tenant to purchase the property at the end of the lease," said real estate attorney and nationally syndicated columnist Bob Bruss. "With a lease option the tenant has the right, but not the obligation, to purchase the property. With both, however, the tenant usually pays an above-market rent and receives a monthly rent credit toward the down payment."

A lease option is a hybrid between a real estate rental and a sales finance method. The property is leased for a fixed time period — one or more years — with an option for the tenant to buy the property at a preset price during the lease term. The tenant is not obligated to buy the property, but the premium option price he paid is usually non-refundable.

"Usually there is an up-front payment of some amount to purchase the option," said real estate author Ilyse Glink. "The amount can vary. Sometimes the monthly payment is larger than normal and the excess is used to purchase the option. Lease options are usually done during a slow real estate market. During a hot market, the seller can simply sell the property in the regular manner."

If the option is picked up, what you need to do is schedule the closing date, hire an escrow or title company, and provide any state-mandated disclosure.

Buyers like lease options because little up-front cash is required. Sellers benefit from lease options because they provide cash flow from a tenant who has a vested interest in treating the property well.

LEASE OPTION ADVANTAGES FOR SELLERS

Now that the market is waning, and there is no longer the demand from buyers that there has been in the past few years, lease options can be especially advantageous for property sellers.

According to Bruss, the primary property seller advantages are:

■ **Strong demand from prospective buyers:** There is consistently a strong demand from lease option buyers. Oftentimes, buyers can afford the monthly payments but have insufficient cash for a down payment. The lease option allows the tenant-buyer to accumulate a rent credit toward the down payment. It's like a "forced savings account." In addition, the tenant-buyer usually pays up-front nonrefundable consideration for the option.

■ **The best option price:** As there is a strong buyer demand for lease options, sellers receive top dollar for their properties. Most times, the option price is set at the market value when signing the lease option. If the market value on the property rises during the lease option term, the buyer benefits. Should the property drop in value, then the tenant will most likely not complete the

purchase.

■ **Great tenants:** During the lease option, the tenant-buyer tends to take good care of the property — as if they own it.

■ **Strong rents:** Landlords doing lease option contracts can charge tenants 10 to 20 percent above market rent — with those monies being applied toward the down payment.

■ **Seller keeps the tax deductions:** During the lease option period, the seller maintains the property income tax deductions. A lease option allows a seller to sell during a slow market.

"By being able to collect a larger monthly payment than they could obtain in a normal lease, the property 'cash-flows,'" Glink said. "They get some up-front option money and when the buyer cannot exercise the option, they get to keep it."

LEASE OPTION ADVANTAGES FOR BUYERS

■ **Minimal down payment:** The amount of up-front cash required to acquire a property on a lease option tends to be a minimal amount, plus the first month's rent, plus non-refundable option consideration. The option money may be in lieu of a security deposit. Buyers with credit problems benefit from this purchase method, as the seller may finance you. It gives a buyer time to repair less-than-stellar FICO scores prior to obtaining a mortgage.

■ **Monthly rent credit builds a down payment:** Bruss notes that "typically, the rent credit is 10 to 100 percent of the monthly rent," toward the down payment of the property. The higher the rent credit percentage, the greater the probability the tenant will buy.

■ **Try before you buy:** A nice lease option benefit.

■ **Control property with a minimal cash investment:** A lease option gives the buyer leverage — they get to control a property and profit from its market value appreciation with very little cash.

■ **Greater profitability:** Seasoned tenant-investors seek lease options with the longest possible term, as the property is likely to appreciate in market value over time. "Individuals who attempt to buy on a lease option rarely end up buying the property," Glink said. "This often has to do with the reason they try to buy on a lease option. They usually cannot qualify for a loan and expect that they will be able to qualify after a period of time. Later, they find they still cannot qualify. Whether it is because of poor credit, lack of income — documentable income — or lack of savings."

For more on Southern California commercial properties there is a great information blog at www.socalindustrialrealestateblog.com.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. For your real estate needs, e-mail Summers at jodis@boardwalkrealty.com, or call (310) 309-4219, or visit www.santa-monicalandmarks.com.)



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THE HOA ADVISOR
BY MICHAEL CHULAK

Don't take lies to the bank

QUESTION: Recently, I submitted a mortgage loan application to a lender that included false financial information. The loan payments are paid current but the loan is being reviewed by the lender's compliance department. Do I have a potential problem?

ANSWER: You may have a big problem. If a real estate lender finds that the application package included false information that was material to his decision to make the loan, three things can happen:

■ Under federal law, (18 U.S.C.981 (a) (1) (c)), if the loan affects a financial institution — even if the loan is not in default — the United States Government may file suit against the borrower in federal court for forfeiture of the property given as security for the loan. While forfeiture is not automatic or mandatory, defending such an action would be a living nightmare.

■ The lender can start a foreclosure action requiring the borrower to scramble for another loan.

■ Under federal law, (18 U.S.C. 1014), the submission of a false loan application to a financial institution is a federal crime. Substantial fines as well prison sentences or both, can be imposed.

Note that nearly all mortgage brokers and mortgage bankers utilize the funds of financial institutions.

Recently, a member of the Burbank City Council was sentenced to 21 months in federal prison for submitting false tax returns and misrepresenting the source of his down payment to a lender. The lesson is clear: Don't misrepresent anything to a lender, and if your loan agent suggests that you do so, find someone else to represent you.

QUESTION: I own a condominium and have suffered a substantial loss due to water damage. I want to file a claim with the association's insurance carrier but our board and management company will not allow it. Am I within my rights to file a claim?

ANSWER: Yes. Members of an association are considered additional insureds under the association's policy and therefore have an absolute right to benefit from the association's coverage. It is your policy as much as it is the association's policy.

California Code of Regulations, Title 10 Chapter 5, Subchapter 8, states that an insurance agent is obligated to immediately transmit a notice of claim to the insurance company regardless of whether the claim is made by the association or homeowner.

Also note that in accordance with section 1365 (e) (i) of the California Civil Code, the association's board is required to distribute to all of its members a summary of its insurance policies, including but not limited to, the name of the insurer(s) within 60 days preceding the beginning of the association's fiscal year.

QUESTION: A friend recently had a bad experience with a mortgage broker. He claims that the broker increased the loan fees and other charges immediately prior to closing. I am in the process of applying for a home loan with another mortgage broker. What do you suggest I do to protect myself?

ANSWER: I suggest you do the following:

When you retain the mortgage broker, require that he or she commit in writing to a maximum brokerage fee and costs regardless of what happens to interest rates. For example, if the broker commits to a 1 percent brokerage fee, plus \$500 regardless of how rates change, you will be protected against the broker.

In addition, ask for three references. They should be clients who have closed loans with the mortgage broker within the last 30 days. If the broker cannot produce three current references, it means that he or she does not have much loan volume. This is not a good sign that the mortgage broker has clout with the actual lender.

QUESTION: Our condominium building is only two years old and is falling apart. There are numerous construction problems. Our problem is that the construction company filed bankruptcy after completing our project. Are we out of luck?

ANSWER: No. You should immediately contact a law firm that has expertise with construction defects.

(Michael T. Chulak is the founder of Michael T. Chulak & Associates, a Law Corporation, based in Agoura Hills. Questions can be sent by e-mail to info@MTCLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information visit www.MTCLaw.com and www.HOAQandA.com.)

Finding a 'tenant in common' carries risks



IN YOUR SPACE
BY CHRISTINA S. PORTER

Investors' primary attraction to what's known as "tenant in common" is a desire to eliminate management responsibilities. However, the potential lack of control and liquidity causes them to shy away. Those same investors have built their wealth by managing properties themselves — for example, apartment buildings and strip malls. Investors are accustomed to maintaining control and the ability to make unilateral decisions. Lack of control and liquidity is perceived as added risk.

As with everything in life there are trade offs. With tenant in common, the investor is trading 100 percent control for properties he doesn't need to manage himself. According to the IRS Rev Proc 2002-22, tenant-in-common owners must be able to sell their interest at anytime. While an investor can sell his interest at any time the liquidity of tenant in common interest will vary property to property because of the fees associated with the sale of his interest.

The most common fee that makes it undesirable to sell a tenant in common interest are the fees associated with transferring the fractional interest in the debt on the tenant-in-common property. The fees will vary and investors would be wise to find out what fees are involved in selling their interest before investing.

As with any real estate investment, the quality of the property needs to be considered carefully before making an investment. That is done by looking at the underlying real estate to evaluate the risk of the tenant-in-common investment. For example, the investor must assess the quality (credit) of the tenant; the terms and length of the leases; the location and age of the improvements and the growth potential for the area the property is located in.

After evaluating the quality of the real estate involved in the proposed investment the tenant-in-common investor

Sample Properties For Sale					
Retail					
Name	City	State	SF	Price	Cap Rate
Gateway Shipping Ctr	Universal City	TX	59,905	\$5,100,000	10.0%
Saint Cloud Plaza	Saint Cloud	FL	58,118	\$5,896,838	8.3%
Brook Hollow Village	Houston	TX	42,538	\$6,850,000	7.5%
North HillsShopping Ctr	Atlanta	GA	101,679	\$14,500,000	7.9%
Tenant In Common/Alternatives (No Management)					
Type	State	Minimum Investment	Year1/Year 5 Cash On Cash		
Dry Stack Boat Storage	SC	\$100,000	6%/20%		
Office/Warehouse	LA	\$182,500	9.12%/10%		
Retail Office Ctr	GA	\$250,000	7%/8%		
Food Lion Rtl Center	SC	\$400,000	8% /11%		

should consider what would happened if the tenant-in-common sponsor goes away and whether or not their investment and cash flow will be negatively impacted.

The answer the investor should be looking for is that nothing materially would happen to his investment. If the answer is that his investment would be materially effected by the sponsor going away the investor needs to ask what is he really investing in and is he being paid for that risk. If the return is high enough it still might be a good investment but the investor should be very careful to fully understand the risk he is taking.

To insure suitability, it is imperative that an investor consult with his own tax and legal consultants when evaluating any major investment.



(You can reach **Christina Porter** at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit.)

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Even those on prowl for hardship homes are hurt by sagging real estate market

BY ALEX VEIGA

AP Business Writer

NORWALK — They gather outside the courthouse every day for the latest real estate auction. Some are professional investors; others come to ply skills gleaned at get-rich-quick seminars.

All of them are trying to scoop up homes that belonged to others who died, divorced, were thrust into bankruptcy or fell too far behind on their mortgage payments and failed to sell.

But these days, those investors are having a harder time finding good deals, as the once red-hot housing market cools amid rising mortgage interest rates.

Many homes that do end up in court are saddled with more than one mortgage and have little or no equity — so the investors take a pass.

"In the last six months or so, it has been like this," said James Lee, who has mined trustee auctions for investment property for 15 years.

When home price increases were stronger, investors could buy a property and sell it a few months later for a hefty profit.

"Now you're getting into the market where there's plenty to buy, but there's nowhere to sell it," said Peter Winn, owner of Corona Del Mar-based Westminster Investments.

The number of homes up for grabs could increase in the coming months based on signs that more homeowners are having trouble making mortgage payments.

In the last quarter of 2005, the most recent data available, the rate of mortgage delinquencies rose nationally to 4.7 percent, up from 4.38 percent in the year-earlier period, according to the Mortgage Bankers Association. It marked the first increase in three years, the group said.

As home prices soared in recent years, many buyers had to take out more than one mortgage with low-interest, adjustable rates to close their deals. Those rates are now climbing, forcing many homeowners to drain their equity to cover larger payments then try to sell their property to stave off foreclosure.

Nationwide, foreclosures hit a historic low last year at about 50,000. But that figure has more than doubled since then, according to property tracker Foreclosure.com.

Real estate experts said that number is still very low and noted that, traditionally, the overwhelming majority of strapped homeowners have avoided foreclosure by selling their home or somehow coming up with a payment.

As the market slows, however, finding buyers in time to avoid foreclosure can become more difficult, said Brad Geisen, president and chief executive of Foreclosure.com.

That could aid well-funded investors who buy directly from homeowners and may no longer have to compete with

"Adjustable rate mortgages always have a slightly higher delinquency rate than fixed-rate mortgages."

DOUG DUNCAN
CHIEF ECONOMIST
MORTGAGE BANKERS ASSOCIATION

buyers who took advantage of cheap borrowing in recent years to drive up prices.

"There's definitely a turn," Gelsen said.

Some experts are forecasting Armageddon-level increases in foreclosures in overpriced markets during the next few years. But some economists counter that a mortgage crisis is unlikely unless there is a major economic downturn with heavy job losses.

Still, other factors suggest problems ahead for the housing sector.

Historically, borrowers who run into trouble paying their mortgage tend to do so within the first three to five years of the loan period.

Currently, more than half of the nation's \$9.2 trillion in outstanding residential mortgage and home equity loans are less than three years old, said Doug Duncan, chief economist for the Mortgage Bankers Association.

Another potential trouble spot: About 24 percent of all home loans are adjustable, which can be risky if borrowers end up paying far more than they bargained for as the Federal Reserve hikes interest rates.

"Adjustable rate mortgages always have a slightly higher delinquency rate than fixed-rate mortgages," Duncan said.

California, where the median price of a home hit \$468,000 in April, leads the nation in the percentage of homes purchased with adjustable rate mortgages.

An increase in the number of homeowners in trouble could mean big business for companies like Dallas-based HomeVestors of America, which provides training, marketing and, in some cases, financing for its investor franchisees.

The company, which proclaims, "We Buy Ugly Houses" in its advertising, operates in some 30 states, targeting distressed homeowners and others who need to sell property quickly.

The company projects its franchisees will purchase 8,000 homes this year, up from 6,500 in 2005 and 4,800 in 2004.

Less than 5 percent of deals now made by HomeVestors franchisees involve foreclosed homes. But CEO John Hayes expects that to increase.

"I am certain that as we've seen in the last few months more incidences of pre-foreclosure activities, we're going to see an increase a year from now," Hayes said.

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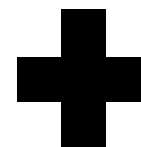
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"The House voted overwhelmingly last month to fix this (royalty) problem without strings attached," said Markey.

Bodies of 2 U.S. soldiers found in Iraq

BY KIM GAMEL

Associated Press Writer

BAGHDAD, Iraq — The bodies of two U.S. soldiers reported captured last week have been recovered, and an Iraqi defense ministry official said Tuesday the men were “killed in a barbaric way.”

Al-Qaida in Iraq claimed responsibility for killing the soldiers, and said the successor to slain terror leader Abu Musab al-Zarqawi had “slaughtered” them, according to a Web statement that could not be authenticated. The language in the statement suggested the men had been beheaded.

U.S. Maj. Gen. William Caldwell said the remains, found late Monday by American troops, were believed to be those of Pfc. Kristian Menchaca, 23, of Houston, and Pfc. Thomas L. Tucker, 25, of Madras, Ore.

He said U.S. forces found the bodies late Monday near Youssifiyah, where they disappeared Friday.

Troops did not recover the bodies until Tuesday, however, because U.S. forces had to wait until daylight to cordon off the area for an ordnance team for fear it was booby-trapped, Caldwell said.

The checkpoint attacked Friday was in the Sunni Arab region known as the “Triangle of Death” because of frequent ambushes there of U.S. soldiers and Iraqi

troops. Caldwell said troops encountered a lot of roadside bombs and other explosives during the three-day search, including in the area where the bodies were found.

The cause of death was “undeterminable at this point,” and the two bodies will be taken back to the United States for DNA tests to confirm the identities, Caldwell said.

The two soldiers disappeared after a deadly insurgent attack Friday at a checkpoint by a Euphrates River canal south of Baghdad. Spc. David J. Babineau, 25, of Springfield, Mass., was killed. The three men were assigned to the 1st Battalion, 502nd Infantry Regiment, 2nd Brigade, 101st Airborne Division from Fort Campbell, Ky.

The director of the Iraqi defense ministry’s operation room, Maj. Gen. Abdul-Aziz Mohammed, said the bodies showed signs of having been tortured. “With great regret, they were killed in a barbaric way,” he said.

The claim of responsibility was made in the name of the Mujahedeen Shura Council, an umbrella organization of five insurgent groups led by al-Qaida in Iraq. The group had posted an Internet statement Monday claiming it was holding the two American soldiers captive.

“We give the good news ... to the Islamic nation that we have carried God’s verdict by slaughtering the two captured crusaders,” said the claim, which appeared on an Islamic

militant Web site where insurgent groups regularly post statements and videos.

“With God Almighty’s blessing, Abu Hamza al-Muhajer carried out the verdict of the Islamic court” calling for the soldiers’ slaying, the statement said.

The statement said the soldiers were “slaughtered,” suggesting that al-Muhajer beheaded them. The Arabic word used in the statement, “nahr,” is used for the slaughtering of sheep by cutting the throat and has been used in past statements to refer to beheadings.

The U.S. military has identified al-Muhajer as an Egyptian associate of al-Zarqawi who is also known as Abu Ayyub al-Masri.

The killings would be the first acts of violence attributed to al-Muhajer since he was named al-Qaida in Iraq’s new leader in a June 12 Web message by the group. He succeeded al-Zarqawi, who was killed in a U.S. airstrike on June 7.

Al-Zarqawi made al-Qaida in Iraq notorious for hostage beheadings and was believed to have killed two American captives himself — Nicholas Berg in April 2004 and Eugene Armstrong in September 2004.

Caldwell also said that Iraqi and American troops involved in the search for the missing soldiers killed three suspected insurgents and detained 34 in fighting that also left seven U.S. servicemen wounded.

A farmer claiming to have witnessed the attack told The Associated Press on Sunday that insurgents swarmed the checkpoint, killing the driver of a Humvee before taking two of his comrades captive.

Ahmed Khalaf Falah said three Humvees were manning a checkpoint when they came under fire from many directions. Two Humvees went after the assailants but the third was ambushed before it could move.

He said seven masked gunmen, one carrying a heavy machine gun, killed the driver of the third vehicle and took the two other U.S. soldiers captive. His account could not be verified independently.

Kidnappings of U.S. service members have been rare since the 2003 U.S.-led invasion of Iraq, despite the presence of about 130,000 forces.

The last U.S. soldier to be captured was Sgt. Keith M. Maupin of Batavia, Ohio, who was taken on April 9, 2004 after insurgents ambushed his fuel convoy. Two months later, a tape on Al-Jazeera purported to show a captive U.S. soldier shot, but the Army ruled it was inconclusive and remains listed as missing.

Caldwell said that in addition to the two soldiers, a dozen Americans are missing in Iraq. In addition, Capt. Michael Speicher, a Navy pilot, remains listed as missing in Iraq since the 1991 Persian Gulf War, he said.

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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It's a happy-beer day for Kidman

By The Associated Press

SYDNEY, Australia



NICOLE KIDMAN

Nicole Kidman thanked reporters and photographers gathered outside her harborside mansion for bringing flowers and singing "Happy Birthday" to her over the intercom.

Kidman, who celebrated her 39th birthday Tuesday, returned to Sydney this week to celebrate her marriage to country star Keith Urban with family and friends.

"Thank you for the flowers and the singing," she told about 20 reporters and photographers. "It's nice to be home." Asked how she planned to spend her birthday, Kidman replied: "Not much, dinner at home with mum — boring."

Kidman said she was embarrassed by all the attention.

Later, she sent bottles of water and a case of beer out to the media with an attached note saying: "Enjoy! Nicole and Keith," the Australian Associated Press reported.

Kidman and Urban are reportedly staying in separate residences in the days prior to their wedding, which is expected to be a black-tie event involving a tight circle of friends and family.

Guests have been told to keep their schedules free from Friday to Monday, as they will be given only 24 hours notice as to the time and location, local media said.

LOS ANGELES

Baby Shue a good fit for fam

Oscar-nominated actress Elisabeth Shue and her husband, Davis Guggenheim, are the parents of their third child, a girl.

Agnes Charles Guggenheim was born Sunday, according to Shue's publicist, Stephen Huvane. The

birth was reported in People magazine.

Shue and Guggenheim, who are both 42, have a son, Miles, 8, and a daughter, Stella, 5.

The actress was nominated for an Oscar for 1995's "Leaving Las Vegas."

LONDON

A painting only a son could love



VISCOUNT
DAVID LINLEY

Viscount David Linley has revealed that he is the anonymous purchaser of the 1957 Pietro Annigoni portrait of his mother, Princess Margaret, that was sold at an auction last week.

Linley paid \$1.26 million for the portrait in the auction he and his sister, Lady Sarah Chatto, organized of their mother's possessions to pay an estimated \$5.6 million inheritance tax on the estate.

He decided to buy back the portrait after the auction's opening day brought in far more than had been estimated, his spokeswoman, Christina MacMillan, said Tuesday.

The portrait, hyped as one of the bigger-ticket items in the frenzied two-day auction, opened at Christie's at \$370,000.

The 800 lots of artwork, jewelry and furniture fetched \$25.5 million, more than four times the amount predicted.

ATLANTA

Elton doesn't wanna go on like that

Elton John has filed a lawsuit against the Fulton County tax assessors office, saying the county overvalued his penthouse condominium.

The tax assessors office placed a value of \$4.6 million on John's 12,000-square-foot condo on Peachtree Street in Atlanta's trendy Buckhead neighborhood.

But that value is \$900,000 too much, the 59-year-

old singer's experts say.

Fulton County Superior Court Judge Wendy Shoob has ordered the two sides to try to resolve the dispute through mediation.

If he prevails, John would save \$16,000 a year in taxes. If he loses, he can expect to pay \$77,250 a year.

Fulton County residents have long complained that tax values bear little relationship to actual sales values. A critical audit released last year noted inconsistent values.

The audit eventually led to the resignations of three of the five assessors. The chief appraiser also stepped down.

LOS ANGELES

Ooops! I missed payment again



BRITNEY SPEARS

Three former security guards who say Britney Spears owes them overtime pay must settle their claims through arbitration, a judge has ruled.

Silas Dukes, Lonnie DeShawn Jones and Randy Jones sued in March, claiming they were hired by two of Spears' companies to provide security for the 24-year-old pop star and her home at \$2,400 to \$3,350 per week.

The guards' attorney, Stephen Madoni, said the ruling, made by a judge Monday, could put his clients at a significant disadvantage because two of three arbitration meetings will be held in New York instead of California, which he said has more favorable laws.

Madoni claimed that the three never agreed to arbitrate wage claims and that arbitration would take away court protections for the men. He plans to appeal.

Attorney William J. Briggs II, who represents the companies, said the original agreement among the guards and the companies called for wage disputes to be arbitrated.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES: JUNE 17-18, 2006

Aero Theatre
1328 Montana Avenue
(310)395-4990

Friday: Hard Times (NR)

7:30

Saturday: The Long Riders (R)

7:30

Sunday: The 10th District

Court: Moments of Trial (NR)

7:30

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

The Break-Up (PG-13) 11:00,
11:40, 1:45, 2:15, 4:15, 5:10, 7:00,
8:00, 9:30, 10:40, 11:50

Cars (G)

10:40, 11:50, 1:40, 2:40, 4:40, 5:30,
7:40, 8:10, 10:30, 11:05

The Da Vinci Code (PG-13) 12:30, 3:50,
7:10, 10:25

Nacho Libre (PG)

10:45, 12:00, 1:00, 2:30, 3:20, 5:00,
5:50, 7:30, 8:30, 9:45, 10:50, 11:55

AMC Loews Broadway 4
1441 3rd Street
(310) 458-6232

The Fast and the Furious:

Tokyo Drift (PG-13)

12:30, 1:45, 3:00, 4:15, 5:30, 7:00,
8:00, 9:30, 10:30

Prairie Home Companion, A (PG-13)

12:50, 4:40, 7:20, 9:50

X-Men: The Last Stand (PG-13)

1:20, 5:00, 7:40, 10:10

Landmark Nuwiltshire
1314 Wilshire Blvd
(310)281-8228

Art School Confidential (R)
11:30, 4:30, 9:45

District B-13 (Banlieue 13) (R)

2:00, 7:30

The Rocky Horror Picture

Show (R)

Saturday 11:55 pm

Thank You for Smoking (R)

11:40, 2:10, 4:45, 7:10, 9:50

Laemmle's Monica Fourplex
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

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

Garfield: A Tail of Two Kitties (PG)

11:00, 1:00, 3:10, 5:20, 7:30, 9:40

The Lake House (PG)

11:30, 2:00, 3:00, 4:30, 5:30, 7:00,
8:00, 9:30, 10:30, 12:00am

The Omen (R)

11:40, 1:20, 2:20, 4:00, 5:00, 6:40,
7:40, 9:20, 10:20

Over the Hedge (PG)

11:50, 2:10, 4:20, 6:50, 9:10

Poseidon (PG-13)

12:30

More Information calendar@smdp.com

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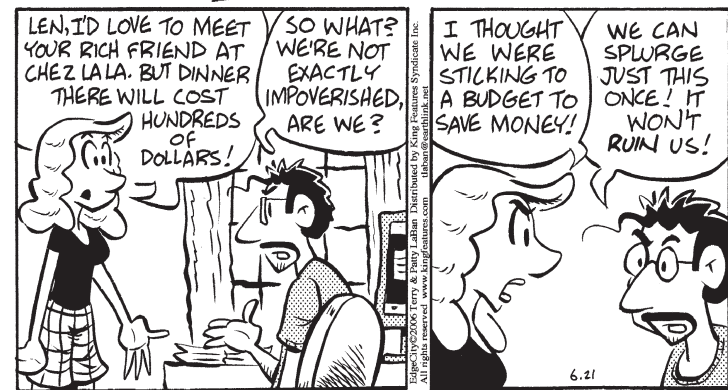
The Dinette Set

by Julie Larson



edge city

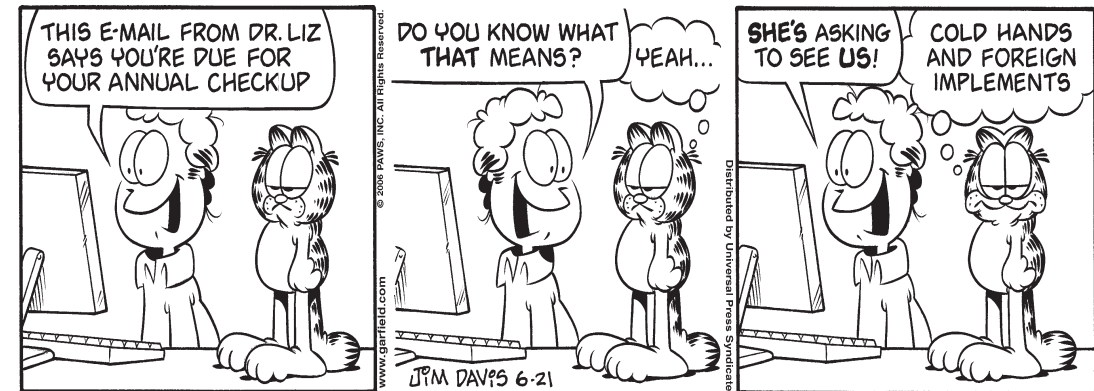
by TERRY & PATTY LABAN



Canine first dates

Garfield

By Jim Davis



Speed Bump

By Dave Coverly



Natural Selection

By Russ Wallace

CROSSWORD

By THOMAS JOSEPH

ACROSS

- 1 Wedding words
- 5 Bison bunch
- 9 Spring sign
- 11 More robust
- 12 Purple hue
- 13 Gladden
- 14 Headed
- 15 Fitting
- 17 Wrong
- 19 Emergency broadcast
- 20 Minister to
- 21 Crooner Tormé
- 22 Home
- 24 Beret, for one
- 26 "Last Supper" setting
- 29 Stag party guest
- 30 Invoice stamp
- 32 Largest bird
- 34 Painter Vermeer
- 35 Attach, in a way
- 36 African grazer
- 38 Busy
- 39 Subsequently

DOWN

- 40 Dandies
- 41 All even
- 1 Singer Frankie
- 2 Align
- 3 "Some Like It Hot" director
- 4 Sailing site
- 5 Surrounding glow
- 6 Pass
- 7 Modernize a factory
- 8 Raiment
- 10 Egyptian emblem

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Yesterday's answer

- 11 Frau's spouse
- 16 View from Mount Vernon
- 18 Harvest
- 21 Liquefy
- 23 China
- 24 Dealer's milieu
- 25 Prepare to play
- 27 Isabelle of "Ishtar"
- 28 Nicety
- 29 Recurrent theme
- 30 Furniture wood
- 31 Closed
- 33 One of TV's "Friends"
- 37 Set afire

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12						13		
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6-21

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Run it until it sells!*

SAMPLE AD!

1964 Pontiac Catalina
New Transmission, new paint job. 150K original miles. Immaculate condition inside. Kept in garage for many years. Must see!
\$3,000 (310) 458-7737

Ad shown actual size

Package includes:

- Ad runs until your car sells. Period.*
- Large format photograph.
- 20 word description.
- **FREE** online placement!

Call us today at (310) 458-7737
Take advantage of this great offer.

Santa Monica Daily Press

*Terms and conditions. Ad will run for thirty (30) consecutive days. After 30 days, ad will expire and advertiser must call to schedule a free renewal. Ads are renewed for an additional 2 weeks. Advertiser must call within 5 days of ad expiration to renew. If renewal is placed after 5 days of ad expiration, advertiser must pay full price. Photographs must be submitted digitally in JPG or TIFF format. Email photographs to: anniek@smdp.com. Photographs only appear on print edition. 20 word description maximum; additional words 50 cents. Call for more details. Private parties only. Terms subject to change without notice.

Real Estate

PAC WEST MORTGAGE

2212 Lincoln Blvd in Santa Monica
1-888-FOR-LOAN 310 392-9223

VERY AGGRESSIVE RATES
TIME FOR A 30 YEAR FIXED?

RATES AS LOW AS 6%

30 YEAR FIXED	6.75%
10 YEAR/1 ARM	5.75%
7 YEAR/1 ARM	5.625%
5 YEAR/1 ARM	5.5%
3 YEAR/1 ARM	5.5%
1 YEAR/1 ARM	5.375%
6 MO./6 MO. ARM	3.375%
1 MO./1 MO. ARM	1.0%

*Rates subject to change
* As of January 11, 2006
** Denotes an interest only loan

NEW CONFORMING LOAN AMOUNTS

1 Unit	\$417,000
2 Units	\$533,850
3 Units	\$645,300
3 Units	\$645,300
4 Units	\$801,950

ROB SCHULTZ
BROKER
LICENSED CALIFORNIA
BROKER #01218743

Storage Space

1 CAR garage for storage. All enclosed and locked. Easy access. \$250/mo (310) 490-9326

YOUR AD COULD RUN HERE!
CALL US TODAY AT (310) 458-7737

Vehicles for sale

Claude Short Auto Sales Dealer

2004 DODGE 1500 4WD CREW CAB
Loaded Hemi Engine, PW/PL/PS
Tilt Cruise, Bed Liner, Leather Interior
11K Miles
VIN: J229561 \$22,995

2002 CHEVROLET ASTRO VAN
Automatic, PS/PB, Clean Low Miles
VIN: B155659 \$9,995

1995 FORD MUSTANG GT CONV
Loaded, Black Beauty, Low Miles
VIN: F174465 \$5,995

1998 BUICK REGAL GS 4DR
Loaded, Leather, Clean Economical
VIN: 458427 \$4,995

2006 LINCOLN TOWNCAR SIGNATURE LTD
Fully Equipped, Nearly New
New Car Warranty, White Grey Leather
VIN: Y61082 \$32,995

2001 DODGE 15 PASSENGER VAN DAY CAMP SPECIAL
Fully Equipped, Front Rear Air Cond.
VIN: 543782 \$8,995

(310) 395-3712

\$5.50 A DAY LINER ADS! CALL TODAY

Massage

5'2" HOURGLASS Figure offers full-body sensual massage. Very private, very discreet. Incall/ Outcall special rate, Rachel (310) 339-6709.

BLISSFUL RELAXATION! Heal your body, mind, spirit. Therapeutic, Swedish, Deep-tissue. BodyWave, Sports. Strictly non-sexual. Introductory specials from \$60.00/1hr. Lynda, L.M.T. (310) 749-0621

ENJOYABLE DEEP-TISSUE massage by Fitness Trainer. \$55/70 minutes Paul (310) 741-1901

EXQUISITE, INTUITIVE, strong and tender relaxing body work by mature European. Very Professional, Sonja (310) 397-0433.

Your ad could run here!
Call us today at (310) 458-7737

Yard Sales

LARGE MULTI-FAMILY yard sale Saturday June 24 8am-12pm.
YWCA Santa Monica/Westside. 2019 4th St., Santa Monica (corner of 14th & Pico Blvd). Proceeds benefit the YWCA "A PLACE FOR PARENTS" Organized by the Moms Club of Santa Monica South.

Lost & Found

BRACELET FOUND Sunday 5/7/06 at 3 pm. Lincoln and Pico Blvd in Santa Monica. (310) 260-0029

Personals

Talk to a Model 24HRS.
877-EZ MARIA 877-396-2742
\$10-17 for 15 min.
ATM/CC/Checks by phone
www.USLove.com

ANDRE THE GIANT HAS A POSSE

7'4" 520LB

Turn Your Closet into Cash!
L.A.'s hottest resale store!
Great Labels
DESIGNER RESALE

ACCEPTING NEW CONSIGNERS

WANTED:
LOUIS VUITTON
CHANEL
GUCCI
HERMES
ST. JOHN
PRADA
JUDITH LEIBER
MISSONI
DOLCE & GABBANA

1126 Wilshire Blvd., Santa Monica
(310) 451-2277
www.greatlabels.com

Take control of your weight & your life.

Factual Weight Loss

Free 30 day trial.
Enter code dailypress

www.fatburn.com

Santa Monica Daily Press

ServiceDirectory

Promote your business in the only **DAILY** local newspaper in town.

YOUR AD COULD RUN TOMORROW!*
Some restrictions may apply.

(310) 458-7737

Prepay your ad today!



*Please call our Classified Sales Manager to reserve your ad space. Specific ad placement not guaranteed on classified ads. Ad must meet deadline requirements. All classified liner ads are placed on our website for **FREE!** Check out www.smdp.com for more info.

Services

Roofing

4 SEASONS ROOFING
LIC #728424
ROOFING • REPAIRS
"LOWEST RESIDENTIAL RATES IN SO. CALIF."
310-317-9595 ofc
310-779-5265 cell

Financial

HBW
HELPING BUILD WEALTH
ESTABLISHED 1991
Insurance & Financial Services

Are you Covered?

Call
Robert F. Schwenker
For More Information
Individual LIC # OE96620

661.607.9404
BKSCHWENKER@SBCGLOBAL.NET

Holistic Health

FREE CONSULTATION

East meets West
Natural Healer

- Board Certified
- Expert in Eastern Medicine & Therapy
- House Calls Available

Dana Churchill, ND
The Natural Healing Center
(310) 230-5228
1611 Montana Ave, 2nd Floor SM

YOUR AD COULD RUN HERE! CALL US TODAY AT (310) 458-7737

Services

Psychic/Medium

PRIVATE READINGS



THESE MESSAGES CAN CHANGE YOUR LIFE!

Psychic Medium
LAURA RICHARD, Ph.D.
818-981-1425

Your ad could run here! Call us today at (310) 458-7737

Gen. Contracting

MAXIMUM Construction

Complete Household Repair
Electrical, Fencing
Doors, Windows, Flooring
Drywall, Texture, Painting
Remodel & Additions
Concrete, Stucco

Free Consultation
Reasonable Prices

Call **Max Ruiz**
(213) 210-7680
handymax1@aol.com



Your ad could run here! Call us today at (310) 458-7737

A/C CONSTRUCTION

General Construction
Commercial & Residential
Remodel & Add ons
Honest. Reliable.
FREE ESTIMATES
— Sabbath Observed—

310.278.5380
Fax 310.271.4790
Lic# 804884 Fully Insured



Services

Therapy

STILL SMOKING?

Life is short — Why make it shorter

John J. McGrail, C.Ht.



Certified Hypnotherapist
(310) 235-2883
www.hypnotherapylosangeles.com

Tutoring

EXPERT TUTORING SERVICES

Experienced, CA credentialed teacher specializing in grades K-5, all subjects.

Please call:
Courtney (310) 266-0667

\$5.50 A DAY LINER ADS! CALL TODAY

Painting/Tiling

DIAMOND RED PAINTING AND HANDYMAN SERVICE

A professional painting contractor
License #809274

(818) 420-9565 (Pager)
(818) 415-5189 (Cell)



Your ad could run here! Call us today at (310) 458-7737

Services

METICULOUS PAINTING & DRYWALL

Interior & Exterior • Free Estimates
Call **Joe: 447-8957**
meticulouspainting.com LIC: 0002088305-0001-4

PAINTING

Top quality A&A
Custom, Interior and Exterior

Free quote,
call **Jeff Arrieta**
(310) 560-9864



Residential & Commercial

Int. & Ext.

Texture & Drywall
Wood works &
Repair work
Kitchen cabinet
Faux finish
Replace cabinet &
Counter top
Stucco work



Lic.# 825896
310.284.8333

Fitness

START YOUR FITNESS TODAY
GYM IN WEST LA

WEIGHT TRAINING
KICK-BOXING
THAI-BOXING

ALL AROUND CARDIO
FOR BEGINNERS AND ADVANCED

ONE-ON-ONE PRIVATE SESSIONS
LEARN HOW TO LOSE WEIGHT
CALL (310) 866-3336

\$5.50 A DAY LINER ADS! CALL TODAY

Services

Handyman

WESTSIDE GUYS
Full Service Handymen
CARPENTRY ELEC. PAINT ETC.
TERMITE AND DRY ROT REPAIR
ROOF REPAIR AND WATER DAMAGE
808 35/HR (310) 266-6348
CALEB 25-35/HR (310) 409-3244

Bookkeeping

SIMPLIFY

Experienced, Efficient and Swift.

BOOKKEEPER FOR HIRE

Quickbooks \$40/hr.
Pick Up and Delivery

Call now to save!
(310) 264-0828

YOUR AD COULD RUN HERE! CALL US TODAY AT (310) 458-7737

Pool and Spa

POOL & SPA SERVICE & REPAIRS

-Weekly service
-Drain & Cleans
-Spa Covers
-Electric spa repair

310-306-6970
FREE ESTIMATES

Services

Real Estate

Kate Bransfield
Estates Director
Chairman's Circle - Platinum
#1 Prudential Santa Monica Realtor

310.395.1133

What is Your Home Worth?
Contact Me to Find Out.
for local, current real estate info.

SantaMonicaListings.com

Your ad could run here! Call us today at (310) 458-7737

Attorney Services

"Don't Get Evicted Know Your Rights!"

CALL
David P. Connolly
ATTY. AT LAW
(310) 562-1865
Your Friend in the Law Business

Need a Good Attorney?

"Your Local Santa Monica Attorney"
Civil Litigation
Consumer and Business Disputes



2001 Wilshire Blvd
Santa Monica CA 310 453 8320
www.lawgross.com

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Real Estate



Pacific Ocean Properties

2212 Lincoln Boulevard, Santa Monica **310.392.9223**

PREMIER LISTINGS

IN ESCROW



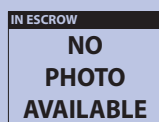
"Big Money Maker" Lots of potential, looking for investors Call for more info (310) 392-9223 50 million dollar resort which includes: Resort Components, Hotel amenities, Full Service Spa, Convention Center, 250 rooms, 40 Cabanas (2 bdrm + 1 bth), 25 houses (3 bdrm + 2 bth), 10 townhouses (3 bdrm + 2 bth), 12 Vacant lots, Restaurants, Real Estate Development, Undeveloped Area, All sitting on 45 acres of beach property in Baja California.



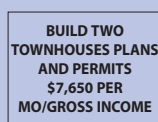
Westchester
\$710,000



2957 Lincoln Blvd.
Duplex
Santa Monica
\$1,375,000
\$7850 Per Mo Gross Income



7912 Osage
Westchester
\$630,000



BUILD TWO
TOWNHOUSES PLANS
AND PERMITS
\$7,650 PER
MO/GROSS INCOME
Venice Canals
\$1,900,000
or
\$4,400,000
When built



522 W. Sunview
Palm Springs
\$305,000



5601 W. 83rd St.
3BR, 1BA, POOL
Los Angeles
\$720,000



124-126 Fowling
Ocean View Duplex
Playa del Rey
\$1,499,000



2432 21st St.
4BR, 2BA
Santa Monica
\$1,300,000



44116 Dahlia,
Lancaster
\$319,999



8314 Blewett Ave.,
North Hills
\$539,000



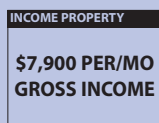
760-762 Milwood Ave.
Venice, 3 Units
\$1,325,000



3565 Lindon Ave.
Long Beach
\$329,000



8119 Grimsby
1BR, 1BA, Bonus Room
Westchester
\$665,00



Saieres Rd.
Oxnard
\$975,000



929 West Hyde
Inglewood
\$949,000



5600 79TH St.
2BR, 1BA
\$700,000

RECENT TRANSACTIONS



1101 Superba,
Venice



1815 W. Holme
#5, Westwood



2519 4th St. #9,
Santa Monica



4020 Manhattan
Beach Blvd.



3448 Maplewood
Ave., Los Angeles



2432 21st St.,
Santa Monica



7250 W. 82nd
St., Playa del Rey



12624 FREEMAN
4 PLEX



Pacific Ocean Properties Broker Rob Schultz, #01218743

Department of Real Estate Phone - (916) 227-0864

Pacwest Mortgage

NEW CONFORMING LOAN AMOUNTS

1 UNIT	\$417,000
2 UNIT	\$533,850
3 UNIT	\$645,300
4 UNIT	\$801,950

TIME FOR A 30 YEAR FIXED?

Rates as low as 6.5%



Rob Schultz
Broker
Licensed California
Broker #01381120

New conforming loan amounts:

One unit \$417,000, Two units \$533,850, Three units \$645,300, 4 units \$801,950

VERY AGGRESSIVE RATES

30 year fixed 6.5%
10 year/1 arm 6.375%
7 year/1 arm 6.25%
5 year/1 arm 6.0%**
3 year/1 arm 5.875%**
1 year/1 arm 5.625%
6 mos./6 mo. arm 5.375%
1 mo./1 mo. arm 1.0%***

* Rates subject to change

* As of February 7, 2006

** Denotes an interest only loan

*** Denotes Neg Am



2212 Lincoln Blvd., Santa Monica, CA
(310) 392-9223 1-888-FOR-LOAN (367-5626)