

Santa Monica Daily Press

A newspaper with issues

LOTTO

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44-38-9-13-4

Megamillion: 13
Jackpot: \$19 million

FANTASY 5

29, 35, 39, 24, 13

DAILY 3

Afternoon picks: 3, 3, 9
Evening picks: 4, 4, 7

DAILY DERBY

1st Place: 07, Eureka
2nd Place: 02, Lucky State
3rd Place: 05, California Classic
Race Time: 1:46.76



NEWS OF THE WEIRD

by Chuck Shepard

■ Convicted underwear thief Ronald Ernst (whose record includes 16 previous lewdness-related charges), filed a lawsuit against a police detective and two attorneys for calling too much attention to his case (Fargo, N.D.).

■ Australia's Federal Court rebuffed the Tax Office and ruled that convicted heroin dealer Francesco Dominico La Rosa could reduce his 1995 taxable income to allow for \$224,000 that he said had been stolen from him in a drug deal gone bad.

■ Officials in Berryville, Ark., were perplexed at a wave of finely crafted counterfeit money passed around town but only bills in the seldom-seen denomination (for bogus bills) of \$1.



QUOTE OF THE DAY

"Wise men make proverbs, but fools repeat them."

— Samuel Palmer



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'Beyblade' in the park



Jason Auslander/Daily Press

A group of young Santa Monicans play a game called Beyblade on the sidewalk at Reed Park on Tuesday, while ice cream truck driver Anna Maria Gonzalez looks on. From left to right, the players are Alex Jones, 10, Derek Han, 12, Dennis Han, 9, Noah Addison, 9 and Nestor Gonzalez, 15.

'Aloha Live!' at SM Pier

By Daily Press staff

Traditional Hawaiian sounds will collide with musical genres that include rock and country on the Santa Monica Pier this evening as Willie Kahaiali'i takes the stage in "Aloha Live!" — the second concert of the Twilight Dance Series.

Kahaiali'i, known as "Willie K," will be joined by up-and-coming Hawaiian pop singer Amy Hanaiali'i Gillom, critically-acclaimed guitarist Makana and a team of hula dancers in a free performance sched-

uled to begin at 6 p.m.

Many believe Willie K has single-handedly shaped the future of contemporary Hawaiian music with his ability to play everything from Hawaiian to Hendrix, hard rock to soulful blues.

"He's Gabby Pahinui, Andres Segovia and Eddie Van Halen rolled into one," said a review in the Honolulu Weekly. "Willie can mimic seemingly any style, moving easily between screaming Stratocaster,

See CONCERT, page 6

Shark swims, cameras bite

By Daily Press staff

Lifeguards say it's business as usual despite a leopard shark spotting off of Will Rogers State Beach Tuesday.

The shark was at least 100 feet from shore and no one was injured.

While shark sightings are rare in Southern California, it shouldn't surprise anyone if they see one.

"There are sharks in the water," said Los Angeles County Lifeguard Capt. Garth Canning. "You have more of a chance getting injured driving or walking to the beach."

The sighting got widespread attention, however, because LA television news reporters honed in

on the event.

News choppers descended on the beach Tuesday afternoon after a routine call was made by a police helicopter to LA County lifeguards. Police spotted movement in the water and asked lifeguards to check it out.

News organizations heard the call on police scanners and headed out for the scoop, alerting people to what has been described as an insignificant event.

"We are not doing anything different other than answering a lot of phone calls," said Canning, who added that more people die in California from bee stings than they do from shark attacks.

LA Clippers owner sued by local tenant

Woman says she got sick from mold

BY JOHN WOOD

Daily Press Staff Writer

A Santa Monica woman is suing her landlord, Los Angeles Clippers owner Donald Sterling, claiming he's responsible for her health problems.

Sterling, who owns 498 apartments in 13 complexes in Santa Monica, recently lost a court battle brought by Susan Scanlan, who accused him of negligence.

"He's the total slum landlord," said the former film producer who rents an apartment in a 23-unit building at 1127 11th St.

Sterling is reportedly worth \$500 million. He owns commercial and private properties throughout West LA and Beverly

Hills, as well as the Clippers — one of the worst but most profitable teams in the National Basketball Association.

"He's the total slum landlord."

— SUSAN SCANLAN
Tenant

Scanlan said she was forced to quit her job in show business after becoming infected from extensive mold growth, water intrusion and insect infestation in her three-bedroom Santa Monica apartment.

A team of doctors is treating her for exposure to the mold, which induces difficulty in breathing,

See SUIT, page 5

\$10M awarded to plane crash victims' families

Case enters punitive phase on Monday

By staff and wire reports

A Los Angeles jury has ordered a local charter jet company involved in a March 2001 plane crash in Aspen, Colo. to pay \$10.2 million to families of three people killed in the mishap.

The jury also found enough evidence of wrongdoing that it will begin Monday to consider punitive damages in the case.

After the verdict Wednesday, Superior Court Judge Susan Bryant-Deason sealed the record and ordered attorneys to refrain from comment.

But the jury's decision to consider exemplary damages in the case is significant. It indicates that at least nine of 12 jurors considered the charter company's conduct "loathsome" and "despicable" — far beyond tragic pilot error which the company had argued was at issue in the case.

The Gulfstream was operated

by Avjet and registered to Airborne Charter Inc., which is run by Santa Monica-based Cinergi Pictures Entertainment Inc. founder and producer Andrew G. Vajna.

"There was a reckless disregard for the safety of passengers."

— BRIAN PANISH
Santa Monica attorney

Also named as defendants in the case is the estate of pilot Robert Frisbie, who himself died in the crash.

Burbank-based Avjet Corp. was ordered to pay Lyle and Laurence Witham \$4.25 million each for the death of their daughter, 22-year-old Marissa Witham, a news employee at Fox affiliate KTTV, who used to work at CityTV in

See VERDICT, page 5

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HOROSCOPE

Be playful tonight, Taurus



JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

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

HAPPY BIRTHDAY for Thursday, July 3, 2003:

You have the potential and available resources to create a very special year. Others let you know how appealing you are, whether it is verbally or emotionally. You might wonder which way to go with an unpredictable element in your life that could involve travel or education. Stay focused on the here and now, and you will succeed. You could be unduly serious this year, expecting others to respond just as solemnly. If you are single, during the second part of the year you could meet someone quite unique and special. If you are attached, your relationship will grow through strong communication. Try not to be overly judgmental or difficult. You will have more funds available this summer. VIRGO keys in to you.

♈ ARIES (March 21-April 19)
★★★★ You could be distracted by what goes on this morning, but by the afternoon, you'll feel the need to settle down and get the job done. The unexpected occurs when you least expect it. You might understand something new about yourself that sets you back several paces. Tonight: Go for a new health and exercise program — after this weekend!

♉ TAURUS (April 20-May 20)
★★★★ You come from a steady, secure point of view. Tap in to some creativity and associates' ideas. You come up with quite an unusual combination of fun and work. You get what you want, but in the most unexpected way. Pick and choose your words. Tonight: Be ever playful.

♊ GEMINI (May 21-June 20)
★★★★ Use the a.m. to return calls and messages. Others will be more responsive during this time slot. In the afternoon, you might want to close your door, as disruptions seem to occur far too easily. Use care financially. Tonight: Order in, but remember, tomorrow's the Fourth!

♋ CANCER (June 21-July 22)
★★★★ Juggle your budget and pay your bills. Others might be more responsive this afternoon than in the future. Get on the phone and plead your case if you need to. Find the expert that the occasion demands. This person could really open your eyes. Tonight: Out and about at a favorite spot.

♌ LEO (July 23-Aug. 22)
★★★★ Use the morning well, when your happy-go-lucky style takes you to a new realm. You seem to draw others like honey attracts bees. Unexpected developments occur either financially or with a partner. You might feel like taking some time off. Tonight: Establish your weekend budget.

♍ VIRGO (Aug. 23-Sept. 22)
★★★★ You might start the day slowly, but you will pick up the pace eventually. You find that uproar happens just by being with other people. Emphasize what is positive within a friendship as opposed to what is difficult. Tonight: Accept an invitation.

♏ LIBRA (Sept. 23-Oct. 22)
★★★★ Slow down, knowing what works. You could be a little clearer about what needs to happen. Take a stand where it will make a difference. Investigate new information with care, as not everything is as it seems. Tonight: Know when to call it quits.

♐ SCORPIO (Oct. 23-Nov. 21)
★★★★ Emphasize what is good rather than what might be a problem. Friends and associates rally around a cause, making nearly everything and anything possible. Someone might be denying you important information. Tonight: So what if you get into the weekend spirit a little early?

♑ SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Take charge at work. At first you might think an associate is greasing the wheels of the system for you. Still, don't be taken aback by a surprise or two on the way. Don't try to predict, but rather go with the flow. Tonight: Visit with friends.

♒ CAPRICORN (Dec. 22-Jan. 19)
★★★★ Explore and get more information, if possible. Unexpected developments occur. You might want to consider options as they appear. Listen to the rumor mill, but don't take others' words as 100 percent accurate until you do your own investigating. Tonight: Try something new.

♓ AQUARIUS (Jan. 20-Feb. 18)
★★★★ Build on a relationship rather than causing yourself a problem. You find working together with an associate to be unusually successful. You can both prosper as long as you maintain a stable stance, especially financially. Tonight: Opt for togetherness.

♐ PISCES (Feb. 19-March 20)
★★★★ Do and say what you want, but understand that others have their expectations. You could inadvertently put off someone when you least intend to. Eye the long term; think "success." Creativity needs a solid form of self-expression. Tonight: Say "yes" to a loved one.

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LOCAL



COMMUNITY BRIEFS

Santa Monica Kiwanis Club provides graduation gifts

By Daily Press staff

In addition to their diplomas, several Santa Monica students walked away from their June graduations with scholarships.

More than \$20,000 was distributed to graduates from the Santa Monica-Malibu Unified School District and Santa Monica College as part of the Kiwanis Club of Santa Monica's annual performance and academic scholarship program.

Honorees include Crossroads High's Sarah Dupont, winner of the \$2,500 Robert Zeibarth honoree, Santa Monica High's Iris Marlene de la O, winner of the \$1,500 Ray Carreire scholarship and St. Monica High's Patrick Eck, winner of the \$1,500 Alice Carreire scholarship.

New park rules equal safe enjoyment for all

By Daily Press staff

As June gloom dissipates and summer gets into full swing with a long Fourth of July weekend, the city's parks will be filled with picnics, parties, play, strolling and simply relaxing.

The city has a few new rules to make the parks safer and more enjoyable, as well as a few old rules that bear repeating so park users aren't surprised or disappointed upon arrival.

■ No smoking in parks will protect children and others from the harms of second-hand smoke and prevent litter. Smokers will be asked to put out cigarettes or move to the sidewalk at the perimeter of the parks. Fines are \$250, but voluntary compliance and few violations are expected.

■ Private events, like birthday parties and family picnics, where food is only served to invited guests, do not require a health permit. However, groups serving food to the public must obtain and carry an LA County Health Permit. Call (310) 665-8450 for an application.

■ Events involving 150 people or more in parks require an event permit. If you are expecting 200 people for a company picnic at Clover Park, call the community events office at (310) 458-8573.

■ Barbecuing and cooking at parks is only allowed in city-provided barbecue grills found at Clover, Marine and Virginia Avenue parks (sorry, the Hibachi must be left at home).

■ Flying kites is not allowed in Clover or Marine parks because of their proximity to the Santa Monica Airport.

The complete list of park rules is posted on the city's Web site at http://www.santa-monica.org/ccs/open_space_mtg/index.htm. For information on the community events policy, visit www.santa-monica.org/ccs/events. The staff at (310) 458- 8974 is available to answer any park-use questions all summer.

Workshop will teach how to start a successful business

By Daily Press staff

On Aug. 21, from 5 p.m. to 7 p.m., the Santa Chamber of Commerce will hold an entrepreneur's workshop taught by Bill Crookston, Ph.D. professor of entrepreneurship at USC's Marshall School of Business.

The workshop will go in-depth on what it takes to start or improve a business. It will include how to turn an idea into a business concept, where to find customers and markets, how to take the product or service and turn it into a reality, distribution channels and money issues.

Participants will learn how to overcome these obstacles and create a profitable business so they can leave with the tools to become a successful entrepreneur.

The cost is \$75 for chamber members and \$150 for non-members.



There are some fun sets rolling into Santa Monica. Expect the combo of swells to send us waist-to-chest-high waves, holding through the week.

OUTLOOK: A new SW should hit local shores by Saturday, bringing slightly better waves.

Get stoked on an epic sesh? Get burned by a bad report? Write us at wood@smdp.com and tell us what the surf is doing at your local break.

Today the water is:

69°

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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The Q-Line

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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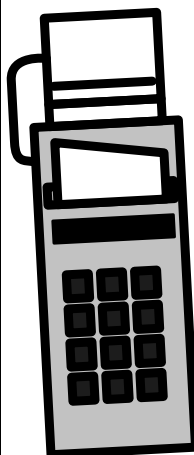
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OPINION

LETTERS

Lion story gets roar of laughter

Editor:

My favorite story of the summer (so far...) has to be John Wood's about the Santa Monica woman who kept a mountain lion in her apartment on 17th Street, "Mountain lion becomes domesticated in suburbs" (SMDP, July 1). I wonder if it reminded anyone else of the Cosby bit from one of his first LP's about how people can act so blasé about things. Just to show them, he went out and bought a rhinoceros and kept it in his living room. Sure enough a friend came over and said: "Oh, I see you have a rhinoceros. (PAUSE) We used to have a rhinoceros."

Huge laughter follows Cosby's routine, and your great front page story, too.

Hank Rosenfeld
Santa Monica

Dennis is the man for planning commission

Editor:

As we are in the midst of an internal political campaign, I would like to recommend that the City Council appoint Dennis Woods to the City of Santa Monica's Planning Commission. He has over 16 years of land use and transportation experience and has great ideas. As an active member of the Borderline Group, Dennis has helped us understand how to work with city staff and public officials in ways that have benefited our neighborhood and other neighborhood groups. Additionally, Dennis has been actively involved in regional planning and transportation issues working to assure the neighbors are informed and able to voice an opinion. He has a long list of achievements directly related to land use issues and is involved in several related professional organizations. Please appoint him to the Planning Commission. He will be a very valuable resource.

Nicole Picard
Santa Monica



*Actual news report!

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The view of Los Angeles through an outsider's eyes



TITTINGER'S TAKE

By Michael J. Tittinger

(Editor's note: Mike Tittinger is on vacation. This column originally ran in December).

Jo ana is a budding artist considering a move to Southern California. She is up for a position in the publicity department at Santa Monica College. Last week, she was in town getting a feel for the area, and, inevitably, searching for its soul. That's what artists do.

Together, we set out to find the soul of Los Angeles over the Thanksgiving holiday weekend.

"I tend to do better in areas that are smaller and taller, than wider and lower," she remarked, taking in the great expanse that is Los Angeles County. We had just driven to a cousin's house for Thanksgiving dinner, a bumper-to-bumper trail of frustration from Santa Monica to Woodland Hills in the San Fernando Valley that somehow took close to an hour and a half to complete.

The previous day began with a jet lag-induced nap, a visit to the art galleries and museum in Bergamont Station on Michigan Avenue and, ultimately, dinner, shopping and people-watching on the Third Street Promenade. Being an artist, the unassuming galleries within Bergamont Station were a natural attraction for Jo ana, who one day intends to operate a self-supporting gallery of her own.

The following day was Thanksgiving,

and a beautiful day. The first time either of us transplanted East Coasters had ever considered taking to the beach on the traditionally chilly holiday. We soaked up the sun, tossed around a football and mused about the lifestyles of the egrets, or herons, we spotted floating around in search of surfacing fish out beyond the breakers.

Soon enough, after a last-minute cheesecake purchase at Fromin's Deli so as not to arrive empty-handed, it was time to eat turkey. Too much tryptophan. Too much talk of tryptophan. Our quest for culture was put on the proverbial back burner. Zzzzzz.

"Los Angeles is like a mass of suburbs in search of a city," commented Rose Larkin of Santa Monica, a regular Emeritus student at SMC and Santa Monica resident of more than 40 years. Larkin's daughter, Enya, had played host to us neophyte Californians.

The following day brought along with it a stop at the J. Paul Getty Museum, a drenched drive along Carroll Avenue near Echo Park to view the community of restored Victorian homes and dinner in Thai Town, where a Taiwanese Elvis impersonator showed L.A. culture was alive and well along Hollywood Boulevard.

In stark contrast, however, stood the Getty Museum — "a feast for the eyes" in my guest's words. With towering display rooms full of European masterpieces, Greek and Roman antiquities, sculptures and manuscripts, Jo ana was beginning to realize that California culture could be multi-hued.

In a city so vast and diverse as Los Angeles, there is room for both the kitsch and the classics.

The whirlwind culture tour had one more day, Saturday, which included the

prerequisite stop at Mann's Chinese Theater, Citywalk at Universal Studios and a stroll along the swanky storefronts of Rodeo Drive.

Ironically, in the end, the tankfuls of fuel and the hours on the freeways were mostly in vain, for the soul of the city was staring us squarely in the face. In order to find the soul of the city, all the two of us had to do was stay home.

With less than 12 hours until her flight was due to depart LAX en route back to Philadelphia, Jo ana took to the walls of my apartment with an artistic flourish, rendering a 6 x 8-foot mural of the earth from a distance in my living room.

The view, as if one were standing on the moon looking skyward, ensures a feeling of distance from the rest of humankind, a separation from the earth — the planet we selfishly deem the center of the universe. Her painting was inspired by the Time Magazine article "A Glimpse of Home" (Aug. 26), wherein former astronaut Kathryn Sullivan, the first woman to walk in space, conveys the overwhelming sense of awe she experienced seeing the earth from afar, the childlike wonder.

"That's why every shuttle crew has to clean noseprints off their spacecraft's windows several times a day," Sullivan writes. "After one 90-minute orbit, you feel, maybe for the first time, like a citizen of a planet."

It is about the realization that we are all neighbors in the big picture, instilling within us a sense of community and a want to protect our sacred home from the man-made threats and self-inflicted erosion of resources. In a sense, the earth floating in the infinite depths of space appears very vulnerable, very precious and very much in need of creative solu-

tions and creative thinkers.

It was there in my apartment that we came closest to discovering the true soul of the city. As we toiled away into the waning hours of Saturday night, Saturday becoming Sunday, there was no time to worry about eating or packing bags or unsubstantive conversation. Jo ana was in the zone, creating, improving the world immediately around her through creative expression and free thought. This is the effect she has on people.

In an area where creative expression and process is referred to simply as "the Industry," it is sometimes easy to forget, amid all the bright lights and superficiality, that the cottage industries that put Southern California on the global map are the result of our need to create. Be it filmmaking, art, literature or entrepreneurial passion, the desire to break free from the traditional bounds of society and create something new, give this world hurtling through space and time something fresh and original, is what sets our home apart in the first place.

The soul of the city is not seen from a guided tour bus, nor hanging on a museum wall, but is inside each of us that put their thoughts or actions down on record in some fashion, those of us who won't relinquish the idea that we all have something profoundly moving and powerful to offer the world.

Dreamcatchers are we. Jo ana, with her sense of urgency to "change the world," has convinced me she is one as well.

I sit writing this column and looking back at my living room wall in turns. The world is there and it is calling.

(Mike Tittinger, a regular columnist who lives in Santa Monica, can be reached at TooRoam@aol.com)

LOCAL



Sterling appeals rent control board decision

SUIT, from page 1

irritated sinuses, chronic fatigue, nosebleeds and other health problems.

Scanlan won a petition with the Rent Control Board last month to reduce the rent on her 1,400-square-foot apartment, which she has lived in since June of 1998, from \$1,106 to \$431 per month.

The bulk of the reductions, \$600, come from the mold contamination. Another \$75 was taken off of her monthly rent for water leakage.

Both parties have appealed the hearing officer's ruling to the rent board, which will hear the case on July 10. The rent decrease will remain effective with the appeal pending.

But Scanlan, who is not currently staying in the apartment, is asking that she not pay rent at all until the repairs are complete.

Sterling thinks the reductions are too severe. In appeal documents filed with the rent board, he questions whether there was actually mold in the unit, whether Scanlan was responsible for the mold and whether the matter should be left entirely to the civil lawsuit that was filed by Scanlan earlier this year.

Douglas Walton, Sterling's in-house attorney who is handling the rent control matter, refused to comment on the case.

Scanlan filed the lawsuit against Sterling in Los Angeles Superior Court. In it, she accuses him of repeatedly denying the problems and then coming up with inadequate temporary fixes.

Patrick Moffett, a mold expert, testified earlier this year that the apartment is marked by high levels of mold. The LA County Health Department and Santa Monica's building and safety department have cited Scanlan's unit for mold infestation and water leakage.

Scanlan said the building's manager, Rose Surkin, denied there was any prob-

lem with the roof of the building and said all repairs had taken place. According to the lawsuit, Surkin attributed a dark patch on a bathroom skylight to soot from automobiles on nearby Wilshire Boulevard and assured Scanlan it would wash off in the next rainstorm.

"We deny her allegations entirely."

— GREG GARBACZ
Sterling's attorney

When the soot appeared to grow and Scanlan went to investigate, the dark spots were discovered to be mold growing on the inside of the skylight, which came off in sheets, according to the lawsuit.

The civil case, which accuses Scanlan of negligence and fraud, is scheduled for a January trial after lawyers have had a chance to gather evidence, said Steven Glickman, Scanlan's lawyer.

Sterling did not return calls from the Daily Press.

"We deny her allegations entirely," said Greg Garbacz, Sterling's attorney on the civil suit. "Other than that I can't comment."

It is unknown how much money Scanlan is seeking in the lawsuit. She is asking for reimbursement for medical, apartment repair and attorney expenses, as well as punitive damages and compensation for missed work, according to the lawsuit.

Scanlan said Sterling hasn't invested in her building since she's lived there.

It's widely known that not a lot of investment has gone into the Clippers either. It's a team that profits by spending far less in salaries than the league's average while capitalizing on the massive, sports-hungry L.A. market.

Jury to deliberate on punitive damages in plane crash case

VERDICT, from page 1

Santa Monica.

The company must also pay \$1.7 million to Aurora Garcia, whose grandsons Jose and Joseph Aguilar were also killed in the crash.

Santa Monica attorneys Brian Panish and Kevin Boyle, who represent the plaintiffs, had asked for almost twice the \$10.2 million award in closing arguments. But Marty Rose of Dallas, representing Avjet, had pegged \$2 million as a responsible award.

The crash of the Gulfstream III in swirling snow at 7 p.m. killed all 18 on board. Evidence in the case showed that pilots Frisbie and Peter Kowalczyk intermittently had the runway in sight at the challenging, 7,800-foot-high airport. But tapes also captured one of them later asking "where's it at?" in the snow.

The pair apparently decided at the last minute to power up the jet and initiate a missed approach procedure — one used by two planes that had tried to land there immediately before the Gulfstream. But the plane's left wing clipped the ground at 177 miles per hour and the aircraft exploded in a fireball.

"There was a reckless disregard for the safety of passengers," Panish argued to

the jury.

Rose said a cockpit voice recorder showed the flight crew discussed a curfew for landing at the airport after sunset and determined they had enough time, although they left LAX 26 minutes later than their manual suggested. The curfew protects nearby residents from noise, although the airport stays open until 11 p.m.

Even in clear weather, the airport is one of the nation's most challenging for pilots because of its mountainous setting and the steep descent required to land.

During the trial, Panish suggested that jurors award the Withams \$3,500 apiece for each day of their remaining life expectancy. He pointed out that one of the expert witnesses called by Avjet charged \$3,500 per day for testifying. Boyle suggested a \$5 million award for Aurora Garcia, to whom the translation of the proceedings were whispered as she sat in the courtroom.

The plane was carrying 15 passengers and three crew members to a birthday party and a weekend of skiing and snowboarding when it crashed.

Avjet, which leases private jets to celebrities, dignitaries and corporate clients, had settled cases with the some of the other crash victims' survivors.

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LOCAL STATE

CALIFORNIA BRIEFS

LA Council ready for fresh start

By The Associated Press

LOS ANGELES — There are new faces and high hopes on the City Council this week. Four new members were sworn in Tuesday, and Councilman Alex Padilla was unanimously re-elected to serve another two-year term as council president.

"The feeling of teamwork is palpable in the air today," Padilla said after the voice vote. The new council is the first one completely remade by term limits. The four members who left Monday took with them a combination of 60 years of experience.

Still, Tony Cardenas, Martin Ludlow, Greig Smith and Antonio Villaraigosa are far from novices.

Cardenas and Villaraigosa both served in the Assembly. Smith worked under former Councilman Hal Bernson for 24 years, and Ludlow was a top aide to both Villaraigosa and Assembly Speaker Herb Wesson, D-Culver City.

Councilman Bernard C. Parks, who was sworn in right after his March election, is a former police chief.

Western University sues former manager

By The Associated Press

POMONA — Western University is suing a former manager who has raised concerns about the financial practices of top school executives.

Christopher Oberg, the former executive vice president of finance and business, is accused of conspiring with another manager to intentionally defame the school's reputation and take over the university's management.

Oberg was added Tuesday to a civil lawsuit filed in May. The suit also names the former director of human resources, Sinclair Hugh.

Irvine attorney Russ Thomas, who represents Oberg and Hugh, said Monday that Western's suing of Oberg was an attempt to intimidate. "This is yet another example of the university simply harassing anyone who questions its operation," Thomas said.

Oberg complained in 2001 to Western's Board of Trustees about improper financial practices.

He said top university executives, including President Philip Pumerantz, approved hundreds of thousands of dollars in salary advances, zero-interest loans and additional benefits for themselves.

Oberg was laid off in January.

Hugh, who complained about improper financial practices to the state attorney general and the Internal Revenue Service, was fired in May.

Both are suing the university. Western officials said the firings were part of a reorganization of the university's management structure.

Amnesty program brings \$5 million to city

By The Associated Press

LOS ANGELES — A six-month amnesty program aimed at collecting overdue business taxes has brought in an estimated \$5 million to the city.

The revenue boost was \$2 million more than anticipated, officials said Tuesday. The program follows a state law that gave the city access to state Franchise Tax Board records.

The city sent out notices to 151,000 firms in January informing them of business tax laws and giving them until June 30 to pay back taxes without having to pay any additional penalties.

The tax generates about \$360 million a year, making it the city's fifth-largest source of revenue. City officials have estimated they lose as much as \$60 million a year in unpaid business taxes.

Pam Mooney, assistant director of the Office of Finance, said the program probably wouldn't be offered every year, because then people would always wait to pay their taxes.

Hawaiian legend to play

CONCERT, from page 1

sweet slack key and jazzy almost baroque, acoustic 12-string."

Willie K grew up in a musical family and played in eight different high school bands before leaving Maui to launch his musical career in San Francisco.

Since then, he has released five albums and won multiple Na Hoku Hanohano Awards (considered the Hawaiian Grammys). He also started his own recording company, Round Island Records, before teaming up with Gilliom. He has produced three albums with Gilliom, earning two more Na Hoku Hanohano Awards for producer of the year.

Gilliom has won Album of the Year, Female Vocalist, Song of the Year, and Hawaiian Album of the Year awards since collaborating with Willie K. She is the

granddaughter of Jennie Napua Wood, one of the original Royal Hawaiian Girls who defined America's perception of Hawaiian music and dance at the peak of its popularity.

Gilliom and Willie K's special guest in tonight's performance, Makana, also has an illustrious resume complete with a "Best World Music Album" award at the 2000 Hawaii Music Awards. His first album, Makana, was voted "Best CD" by readers of Honolulu Weekly.

Makana is widely considered to be a master of the Hawaiian "slacked key" — the ability to simultaneously play rhythm and melody using intricate right hand techniques.

Because parking for tonight's show will be limited, pier officials strongly recommend those who attend to walk, ride bikes or use mass transit to get to the concert.



WORLD BRIEFLY

Afghan soldiers try to flush out Taliban

By The Associated Press

KANDAHAR, Afghanistan — Afghan government soldiers were trying to flush out Taliban fighters believed to be regrouping in remote mountain peaks near the Pakistan border, army commander Mungal Khan said Wednesday.

A week of sporadic and at times intense fighting in Barai Ghar mountains, in the southeast corner of Zabul province, has left one soldier and a Taliban commander dead, he said.

Khan estimated that as many as 100 Taliban fighters were hiding in the mountains, considered a stronghold of the former Taliban regime, ousted by the U.S.-led coalition in 2001.

There have been dozens of attacks by suspected Taliban fighters in eastern and southern Afghanistan, where Afghanistan's majority Pashtun ethnic group dominates. Most Taliban were Pashtuns.

"We have laid siege to the area to try to arrest the Taliban," Khan said. Both sides have been using heavy machine guns and rockets in the fighting.

Corsica: A place of beauty and trouble

By The Associated Press

PARIS — For vacationers, Corsica is a sunny paradise best described by its nickname: the Island of Beauty. But behind the craggy peaks and Mediterranean beaches, Corsica is a troubled place.

Bombs explode regularly as separatists continue a battle they have waged since the mid-1970s for greater autonomy from France. On Sunday, a historic referendum in Corsica aims to give the restive island just that.

Hoping to end years of low-level violence, the French government has proposed a plan to change the way Corsica is run by giving local officials a greater role in managing it.

It is the first Corsica-specific referendum and a landmark vote for the highly centralized government of France, where devolving power to the regions has long

been a controversial issue.

Some 190,000 Corsican voters will be asked to vote "yes" or "no" in Sunday's referendum, which is aimed at streamlining Corsica's political institutions and setting up a single executive council to run the island's affairs. The new body would have the power to levy taxes and have greater control over public services currently handled from Paris.

Plant employee kills three co-workers

By The Associated Press

JEFFERSON CITY, Mo. — An employee shot and killed three co-workers and wounded four others at a manufacturing plant on the capital city's outskirts, then drove downtown and killed himself during an exchange of gunfire with an officer near police headquarters, authorities said.

Two employees of Modine Manufacturing Co. died at the plant late Tuesday night; a third died later at a hospital, authorities said.

"He came in (the plant) and began firing," Capt. Jim Johnsen said. He said four others were wounded.

The injured were taken to hospitals in Jefferson City and Columbia, about 30 miles north; their conditions were not immediately available. Police Chief Roger Schroeder said victims were found throughout the building.

"We've got multiple crime scenes, large scenes, ... and it's going to take a while to sort out," Schroeder said.

The man was the only suspect in the plant shootings, Schroeder said.

"We're in the early stages of what is going to be a very complex situation," Schroeder said.

High Court sides with First Amendment

By The Associated Press

WASHINGTON — The Supreme Court is usually sympathetic to free-speech challenges, but not this year.

Justices sided with the government in every First Amendment case it ruled on during the nine-month term that ended last week, upholding laws and policies

intended to protect the public from dishonest telemarketers, cross-burners, pornographers, and drug dealers in public housing.

Among those scoring victories was The Walt Disney Co., in a court ruling that upheld longer copyrights for cartoon characters like Mickey Mouse, as well as songs, books and other creations worth billions of dollars.

Keeping people from using old ideas by enforcing long copyrights unconstitutionally limits people's access to free expression, critics said.

And what could have been a big free speech success at the high court fizzled. On their final day on the bench, justices dismissed an appeal from shoemaker Nike Inc., that had given the court a chance to give broader protection to commercial speech. The court refused to decide whether Nike's claim that its ads and statements defaming overseas labor practices were constitutionally protected free speech — not false advertising as a California activist alleged. The issue could return to the court.

"It's not a disastrous First Amendment year, but certainly one that gives no cheer to First Amendment advocates," said New York attorney Floyd Abrams, a free-speech expert.

Bush to promote freedom on trip to Africa

By The Associated Press

WASHINGTON — Of the first 42 American presidents, Jimmy Carter and Bill Clinton are the only ones to make extended visits to Africa.

On Monday, it will be George W. Bush's turn.

The president is going to five countries next week — Senegal, South Africa, Botswana, Nigeria and Uganda — on a journey in which he will emphasize the positive he sees on a continent laden with the negative: chronic underdevelopment, misrule, health crises and a penchant for destructive conflict.

Four of the five — Senegal, South Africa, Botswana and Nigeria — have established stable democracies. Uganda has perhaps the best record in Africa for reducing the HIV/AIDS infection rate.

"We believe that this can be a decade of unprecedented advancement for freedom and hope and healing and peace across the African continent," Bush said in a speech last week.

"On the path to freedom, and with the friendship of the United States and other nations, Africa will rise, and Africa will prosper," he said.



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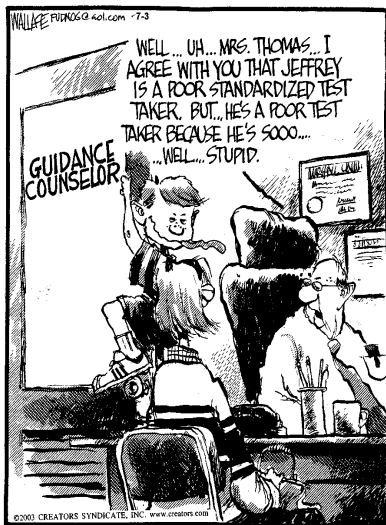
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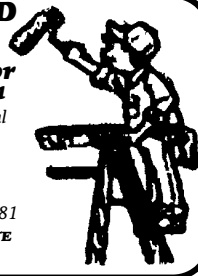
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BACK PAGE

'American Idol' runner-up reckless with watercraft

By The Associated Press

■ **ARLINGTON, Texas** — Justin Guarini was ticked off by Grand Prairie police after witnesses said he almost ran over a young girl with a personal watercraft at Joe Pool Lake, the Fort Worth Star-Telegram reported.

Guarini, 24, was the runner-up on Fox's "American Idol" last year. He was with winner Kelly Clarkson — his co-star in the new film "From Justin to Kelly" — and about five friends at the lake Saturday, when the incident allegedly occurred.

Publicists representing Guarini and Clarkson couldn't be reached for comment Tuesday by The Associated Press.

The citation was issued at Loyd Park on the lake's west side about 7 p.m. Saturday, said Sgt. Chris Chopin, lake patrol supervisor. He said Guarini and Clarkson "didn't understand what the laws were."

Clint Heizer said Guarini ran the watercraft up on shore, stopping a few feet short of his 5-year-old daughter, Allison.

"I was in Justin's face talking to him about what he had just done, and that's when I realized who he was," Heizer, a city marshal in North Richland Hills, told the newspaper in Tuesday's editions.

Guarini rolled off the moving watercraft before it stopped and ran away laughing, Heizer said.

If convicted of unsafe boat operation, Guarini faces a fine of up to \$2,000 and a maximum 180 days in jail, according to a Texas Parks and Wildlife Department Web site.

■ **TOKYO** — Arnold Schwarzenegger, in Japan to promote the latest "Terminator" movie, played another increasingly familiar role Wednesday — Mr. Coy.

Appearing before Japanese reporters to discuss "Terminator 3: Rise of the Machines," the Austrian-born action hero wouldn't comment on whether he plans to run for governor of California.

When asked of his political ambitions in an interview

with one major TV network, he said the time wasn't right to comment. He also had no comment later in the day at a news conference packed with several hundred reporters and photographers.

Schwarzenegger, 55, has indicated he may run for governor as a Republican if Californians vote to recall Gov. Gray Davis. But his advisers have said he won't formally announce his decision until it becomes clear the recall will qualify for the ballot.

Schwarzenegger, on his way to Iraq, where he will screen "T3" to U.S. troops on the Fourth of July, planned to spend only 36 hours in Japan.

While saying he is only interested in promoting his movie, Schwarzenegger has done little to calm the storm of speculation over his intentions to seek political office.

At a recent taping of "The Tonight Show with Jay Leno," the late-night talk-show host introduced him to the television audience as "the next governor from the great state of California."

■ **ROME** — The Venice Film Festival will honor Katharine Hepburn by showing a restored copy of 1955's "Summertime," organizers said Wednesday.

In the film, directed by David Lean and set in the lagoon city, Hepburn plays a lonely American woman who falls in love with an Italian, played by Rossano Brazzi.

It earned the actress, who died Sunday at 96, her sixth Oscar nomination. Lean was also nominated for best director.

This year's edition of the Venice Film Festival runs Aug. 27-Sept. 6. Organizers said they haven't decided yet on what day "Summertime" would be shown.

During a career that spanned 60 years, Hepburn received 12 Oscar nominations and won four times — a record for an actor or actress.

■ **NEW YORK** — Brandy is confirming reports that she's split from her husband, Robert Smith, the father of her 1-year-old daughter.

A statement released Tuesday by her record company, Atlantic Records, said: "Brandy and her husband are splitting. They will remain friends and raise their daughter jointly."

The 24-year-old singer-actress announced in February 2002 that she had been secretly wed to Smith, a music producer, for several months. Four months later, she gave birth to her first child, daughter Sy'rai. MTV documented the preparations for the birth with the reality series "Brandy-Special Delivery."

A former teen pop princess, Brandy also starred in her own sitcom, "Moesha," from 1996 to 2001. Her latest album, "Full Moon," was released last year.

■ **COPENHAGEN, Denmark** — The Golden Palm may wave in France, but Danish film lovers will extend their wings and bestow Golden Swans as Copenhagen readies its first-ever international film festival.

The award is a nod to Denmark's most famous son, fairy tale writer Hans Christian Andersen, who wrote "The Ugly Duckling," which tells of an ugly baby bird that grew into a graceful swan.

The Copenhagen International Film Festival will be held Aug. 13-20, organizers said Tuesday. It will feature 14 European-made films competing for Golden Swan statues.

The festival's three-member jury will be led by Greek filmmaker Theo Angelopoulos, who called for a boycott of U.S. movies in March as a way to protest the war in Iraq. Other members include Danish director Bille August and Jan Troell from Sweden.

Golden Swans will be awarded for best film, director, actress and actor, script and cinematography. The festival also plans to unveil a lifetime achievement award and other honorary awards.

The films to be shown in competition come from Britain, Norway, Spain, Hungary, France, the Netherlands, Italy, Ireland and Denmark.

The \$1.4 million festival is sponsored by the Danish government and private groups.

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For further information regarding the survivor's reception and lap, contact survivor chairperson Judy La Patka at (310) 579-7100 or judylapatka@aol.com Tracey Mayer at the American Cancer Society (310) 348-0356 option 3/ext. 246 or tracey.mayer@cancer.org.

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