

FREE

MONDAY, JUNE 30, 2003

Volume 2, Issue 196

Santa Monica Daily Press

A newspaper with issues

LOTO

SUPER LOTTO PLUS

13-1-11-18-5

Meganumber: 22

Jackpot: \$15 million

FANTASY 5

2, 38, 22 5, 36

DAILY 3

Afternoon picks: 9, 3, 1

Evening picks: 6, 0, 6

DAILY DERBY

1st Place: 07, Eureka

2nd Place: 09, Winning Spirit

3rd Place: 10, Solid Gold

Race Time: 1:41.42



NEWS OF THE WEIRD
by Chuck Shepard

A joint resolution commissioning a statue to recognize the anti-abortion movement in South Carolina is currently making its way through the state House of Representatives. In the original proposal in circulation until May, the statue that sponsors thought would best celebrate unborn children was to be a huge (6-foot-tall) fetus. (Some supporters have suggested an alternative design.)



QUOTE OF THE DAY

"It is no wonder that people are horrible when they start life as children."

— Kingsley Amis



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Find your best friend, Sag 2

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Happy helping the homeless ... 4

People in the News

Prince Harry scores, loses 12

Samohi redesign begins despite gripe

BY JOHN WOOD

Daily Press Staff Writer

Administrators began the process of dividing Santa Monica High School into six smaller campuses last week despite a pending grievance that alleges the new plan violates the school district's contract with teachers.



John Wood/Daily Press

Workers begin moving items between classrooms at Samohi in preparation for the school's new redesign into six "houses."

More than 80 teachers moved to different classrooms in the first phase of the redesign, which is scheduled to be completed before the 2004-2005 school year.

Under the new plan, Samohi's 3,400 students will be divided into six schools or "houses," each with its own principal, teacher leader and two advisors. The move is expected to boost test scores and increase learning by allowing instructors to spend more one-on-one time with students.

In August, administrators will move into the new houses and next summer the final moves will be made by teachers.

"We're going from good

See SAMOHI, page 6

Aspen charter crash the focus of L.A. trial

BY DAVE DANFORTH

Daily Press Staff Writer

"We never wanted to talk about this," a lawyer told jurors in a trial over the spectacular March 29, 2001 crash of a Gulfstream III

charter jet just short of the runway in Aspen, Colorado. "But death wasn't instantaneous."

With that, attorneys representing a grandmother of two passengers on the plane and the parents

See CHARTER JET, page 7

Women tell similar stories about accused killer

Experiences of eight callers to tip-line point to pattern

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Since 1989, at least eight women have been lured under false pretenses by the man accused of killing a 21-year-old Santa Monica woman,

according to court testimony last week.

Of those eight, four were assaulted by Victor Paleologus but were able to escape, while three others were approached within a week of his release from state prison earlier this year, according to testimony from six Santa Monica Police officers last week.

Los Angeles Superior Court Judge Dennis Aichroth ruled Thursday in a preliminary hearing that enough evidence existed to try

Paleologus, 40, for capital murder, as well as six counts relating to the Beverly Hills case, including identity theft, filing a false financial statement, burglary, grand theft auto, forgery and receiving stolen property.

Paleologus has been convicted of six felonies since 1998 ranging from grand theft to burglary to assault.

See PALEOLOGUS, page 6



Carolyn Sackariason/Daily Press

Santa Monica Police officers talk to a motorist who was pulled over Friday night during a sobriety checkpoint.

Summer checkpoints to make roads safer

By Daily Press staff

Santa Monica Police stopped more than 1,000 vehicles on Ocean Avenue on Friday night to check whether drivers were sober.

Between 8 p.m. and 1 a.m., police issued nine citations for various vehicle code violations, towed two vehicles and conducted one field sobriety test.

The sobriety checkpoint is part of the national program called, "You Drink, You Drive, You Lose" sponsored by the California office of Traffic Safety and the National Highway Traffic Safety Administration.

The checkpoint, which was between Arizona Avenue and Wilshire Boulevard, was the first one this summer. Police expect to conduct at least two more in the upcoming months.

The goal of the program is to educate and bring awareness to the community, while at the same time detecting and removing drunk drivers from the roads.

Police determine where to conduct the checkpoints based on where accidents and DUI arrests have been made in the past.

Last year there were 311 DUI arrests in Santa Monica, up 27 percent from the previous year.



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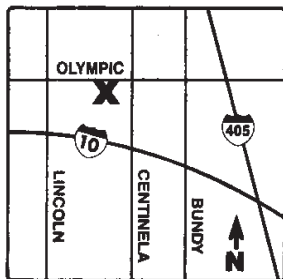
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HAPPY BIRTHDAY for Monday, June 30, 2003:

This year you can have a new beginning if you so choose. You might find that others are very different than you initially thought. Get to know new acquaintances with your eyes wide open. You might want to laugh and enjoy yourself with greater frequency, but more often than not, you'll hold yourself back. Learn to give in to spontaneity, especially when it involves travel and learning. Detaching is very important, as you might tend to be self-involved. If you are single, a relationship is a strong possibility in the near future. This person could be a foreigner or quite exotic. As a result, you will open up to new experiences and thinking. If you're attached, your relationship will benefit from sharing more of your inner self. Schedule frequent getaways together to bond more closely. CANCER understands you.

ARIES (March 21-April 19)

★★★★ Clear out personal matters quickly this week. You might need to carefully rethink an investment. Your sixth sense tells you that more is going on than meets the eye. If you can, take a personal day to handle a domestic matter. Tonight: Start planning ahead.

TAURUS (April 20-May 20)

★★★★★ You might feel as if someone is hammering you with his or her ideas. Flex with an erratic boss. You might not be sure what is next. Remember, you like excitement. Take a stand about your finances. Tonight: Your treat.

GEMINI (May 21-June 20)

★★★★★ You might feel as if someone is hammering you with his or her ideas. Flex with an erratic boss. You might not be sure what is next. Remember, you like excitement. Take a stand about your finances. Tonight: Your treat.

CANCER (June 21-July 22)

★★★★★ News from a distance could force you to re-evaluate a project. You might wonder what is going on here. Know that you might be overly serious or demanding. Let go of what you can't change. Facts, Moon Child, work on facts. Tonight: If you want, the world is your oyster.

LEO (July 23-Aug. 22)

★★★★★ Don't sit back just yet; investigate which way you need to go. New beginnings start up where you least expect them. Reach out for someone close who can make a big difference. Evaluate your moodiness more carefully. What is triggering you? Tonight: Get a good night's sleep.

VIRGO (Aug. 23-Sept. 22)

★★★★★ A friend or associate mars your upbeat mood. Investigate what might be going on behind the scenes. The unexpected occurs involving partners and what you considered stable. A meeting confirms a heavy tone. Tonight: Say "yes."

LIBRA (Sept. 23-Oct. 22)

★★★★ Take your bows at work. Many seek you out asking for your advice. You could be downright shocked by what comes out among your immediate associates. Greet new technology or something different with open arms. Tonight: Could be late again.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ Reach out for someone who gives unique opinions. Strange news comes forward. You might want to rethink information and work with facts. Verify. Read between the lines with associates. Tonight: Take time to talk to an associate or friend.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Build a better relationship through individual discussion. You might find a money offer hard to digest because it comes out of left field so suddenly. You might be in the mindset where one-on-one relating remains key. Tonight: Find your best friend.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Others seek you out. Allow more to come to you. Your work could drag you down, and/or you could be overly tired. You'll accomplish a lot quite quickly if you take short breaks, like walking around the block, getting a drink of coffee, etc. Tonight: Take care of yourself first.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Pace yourself, knowing what needs to happen and what you want to get done. You discover that a child or loved one could be a bit out of sorts. Take your time and nurture that grumpy person later, OK? Tonight: Work as late as you need to.

PISCES (Feb. 19-March 20)

★★★★★ You continue to be full of surprises. Another person could delight you with his or her attitude. You might choose to maintain a serious front and go "tsk, tsk," even if you're laughing inside. Be more direct. Tonight: So what if it's Monday?

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LOCAL

COMMENTARY

The price of democracy is daunting in volatile Iraq

BY KELLY HAYES-RAITT

Special to the Daily Press



June 27, BAGHDAD

— The dinar's value is so volatile that money-changers operate from curbside card tables bearing foot-and-a-half stacks of the Sadaam-monikered bills. People here

shake their heads in disbelief when I tell them a single 250-dinar note sold for \$20 U.S. on the Internet during the war.

While I negotiated exchange rates on my first day back in Baghdad, a car pulled along side and an irate Iraqi family screamed their frustration at me. "No water," the driver said, shaking an empty jug like a raised fist.

"America bad. Saddam good! (Thumbs up.) Bush bad. (Thumbs down)," he said, while his wife and daughter admonished in high-pitched Arabic. He sped off, punctuating his emotional outburst in a grimy cloud of exhaust.

Word on the street is that American troops are deliberately cutting off electricity to certain parts of Baghdad to retaliate against people for not turning in their handguns. No power, no water. No power, no refrigeration, no A/C, no showers. Tempers rise with the temperature — an exhausting 115 degrees well into the evening.

Mike, the dapper Kurdish Iraqi at my hotel's front desk, asks me if I've seen a book published recently in Jordan: "Terrorism Square: Security Agency in Iraq, 1968-2002" by Ahmar Mokhef Al-Omer. Al-Omer was a general in Sadaam's army and escaped in 1991. His book details the missing dictator's atrocities.

Mike shakes his head. "Thank you, America. We could not have stopped Saddam Hussein ourselves. It's good he's gone." We agree on that point.

We also agree that Mike is in a privileged situation. He spends his days in an air-conditioned reception room, earning a good salary and accessing the hotel's running water and food.

We also agree that it's easier to discuss democracy and free speech when your children are fed and your dignity is intact. If America wants to win Iraqi hearts and souls, perhaps we should start with health and security.

Farhad, our 25-year-old Kurdish translator, is also glad Saddam Hussein is gone, but for different reasons: He escaped from Saddam's army in Tikrit just two weeks before the U.S. invasion.

"It's good that Saddam is gone," he says quietly. "But we have no security now. What is our future?"

His girlfriend, Loosa, died during the war.

"I lost my love," he explains, stoically brushing away tears as he gazes off into the horizon. "What is our future?"

(Santa Monica resident Kelly Hayes-Raitt traveled to Iraq in February, just five weeks before the bombing. She is returning to reconnect with the people she met. Her reports from Iraq can be heard during the drive-time

news on KNX-AM 1070 on Monday, June 30, Wednesday, July 2 and Friday, July 4. She also will be interviewed by KNBC's Channel 4 Patrick Healy for the 11 p.m. news on Monday, June 30, by Earl Olifari Hutchinson on KPFF live at 7:50 p.m., Tuesday, July 1, and by Blase Bonpane on KPFF on July 6. If you like the radio reports please call the station at (323) 460-3343 and let the newsroom know that you want more reports from Baghdad. Finally, she will call in live to the DPSFV/Valley United's Forum at Taft High School in Woodland Hills on Saturday, July 12. To schedule Kelly to speak to your community group or congregation, call Areen at (310) 581-4421.)

BACK TO
BAGHDAD

SW swell will fill in a touch more along with some small NW and S energy. For the better exposed summer breaks between Zuma and the Manhattan area, expect very inconsistent sets in the knee-to-chest high range. Standout spots will see some shoulder high sets, especially on the tide push through mid morning.

Today the
water is:

62°

Sunrise: 5:50 a.m.
Sunset: 8:15 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	3:50	-0.5	2:34	2.5	10:26	3.5	8:55	6.1
SUNDAY	4:24	-0.6	3:08	2.5	11:04	3.6	9:29	6.1
MONDAY	4:59	-0.7	3:45	2.6	11:42	3.6	10:04	6.1
TUESDAY	5:35	-0.7	4:25	2.7	(12:22)	3.6	10:41	6.0
WEDNESDAY	6:12	-0.6	5:11	2.7	(1:04)	3.7	11:21	5.7
THURSDAY	6:51	-0.4	6:09	2.8	N/A	N/A	1:48	3.8
FRIDAY	7:32	-0.1	7:23	2.8	12:07	5.3	2:32	4.1

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City Hall officials are looking at a new noise ordinance that aims to make it quieter on Santa Monica streets.

Residents knowledgeable about the ordinance think it's not enough. Business owners think it's too restrictive. Others think it is the city itself that makes too much noise with its garbage trucks and buses.

This week, Q-Line wants to know,

"Should the noise laws be more restrictive? Is it already too loud here?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.

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OPINION

LETTERS

A note of thanks from the superintendent

To the residents of Santa Monica and the Santa Monica City Council:

As superintendent of our public schools, I want to express my heartfelt gratitude for the support you have given our schools in this time of crisis.

Just two years ago no one could have anticipated that an unprecedented budget deficit in California would lead the state to cut school funding so deeply that it would threaten many of our most valued and effective programs. You, the residents of Santa Monica, by voting overwhelmingly for Measure S, and the Santa Monica City Council, by increasing its contribution to the schools, have enabled us to avert a serious and possibly irreversible deterioration in the quality of the education we provide to our children. Your desire to reach into your own pockets to help our schools is admirable and humbling, and the message of hope and support you have sent our children will not be forgotten.

The additional revenues from Measure S and from City Council's enhanced contribution will enable us to maintain class sizes of 20 students in third grade, 22 students in ninth grade English and mathematics, and 30-35 students in other middle and high school courses; retain our elementary school music program and physical education teachers; retain our nurses and librarians; and restore a variety of other key supports for our students and teachers. Can you imagine what our schools would have been like without the additional revenues? I did, and I was terribly saddened by what I saw.

You have reaffirmed my own personal decision to move my family to this com-

See LETTERS, page 5

YOUR OPINION MATTERS!

Please send letters to:
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1427 Third Street Promenade Ste. 202
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 sack@smdp.com

What is and what should be on the streets of SM

It is a quiet evening at Santa Monica beach. As I approach this Pacific divide, I am struck by how reliably it has served to shield us from vast forms of tragedy and evil: war, famine, disease.

As I walk further along the beach, I am struck — no, disturbed — by something else. Just a few blocks away, the Third Street Promenade is swarming with smiling people in fashionable clothes, weaving in and out of trendy stores, flashing cash and plastic for a CD, sweater, skirt or some other “must have” accessory.

Some are plagued by disturbing thoughts of their own like, “Does my hair look all right?” “Do I look fat in these pants?” or “Did she catch me checking out that other woman?”

Most of the shoppers, I'll bet, are pretty image conscious. All of them, I'm afraid, are blissfully oblivious to the tragedy on the beach that lies before me: a dirty, tired man sleeping alone on the sand under a lifeguard tower.

Over there, “discretionary income” burns holes through the pockets of shoppers who act as if they are on the verge of spontaneous combustion as their burning desire for that last Abercrombie & Fitch sweatshirt reaches critical mass. Here, under the lifeguard tower, lies a man who could eat for a week if only someone's heart would burn with enough compassion to forego another discretionary pair of shoes.

(What's that? “They'll probably spend it on alcohol or drugs,” you say? Maybe, maybe not. I can't help wondering, however, if that hasn't become one of the most convenient, albeit effective, excuses of all time.)

It is this divide — this chasm — that has now rudely wrenched my attention away from my Pacific stroll along the ocean and doggedly refuses to release it.

Just a few sandy paces to my left lies a human being — a man, someone's son,

someone's high school classmate — whose life has apparently been consumed by poverty and isolation. Three blocks east, indulgent consumers are desperately trying in vain to quench the voices that incessantly echo “More! More! More!” from the bottom of what most of us fail to recognize as an abysmally broken spirit.

Ironically, deliverance for both the homeless man and the self-indulgent consumer may lie in each other. The homeless man needs someone willing to invest in him and the self-indulgent consumer needs someone to invest in. Though geographically separated by only a few blocks, socially they are worlds apart. There must be some way to span the chasm between them.

My anxiety is building because, at this moment, the only thing I can see occupying the infinite black space between their two worlds is me. I am but one man, one graduate student who, fortunately or unfortunately, has become painfully aware of the difference between what is and what should be.

I decide not to startle the man under the lifeguard tower and head for Third Street. Shortly, I arrive at the Promenade with a bag of \$1 burgers in hand. Shoppers and strollers are here too, many with dates in hand. On most nights, I admit, I'd switch places with them in a heartbeat — but not tonight.

Tonight I am doing exactly what I am supposed to do. I am being exactly who I was created to be.

I see a man wearing a winter coat and what appears to be several layers of clothing underneath, hanging onto a shopping cart full of blankets and stuff.

“Would you like a burger?” I ask.

“Sure!” he says, with a sunny smile not even slightly dampened by his miss-

ing teeth.

He is Joshua. He used to run a small business with his wife of 22 years. In 1998 they both got sick and neither had insurance. He recovered, she didn't. Because of their mounting medical bills, their business had to be liquidated and auctioned off. As he tells his story two things are constant: his smile and his desire to remind me that, “God has been good to me.”

“Some people might question how you can still say that,” I say.

As if to prove his point, he responds with a laundry list of blessings that God has bestowed on him.

If someone asked me to list all the blessings I've received, I'd probably start stammering within 10 seconds, tops. Joshua has forgotten his burger, he'd rather tell his story.

On the next block, a white-haired 76-year-old woman with a bruised eye won't stop smiling and laughing and clapping. She is Betty. Although Betty is less willing to share how she arrived at this point in life, she proudly shares that God has used all her circumstances to make her a better and stronger person. Throughout our conversation she reiterates how happy she is. If you saw me looking as happy, you could safely assume I'd been drinking.

On the next corner, a small black man wrapped in a blanket sits in the doorway of a bank. He is Moses. “Would you like a burger?” Within seconds he is bouncing with enthusiasm.

I wish everyone enjoyed talking to me as much as these people. Moses asks me if I know God. I say I do.

“How do you know God?” he asks.

I sheepishly mumble something about scripture and the spirit.

“That's it!” he replies. “The Spirit of God!” He throws off his blanket, jumps up and his whole body comes alive. “The power of God is right here with us! I can feel his presence! Can you feel him?”

I say, “I do.” I want to believe that's what I'm feeling, but I'm never sure. Maybe it's the psychologist in me.

“I feel his presence on you!” he says without a hint of doubt.

Moses continues to bounce along to the rhythm of his sermon, while my insecurities won't let me forget the passersby and what they might be thinking (damned if even now I can't stop thinking about myself).

Once Moses wraps up his sermon, I tell him how much I enjoyed it and hopefully I'll see him again. He turns up the heat on that beautiful warm smile and says, “Let me get a hug.”

It's not one of those one-hand-ever-so-cautiously on my side and the other giving me three quick strategic pats-on-the-back-type hugs. He stretches both arms all the way around my body. His warm open hands press tightly against my back. Rarely do I feel so genuinely appreciated. As he lets go, he smiles and says, “God bless you brother!”

In think — I hope — that Joshua, Betty and Moses might rub off on me. I feel as good tonight as I've felt in months. However, I'm afraid that if I stop to think about how little I've actually done and how much more there is to do, my joy will fade too quickly into sorrow.

So I don't think about it — not tonight.

Tonight I have much to be grateful for: Joshua's story, Betty's laugh, Moses' embrace. Tonight, I — a young, white, middle-class graduate student with unlimited opportunities for success — was blessed by the joy and strength of three people whose sum total of earthly possessions could be pushed around in a stolen shopping cart.

Guest Commentary

By John Cattish

OPINION



LETTERS

LETTERS, from page 4

munity many times over. Ironically, this crisis has brought us closer to achieving one of my most ardent goals: building a deep and lasting relationship of reciprocal trust between our schools and the community they serve.

I am committed to continuing to build this relationship, and to creating a genuine partnership with you that will help us strengthen both our schools and our community in the months and years to come. As always, you have my unending support and commitment to our children!

On behalf of our students and employees, thank you!

John Deasy
Superintendent

Santa Monica-Malibu Unified School District

'Let's keep our eyes on the ball'

Editor:

You do a "Q-line" on the increase of parking fines in Santa Monica and, of course, most of the responses you get have nothing to do with parking fines.

Someone is whining about preferential parking zones, there is the mandatory complaint about the city's bums. Some dude wants to run for City Council, (I'll be sure and NOT vote for him), bike riding on the sidewalk, the library project, Soviet-Santa Monica (I thought that went away with rent control), people honking their horns — oh come on! Fluoride in the water, are you serious? The Wave on Wilshire Boulevard — still!

Let's keep our eyes on the ball. Forty-seven bucks for a parking ticket is well below any other nearby city. Park legally and you won't have to worry about it. Or anything else that bothers you.

AJ Gee
Santa Monica

A simple question

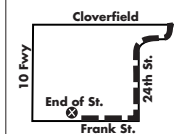
Editor:

I have one simple question: How can the cigar store on Broadway (The Lone Wolf) open its window and make us inhale tons of smoke every time we pass? If people want to sit and smoke, it's their personal decision. But I don't want to die for something that other people enjoy with their time.

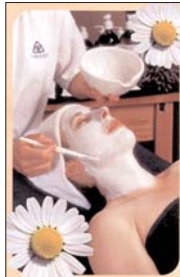
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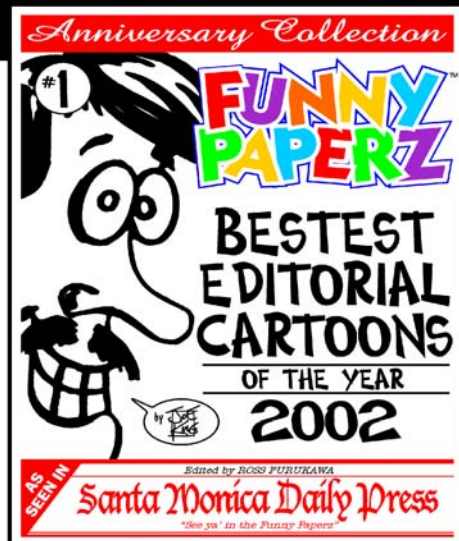
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LOCAL

Teacher grievance at Samohi still unresolved

SAMOHI, from page 1

to great," said principal Ilene Straus, who hired both Patty Flynn, principal at John Muir Elementary, and Wendy Wax, principal of McKinley Elementary, to work at the new Samohi. "The excitement will build in the fall, once everyone has had a vacation. There's still a lot of work to be done."

About 30 teachers will be hired this summer at Samohi, mostly to fill retirements.

But not everyone is pleased with the new plan.

More than one-third of Samohi teachers and staff signed a formal grievance last month, alleging administrators didn't include them in their plans to split up the campus.

The grievance, which is expected to go to arbitration sometime in July, alleges Samohi broke its contract with the union for certificated staff and demands the school consult with its workers before any restructuring take place.

Straus would not comment on the grievance but said she invited all campus workers to give their input to a committee of teachers, parents, students and administrators that drew up the blueprints for the redesign.

In an effort to help quell teacher's con-

cerns, Superintendent John Deasy offered several compromises to make the transition easier.

Even those who didn't sign the grievance said communication broke down over the move.

"There are some good points to the redesign, but the move has been a mess," said Yvonne Strahn, a Samohi employee. "It's been a real interesting time, but we're making the most of it."

Harry Keiley, president of the Santa Monica-Malibu chapter of the California Teachers Association, said the union is asking that the contract be followed. He would not speculate on whether that would mean undoing the first phase of the redesign.

Before the district can restructure its programs, it must seek the advice of the union, according to the contract, which also mandates a presentation be made and 70 percent of workers agree with the proposal.

Keiley said the district has agreed to have the grievance mediated before it goes to arbitration.

"There's an ongoing conversation and I take that as a good sign," he said. "It hasn't resolved the grievance, but it's a part of the on-going process."

Testimony attempts to document ex-con's ruse

PALEOLOGUS, from page 1

He is now accused of killing Kristi Johnson, a 21-year-old Santa Monica College student who disappeared Feb. 15 and was found dead March 3 in the Hollywood Hills. An autopsy on Johnson's body revealed that she was sexually assaulted and died of strangulation, as well as being the victim of blunt-force trauma, said Los Angeles Deputy District Attorney Eleanor Hunter.

Johnson was one of five women that Paleologus — who police have called a smooth-talking predator — allegedly told had a good chance of being chosen as the female lead in the next James Bond movie.

Police learned of the women's stories after establishing a tip-line during the search for Johnson. The tip-line brought in hundreds of leads, many from women who recognized Paleologus from a composite sketch and pictures.

He allegedly asked each of the women to meet him for photo shoots wearing specific items of clothing — black high-heeled shoes, a black mini-skirt and a men's white dress shirt. He told the women a necktie would be provided for them, police testified during the hearing last week.

SMPD detectives identified Paleologus — who was released from state prison on Jan. 20 — as the suspect in Johnson's disappearance based on the women's stories, as well as discovering evidence linking him to the crime.

Prosecutors presented the women's stories in hopes of persuading Aichroth that Paleologus was following a well-established ruse.

Based on interviews with the women, police officers testified that:

■ On Jan. 24, Paleologus allegedly approached a woman shopping at the Sherman Oaks Mall. She noticed he was staring at her and following her through-

out the department store, police said. He finally approached her, said he was a photographer and asked if she wanted to be a model. She declined and was able to "ditch" Paleologus in the mall after he continued to follow her, police testified.

The woman recognized the composite sketch from a television news program Feb. 26 and called SMPD. She was able to identify Paleologus from one of six photos shown to her by SMPD detectives.

■ On Jan. 24 a woman met Paleologus at the Century City Mall. He allegedly told her he was head of photography for Silverscreen, a Disney-affiliated production company, police testified. He told her the company was producing a new James Bond film and she could have a major role in it. Paleologus asked to her to bring the specific shoes, skirt and shirt to a pre-arranged location the next day, police testified.

The woman became suspicious after she contacted the Screen Actor's Guild to ask if a James Bond movie was in the works by Silverscreen. SAG officials said it wasn't.

The woman brought her boyfriend to the meeting with Paleologus, who waited in the car while she talked to Paleologus on a street corner in West Hollywood, police testified. She didn't bring the clothes, which allegedly upset Paleologus. He then told her that they had to move to another location to meet more girls interested in the film role. That's when the woman ran from Paleologus.

She and her boyfriend then drove through the area in search of Paleologus, who they found hiding in the bushes near his residence on La Cienga Boulevard. The boyfriend approached Paleologus and asked for identification but he ran across Santa Monica Boulevard and disappeared, police testified.

When the woman saw media reports of

See PALEOLOGUS, page 7

LOCAL



Lawyer attempts to show that pilots erred in crash

CHARTER JET, from page 1

of another attempted to portray a pair of highly experienced pilots as reckless, and the owners of Avjet, the company that employed them, as arrogant.

The two-week trial in the case, playing out in Los Angeles Superior Court, affords a rare glimpse of the events leading up to the crash of the jet, which was carrying 15 passengers from Los Angeles to a Thursday evening party in Aspen. After pilots lost sight of the runway in swirling snow, the jet crashed, killing all 18 on board, including one young woman who used to work for City TV in Santa Monica.

Lawyers for survivors — including Brian Panish of Santa Monica — are attempting to show the pilots were pressured by passengers into landing in Aspen despite its impending noise curfew and deteriorating weather.

Avjet maintains the pilots acted correctly at each decision point and never heard passengers complain about a possible diversion of the flight to the nearby town of Rifle. They say the pilots simply lost sight of the runway at the critical last moments of the flight.

Avjet and the charter jet industry need to be taught a lesson, Panish insisted in asking for an award of punitive damages in the case.

Avjet's lawyer, Martin Rose, admitted the charter company's negligence in the mishap. But there was no evidence to suggest that company or its pilots acted out of malice or oppression, he said.

To get punitive damages, lawyers must show both an interval of time between injury and death, and that the company acted as "vile, base, contemptible, loathsome," Judge Susan Bryant-Deason told the jury.

The issue of whether death was instantaneous has an oddly legal twist. California law doesn't allow punitive damages to be awarded in wrongful death cases unless the victims were actually injured in some measurable period before death.

That period — 1.1 seconds or .7 second, depending on whose measurements are accepted — elapsed between the time the left wing of the plane clipped the ground, snapping off nine feet of it, and the moment it smashed into the wall

of a ditch short of the runway and erupted in a fireball.

None of the passengers even experienced another heartbeat between the time the plane hit and its fiery breakup, Aspen coroner Steve Ayers testified in the case. But the plaintiffs called a witness who insisted that death was not instantaneous, opening the door to punitive damages.

Relatives of the other 12 passengers on the plane accepted undisclosed settlements from Avjet, which didn't dispute its responsibility. But Lyle and Laurese Witham, whose 22-year-old daughter, Marissa, died in the crash, plowed on. Lyle Witham is an ex-Continental Airlines pilot and his son, Jonathan, currently flies for the carrier.

"They are pilots," Panish told jurors. "They knew this wasn't just an accident, and that is why we're here."

Marissa Witham worked for the newsroom at Fox 11 television in West Los Angeles and was a former employee of City TV in Santa Monica. Videotapes she made at UCLA as an aspiring reporter and anchor were played for the jury. She had a promising future, co-workers testified.

Aurora Garcia, the grandmother of two brothers on the flight, Jose and Joseph Aguilar, also joined in the case and refused the settlement offer. A Mexican citizen, she sat quietly at closing arguments while the translation was whispered in her ear.

Panish portrayed the pilots, Bob Frisbie and Peter Kowalczyk, as error-prone. He alleged they were hired without a background check and that Frisbie overshot a runway in one prior episode. They listed 22 violations of various aviation codes, noting the jet's spoilers had been improperly deployed for nine seconds to slow it down on its approach to Aspen on the fateful evening.

Panish asked for \$40 million in compensatory damages, requesting \$1 million per year for each of the Withams remaining life expectancy. The law, attorneys noted, can't compensate for a "priceless" life. But it can award for the loss of society, comfort and affection.

Defense attorney Martin Rose, a leading aviation legal specialist, countered that Avjet wanted to "fully compensate" the relatives of victims. But he suggested jurors award a total of \$2 million in the case: \$500,000 for each of the Aguilars and \$500,000 to Marissa Witham's parents.

Rose characterized Avjet as a highly specialized charter outfit whose pilots have an average of three times the experience as some commercial airline pilots. To suggest that Frisbie, the pilot, risked the lives of the passengers was to suggest he had a death wish, the attorney said. No witness suggested the accident was anything more than a terrible mistake, he said.

Evidence in the case included the last 32 minutes of cockpit tapes in which pilots discussed diverting their plane to Rifle in case they couldn't see the runway in Aspen. Their company suggested a departure of no later than 3:45 p.m. for the one-hour, 48-minute flight from Los Angeles to Aspen in order to beat the Aspen curfew of 6:58 on the night in question. They left at 4:11 p.m.

The final approach into Aspen requires a "step-down" procedure. During that approach, the pilots could see the runway at each critical decision moment, evidence showed. But during the last 20-30 seconds of the tape, one uttered, "Where's it at?"

The final moments of the tape showed the pilots likely starting a "missed approach," which had been done by two prior planes that night. The engines whined and pilots reported speed picking up.

"Ref plus five," and moments later, "ref plus ten," one pilot reported, referring to the speed pickup. Then pilot Frisbie sharply jerked up on the steering column of the plane, spontaneously triggering the cockpit microphone and picking up the flight's final moments.

A "cruel trick" of Aspen terrain is Shale Bluffs, which rises sharply to the right of the airport, Rose noted. The pilots apparently turned their aircraft sharply to the left at the last second to avoid the terrain. "The next step," Rose narrated, "was to raise the gear."

"At that point, they ran out of altitude and ran out of luck," he said. The plane's left wing then dug a 72-foot trough in the ground before its final impact, sparking what Rose called an argument over "nanoseconds."

The jury will begin deliberating this morning. If at least nine decide on punitive damages, the trial will enter the damages phase.

Five women allegedly told about James Bond movie

PALEOLOGUS, from page 6

Johnson's disappearance and the circumstances surrounding it, she called SMPD. Police say they have videotape of the woman and Paleologus talking in Macy's at the Century City Mall on Jan. 24.

■ On Jan. 26, a woman arrived at a former pilates studio on Santa Monica and La Cienega boulevards to practice for an audition to be the next James Bond girl. She had previously met Paleologus at Houston's restaurant in the Century City Mall where she works, police testified.

Paleologus allegedly told her he had just moved from New York and was staying at the Century Plaza Hotel. Paleologus told the woman he had a friend who was a film director producing a new James Bond movie, police testified. He told her she had a good shot of being the next female lead in the movie and could make up to \$200,000, along with possible sponsorships with cosmetic companies, police testified.

She showed up to the arranged location so she could practice with Paleologus for the anticipated audition, police testified. She changed into the required clothes, the two of them talked for a while, and then she began posing and walking around studio, police testified.

The two acted out a potential scene in the film and Paleologus told her to be more sexy, police testified. She told him she wasn't "a whore," to which he replied, "Yes, you are."

Paleologus then kissed her and said it was part of the scene, but she didn't feel comfortable, police said. She was able to leave the studio but had dinner with Paleologus a week later when she told him she had a boyfriend and she wanted to keep their relationship professional. Paleologus called her once but she didn't call him back, police said.

■ A woman recalled that sometime in 1999 or 2000, she was approached by a man fitting Paleologus' description asking her to audition wearing the specific clothing in a photo shoot for a James Bond movie. He asked her to meet him at a house in the Hollywood Hills. When she arrived without the clothes, Paleologus told her to get them and come back. She never went back.

■ In August 1998, a woman said she was leaving the Skybar in Hollywood when Paleologus allegedly approached her and told her he was a publicity photogra-

pher for an upcoming James Bond film, police testified. She agreed to meet him on Aug. 30, 1998 at the Ritz Carlton Hotel in Marina del Rey with the requested clothing. They briefly met in the hotel lobby where she posed in a chair with her legs together and feet on the floor, police testified. Paleologus then took her to an abandoned restaurant at 11600 San Vicente Boulevard, saying they were going to meet his partner named "Gretchen."

At the restaurant, the woman sat in a chair and posed the same way she did in the hotel lobby. When she got on the floor to pose at Paleologus' request, he allegedly bound her ankles together with a nylon cord. He pushed her on her back and straddled her, police testified. He took off his necktie in an attempt to tie her hands. The woman was able to turn herself over, push him away and run out of the restaurant, police testified.

■ Another woman was allegedly assaulted by Paleologus at the abandoned restaurant a few years earlier — except this woman had been in a relationship with him. After she broke up with him, he contacted her saying he had lost the key to her safety deposit box where he was storing some jewelry. He asked her to meet him at the restaurant. There, Paleologus allegedly forced her into the bathroom but she was able to flee. Ten days later, the woman found Paleologus lying on her bedroom floor. She sprayed him with pepper spray and called police.

■ In October 1989, a woman met Paleologus at a bar in Manhattan Beach. He told her he was a record executive for Columbia Records, police testified. They met a second time, when they had dinner and went to a club at the Century City Mall. He allegedly told her Columbia Records was having a promotional party at the Bonaventure Hotel. The two of them got into a limousine and he took her to a hotel room, where he allegedly tied her to the bed and attempted to rape her. But the woman had martial arts experience and was able to bite Paleologus in the groin, which caused him to fall on the floor. She ran out of the hotel room, police said.

Paleologus got three years probation after a jury deadlocked on charges against him in 1991 for attempted rape, assault and false imprisonment.

■ Sometime in 1999, a woman said she met Paleologus at the Century City Mall who said his name was "Brian" and was a publicity photographer for an

upcoming James Bond movie, police testified. She agreed to meet him at a home in the Hollywood Hills. When she arrived with a friend, the home was empty and Paleologus was not there.

Paleologus has been in and out of jail for the past two decades. He has been convicted of six felonies since 1998 ranging from grand theft to burglary to assault.

He is scheduled to be arraigned July 10.

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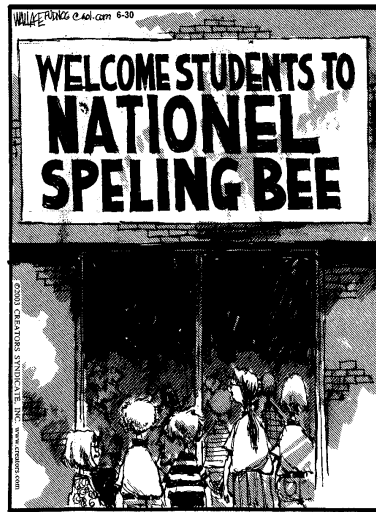
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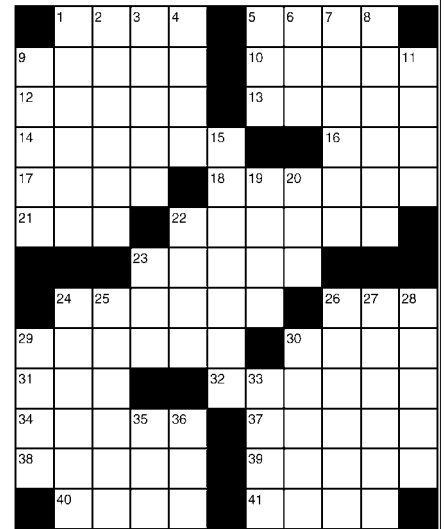
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PEOPLE IN THE NEWS

Prince Harry scores but his team loses to France

By The Associated Press

■ **LONDON** — England's school polo team, led by 18-year-old Prince Harry, lost to France in its first match on Sunday, but the captain scored a goal.

The red-haired prince tumbled from his pony when the animal reared in the first minute of play at the National Schools Polo Tournament in Southam, Warwickshire. Harry mounted another pony and scored a goal in the first quarter.

But the French began to dominate the field and won with a score of four and a half points to England's three.

Prince Charles, an avid polo player, watched his younger son's debut as captain.

John Lloyd, of the Schools and Universities Polo Association, which organized the tournament, said that although the fall caused no injuries, "I think Prince Harry might have been a bit unsettled" by it.

"To lose a game when you are making your debut as captain cannot be much fun. Still, he was very resilient," Lloyd said.

■ **ANAHEIM** — Johnny Depp joined about 1,500 guests at Disneyland for the premiere of his new action adventure film "Pirates of the Caribbean: The Curse of the Black Pearl."

"This is surreal," Depp said as he arrived on a 900-foot-long red carpet Saturday to the screams of fans. He was joined by producer Jerry Bruckheimer and co-stars Orlando Bloom, Geoffrey Rush and Keira Knightly.

The movie is named after Disneyland's Pirates of the Caribbean water ride and the premiere was the first ever held at the theme park.

"This is where the idea of the movie originated, this is where the inspiration came from and this was the right place for the premiere," said Richard Cook, chairman of Walt Disney Studios.

The film was shown on a giant screen on Tom Sawyer Island.

Olympic ice skating champion Michelle Kwan, comedian Tommy Smothers and former TV child star Danny Bonaduce also attended the premiere.

The movie opens nationwide July 9.

■ **LONG BEACH** —Rapper Snoop Dogg's charity basketball game at his former high school brought back guilty memories for fellow hip hop artist Nate Dogg.

"Me and Snoop used to skip class right where we're standing at," Nate Dogg said Saturday at the Poly High School gymnasium.

Rapper-producers Warren G, Soopafly and a crew of other singers, actors and comedians joined professional basketball players like Washington Wizards' Bryon Russell and Jaquinn Hawkins of the Houston Rockets at the game. Snoop's team won 124-114.

Proceeds from ticket sales went to Snoop Dogg's Save a Life Foundation and the high school. Tickets were \$10.

"I just always like to come back and let them know where I came from," said the rapper, whose real name is Calvin Broadus. "I walked through these same streets, I went to the same school."

Snoop Dogg is starring in a new MTV comedy show and is set to appear in a film based on the 1970s police show "Starsky and Hutch."

He declined to talk about an incident in Hollywood last week in which police arrested three members of his entourage and detained six of his bodyguards on weapons charges after they dropped him off at the BET Awards in an armored van.

■ **MOSCOW** — Judo enthusiast Vladimir Putin didn't try out any moves on action star Steven Seagal when

he spoke to actors taking part in the Moscow International Film Festival.

The Russian president welcomed Seagal, along with Italian actress Gina Lollobrigida and Fanny Ardant of France, to his country residence outside Moscow on Sunday.

Putin thanked the stars for coming to the festival and said he hoped they would return to Russia — and not be discouraged by this year's relatively cool summer.

Lollobrigida also opened the first exhibition of her sculptures at a Moscow museum.

The film festival ended Sunday, giving its top prize to the Spanish-Italian production "La Luz Prodigiosa" (English title "End of a Mystery") about a young goatherd who finds a wounded man during the Spanish Civil War and nurses him back to health, finding out decades later that the man probably was poet Federico Garcia Lorca.

The best director prize went to South Korea's Jang Jun-Hwan, whose "Save the Green Planet" is a science-fiction yarn about a man's attempt to save the Earth from an alien plot.

■ **BERLIN** — Luciano Pavarotti returned to the stage with a performance as Mario Cavaradossi in Puccini's "Tosca" at the Deutsche Oper.

The tenor's one-off appearance on Saturday evening "went very well, and was warmly applauded" by a sell-out audience, said Dolly Hauns, an official at the opera house.

The 67-year-old tenor was making his first opera appearance since singing the same role at London's Royal Opera, Covent Garden, in January 2002.

He caused a stir in May 2002 when he canceled two "Tosca" performances at the Metropolitan Opera in New York, blaming the flu. He has since added three dates at the Met in March next year.



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