

FREE

TUESDAY, JULY 2, 2002

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Santa Monica Daily Press

100% organic news. Picked fresh daily.

Car vs. bike



Carolyn Sackariason/Daily Press

Santa Monica Police officers investigate the scene of a collision Monday. A motorist hit a bicyclist at 14th Street and Pico Boulevard shortly before 6 p.m. The biker was making a left turn onto 14th Street from Pico when a man driving a Ford Bronco eastbound on Pico hit him accidentally. The bicyclist was taken to a nearby hospital. His condition was unknown at press time. The driver of the car was visibly shaken at the scene.

Man murdered on Pico

Incident is fourth homicide this year

BY CAROLYN SACKARIASON

Daily Press Staff Writer

A man was shot and killed Monday night in a Santa Monica eastside neighborhood, according to police.

Santa Monica Police arrested the suspect within minutes of arriving at the scene, located at the 2600 block of Pico Boulevard.

Santa Monica Police were called to the area at 8:24 p.m. where several residents reported shots being fired, said SMPD Lt. Frank Fabrega.

When officers arrived, they found an unidentified man lying on the sidewalk in front of a parking lot on Pico Boulevard who had been shot in the lower torso. He was transported to a local hospital where he was pronounced dead, Fabrega said.

A witness told police that the suspect ran toward an automotive repair shop on

Pico Boulevard. Police approached the business and found the suspect. He has been charged with murder and was taken to the Santa Monica jail without further incident, Fabrega said.

Police did an additional search of the area for more suspects and victims, but nothing turned up.

The neighborhood is known to be riddled with gangs and has been the scene of several shootings in past months. However, Fabrega said Monday's shooting does not appear to be gang related.

This is the fourth homicide in Santa Monica this year and Santa Monica Police have arrested all of the suspects connected to them. One suspect who murdered his estranged wife in March at their residence on Ocean Park Boulevard killed himself when police cornered him in Nebraska.

The area between 25th Street to 27th Street on Pico Boulevard was blocked off to traffic Monday night while detectives investigated the crime scene. No more information was available at press time.

SM judge writes down screenplay contract

Screenplay was worth \$1,500 in judge's eyes

BY DAVE DANFORTH

Daily Press Staff Writer

A Los Angeles film producer threatened to sue this newspaper over the story you are about to read.

Producer David Dadon took advantage of a naive screenwriter, Chris Dickerson, in negotiating a screenplay fee, a Santa Monica judge suggested last week.

Dadon, who produced the 93-minute film "Outlaw," had resisted paying screenwriter Dickerson the \$35,000 he wanted for the original screenplay. Dadon maintained that Dickerson had settled for \$1,500 and had given up his rights to sue.

However, Superior Court Judge Terry B. Friedman agreed with Dadon's argument, ruling that Dickerson had signed an "assignment of rights" which covered the deal between the two.

But Friedman noted in his ruling, "maybe a producer saw an opportunity to take some advantage of a screenwriter." He called Dadon a "crafty producer," while labeling Dickerson, struggling to get established, "naive."

The characterization had Dadon so angry he threatened to sue the Daily Press if it printed a story.

Judge Friedman held that it made "no sense" for Dickerson to accept only \$1,500 — which Dickerson said was merely the price to option his 100-page opus for one year.

"But because it makes no sense doesn't mean it didn't happen," he concluded in ruling for Dadon. He noted that Dickerson had succeeded in getting the all-important screenplay credit for the film. "He got his foot in the door in a very competitive industry," Friedman noted.

How competitive? "Getting a screenplay movie credit pretty much changes your life," said Christopher May, an independent producer who spent seven years at CBS acquiring projects. In testifying for Dickerson, May noted such a credit — and the payment — are all-important milestones which break the ice in an extremely competitive business.

The tale of "Outlaw" began in 1996, when Dickerson started marketing his screenplay. He first met Dadon in 1998, when Dadon offered him less than \$10,000, which he turned down.

Dickerson, 47, termed himself a "moderately successful playwright," but not among the top 10 percent who might get noticed in the film or television business.

"This whole business is about adding to your cinematic resume," he said.

Finally, he "took a meeting" with Dadon in April, 2000, and reached what

he called a "compromise," he said. He would sell Dadon a one-year option for \$1,500. The film had to be started during that period, Dickerson specified. If it was, he would receive \$35,000. But there was disagreement as to how the amount would be paid.

Dadon's lawyer, Michael Gregg, said the contract specified Dickerson would receive the amount in pay for taking a salaried job on the project.

The affable May, who was brought in as an expert witness, said the deal was most unusual.

The starting Writers Guild payment for a feature screenplay is \$40,000, he said. An independent producer working on a film with a small budget of \$500,000 might negotiate for less — say, \$35,000, he said. But May had not heard of a deal in which the writer is paid for his work in salary for more work.

"I've worked as an independent since 1988. I've never seen a \$1,500 screenplay. It's a real red flag for me. That's wrong," he said, stressing that paying and locking up the screenplay starts a project rolling.

He suggested \$1,500 might work as a first-year option, which "takes it off the market, makes it yours to run with." But in the same 15-page contract which establishes the option price, the purchase price would be established as well, May noted.

See SCREENPLAY, page 6

So you want to be a screenplay writer ...

BY DAVE DANFORTH

Daily Press Staff Writer

So you're writing a screenplay, huh?

It seems nearly half the literate souls in Los Angeles aspire to the same creative mark.

What are your odds of success?

"It's really tough, especially at the feature (non-television) level," said Christopher May, an independent producer who reviewed screen projects for seven years at CBS. "You got a better chance of getting into the astronaut program."

Bah ... details.

If you truly are polishing your screenplay for the final workup, May, as well as the Dickerson-Dadon trial which quietly proceeded last week in Santa Monica, offer some pointers.

May, who started as a gofer, says a

See WRITER, page 6

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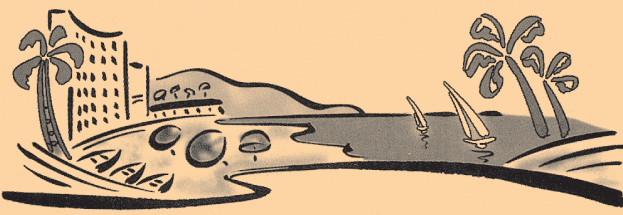
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★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)

★★★★ Use your foresight to help an associate move through a case of the blahs. Incorporate another's imaginative gesture into your thinking. Relax with others. Don't let tension become a dominating force. Tonight: As you like it.

♉ TAURUS (April 20-May 20)

★★★ Remember, you don't have to do everything in one day. You might want to try a different approach to a toasty situation. Reflect, rather than making a decision today, even if you feel sure of yourself. Tonight: A discussion with a partner could be important.

♊ GEMINI (May 21-June 20)

★★★★★ Focus on the right path to your objectives. What might seem crazy to another could be workable for you. Utilize a source at a distance or the Internet to make sense of what is happening. Others chime in with unusual solutions. Tonight: Think celebration.

♋ CANCER (June 21-July 22)

★★★★ Others look to you for direction and momentum. Though you love going to the head of the class, you might have had enough of a current situation. Ease up and just do whatever is necessary here. You'll want to clear out of the office quickly. Tonight: Easy does it.

♌ LEO (July 23-Aug. 22)

★★★★★ What might be a serious matter for another, simply isn't for you. Use your intuitive resources with a friend. The two of you "feed" each other in some way, either intellectually or emotionally. Allow the give and take in this relationship to flow. Tonight: Think Fourth of July. Take off, if you can.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Your interactions flavor many people's day. Add a bit of sparkle and playfulness to your life. You feel renewed with a special friend or work associate. Make low-key plans for the next few days. Relax when working. You'll get more done that way. Tonight: Let another dote on you.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★★ Others run with the ball. In some way, this takes the heat off you. Your imagination might be spinning a tale or, at the same time, there could be some truth here. Evaluate an opportunity more openly. Consider letting someone get closer. Tonight: Go along with another's wishes.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ You might be throwing a Fourth of July party or perhaps carrying the extra load at work. Whatever is happening, you have your hands full. Options appear if you would like to delegate a little of your responsibilities. Tonight: Easy does it.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Your imagination leads you in a new direction. Share some of your flights of fancy with a child or loved one. A giggly conversation can only help rid tension for those involved. Allow more silliness into your life. Tonight: Get into the idea of a long weekend!

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★ Laughter helps you move past a problem this morning, which you easily could be fixated on. Don't create a monetary deficit in your mind until you have all the facts. Explore your options, and you'll find solutions. An associate could be a bit off-kilter. Don't react. Tonight: Stay home.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Help shake another out of his or her mood. He or she might be blue or discouraged. With perspective, humor and understanding, you could make a big difference. Make calls; reach out for others. Don't underestimate what a call could mean. Tonight: Find favorite people.

♓ PISCES (Feb. 19-March 20)

★★★ Reach out for someone who means a lot to you. Go out of your way for this person. Don't push quite so hard; understand your limits, especially financially. You might want to do for others, but you also need to honor your budget. Tonight: Order in, if you must.

QUOTE of the DAY

"If this is coffee, please bring me some tea; but if this is tea, please bring me some coffee."
— Abraham Lincoln (1809-1865)

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LOCAL

PCH sewer line work finally comes to an end

By Daily Press staff

Construction on Pacific Coast Highway is finally over.

After five years, the city has finished rebuilding three miles of of the coastal interceptor sewer system, which was damaged in the 1994 Northridge earthquake.

The system flows from the cities of Los Angeles and Santa Monica to the Hyperion Treatment Plant in Playa del Rey for treatment.

Construction of the five-year CIS System rehabilitation program, which began in 1997, included four sewer projects — the Pacific Coast Highway Regional Sewer Replacement Project, the Ocean Avenue/Neilson Way Relief Sewer Project, the Appian Way Sewer Project, and the Moss Avenue Pumping Station Project.

Crews ran into several problems during the work, including finding unknown underground utilities and substructures, dealing with difficult soil and water conditions, getting extensive permitting requirements, working in close proximity to residences and merchants, and impacting commuters.

The Palisades Beach Property Owners' Association sued the city over the construction. The two sides reached an interim settlement if the work was finished by September, 2001. A trial date has not yet been set.

A community outreach program was

implemented during construction to address questions and concerns from the public. The city had a 24-hour project hotline for information and complaints. The city also put signage at key highway locations throughout the region and monitored noise and vibration impacts from the construction. The city coordinated with government and law enforcement agencies including Caltrans, Los Angeles, Malibu, the California Highway Patrol, and the PCH Task Force committee led by Senator Sheila Kuehl's office throughout the projects.

Even before the quake's damage, the city's major sewers were too small to handle future wastewater flows. After evaluating the condition and capacity of all its sewerage facilities, the city decided to replace, upgrade and upsize them to provide quality service for decades to come. With additional capacity, it also was possible to divert surface runoff water into the new sewer during dry weather to protect coastal waters from pollution into Santa Monica Bay.

The projects, a joint effort between the cities of Santa Monica and Los Angeles, were partially funded by the Federal Emergency Management Agency and the State of California, Governor's Office of Emergency Services.

Check mate?



Scott Berry/Special to the Daily Press

An intense game of chess brought dozens of onlookers to the Santa Monica Beach one recent afternoon. Judging by their expressions, the spectators were just as perplexed as the players as to what the next move should be.



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The Q Line

First Enron, then WorldCom and now Xerox.

Their unique accounting practices are now on public display for all to see. And their dirty little secrets are coming back to haunt corporate America. The billions of dollars in overstated revenue is just the beginning, some say.

Xerox's overstated revenue of \$6.4 billion is the latest blow to corporate America in what has become a dizzying parade of accounting missteps.

Investors now sit around the dinner

table betting whether the worst has come out in corporate America's earnings fabrication scandal.

This week Q Line wants to know:

"Is more scandal to unfold in this mess? Is this the time to invest?"

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.

Surf Report

The mixed northwest and southwest swell angles that were good for waist-to-chest-high sets Saturday and Sunday die down today as a new surge of northwest wind swell blows in.

The lack of southwest activity will cause surf to drop a foot on average. Combination exposures promise waist-, occasional chest-high sets, while northwest only spots see smaller, knee-to-waist-high, wind swell waves.

Forecasts haven't indicated any new swell activity for today.

(Information compiled by Jesse Haley.)

Location	Tuesday	Wednesday	Water Quality
County Line	2-3'/Fair	1-3'/Fair	A
Zuma	2-4'/Fair	1-3'/Fair	A
Surfrider	1-3'/Fair	1-2'/Fair	A
Topanga	1-3'/Fair	1-3'/Fair	A
Breakwater	2-3'/Fair	2-3'/Fair	A
El Porto	2-3'/Fair	2-3'/Fair	A

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OPINION

Description of the minimum wage ordinance: part two

In last week's column, I described provisions of the Minimum Wage Ordinance dealing with the minimum amount required to be paid, the employers required to pay that minimum, and those employees entitled to receive it. This week's column describes the geographical zone in which employers must be located in order to be directly subject to the ordinance, ways in which exemptions can be obtained, and enforcement provisions.

The designated zone. The zone described by the ordinance is bounded by the ocean, the southern and northern city boundaries and a line similar to the route a drunken driver might take through the city (see the map which accompanies this column):

1. North up the middle of Lincoln Boulevard from the southern city boundary to Pico. (Covers the west side of Lincoln but not the east side.)

2. West along the center line of Pico from Lincoln to Fourth Street. (Covers the south side of Pico but not the north side.)

3. North up the east side of Fourth Street to Colorado. (Covers properties on the east side of Fourth as well as the west side, thereby including the Doubletree Hotel and that portion of Sears at the southeast corner of Fourth and Colorado.)

4. East along the south side of Colorado to Fifth Street. (Covers both sides of Colorado.)

5. North along the east side of Fifth Street to Wilshire. (Covers both sides of Fifth.)

6. West along the north side of Wilshire to Fourth Street. (Covers both sides of Wilshire, thereby potentially including Polly's and many businesses in the tower at 401 Wilshire.)

7. North along the center line of Fourth Street to San Vicente. (Includes businesses on the west side of Fourth Street, but not the east side.)

8. West along the center line of San Vicente to its intersection with the northern city boundary (wherever this is) and then west along the city boundary to the ocean.

Got it?

Exemptions. Employers who would be otherwise covered by the ordinance have two potential exemptions available to them: The hardship exemption and

the union exemption.

An employer may apply to the city manager for a waiver applicable to all or part of the employer's work force. While no procedure has yet been established, the ordinance sets forth the following criteria which are to be included: (a) Will compliance render the employer's business nonviable? (b) Does the employer's business depend for its viability upon young people and other first-time workers employed on a seasonal basis? (c) Will granting the waiver advance the policies of the ordinance?

An employer also may become exempt by entering into a bona-fide collective bargaining agreement which contains an explicit waiver of the law's requirements.

Anti-Retaliation. An employer is prohibited from taking any action against an individual in retaliation for exercising rights under the ordinance.

This restriction also applies to actions against an individual who, in good faith, asserts rights even though the employer is

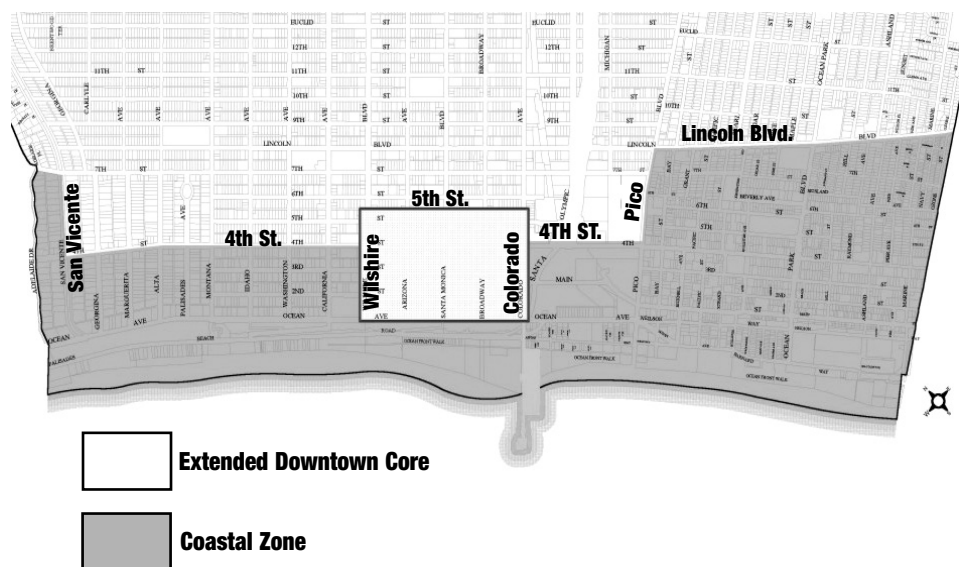
not covered by the ordinance or, if covered, is in compliance. The ordinance does not specify what types of actions would be considered retaliatory.

Any adverse action taken within 60 days of the individual's assertion of rights under the ordinance will be presumed to have been retaliatory and, therefore, a violation of the ordinance. This provision reverses the normal "innocent until proven guilty" requirement.

Enforcement. Violation of the ordinance is a misdemeanor (\$500 fine and/or six months in the county jail). Civil actions can be instituted by "any person" and, if a violation is found by a preponderance of the evidence, the employer will be liable for damages of at least \$500 for each offense plus attorneys fees. Finally, complaints can be filed with the city manager who is required to investigate and, if appropriate, issue enforcement orders. The city manager's determination can be appealed to a city hearing officer for an evidentiary hearing and written decision. This decision can be appealed to a court.

Please retain this column and last week's column for future reference.

(Tom Larmore is a Santa Monica resident and a property rights attorney.)



OPINION LETTERS

Laws are lax on clean air and vagrants

Editor:

I am a new resident of this terrific city and am most appalled by the lax enforcement of clean air and vagrancy laws. I am most pleased in general with life here but agree with most intelligent Santa Monicans. That public parks should be for the enjoyment of our families, friends and especially tourists, all who enrich our privileged way of life.

I happen to be a smoker, but am quite satisfied to smoke in only those areas that this habit is legally permitted. I am also vehemently opposed to illegal substances such as grass, hashish, which is openly smoked in the oasis from the traffic and crowded streets. Those who enjoy jogging or just plain walking (as I do) would also be most pleased. Perhaps the pier should ban smoking and public intoxication as well.

Jay Rubenstein
Santa Monica

The flaws of voluntary preservation of homes

Editor:

I'm not enthusiastic about continuing a paper debate with Tom Larmore, but a few observations are in order about his June 26, 2002 letter responding to my June 25, 2002 MYTHS and FACTS letter.

Mr. Larmore is a real estate attorney so he knows:

In this country local governments are responsible for the welfare and safety of their citizens. This includes land use planning, development, and regulation. The job of regulating land use is done through ordinances and commissions, it involves complicated issues, and it is not done quickly and easily.

When the Landmarks or other Commission reviews property use plans, it is not "taking control of the property." Flexible remodel guidelines and variances allow owners to adapt and change their properties.

Preservation ordinances designed to protect individual buildings and neighborhoods which have architectural, historic, and cultural significance in their cities have been upheld by our courts at all levels, including the U.S. Supreme Court. Designating an individual building as a landmark or a neighborhood as an historic district is not spot zoning.

No one has yet offered anything other than speculation and conjecture that designating a uniquely special property as a landmark or a few blocks as an historic district would have a negative impact on property values. This is especially true for people who bought into Santa Monica before the current boom in real estate prices and have seen their properties increase many fold. Long-term property owners have nothing to fear, but speculators may, simply because their investment timing may be off.

In the final analysis, though, the real question for all of us who chose Santa Monica as our home is how to achieve the best balance between a conflicting public good and private desires in those instances where a special home is threatened with demolition or the character of a special neighborhood is in danger of irreversible damage. Remember, we're not talking about the majority of homes or neighborhoods, but a rare few.

The initiative proposed by the Homeowners for Voluntary Preservation has many flaws, but for now consider just these few.

If all owners of a property must consent to designation as a landmark or inclusion in an historic district, one of several owners of a property could block that designation even if a majority desired it. Do we really want a system in which one individual can thwart the desires of the many? I don't.

Do we really want a community in which we are helpless to stop the demolition or tasteless remodel of our truly unique, truly special one or few-of-a-kind extraordinary buildings if whoever happens to own the property at the moment wants to go that way? I don't.

Historic districts only make sense if they have a high concentration of original structures (including those remodeled consistently with their principal architectural features). Historic districts simply are not possible if individual properties can opt out. Do we want to give a few property owners the ability to prevent or destroy an historic district beyond recognition even if many or most residents in a neighborhood want a district? I don't.

If the initiative Mr. Larmore supports ultimately reaches the ballot and is passed, it will mean that Santa Monica will be powerless to protect the most important of its architectural resources and neighborhoods, whether those are threatened by speculators and developers (small and large, individual and corporate) or by individual homeowners in for the short as well as the long-term.

I don't want that to happen in Santa Monica, and it's a terrible simplification for Mr. Larmore to state that opponents of the initiative he champions have only one simple "trust them" theme. City governance and balancing public and private interests is far more complex than that, and I do believe Mr. Larmore in his heart must know that.

Beatrice H. Nemlaha
Santa Monica

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. All letters must include the author's name and telephone number for purposes of verification.

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LOCAL

Screenwriter's credibility damaged over contract signing

SCREENPLAY, from page 1

"I couldn't make that offer (\$1,500), to a real screenwriter," he testified, laughing.

Dickerson said he wrote up a one-page contract specifying the \$1,500 payment and the \$35,000 work arrangement, requiring he be given the "screenplay by" credit. But the assignment of rights contract was a separate paper, he said, done for the benefit of the Screen Actors Guild, which wants to know that the projects for which its members work have been properly acquired.

Dickerson's problem, from which he couldn't escape, was that the second contract signed away his rights to the screenplay, and also his rights to sue. Between the time the suit was filed and its trial last week, he spent much of the time denying he signed it, confused that a SAG contract was listed under the name of Dadon's firm, Giants Entertainment, Inc. and convinced the signature was a forgery.

By admitting shortly before the trial that he did sign it, he damaged his credibility, the judge noted.

There was no jury in the case.

May said that in deals with which he's familiar, the screenplay price, the option price, the assignment, and the credit terms are all embodied in a single agreement.

"This is a bill you want to take care of. The writer is the first one paid," he said. "When you approach a writer,

you're figuratively starting to build your city.

"It's an industry built on relationships."

Dadon didn't show up for the trial. But his attorney Michael Gregg maintained that Dickerson was anxious to get established and Dadon was an independent producer anxious for a project. He claimed that Dadon offered to introduce Dickerson to the world of film production and directing, but that Dickerson spurned the salaried job offered to him, selecting a \$50,000-plus offer as a press aide to Los Angeles Supervisor Michael Antonovich instead.

Dickerson said the \$35,000 production job was never offered, and Dadon "threw a hissy fit" and became angry when, soon after the start of production in May 2000, Dickerson sought the first installment of the \$35,000, but added that he could "re-negotiate." Later, Dickerson offered to settle for \$10,000.

Rather than interfere with the ongoing production starring Michael Madsen and William Forsythe, Dickerson decided to let the film get made so that his leverage would be greater, according to his lawyer, Michael Challgren.

"He handled it professionally and he should be thanked for that," Challgren said in his final argument to Judge Friedman. "There was money being spent, and cameras being rolled."

The film is described on Dadon's Web site as "A modern day gunslinger (Madsen) is hired by a boyhood friend (Forsythe) to discover the murderer of his father, a for-

mer mobster." Dickerson is given the screenplay credit along with director Bo Svenson. Dickerson also is called "associate producer."

May noted that the name "associate producer" in the film business is bestowed for any number of reasons, and is often used as a negotiating point. In the television business, the credit describes an "actual job," but in the feature business it could simply represent a "favor," he noted.

Dickerson quit working for Supervisor Antonovich last year to return to the lesser-paying creative arts. He is now working in Los Angeles as a playwright.

Dadon's Giants Entertainment, Inc. claims credit for 10 films, including "Very Mean Men," "Savage Season," "Bad Guys," and "Dead Man's Run." Its Web site says he is a veteran of the garment industry. Contacted Friday, Dadon bristled when asked about the judge's ruling and characterization.

"I'd like you to print that so I can sue your newspaper. See you in court," he said before hanging up.

May, outside of courtroom, had his own opinion.

"This non-payment stuff is what gives producers a bad name," he said.

Judge Friedman noted in his ruling that Dickerson had accepted a check marked "for all rights." He ruled the main contract was not an option deal. It read, "purchase price for all rights to 'Outlaws' is \$1,500," Friedman said.

Entertainment industry built on relationships, expert says

WRITER, from page 1

screenwriter needs three key elements.

"First, he wants the credit. Second, he wants the payment, because it establishes a quote (benchmark). Finally, he needs it to be produced," May said.

It's often easier said than done. The dispute between screenwriter Chris Dickerson and producer David Dadon over payment for his screenplay to the 93-minute film "Outlaw," made in early 2000, illustrate how both sides, anxious to get ahead, may be ready to compromise.

The price for the screenplay — which starts at a Writers Guild scale of \$40,000 — is the benchmark on which later works will be figured. Often, the second screenplay from a previously unknown writer can go to \$80,000 if the first one fetched \$40,000, May noted.

In Dickerson's case, he was so anxious to get his credit in the "screenplay by" line and the film in the can that he offered to compromise with Dadon for \$10,000,

although he said his original deal listed \$35,000. In independent film production, the price, credit, and terms get negotiated often below the Writers Guild scale. That's where it can get tricky.

Dadon said the price for "Outlaw" was \$1,500 — a price Dickerson characterized only as an option — and that the \$35,000 was for salaried work Dickerson never did because he went to work for L.A. County Supervisor Michael Antonovich instead.

In the end, Dickerson shared his screenplay credit with director Bo Svenson.

The initial contract is crucial, May said — a point re-emphasized in the trial. May said the contracts he sees are ordinarily about 15 pages long, and include all the terms up-front. Once signed, "what you do is what's in the contract," he said. That includes the price for the option to the screenplay (to get it off the market while deciding whether to go ahead), and the price for the screenplay itself should the

project get made.

"Credits aren't necessarily what they appear" in the film business, May noted. "In television, it would describe your job. But in film, you offer credit if you like the work. There are favors, but 'associate producer,' in a film? I don't know what that person would do."

If other writers are brought in to help with the project, the "screenplay by" credit is even more important, May said. Others may get a "story by" credit, which is a lesser recognition. It should be spelled out in the contract, May emphasized.

"It is signed immediately. You don't move without them," he said. An independent producer might work with the credit, using it in negotiating a price, as in, "OK, \$35,000 plus 'associate producer' credit if I can get that for you."

May emphasized that producers disrespect screenwriters at their peril. In an industry built on "relationships," the bond is likely to last throughout the project,

which works better with a strong bond between writer, director and producer.

If you're unsure of what the contract should say, try to examine another one, or have an attorney examine it.

Dickerson whipped up a one-page deal, but it failed him because the separate "assignment of rights" not only transferred all rights to the screenplay to Dadon's firm, but also gave up his right to sue.

"He wanted to undo the deal," Dadon's lawyer, Michael Gregg, said. "If he wanted a better agreement, he should have consulted an attorney."

Finally, learn what a "gofer" does. It's likely to be your first job if you get on the set.

May started as one. Asked last week to define it for the benefit of Judge Terry Friedman, he said, "You sweep, you get the coffee, you lug stuff. You put in 16-17 hour days. It's pretty crappy, the lowest rung on the totem pole."

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STATE



GOP continues budget stall, no new taxes are promised

BY STEVE LAWRENCE
Associated Press Writer

SACRAMENTO — Assembly Republicans vowed to hold out against a state budget tied to tax increases, but their ranks showed some signs of cracking as California began a new fiscal year Monday without a spending plan.

Democrats have big majorities in both houses of the Legislature, but they need at least one Republican in the Senate and four in the Assembly to put together the two-thirds majorities required to approve budgets and tax hikes.

They got that lone Republican vote on Saturday as the Senate approved a \$98.9 billion budget and \$3.6 billion in tax increases to help balance it.

But the budget fell five votes short of a two-thirds majority on Sunday in the Assembly. One Democrat was absent.

The Assembly's action left California without a budget in place at the start of a new fiscal year for the 14th time since 1977.

State Controller Kathleen Connell warned that a long budget deadlock could delay some state payments, starting with mid-July paychecks for the Legislature's employees.

"If we finish July and have not reached a budget compromise, then we have the potential to see significant problems," she said.

But Assembly Republican leaders said they wouldn't support a budget with the tax hikes backed by Democrats, which include increases in vehicle license fees and cigarette taxes.

"They are just not listening to us," complained Assemblyman Tony Strickland, R-Thousand Oaks. "We have articulated our message: No new taxes with a balanced budget."

But two Republicans who abstained when the budget was voted on Sunday indicated a willingness to work out a deal with Democrats.

Assemblyman Dick Dickerson, R-Redding, said he was willing to support additional taxes. "I don't see how you do it without some form" of tax hike, he said.

But he said he also wanted more budget cuts, suggesting across-the-board spending cuts of 3 1/2 to 5 percent in each agency.

Assemblyman David Kelley, R-Idyllwild, was more vague. "We're still working on all of that," he said, when asked what it would take to get his vote for a budget bill.

"We have articulated our message: No new taxes with a balanced budget."

— TONY STRICKLAND
Assemblyman, R-Thousand Oaks

"It's probably the worst budget I have ever seen," he said. "But the state has never been in worse condition financially than it is right now. We are working on it. We will see what happens."

Democrats said they have already cut



Rich Pedroncelli/Associated Press

Democratic Assembly members Robert Hertzberg of Van Nuys, seated, Dennis Cardoza of Atwater, left, and Tom Calderon of Montebello, right, listen as Assembly members debate the 2002-2003 state budget during a rare Sunday Assembly session held at the Capitol in Sacramento, Calif. on June 30. On Saturday, Republican Sen. Maurice Johannessen of Redding joined all 26 Senate Democrats to approve the budget and tax increase, but the budget failed to pass in the Assembly by a 49-26 vote, five votes short of the two-thirds needed for passage.

deeply into most programs to help erase a \$23.6 billion deficit, but they said they were willing to consider more reductions.

"We would entertain constructive, productive, reasonable suggestions for cuts," said Assemblywoman Jenny Oropeza, D-Long Beach, the Assembly Budget Committee chairwoman.

Assemblyman John Campbell, R-Irvine, said Republicans proposed \$5 billion in cuts, ranging from hundreds of thousands of dollars to hundreds of millions. Almost all of them were rejected by a two-house budget conference committee, he said.

"They are in all areas across the board, whether it's general government, whether it's health and human services," he said. "Are there some cuts in education? Yes, they are related to entirely new programs and things of that nature."

Assembly Minority Leader Dave Cox, R-Fair Oaks, said the state would continue to face budget deficits for several years unless it made more cutbacks.

"California is living beyond its means and has been living beyond its means and we need to make some spending reductions," he said.

But Democrats derided the GOP proposals. Gov. Gray Davis called them "cotton candy cuts," suggesting again that some of spending reductions proposed by Republicans would violate federal law.

"These are not real cuts," he said. "They are political debating points but not problem-solving suggestions."

Some of the GOP proposals, Democrats said, would require suspending Proposition 98's minimum school funding requirements, a step Republicans say they won't support.

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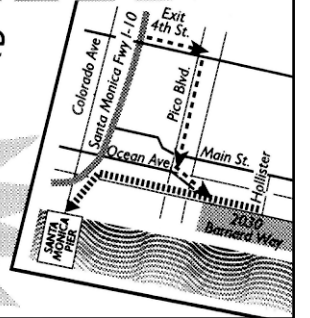
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NATIONAL

Questions arise about WorldCom's accounts

Pitt calls company's statement 'inadequate and incomplete'

BY MARCY GORDON

AP Business Writer

WASHINGTON — WorldCom Inc., already facing fraud charges involving almost \$4 billion in disguised expenses, told the government Monday it is investigating possible new accounting problems with its reserve accounts.

The head of the Securities and Exchange Commission, which had demanded a sworn statement from WorldCom after filing civil fraud charges, derided it as "wholly inadequate and incomplete."

"It demonstrates a lack of commitment to full disclosure to investors and less than full cooperation with the SEC," Harvey Pitt said.

The Nasdaq Stock Market said it would remove shares of the embattled telecommunications company from trading on Friday. Investors pummeled WorldCom stock, which plunged 90 percent to 6 cents a share in Monday's early trading after a three-day halt that followed its disclosure of accounting irregularities.

More than 250 million shares changed hands in frenzied trading in the first 15 minutes. By noon, WorldCom, which once topped \$64 a share, had become the most heavily traded stock ever in a single day in U.S. history and was valued between 6 cents and 7 cents.

During the day, 1.47 billion shares of WorldCom changed hands, at prices as high as 15 cents and as low as 5 1/2 cents.

The SEC is continuing its civil investigation of the company, and Pitt said, "Criminal charges may be too good for the people who brought about this mess."

Referring to WorldCom's sworn statement, Pitt said Sunday, "If there's even an iota of false statement in there, people will pay heavily."

And President Bush, who has denounced irresponsible corporate behavior nearly every day since the WorldCom affair came to light, said in a speech in Cleveland: "By far the vast majority ... of corporate America are aboveboard and doing their jobs just the way you'd expect them to do. ... It's also important to know we're going after those who aren't and hold them accountable."

WorldCom's woes got deeper and wider.

—The company, which already has laid off thousands of employees, said it had defaulted on \$4.25 billion in bank loans.

—Shareholders sued WorldCom in federal court in Mississippi, where it is based. The class-action lawsuit said shareholders paid artificially inflated prices for the stock because the company had failed to disclose significant adverse information in its financial reports.

—The General Services Administration, which oversees federal contracts, said it was reviewing all of WorldCom's government contracts. The agency did not elaborate and did not provide the value of the company's contracts.

In its statement to the SEC, WorldCom said its audit committee was reviewing financial records for 1999 through 2001

because questions were raised about significant changes in reserves against potential financial losses.

"No conclusion has been reached regarding these entries," said the statement. It gave a detailed account of the circumstances surrounding the discovery of the questionable accounting disclosed last week, accounting that misrepresented \$3.8 billion in expenses to make earnings appear greater.

Companies use reserve accounts to set aside revenue to be used against predictable future costs, such as unpaid bills or pending lawsuits. Companies have much latitude to reduce or increase those reserves, but they are not supposed to do it simply to make revenues look better.

One WorldCom reserve account that appeared to shrink substantially during 1999 and 2000 was the one it used to cover liabilities it would assume from the many companies it was buying up. WorldCom added \$2.81 billion to that accounting line from 1998 to 2000, its annual filings with the SEC show.

It did not appear from the filings that the company had paid off most of the liabilities. If money had been moved from the reserve account to the company's revenue line, it would make WorldCom's business look much healthier but would likely be a violation of accounting rules, according to Wayne Shaw, an accounting professor at Southern Methodist University in Dallas.

Shaw said such accounts can easily be set up during an acquisition and then be used to quietly — and improperly — cover regular business costs, inflating the company's bottom line. An attempt to use such an account at Xerox Corp., which has been in trouble for its bookkeeping practices, was rejected by the SEC, he noted.

"Today's filing is consistent with our pledge to be forthright and open and to cooperate fully with both internal and external investigations," WorldCom's president and chief executive officer, John Sidgmore, said in a statement.

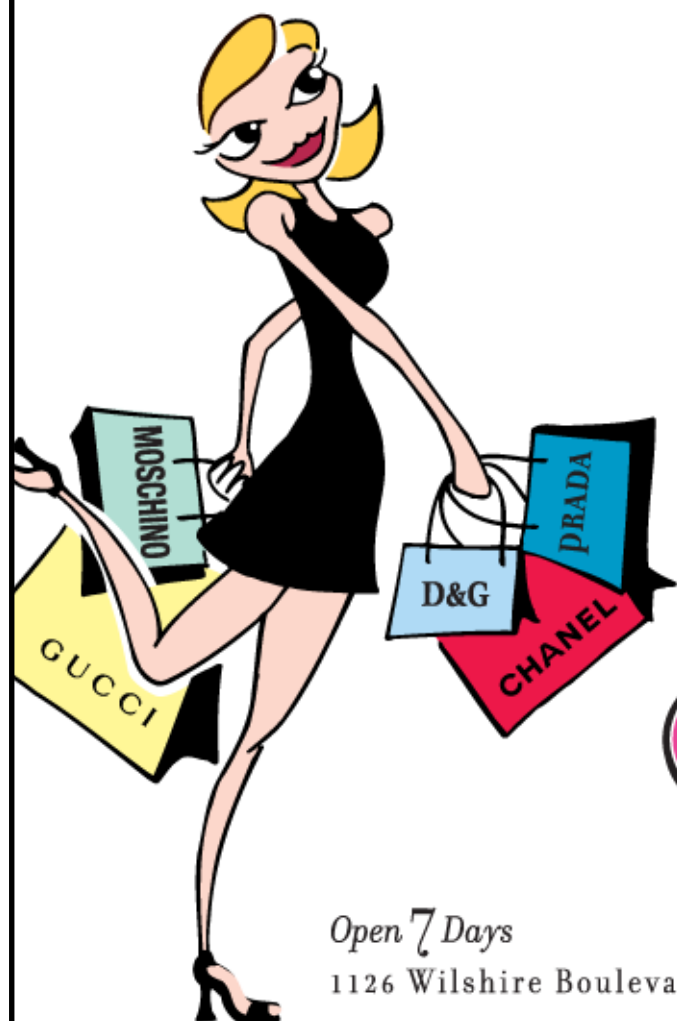
Former CEO Bernard Ebbers, who built WorldCom into a telecom titan and was ousted from the company in April, told members of the congregation Sunday at his church in Mississippi: "I don't know what all is going to happen or what mistakes have been made. ... No one will find me to have knowingly committed fraud."

Ebbers received more than \$400 million in loans from WorldCom. He and Sidgmore have been subpoenaed to testify July 8 at a congressional hearing.

Sidgmore has told the House Financial Services Committee he will appear and answer lawmakers' questions, as has Wall Street analyst Jack Grubman, a promoter of WorldCom stock who also was subpoenaed, a committee spokeswoman said Monday. Ebbers and Scott Sullivan, the company's former chief financial officer, haven't said yet whether they will testify.

WorldCom, second only to AT&T in the long-distance market, grew from a small telephone company into one of the telecom industry's biggest players through more than 60 acquisitions over the past 15 years. Notable was its purchase of MCI Communications in 1998 for \$30 billion.

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NATIONAL



Town's 'armpit' title may be opportunity knocking

BY BRENDAN RILEY
Associated Press Writer

Battle Mountain residents thought they took an unfair hit last year when a national magazine listed their rural northeast Nevada town as the nation's armpit. Now, many hope that story was opportunity knocking.

Reacting to the Washington Post Magazine article, the community is holding a "Festival in the Pit" — with new events such as a deodorant toss replacing the old-fashion egg toss.

"You know, when you talk about armpits, you think it was an awful, horrible thing to be called," says Shar Peterson, executive director of the local Chamber of Commerce. "Armpits are stinky and sweaty. But it doesn't have to be something bad. We can springboard off this."

There were mixed feelings as the festival took shape. Peterson says some wanted more focus on the "armpit" theme while others wanted no references to the magazine article at all.

In the end, the "Festival in the Pit" planning took a middle road, with a mix of events favored by both factions.

For the "any publicity is better than

none" crowd, there's the deodorant toss and the event's name. Miles away, down busy Interstate 80 that runs past Battle Mountain, there's a billboard that says, "Make Battle Mountain your next pit stop."

And for those who don't like the "pit" theme, there are some expected small-Nevada town festival favorites: a concert, a pie contest, Basque dancing, cowboy-shepherd poetry and a Rocky Mountain oyster cookoff. For the uninitiated, those "oysters" are fried sheep testicles.

"This is small-town America, the heart of America," says Peterson, adding that armpits "are just five inches from the heart" — a line borrowed from the sympathetic headline on the humorous article written by Gene Weingarten.

Weingarten was invited to serve as grand marshal of the festival, which starts this weekend and continues on the Fourth of July weekend.

"We haven't heard from him yet," Peterson says. "He asked if we could guarantee his safety. In this day and age, that's probably something to worry about."

Battle Mountain is an old mining town that dates to the 1860s and owes its names to violence. In 1857 a band of Shoshone

Indians attacked either an emigrant party or a road-building crew in a nearby mountain range.

Located in a pancake-flat high desert area 218 miles northeast of Reno — roughly midway between the Nevada-California border to the west and the Nevada-Utah border to the east, Interstate 80 traffic is an economic mainstay for Battle Mountain, along with mining and ranching.

Businesses include a few restaurants and a fast-food joint, five bars, a pharmacy, several motels, beauty parlors, service stations and car washes, a coffee shop, quilting store — and a legal brothel.

In his article, Weingarten said corrugated aluminum and aluminum siding "seem to be the building material of choice." Peterson said there's just as many brick and stucco buildings — although she concedes few structures have a lot of historic or architectural value.

Besides the new festival to give the town a new face, Battle Mountain's tiny business district was tidied up a bit, and barrels of flowers were placed here and there.

The town's effort follows a similar move to make the most of a seemingly bad

situation by the Battle Mountain Bugle's former editor — who lost her newspaper job for agreeing with Weingarten's tongue-in-cheek assessment.

Lorrie Baumann took advantage of her spare time by churning out a murder mystery and then starting a second book.

The town also was encouraged by a state Tourism Commission consultant, Roger Brooks, to incorporate the "armpit" designation into an "America's outback" campaign that would lure more tourists to town.

Brooks suggested replacing, removing or fixing some signs advertising businesses. One that was fixed was the Shell sign that illustrated the Post magazine article — with the letter "S" in "Shell" burned out.

When Weingarten saw "hell" instead of "Shell," he joked that it was a sign from God that Battle Mountain should get the "armpit of America" title.

But he also said the designation might just be the catalyst for some sort of renaissance for the town of nearly 3,000. "All it will take is a little sweat," he quipped.

The Chamber of Commerce ran with the idea.

Smokers steamed as state boosts cigarette taxes

Pack of smokes in New York
City costs more than \$7

BY SARA KUGLER
Associated Press Writer

NEW YORK — New Yorkers already pay \$5 for a cappuccino and have been known to fork over \$12 for a martini. But there was plenty of grumbling from smokers Monday as they began paying more than \$7 for a pack of cigarettes.

"Ten years ago I said I would never pay \$5 for a pack of cigarettes, but if it's something that you want to do, you'll find a way to do it," Rochelle Frederick, 43, said as she lit up a Merit. The pack cost her \$7.50.

It costs so much because New York City has bumped

its per-pack tax from 8 cents to \$1.50. It was a nasty blow to smokers, who were just getting used to a state tax increase of \$1.50 per pack that took effect in May.

New Yorkers now pay double the national average for cigarettes.

"I might have to actually start investigating other avenues to get my fix," said Tony McHugh, 34, as he puffed a Camel and sipped coffee with a pack of smokers during a morning break. "It's going to hurt a lot but it won't cause me to quit."

McHugh, who smokes a pack a day, shook his head when asked how much he spent on cigarettes before the tax hike. With the increase, he will burn more than \$2,500 a year on cigarettes.

"Ay caramba — I told you not to tell me that," McHugh said when he heard the figure.

The tax is expected to generate an additional \$111 million this year for the city, which is trying to close a \$5 bil-

lion budget gap. With a new fiscal year beginning Monday, the city also instituted new fees for cell phones and parking violations, and eliminated glass and plastic from its recycling program.

Other states have bumped their cigarette taxes this year, including: New Jersey (70 cents per pack), Vermont (49 cents) and Illinois (40 cents). A 69-cents-per-pack increase will begin July 15 in Pennsylvania, more than tripling the 31-cent tax.

New Jersey and New York state both levy \$1.50 per pack, the highest cigarette tax in the nation. Washington state is third, at \$1.425.

New York Mayor Michael Bloomberg and others say they hope the higher prices will encourage more smokers to quit. But critics said smokers will simply buy inexpensive cigarettes over the Internet, in nearby states or from American Indian reservations, which are not subject to state and local taxes.



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NATIONAL

Judge reaffirms decision to throw out death penalty

BY DEVLIN BARRETT
Associated Press Writer

NEW YORK — The federal death penalty was declared unconstitutional Monday by a judge who said too many innocent people have been executed before they could be vindicated.

U.S. District Judge Jed Rakoff is the first federal judge to declare the 1994 Death Penalty Act unconstitutional, said Lee Ginsberg, lawyer for one of the defendants whose case led to the decision. Monday's ruling would not affect individual states' death penalty statutes.

"We've learned that with disturbing frequency innocent people have faced execution."

— GERALD SHARGEL
Lawyer

The federal government was expected to appeal the ruling, which came in the case of two alleged drug dealers accused of killing an informant.

"In light of Judge Rakoff's decision, we are considering our appellate options," said Herb Hadaad, a spokesman for U.S. Attorney James Comey.

Rakoff, who warned prosecutors in April that he was considering the move, said in his 28-page ruling that the law violated the due process rights of defendants. Prosecutors argued that the Supreme Court already has concluded that the Constitution's due process safeguards do not guarantee perfect or infallible outcomes.

Rakoff found that the best available evidence indicates that, "on the one hand, innocent people are sentenced to death with materially greater frequency than was previously supposed and that, on the other hand, convincing proof of their innocence often does not emerge until long after their convictions."

He based his findings on a number of studies of state death penalty cases. He said he used those studies because the number of federal death sentences — 31 — was too small to draw any conclusions.

Only two people, Oklahoma City bomber Timothy McVeigh and drug killer Juan Garza, have been executed under the federal law. Of the remaining 29, five were reversed. The government said none of the 31 defendants was later found to be innocent.

Prosecutors had argued that federal death row inmates had greater legal protections than state court defendants, but the judge found the opposite was true because the rules of evidence in federal court are more favorable to law enforcement.

"There is no good reason to believe the federal system will be any more successful at avoiding mistaken impositions of the death penalty than the error-prone state systems already exposed," Rakoff wrote.

One death penalty advocacy group quickly attacked the decision.

"The premises he used were false, therefore his conclusions were false," said Dudley Sharp of Justice For All. "It is astounding that he would make judgments based on those studies ... which have so many errors and inaccuracies in them."

Lawyer Gerald Shargel, who has represented clients in capital trial, hailed Rakoff's ruling as "enormously bold but obviously correct."

"We've learned that with disturbing frequency innocent people have faced execution," Shargel said.

The judge's ruling came during pretrial arguments in the case of Alan Quinones and Diego Rodriguez, alleged partners in a Bronx heroin ring. They are accused of torturing, and killing informant Edwin Santiago on June 27, 1999.

Rakoff had indicated in April that he was considering declaring the federal death penalty unconstitutional and had given prosecutors one last chance to persuade him otherwise before he ruled on a pretrial defense motion to find the statute unconstitutional.

America West pilots arrested for being drunk at take-off

BY ALEX VEIGA
Associated Press Writer

MIAMI — Two America West pilots at the helm of a Phoenix-bound jetliner were ordered to return to the airport terminal moments before takeoff Monday and were arrested for being legally drunk, police said.

The pilots were charged with a felony count of operating an aircraft under the influence and operating a motor vehicle under the influence, police said.

Both have been suspended with pay pending an investigation by the airline, said Patty Nowack, an America West spokeswoman.

Miami-Dade police Detective Juan DelCastillo said security screeners at Miami International Airport first noticed a whiff of alcohol on the men when the pilots tried to bring cups of coffee through the checkpoint.

The screeners alerted police, but by the time officers arrived, the plane had

already left the gate. The airport tower ordered the plane back to the terminal and the pilots were given a cursory sobriety test, DelCastillo said.

The men were then asked to take a breath test and agreed. Both registered blood-alcohol levels above .08, Florida's legal limit for operating machinery, DelCastillo said.

Pilot Thomas Cloyd, 44, had a .091 blood-alcohol level, while Christopher Hughes registered .084, police said.

The pilots couldn't be reached for comment Monday; they were being held by police pending processing. It wasn't immediately clear if they had obtained attorneys.

Cloyd has worked for America West since 1990. Hughes joined the airline in January 1999, Nowack said. Both pilots have good working records, she said.

It was the pilots' first flight of the day, she said.

The Federal Aviation Administration is investigating.

SPORTS



Sister Slam III on track; Henman gets smelling salts

BY HOWARD FENDRICH

AP Tennis Writer

WIMBLEDON, England — Serena Williams rushed to grab her racket bag and was nearly trampled by the grounds crew pulling a tarp across Centre Court as rain finally fell at Wimbledon.

It was the only time either Slammin' Sister was pushed around Monday.

"I almost got ran over, but I survived," Serena said. "I made it to another day."

After a 1-hour, 50-minute rain delay in the second set, the No. 2-seeded Williams wrapped up a 6-3, 6-3 victory over Chanda Rubin to reach the quarterfinals. Older sister Venus, ranked No. 1 and the two-time defending champion, pounded Lisa Raymond 6-1, 6-2.

They are now two victories each from the third all-Williams Grand Slam final in 10 months.

"It's very important not to get overconfident, because everyone wants to beat a Williams right now," Serena said. "We're the top players."

On the fortnight's first wet day, with 35 mph winds and temperatures dropping into the 50s, Tim Henman barely kept up his quest to give Britain its first Wimbledon men's title in 66 years. He needed smelling salts, loud crowd support and all of his opponent's 17 double faults to advance despite an upset stomach.

Down a break in both the fourth and fifth sets, Henman battled past a faltering Michel Kratochvil 7-6 (5), 6-7 (2), 4-6, 6-3, 6-2.

"I can't quite figure out how I won. I was feeling pretty tired," the fourth-seeded Henman said. "I'm just so happy to still be alive."

His potential semifinal opponent, top-seeded Lleyton Hewitt, was superb yet again. The U.S. Open champion made it to the quarters at the All England Club for the first time by beating Mikhail Youzhny 6-3, 6-3, 7-5 for a fourth straight-set victory.

Three of 16 scheduled singles matches didn't finish. Jennifer Capriati split two sets with 38th-ranked Eleni



Dave Caulkin/Associated Press

Serena Williams returns to Chanda Rubin during their Women's Singles, fourth round match on the Centre Court at Wimbledon on Monday.

Daniilidou, and Greg Rusedski — the other British hope — was headed to a fifth set against Xavier Malisse before play was called because of darkness.

The men's quarters set so far: Hewitt vs. No. 18 Sjeng Schalken, Henman vs. Andre Sa of Brazil, and No. 22 Nicolas Lapentti of Ecuador vs. No. 28 David Nalbandian of Argentina.

The women's pairings: Venus Williams vs. Russian qualifier Elena Likhovtseva, Serena Williams vs. No. 11 Daniela Hantuchova, and Monica Seles vs. 2001 runner-up Justine Henin.

No. 9 Amelie Mauresmo stopped the run of 134th-ranked qualifier Laura Granville of Chicago 6-2, 6-2, and will meet the Capriati-Daniilidou winner.

Wearing a sparkling silver tiara, Serena lorded over each point against Rubin. Dictating play from the baseline, Williams had 35 winners to Rubin's eight, but also 19 errors to Rubin's seven.

This wasn't against some also-ran. Rubin can hit quite

hard herself. She once was ranked No. 6, and won a grass-court tuneup in Eastbourne the week before Wimbledon started.

But the French Open champion drove balls deep with a thud of a step and an "Uh!" of a grunt, moving into each stroke so much that she often finished points several feet in from the baseline — and not because she was headed to the net to volley.

Indeed, neither Williams plays classic grass-court tennis, rarely venturing to the net, except to pound a short shot by an overwhelmed opponent. They certainly are effective, though, with power off both wings and speedy serves.

"I'd like to serve and volley more, I suppose, on the grass," Venus said after needing just 47 minutes to dismiss the 16th-seeded Raymond, more noted for doubles play. "But I think my game is at the baseline. That's where I was taught."

She's won 18 straight matches at Wimbledon, last losing in the 1999 quarterfinals to Steffi Graf in three sets.

Asked if the seven-time Wimbledon champ was the best player she ever faced on the surface, Williams said: "I can't say that."

"I didn't consider Steffi a grass-court player. I considered her a champion, sure. She never really came, never served and volleyed. I don't think that was exactly grass-court tennis."

Henman, a classic grass-courter, was repeatedly in serious trouble against Kratochvil. Each time, the 45th-ranked Swiss player buckled.

Kratochvil served for the first set at 5-4, but had three double faults to lose that game and had another in the ensuing tiebreaker.

Rain interrupted with Henman up 4-1 in the third set, and he dropped five straight games after play resumed. Then came the first of five changeover visits by the trainer, three for Henman — who needed smelling salts and leg massages — and two for Kratochvil — who was treated for a cut on his right knee.

Kratochvil went up a break in the fourth set, then gave it right back in the next game with four unforced errors.

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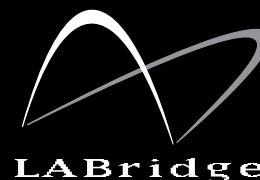
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INTERNATIONAL

U.S. locks down Russian nuclear bomb material

PART II: THREAT REDUCTION

(EDITOR'S NOTE — The biggest challenge in building a nuclear bomb is obtaining the required plutonium or highly enriched uranium, experts say. This second in a three-part series is an update on U.S. efforts to deny Russian "material of concern" to terrorists and unfriendly states.)

BY CHARLES J. HANLEY

AP Special Correspondent

MOSCOW — In islands of secrecy across Russia, American experts and American money are fitting locks and installing cameras, hardening walls, powering up databases, training guards in a vast, costly effort by one old foe to defend the weapons of another.

Before the Americans came to Moscow's Kurchatov Institute, home to 10 tons of bomb uranium, a guard behind a lobby desk simply waved scientists and technicians through. Now the traffic is controlled by "man trap" entrance cages, surveillance video, radiation detectors.

Far to the east, at a former weapons complex beyond the Ural Mountains, hundreds of one-ton concrete blocks are slowly being positioned over open receptacles holding bomb plutonium — more U.S. dollars at work to foil nuclear thieves.

"Threat reduction," a historic U.S.-Russian effort that has ballooned to a \$1 billion-a-year enterprise, is steadily locking down more of this country's "loose nukes," the warheads and bomb material whose security began to loosen in the disarray after the Soviet Union's collapse.

But the new security is far from total. Many doorways to plutonium and highly enriched uranium still lack detectors and cameras. More than half the 600-plus tons of Russian bomb material that isn't inside warheads still lacks even basic security upgrades — improved locks, hardened windows, reliable inventories. And all still depends on imperfect humans.

Behind walls topped with barbed wire, Kurchatov Institute staff detected a critical flaw in the software of their new U.S. accounting system, one that stalled the computer inventory of their uranium for more than a

year. The programming was making batches of bomb material "disappear" from the database list.

Simple human glitches, in the realm of nuclear arms, can lead to catastrophe.

Bomb material has, in fact, been disappearing from the former Soviet nuclear complex, as seen in reported cases in which traffickers have been caught.

The most serious was the attempted theft in 1998 of 41 pounds of nuclear material, including bomb-grade uranium, from a Urals facility by two insiders conspiring with outsiders. It was probably enough to build a weapon. No information has emerged about ultimate buyers.

"They were caught before they got off the property," said Yuri G. Volodin, nonproliferation chief for the Russian nuclear regulatory agency, GAN.

Have serious losses occurred in which the material was not recovered? "This is sensitive information," Volodin replied in an interview in Moscow, "and I am not authorized to discuss such things."

Such things have been high on the discussion list worldwide since Sept. 11, and the talk in Washington and Moscow is of quickening the effort to keep nuclear weapons out of unfriendly hands. The man in charge of the Russian nuclear arsenal, Col. Gen. Igor Valynkin, underlined the threat when he announced that twice last year terrorists — he didn't say who — had been detected reconnoitering Russian weapons storage sites.

From small pilot projects in 1994, the U.S.-Russian security effort has evolved into two dozen major programs operated by the Defense, Energy and State departments and other U.S. agencies. The Energy Department's work alone accounted for some 2,000 U.S. travelers to Russia last year.

The Pentagon helps finance the Russians' dismantling of unneeded warheads, along with computerization, fence-building, alarm systems at warhead storage sites. It is also upgrading Russian nuclear transport with armored railcars and trucks.

The Energy Department deals with the Atomic Energy Ministry's "loose" fissionable material — plutonium and uranium not in weapon form. The Americans finance security upgrades ranging from personal identification systems to the reinforcement of gates and walls at nuclear research institutes, fuel production facilities, naval fuel

storehouses and other sites.

The State Department works, through subsidies and jobs programs, to keep ex-Soviet weapons experts, financially strapped in a changed Russia, from accepting tempting job offers from governments or others with nuclear ambitions.

The U.S.-Russian nuclear partnership, nonexistent a decade ago, now extends even to lighting American homes with a commodity once made to destroy them. Half the low-enriched uranium consumed by U.S. nuclear power plants is a blended-down product of Russian bomb uranium.

Energy Department planners speak of securing all the civilian sites by 2008, or even earlier. But "there are a whole lot of 'ifs'," acknowledged Linton Brooks, the department's deputy chief of nuclear security. One big "if" involves the future of U.S.-Russian relations.

A U.S.-Russian agreement last September cooled some friction over the Americans' demands for access to more sensitive locations. But disagreements persist over a handful of warhead assembly and disassembly sites, noted Yuri E. Fedorov, a Moscow nuclear security expert.

"If you had access to material just released from nuclear weapons, it's possible you'd find out the particular composition. That's sensitive information," said Fedorov, of the Center for Policy Studies in Russia.

Those warhead sites are one gap in the U.S. security plans. Another is represented by almost 200 decommissioned Russian nuclear-powered submarines, docked for years waiting for dismantlement. Everyone concedes the security is erratic for the subs' tons of uranium fuel — both fresh and spent, some of it weapons-usable. But the huge estimated cost of full security, approaching \$1 billion, has largely kept the Americans away.

For all the U.S. accomplishments on "loose nukes," nonproliferation specialists say the effort must be doubled — at least.

An Energy Department advisory task force last year concluded that nuclear leaks from Russia are "the most urgent unmet national security threat to the United States today." It advised a multiple leap in budget for the Russian programs — to up to \$3 billion a year for the Energy Department alone.

At the Group of Eight summit in Canada last week, U.S. allies took one step forward, committing to spending up to \$10 billion over the next 10 years on the security of nuclear, chemical and biological weapons material in Russia. Submarine dismantlement operations will be a special focus.

"We're in a race against time," said Joseph Cirincione, a nonproliferation expert at Washington's Carnegie Endowment for International Peace. "How fast can we secure and dispose of this material before it's diverted?"

Some Russians object that the Western media overstate the threat, that the number of trafficking cases has declined since the mid-1990s as security improvements have taken hold. But the thefts that go undetected or unreported remain a "dark" statistic, especially in a nuclear complex without a reliable, full inventory of bomb material.

"We assess that undetected smuggling has occurred," the U.S. National Intelligence Council said in an analysis in February. "We are concerned about the total amount of material that could have been diverted over the last 10 years."

The next 10 years carry their own risks.

The economics of arms control dictate that Russia soon begin shutting down much of its nuclear weapons-making complex. Despite efforts by Washington and other governments to finance alternative research and jobs, thousands of weapons specialists might be desperate for work by mid-decade. Some might be willing to contract their skills to others.

"People proliferation" is what Alexander A. Pikayev, of the Carnegie Endowment's Moscow office, calls this potential spread of expertise. "That's the biggest concern."

But Russia isn't the only problem, Pikayev said, noting that someone in the U.S. military's science complex is suspected of engineering last year's deadly anthrax letter campaign. Nuclear terrorism could come from within as well.

"This anthrax case demonstrated it's not perfect even in the U.S.," the Russian scholar said. "So far we don't have nuclear terrorism coming from within the security establishment. But one has to be concerned."

Under attack



Charles Rex Arbogast/Associated Press

Mohammad Gul, 28, background, looks over his brother-in-law Wali Khan, 35, shortly after Gul brought Khan to the Mir Wais Hospital in Kandahar, Afghanistan after witnesses said U.S. helicopter gunships and jets attacked a house while a wedding was under way in the village of Kakarak, Afghanistan, in the province of Uruzgan on Monday. Hospital officials said they expect to see wounded arrive throughout the night.

The Dinette Set by Julie Larson



by TERRY & PATTY LABAN



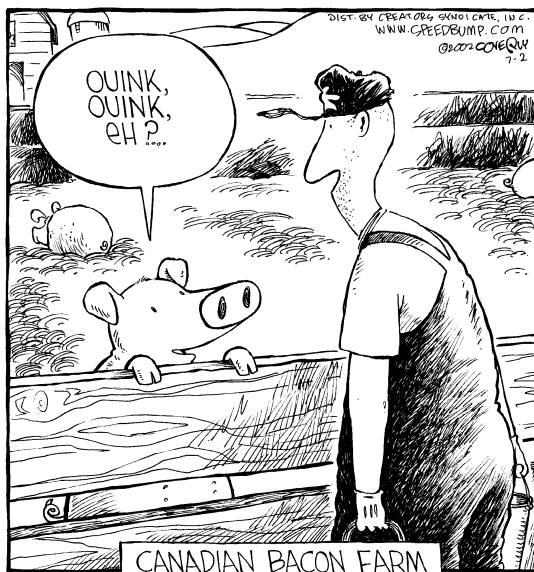
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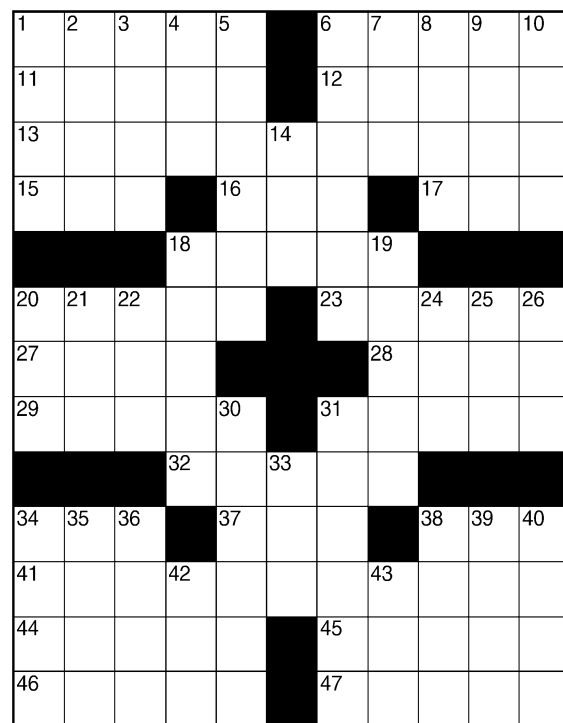
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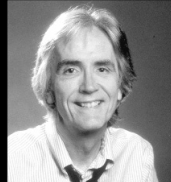
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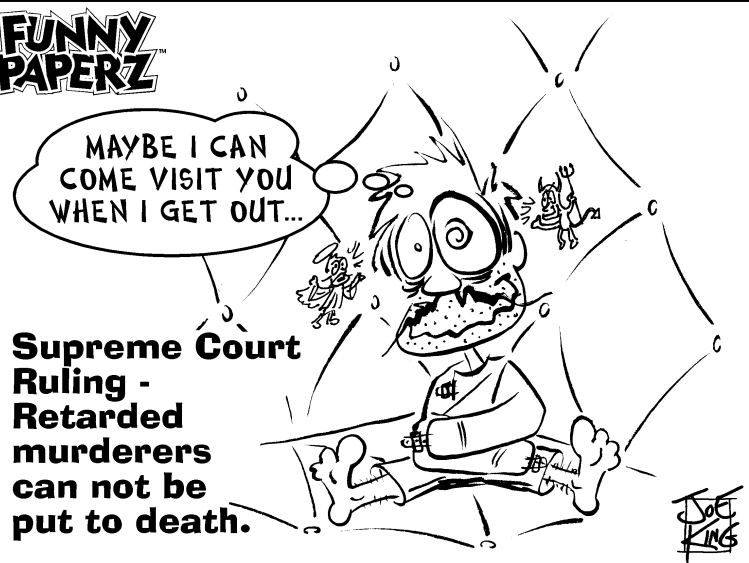


NEWS OF THE WEIRD

by Chuck Shepard

Murder confessions and their excuses

Among recent comments accompanying the confessions of criminals: Jermarr Arnold, in an interview shortly before his January execution in Huntsville, Texas, explaining his record of two murders and two dozen rapes, said: "Sometimes I feel paranoid and threatened, and I (lash) out. I'm not very good with people." And Pattaya, Thailand, police Sgt. Major Charchai Suksiri, 50, explaining why his wife of 25 years was still alive after he fired several shots at her and then several more later the same day in her hospital room: "Luckily, I ran out of bullets before (she could die)." And in April, Darnell C. Smith, moments after being sentenced to life in prison for murder in Minneapolis, told the victim's relatives, "I know I'm a piece of (expletive not reported by the local newspaper). I have been all my life."



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THERAPEUTIC MASSAGE, Swedish, Accupressure, Deep-tissue, Sports Massage, Reflexology. For apt call Tracy at (310)435-0657.

VIBRATIONAL MASSAGE. I've been told this is better than sex. Outcall, non-sexual. \$20 for 30 minutes. Robert, (310)394-1533.

Massage

YOU'VE FOUND the lovely Dessarae. Hear me roar. Full body swedish, sensual massage. In/out call by a beautiful 27/year old. (310)319-1361.

Announcements

GET YOUR message out! For only a buck a day, call (310)458-7737 to run your announcement to over 15,000 interested readers daily.

HAVING A hair moment? Models needed, any service, upscale salon (Santa Monica). Call Q, (323)691-3563.

PRO SE of Neighborhood Project needs volunteers for events that honor our heroes. (310) 899-3888 pro.se@adelphia.net.

VOTE FOR Pro Se Santa Monica City Council! Our Residents, Businesses, Schools must come first!

Services

MEDICAL/DENTAL BENEFITS \$49.99/month for the entire family. (310)281-1920.

Services

ELECTRICAL WORK all types. Reasonable rates. \$35.00 Service Call. 25 years experience.

(310) 722-2644

HOUSE CLEANING - Available 6 a.m. to 2 p.m. Windows, laundry, general house cleaning. References available. Responsible. Reasonable prices. Call Lalo (310) 313-0848.

JAPANESE & Chinese tutoring. Language and culture. Office or home. Phd. \$25/hour. (310) 273-2198, (310)738-4429

QUICK AND Dirty (if the newspaper rubs off on your hands). Market your small business in our services section for a buck a day. Call (310)458-7737.

REMEDIES BY ROTH Carpentry, Handyman Services. Reasonable rates. Contact Michael: (310)829-1316 MSG. (323)610-1217 Cell.

Services

TALENTED, DECORATIVE Painter. Walls, cabinets, furniture, moldings...glazing, antiquing, refinishing and much more! Call for estimate. (310)612-6042.

Computer Services

COMPUTER & Networking Services Home or Office. PC & MAC. Honest & reliable w/ best rates. Includes 30 days Telephone Support & Warranty. 12 years exp. w/ References. Call Skye, Your Local Computer Guru @ 310-395-3939 anytime.

DURING THE day I work in High Technology Management. Everyone in the company relies on me for my computer expertise. I would rather work on my own. Digital Duchess 799-4929.

Lost & Found

LOST CAT Franklin/Broadway on 6/26/02. Large male Tabby grey/black/brown markings. Should have bell/tags. Answers to Carson. Cash reward. (310)795-2919.

Classified Advertising Conditions

DOLLAR-A-DAY NON COMMERCIAL: Ad must run a minimum of 12 consecutive days. Ads over 15 words add 20¢ per word per day. **REGULAR RATE:** \$2.50 a day. Ads over 15 words add 20¢ per word per day. Ad must run a minimum of twelve consecutive days. **PREMIUMS:** First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. **TYPOS:** Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. **DEADLINES:** 4:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 4:00 p.m. **PAYMENT:** All private party ads must be pre-paid. We accept checks, credit cards, and of course cash. **CORRESPONDENCE:** To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310)458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406 or stop in at our office located at 530 Wilshire Blvd, Ste. 200. **OTHER RATES:** For information about the professional services directory or classified display ads, please call our office at (310)458-7737.

WE HAVE THE SPACE IF YOU HAVE THE COMMENTARY. WRITE A LETTER TO THE EDITOR: SACK@SMDP.COM

Calendar

Tuesday, July 2, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
About a Boy (PG-13) 12:00, 2:30, 5:00, 7:30, 10:00. *The Sum of all Fears* (PG-13) 12:45, 3:45, 6:45, 9:45. *The Bourne Identity* (PG-13) 1:15, 4:15, 7:15, 9:30, 10:15, 11:45. *Juwanna Man* (PG-13) 11:30, 2:00, 4:30 7:00.

Mann Criterion
1313 Third St.
Windtalkers (NR) 4:00, 10:10. *Minority Report* (PG-13) 11:30, 12:30, 3:15, 4:15, 7:00, 8:00, 10:30, 11:15. *Divine Secrets of the Ya-Ya Sisterhood* (PG-13) 11:10, 2:00, 4:45, 7:30, 10:15. *Bad Company* (PG-13) 12:40, 7:20. *My Big Fat Greek Wedding* (PG) 11:20, 1:45, 4:30, 7:10, 9:40. *Insomnia* (R) 11:00, 1:50, 4:40, 7:40, 10:40.

AMC Theatre SM 7
1310 3rd Street
Lilo & Stich (PG) 10:40, 12:55, 3:05, 5:25, 7:35, 9:30. *Hey Arnold! The Movie* (PG) 10:30, 12:40, 2:55, 5:00, 7:10. *Mr. Deeds* (PG-13) 10:55, 11:55, 1:45, 2:30, 4:15, 5:15, 7:00, 7:50, 9:50, 10:30. *Star Wars: Episode II - Attack of the Clones* (PG) 10:30, 1:35, 4:40, 7:45, 10:50. *Scooby-Doo* (PG) 11:05, 1:20, 3:35, 5:45, 8:00, 10:15. *Spider-Man* (PG-13) 11:00, 1:40, 4:30, 7:20, 10:40.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
The Fast Runner: Atanarjuat (NR) 11:30, 3:15, 7:30. *Lovely and Amazing* (R) 12:00, 2:15, 4:30, 7:00, 9:30.

Laemmle Monica
1332 2nd St.
Y Tu Mama Tambien (NR) 12:00, 2:35, 5:10, 7:45, 10:15. *The Emperor's New Clothes* (PG) 1:40, 4:20, 7:00, 9:40. *Sunshine State* (PG-13) 12:30, 3:45, 7:00, 10:10. *Pumpkin* (R) 1:35, 4:25, 7:15, 10:05.

Today

Community

The Westside Walkers, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Westside Walkers meet Tuesdays and Thursdays, from 8 a.m. To 10 a.m., at Westside Pavilion, Pico Blvd. Between Overland Ave. and Westwood Blvd. In West LA. For more information about the program, call (800)516-5323.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Classes

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

Los Angeles Arts Academy, Summer Art

Camp in Santa Monica & Westchester. Ages 5 to 13 years old. Lots of fun: art, acting, singing, karaoke, drawing, sculpture, drum circles, field trips & more! June 24 through August 16, M-F 9 a.m. To 3 p.m. (except field trip days). Now enrolling! laarts@earthlink.net.

Arts / Museums

Artist Exhibition: "Scott Sulzer's Diverse Universe" Large scale neo-cubist pastel paintings created by Scott Sulzer from June 27 - July14. Reception for the artist July 2nd from 6p.m. to 8p.m.

Concert : Middle-Eastern instrumental music performed by Malek Vossough from 6p.m.- 7:30p.m. (during art reception)

Performance Art : " The J. Roach Show" performed by actor Jeffery Johnson, written by Adam Einstein. From 8:00p.m.- 8:45p.m. (after art reception)

Music / Entertainment

Joy Jones & The Nappy Godchild Project, 8:30 pm, Niki Crawford, 9:45 pm, The Peak Show, 11:00 pm. Temple Bar, 1026 Wilshire Blvd., (310)393-6611.

The Joint, 8771 W. Pico Blvd., W. LA. One of the most exotic rooms in the local rock-facility pantheon. Pizza. Cover \$10 - \$5. Full bar. Over 21. (310)275-2619.

Rusty's Surf Ranch, 256 Santa Monica Pier. Walls and ceilings are lined with one of the area's largest collections of pre-1970's surfboards. Cover varies. Full bar. All ages. (310)393-7386.

Anastasia's Asylum, 1028 Wilshire Blvd., Santa Monica. Board games, cushiony sofas, a full veggie menu, juices, teas, and coffee that grows hair on your chest. No cover. (310)394-7113.

LUSH 2020 Wilshire Blvd., Santa Monica. Three bars, plenty of booths, sofas, leopard-print carpet and a sunken dance floor. Mexican grill serves dinner after 5 p.m. Full bar. Over 21. Cover \$5 - Free. (310)829-1933.

Wednesday

Community

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

Classes

Los Angeles Arts Academy, Summer Art

Camp in Santa Monica & Westchester. Ages 5 to 13 years old. Lots of fun: art, acting, singing, karaoke, drawing, sculpture, drum circles, field trips & more! June 24 through August 16, M-F 9 a.m. To 3 p.m. (except field trip days). Now enrolling! laarts@earthlink.net.

Music / Entertainment

Poetry N Go Club, 8 pm. UnUrban Coffeehouse. 3301 Pico Blvd., Santa Monica, (310)315-0056.

Cara Rosellini hosts The Gaslite's Comic Review, followed by open-mic comedy karaoke, at The Gaslite, 2030 Wilshire Blvd. 7:30 p.m. FREE! (310)829-2382.

Fishbone. Temple Bar, 1026 Wilshire Blvd., (310)393-6611.

The Joint, 8771 W. Pico Blvd., W. LA. One of the most exotic rooms in the local rock-facility pantheon. Pizza. Cover \$10 - \$5. Full bar. Over 21. (310)275-2619.

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KEEP YOUR DATE STRAIGHT

Promote your event in the Santa Monica Daily Press Calendar section.

Fax all information to our Calendar

Editor: Attention Angela @ **310.576.9913**

Calendar items are printed free of charge as a service to our readers. Please submit your items to todayspaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor. The Daily Press cannot be held responsible for errors.



BACK PAGE

ODDS & ENDS

No such thing as free lunch

By The Associated Press

HACKENSACK, N.J. — There's no such thing as a free lunch. Vincent Strignile found out the hard way.

Eight years of allegedly eating free meals could land him in prison for 10 years if he's convicted of official misconduct charges.

Strignile, 53, a part-time health inspector in Saddle Brook, allegedly ate free meals at more than a dozen restaurants that he was responsible for inspecting.

Ike Gavzy, an assistant county prosecutor, said Strignile allegedly accepted the meals from January 1993 until he was arrested in March 2001.

Authorities began investigating Strignile when a restaurant owner complained that the inspector had refused to pay his bill and conducted inspections that were "cursory at best," Gavzy said. After Strignile was arrested, authorities received several more complaints.

"On many occasions, he would say, 'I'm the health inspector; I don't pay,'" Gavzy said last week.

Strignile, who has worked for the township for more than 15 years and earns about \$7,500 annually, was suspended without pay after his arrest.

Musical chairs proves costly

By The Associated Press

JEFFERSON CITY, Mo. — There's an expensive game of musical chairs being played out in state Senate chambers.

Senators have put on hold a proposal to spend \$148,000

to move their desks back to the traditional configuration that was altered by a \$1.8 million chamber renovation.

The Senate Administration Committee agreed last week that no action should be taken on a resolution passed in the waning moments of the recently completed legislative session directing the state to make the seating changes.

Instead, lawmakers suggested that the issue likely will be debated during the annual veto session this fall.

"Given the state's fiscal situation, it is not prudent to proceed at this time," Senate President Pro Tem Peter Kinder said after the meeting. "It was not procedurally handled in the finest fashion."

The Whizzinator brings a chuckle in court

By The Associated Press

PACIFIC, Wash. — There was no way to maintain order in the court when testimony turned to the Whizzinator, an artificial body part worn in an effort to pass urine drug tests.

Snickering arose Thursday as community corrections officer Nadine Wallace told Judge Stephen L. Rochon about confiscating the contraption, which is designed to be worn as an undergarment and includes a hidden bag for holding drug-free urine.

"Occasionally the court needs a little comic relief, but this is just unbelievable," Rochon said.

Wallace said she also seized illegal drugs and drug paraphernalia June 14 when Jason Smith, 24, was arrested at his home in Auburn.

Smith, who pleaded guilty last year to possession of

drug paraphernalia and driving with a suspended license, was accused of failing to meet probation requirements, including drug treatment and random drug tests.

When he read a promise that the device is reusable, Rochon said, "It just simply grosses the court out."

Smith maintained that the device and drugs belonged to his roommate and were found in the roommate's room. He was ordered to serve about five months in jail.

Grateful Dead concert approved

By The Associated Press

MILWAUKEE — The Grateful Dead will live again.

The Walworth County board voted 5-0 Friday to allow the band to hold a reunion concert Aug. 3-4. It will be the first time band members Mickey Hart, Bill Kreutzmann, Phil Lesh and Bob Weir have played in concert since the 1995 death of Jerry Garcia, the Dead's leader.

The County Highway Committee initially rejected a concert permit fearing it would cause health, safety and police problems by attracting 200,000 people to a venue that can only hold about 35,000.

But the band's promoter, Clear Channel Co., appealed and submitted a new plan with tighter security and emergency procedures. The concert, billed as "Terrapin Station — A Grateful Dead Family Reunion," will be held at the Alpine Valley Music Theatre, about 30 miles from Milwaukee.

Both shows are already sold out and Clear Channel promised to launch a campaign to discourage people who don't have tickets from showing up.

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**What do Shaq and Lenny
Krayzelberg have in common?**

as quoted in USA Today



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