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2nd: 03 Hot Shot
3rd: 04 Big Ben

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NEWS OF THE WEIRD

BY CHUCK SHEPARD

■ (1) Police Sgt. Randall C. Hoover of Muhlenberg Township, Pa., filed a federal lawsuit in April accusing the police department and the police union of civil rights violations because members allegedly teased him for his pituitary-gland tumor that caused him to grow lactating breasts. (2) Nurse Jackie Tvedt held on to her state license even though she was fired in January from a nursing home in Newton, Iowa, for allegedly providing a reduced level of care to those patients whom God had told her that He would take care of.

■ In May, the principal of Lincoln Multicultural Middle School in Washington, D.C., already under investigation for some missing school student activities money, was fired after trying to sell two school buses to someone in Panama. And in May, C&F Construction Inc., which had been suspended from D.C. government contracts earlier this year because its president had been convicted of defrauding the government on road-paving materials, was abruptly reinstated and in May awarded a \$3.1 million road repair contract.

QUOTE OF THE DAY

"I have to say that Macintosh computers really bite the big one. They are awful. I can't begin to describe how bad they are."

— RUSSEL BEATTIE
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John Wood/Daily Press

(Left) The Mayfair Theatre on Santa Monica Boulevard has stood vacant for years. Officials said its owner is making meaningful progress on a development agreement that likely would preserve the historic facade. (Right) A workman installs picture braces on a wall at Cafe Crepe on the Promenade. The eatery is one of more than a dozen new businesses opening downtown this summer.

Downtown change in store

Progress is made on historic Mayfair Theatre, Crocker Bank clock tower

BY JOHN WOOD

Daily Press Staff Writer

DOWNTOWN — An ongoing battle between business owners and City Hall over how to regulate business here apparently hasn't dampened market forces.

More than a dozen new retail outlets, restaurants and other merchants are expected to open locations in downtown Santa Monica this summer, which officials hope will fuel the Third Street Promenade and its more dormant side streets with new life.

Meanwhile, progress reportedly has been made on two historic downtown properties that

have stood vacant for years.

Owners of the Crocker Bank Building on Santa Monica Boulevard are considering turning their high-rise tower into a boutique hotel, with a restaurant on the ground level, officials said. The signature clock tower building recently underwent an extensive makeover and had been slated for office space.

In a separate development, local property owner Carl Schober was said to be exploring an agreement that likely would preserve the facade of the old Mayfair Theatre, also on Santa Monica Boulevard. Any further progress is expected to follow completion of a mixed-use development on Fourth Street that is also owned by Schober.

Rob York, a business consultant who regular-

See DOWNTOWN, page 6

Matrix delivers \$70K planning audit results

Elected leaders expected to act this week

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — The results of a \$70,250 audit of the planning department arrived recently, presenting top officials at City Hall with few shocks, but lots of decisions.

Members of the City Council and Planning Commission will meet Tuesday to discuss the recommendations, which include overhauling the

See AUDIT, page 6

The \$38 Question: Ticket dispute goes federal

BY TODD SMILOVITZ

Special to the Daily Press

If Michael Schaefer's mom ever told him not to make a federal case out of everything, the Santa Monica City Attorney's Office probably wishes he had listened more closely.

That's because City Hall is fighting Schaefer in federal court over a \$38 parking ticket. The dispute takes up time that Deputy City Attorney Jeanette Schachtner says could be better spent on legitimate cases instead of being frit-

tered away on a frivolous one.

"I think all of the time this man has spent over a \$38 parking ticket is outrageous," Schachtner said, adding that about five meritless cases like Schaefer's must be dealt with every year.

When Schaefer received the parking ticket last August for parking illegally in the Ocean Park Library parking lot, he sued City Hall.

He only received the ticket because there weren't any signs to indicate where parking wasn't per-

mitted, Schaefer said.

He argues that it's a violation of notice requirements not only under the California Vehicle Code, but also under the 14th Amendment of the U.S. Constitution as a deprivation of property without due process of law.

"It tramples on the rights of all the citizens that they would spend tons of money to try to prove that they don't have any obligation to tell people what they ought to do or not to do," Schaefer said.

After failing to convince an administrative officer and a Santa Monica Superior Court judge that the ticket was wrongfully issued, he recently brought the matter before the United States District Court for the Central District of California.

The parking lot in question is self-contained, small and rectangular. Along one length is a row of metered parking spaces separated from each other with painted white lines. Along the other side is

See TICKET, page 5

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Scorpio, talk over dinner

JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:

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





ARIES (March 21-April 19)
★★★★★ Tell it like it is. Make calls and complete your work. You and good news intertwine; still, don't take a money matter at face value. Surprises happen when you least expect them. Learn to flex with transforming situations. Tonight: Out and about.



TAURUS (April 20-May 20)
★★★★ Use the morning to charge your efforts into key projects, even if they don't involve work. You still have that extra charm that encourages others to say "yes." Deal with finances in the afternoon, when your energy is high. Tonight: Your treat.



GEMINI (May 21-June 20)
★★★★★ You are the tortoise this morning, moving slowly but with certainty toward what you want. By the afternoon you are personality plus. Your smile proves to be a real winner. Others seem to conform to your desires. Push a heartfelt project ahead. Everyone wants to hear from you. Tonight: Out.



CANCER (June 21-July 22)
★★★ After the morning, you might be happiest returning behind the scenes and accomplishing your work. You also might need some time to weigh the pros and cons of a situation. Close your door. Find experts. Do your research. Tonight: Vanish home.



LEO (July 23-Aug. 22)
★★★★ Delegate work this morning and get as much done as possible. A meeting might be pivotal as well. Work with others by being part of a team. You know the right way to proceed. Help others see the logic of your ways. Tonight: Just don't be alone.



VIRGO (Aug. 23-Sept. 22)
★★★★ Take an overview when confronted with a lot of information. Your vision of what you want to happen can become a reality if you are willing to work and put in extra hours. Taking such a strong point of view demonstrates your commitment. Tonight: Burn the midnight oil.



LIBRA (Sept. 23-Oct. 22)
★★★★★ Deal with a key associate first. You might not like all you see, but you'll accomplish a lot as a result of spending time with this person. Let your mind wander in the afternoon. Seek unusual answers and solutions. Tonight: Answer e-mail or make a phone call to someone at a distance.



SCORPIO (Oct. 23-Nov. 21)
★★★★ Others hold the cards. You might as well allow them to play out their hand rather than attempt to change their minds. Spend the afternoon with an associate who really cares about the outcome of one of your key projects. Tonight: Talk over dinner.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Don't stay too entrenched in your work, because a lot is going around you this afternoon. In fact, you might like networking and socializing more. A meeting could become a bit wayward and social. Tonight: Around the crowd.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ Your imagination might be focused more on the weekend than on work. Harness your imagination, and you could be thrilled by what you accomplish. In fact, that extra touch of creativity separates your work from that of others. Tonight: Run errands on the way home.



AQUARIUS (Jan. 20-Feb. 18)
★★★★ Take your time getting going this morning, because once you do, you will be close to unstoppable. Plug your unique Aquarian ingenuity into whatever you decide to do. You'll leave your mark on whatever you touch. Tonight: So what if it is Monday?



PISCES (Feb. 19-March 20)
★★★★ Get an early start on calls, and clear out what you must. You cannot and should not be all about work. Let the conversation wander. Your delightful way with people makes a difference. Get work done in the afternoon. Close your door if you must. Tonight: Head on home.

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
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LOCAL



COMMUNITY BRIEFS

Major league ponies up for local baseball

By Daily Press staff

With an assist from Cincinnati Reds baseball player Ken Griffey Jr., the Santa Monica Pony League at Los Amigos Park is getting its largest ever contribution — \$1,000 courtesy of film star Tony Todd, who played for Santa Monica Pony League as a youth.

Todd will be playing in the celebrity/hall of famer softball game as part of the All-Star Weekend Celebration in Houston, Texas. Major League Baseball donates \$1,000 to the charity of choice for each participant and for Todd, the choice was easy.

"I played in the Santa Monica Pony League when it was right over there," Todd said, gesturing through the window of The Slice pizza parlor toward the ballfield at John Adams Middle School. "Now, any chance I get to give something back to the league to help the kids, I'm happy to do it."

Todd, who is billed as Antonio Todd in his film credits, is best known for his portrayal of Mickey Scales, the fictional, light-hitting Minnesota Twins outfielder who hits the big home run against the Seattle Mariners in the popular baseball film "Little Big League." While in Minnesota filming LBL, Todd became close friends with Griffey, then with the Mariners.

This season, Major League Baseball asked Griffey — who recently belted his 500th career home run — to take part in its Home Run Derby as part of the All Star celebration. Griffey was reluctant, but made an offer to league officials: He'd hit in the derby if they asked Todd to play in the celebrity/hall of fame game. Todd had played twice before, but as the league rotated its celebrities, he wasn't invited this year. The league agreed, Griffey agreed and Tony agreed with SMPL the big beneficiary.

"It's guys like Tony who helped make a name for this league when they played," said Jaime Gutierrez, senior vice president of the league and a former Santa Monica High School teammate who is still a close friend of Todd's. "Now that he's become successful as an actor, it's great that he is still looking out for the kids of Santa Monica."

The money is used to buy gear, equipment, insurance and other expenses needed to keep the league going, Gutierrez said.

Part of Todd's success is a result of his ball playing. After playing baseball at SMPL and Samohi, Todd earned a scholarship to the University of New Mexico. After college, Todd returned to Santa Monica to live. One afternoon he came across a crowd at Marine Park and was told there was going to be a tryout for a baseball movie. He raced home to get his gear, auditioned and beat out 250 other actors for the part of Mickey Scales. Since then Todd has appeared in such films as "The Scout" with Albert Brooks and "Higher Learning" with Omar Epps. He has appeared in television programs ranging from "American Dreams" to "Arless" to "Beverly Hills 90210."

"I have so many great memories from Santa Monica Pony League, and I still have some great friends that I met playing ball," Todd said. "I learned a lot about working hard and being a good team player there, and it is my pleasure to stay involved with the league."



Tony Todd



SURF REPORT

On Monday look for a mix of fading SW swell and holding NW wind swell. Look for the better-exposed SW breaks of Northern LA County to see ankle-waist high waves. Standout breaks are more consistent on the waist high sets. Average South Bay spots stay below waist high through the day, with a few waist high and occasional bigger sets at best combo breaks in the north half of the bay. Look for light and variable wind in the morning to build out of the W in the 8-15 knot range for the afternoon.

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

Today the water is:

66°



LOW TIDES

HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	10:37	1.8	N/A	N/A	5:25	3.2	5:33	5.2
SUNDAY	12:53	1.0	11:28	2.2	7:00	3.2	6:15	5.4
MONDAY	1:44	0.5	12:18	2.5	8:13	3.3	6:54	5.6
TUESDAY	2:26	0.1	1:04	2.7	9:06	3.4	7:30	5.8
WEDNESDAY	3:02	-0.2	1:44	2.7	9:45	3.5	8:05	5.9
THURSDAY	3:36	-0.4	2:21	2.7	10:18	3.6	8:39	6.0
FRIDAY	4:07	-0.5	2:56	2.6	10:48	3.7	9:13	6.1

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The Q Line

More than a dozen new retail outlets, restaurants and other merchants are expected to open locations in downtown Santa Monica this summer, which officials hope will fuel the Third Street Promenade and its more dormant side streets with new life.

One objection often raised in recent years regarding the Promenade and its surrounding streets is the increasing presence large corporate chains have in this area. City Hall officials struggle to control the mix of merchants, but some say that it is uncertain where the balance of businesses should be. After all, the corporate

chains are the ones that have — and often bring in — the money.

So this week, Q-line wants to know, "What mix of businesses would you like to see on the Promenade and its surrounding areas? Should all businesses have equal access or should City Hall closely regulate the balance of independent owners and corporate chains?"

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



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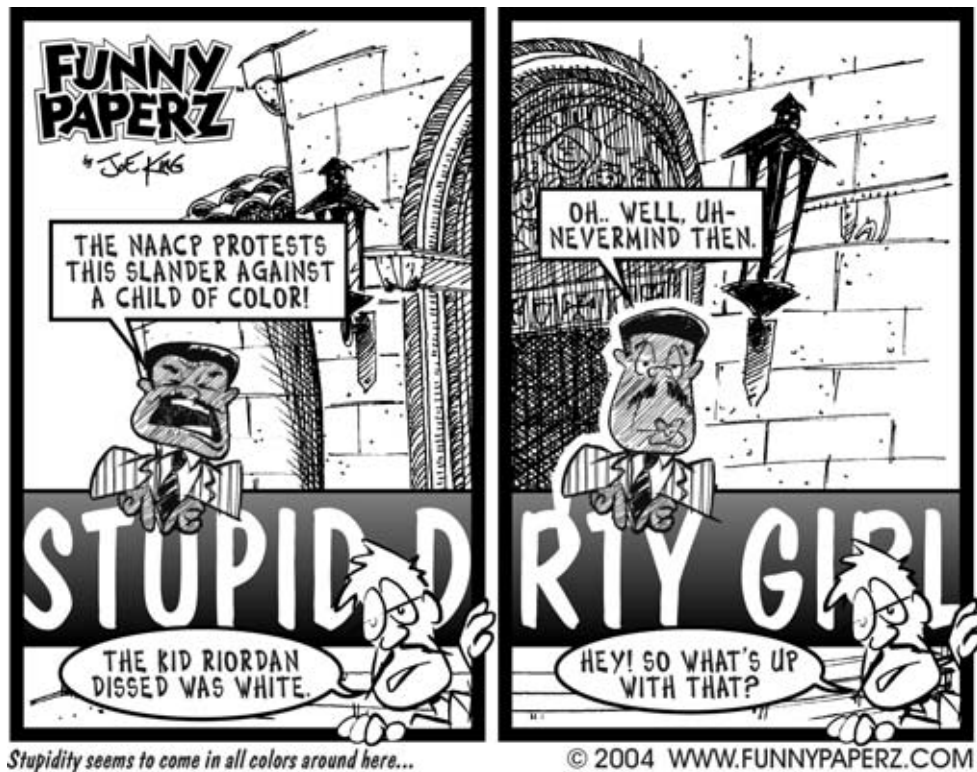
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OPINION



LETTERS TO THE EDITOR

Bush is the man

Editor:

Now that the festivities are over for the country's 228th birthday, and we embark upon this year's crucial election season, I would like all of you to remember these simple facts:

There were 39 combat-related killings in Iraq during the month of January. In the fair city of Detroit there were 35 murders in the month of January. That's just one American city, about as deadly as the entire war-torn country of Iraq.

When some claim President Bush shouldn't have started this war, remember these simple facts:

FDR led us into World War II. Germany never attacked us, Japan did. From 1941-1945, 450,000 lives were lost, an average of 112,500 per year. Truman finished that war and started one in Korea. North Korea never attacked us. From 1950-1953, 55,000 lives were lost, an average of 18,334 per year.

John F. Kennedy started the Vietnam conflict in 1962. Vietnam never attacked us. Johnson turned Vietnam into a quagmire. From 1965-1975, 58,000 lives were lost, an average of 5,800 per year. Clinton went to war in Bosnia without UN or French consent. Bosnia never attacked us. He was offered Osama bin Laden's head on a platter three times by Sudan and did nothing. Osama bin Laden has attacked us on multiple occasions.

In the two years since terrorists attacked us, President Bush has liberated two countries, crushed the Taliban, crippled al-Qaida, put nuclear inspectors in Libya, Iran and North Korea without firing a shot, and captured a terrorist who slaughtered 300,000 of his own people.

The Democrats are complaining about how long the war is taking, but just remember that it took less time to take Iraq than it took Janet Reno to take the Branch Davidian compound. That was a 51-day operation.

We've been looking for evidence of chemical weapons in Iraq for less time than it took Hillary Clinton to find the Rose Law Firm billing records.

It took less time for the Third Infantry Division and the Marines to destroy the Medina Republican Guard than it took Ted Kennedy to call the police after his Oldsmobile sank at Chappaquiddick.

It took less time to take Iraq than it took to count the votes in Florida. Our Commander-In-Chief is doing a great job, and he needs the support of Congress and the American people.

Barney Thompson
Los Angeles

Life is easier to move through when 'just me' suddenly becomes 'we'



My apartment was on the third floor of a four-story, 80-year-old building. I loved it because it was old. I loved the rooftops, I loved the glass door handles and high ceilings, but mostly I loved it because it was mine. For my first two years on my own, after college, it was my place in the world.

It was me. It wasn't paid for by my parents, I didn't share it with a roommate, I knew its corners and conditions, I came and went as I pleased, it held my clothes and my photos of old friends and the paintings my grandmother painted before she passed away. When other things were in question, when I only knew four people in this city, before I'd ever been in love, when I was unsure about most everything, I knew at least I had one place to return to for peace even when I did not feel peaceful.

Of all the people who lived and changed and cried and made love there, for two years, it was just for me.

But for a while, towards the end of those two years, I was notably absent from my place. It changed after I fell in love. Instead of coming and going home to and from my place, I came and went to him in his (which is larger, more comfortable for two, and has available parking).

Life moved forward in this way: Once my place was enough for "me" as there was "just me," and then "just me" started turning into "me and him," and the place that fit just "me" became too small for "we."

We started talking about moving in together. I imagined what that would look like, my photos and my plants and the paintings my grandmother painted before she passed away all living together with his things, and truly, it made me happy. My place in the world becoming ours. My place in the world being next to someone else, regardless of where. My life's course with company.

Some people make a decision like this

with very little thought. I heard a story about a guy who came here to visit the girl he'd been dating for one month, missed his plane on the way out, and so stayed with her and never left (until they broke up ...).

For better or worse, I was not that person and neither was my boyfriend. No. We are deliberators. We debated back and forth about the pros and cons, came up with various scenarios where we lived in one part of town or another, would work near or far from home, share one big one bedroom or try to find a two bedroom that was affordable. We wondered if we'd argue over the remote control. We talked around a lot. Each of our places in the world was changing into something we couldn't fully see and that was scary.

Life pushes for change. Had you not given up your place in your parent's home, you never would have found your place at school — and unless you gave up that place, you would never have found your own third-story apartment, and unless I left my place, the current tenant would have had nowhere to go.

We find our place in the world not by staying, but by outgrowing.

I turned it over and over in my head. I deliberated with him and by myself, sought counsel from friends. And then I remembered something that was different about this change: Where it once was just me, it had become we.

And we had outgrown the places that were made to fit only one.

The person I had become did not fit into a place that was home only to myself.

There have been many times in my life when, while searching for a place, I felt out of place. My first day of junior high, Friday nights with sorority girls, the streets in Saigon, my old job — they all showed me my place in the world by making me feel uneasy.

But never once have I felt out of place with him.

And where we went, we arrived together, and that place has become ours.

(Caroline Bodkin lived and still lives in L.A. You can e-mail her at hiptobesquare-bybodkin@yahoo.com).

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. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.



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LOCAL



Man willing to take ticket to Supreme Court

TICKET, from page 1

a large trash bin and a row of berms with faded red paint on them. Schaefer parked his car alongside those berms.

"Common sense would say you don't park in the way of some other car getting out or you'd be towed away, but if you parked out of everyone's way [then it could seem to be legal,]" Schaefer said.

But not everyone agrees with him on that point.

"You're blocking anyone trying to get out," one library official said. "There's not enough room. It's just common sense."

One library patron agreed that parking alongside the berms wouldn't be legal.

"In my understanding of the law, I would not park there because I might suspect that I would get a ticket or get towed there," said Venice resident Robert Niemann.

But another person who visited the library didn't agree.

"In my opinion, it's not clearly marked a red zone," development company supervisor Tom Williams said. "They just repainted all the curbs a couple of weeks ago. Why didn't they repaint those if it's a no parking area?"

That shouldn't have mattered, Schachtner said.

"The difference is he parked in a lot where it's obvious that there are painted parking slots," she said.

As to what the law on the books actually is, Schaefer himself points out that Santa Monica's local ordinance forbids parking in a public parking lot except in slotted spaces.

But the regulations don't faze Schaefer. There is a constitutional right to adequate notice, Schaefer said.

Whether he can defend that right in federal court is another question. Schaefer thinks he can because there are constitutional issues.

Schachtner has filed a motion to dismiss the federal case. Schaefer said if that occurs, he'll take the matter all the way to the U.S. Supreme Court.

Schachtner isn't the only one who feels Schaefer has acted improperly in the past. Schaefer, a graduate of Georgetown University Law Center, is not currently entitled to practice law in California, according to the state bar. A state bar hearing officer recently recommended last October that Schaefer be disbarred — for the same actions that led to his disbarment in Nevada in 2001, as well as for a record of disciplinary action decades old, court records show. Schaefer became a member of the California Bar in 1964.

Violations of legal ethics codes by Schaefer include disregarding court orders to not contact an opposing party, contacting opposing parties whom he knew were represented by counsel, filing a frivolous complaint and failing to disclose his disciplinary history to a Texas court, records show.

But Schaefer, who now resides in Las Vegas, believes he will ultimately be reinstated to the bar. He also points to a past courtroom victory to show why he will ultimately prevail against City Hall.

In 1991, a San Diego municipal court judge invalidated a parking ticket Schaefer received because he didn't cramp his wheels when he parked on a grade exceeding 3 percent. The court stated that the lack of signage warning drivers of the law amounted to a violation of the California Vehicle Code's reasonable notice requirement, the court's decision states.

Schaefer also tried to run for Sonny Bono's seat in Congress after Bono died in a skiing accident. He was told that was not possible because residency in Riverside County was required, Schaefer said. Schaefer convinced the U.S. Court of Appeals for the Ninth Circuit in 2000 that a candidate for Congress in California need not reside in the state when filing nomination papers, case law shows.

"I'm a wavemaker," Schaefer said. "Though people's rights have no intrinsic value, they're worth their weight in gold to the individual, and that's what I'm trying to protect."

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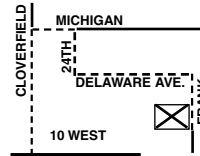


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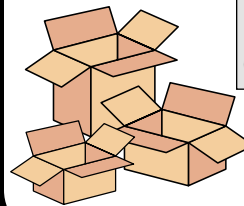


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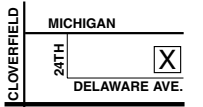


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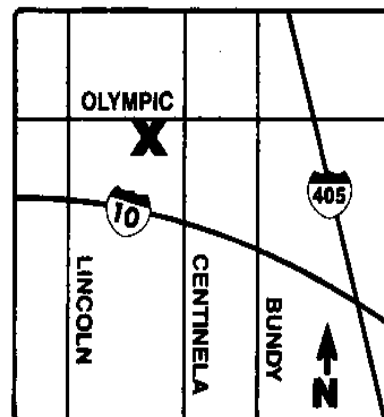


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LOCAL

New retailers, restaurants to open on Promenade

DOWNTOWN, from page 1

ly reports to City Hall, said a number of questions surround both possible developments, but meaningful progress was being made. As to the hotel, York said it might be attractive to switch from office space to a hotel use, partially because there's no parking at the 1929 art-deco building.

"They kind of need to decide what direction they want to go with now," said York, who's tracked downtown businesses for 14 years. "I think a hotel is an interesting use. It brings a lot of fresh people to the area, and it would help support some other businesses."

In the shorter term, York is hoping an influx of new restaurants, retailers and other merchants will draw more shoppers downtown — especially on Second, Fourth and the other streets that surround the Promenade. Rents on those side streets are typically half, or less, the \$7 to \$11 per square foot charged on the Promenade.

The idea is to fill in side streets and make downtown one solid block of shops and restaurants at the ground level, with residential apartments and office space above. But before merchants can thrive fully on the side streets, several dead spots need to be filled in and the streets need to be better lit, officials said.

Still, several new merchants plan to test the water.

On Second Street, a travel agent plans to move into the ground floor of the Community Corp. building, and a 30,000-square-foot Equinox Fitness Center is planned at Second Street and Santa Monica Boulevard, York said. Additionally, Santa Monica Power Yoga will open soon at Broadway and Second Street, said Maria Fotopoulos of the Bayside District Corp., a nonprofit group that runs downtown.

Fourth Street also is busy. The Wasteland, a clothing store, will soon open on the 1300 block, and a high-end furniture store is expected to take the dominant retail space when Schober's new development opens. And Leonidas Chocolate Café, from Belgium, plans to open soon at Fourth Street and Santa Monica Boulevard, Fotopoulos said.

On the east-west streets, officials said Angelato Cafe, a gourmet Italian ice cream

store, will open this summer, as will Le Pain Quotidien, a bakery and sandwich shop set to open soon in the old Dee's Diner building on Santa Monica Boulevard. Polly's Pies on Wilshire Boulevard, which closed earlier this year, is expected to reopen as a Panera Bread cafe, though details still need to be hammered out. A restaurant called Kai will open soon at 101 Broadway, officials added.

Then there's the Promenade, an economic powerhouse that last year generated \$2.3 million for City Hall in sales tax revenue alone. City Hall keeps less than one-eighth of total sales tax revenue, with the rest going to other government coffers.

In the next few months, the Promenade will see three new restaurants — an Italian sandwich shop in the kiosk near Santa Monica Boulevard, a Barney's Beanery just north of Santa Monica Boulevard and a Crepe Cafe on Broadway across from Santa Monica Place. Sharing the former Broadway Bar & Grill space with the Crepe Cafe will be specialty retailer Papyrus, which sells high-grade paper products, greeting cards, journals and other gift items, Fotopoulos said.

As for clothing stores, a Quicksilver Boardriders Club is scheduled to open this summer on the Promenade's 1400 block, as is designer Skinny Minnie. Zara, a European clothing retailer, plans to open in the 1300 block. Another clothing store is in negotiations to take the space left vacant by bookstore Hennessey + Ingalls, York said.

Although businesses continue to choose downtown as a place to set up shop, officials at City Hall are struggling with two sets of laws — one that aims to control large chains from moving to the Promenade, the other that hopes to encourage new restaurants.

City Councilman Herb Katz said controlling the mix of merchants on the Promenade is an ongoing task that requires close attention from elected leaders.

"We're going to go back and forth throughout the years," Katz said. "You don't want an imbalance. Don't ask me exactly what the balance is. You don't want too many restaurants, and you don't want too many formula businesses. On the other hand, you need the formula business, because that's where you get the money."

Recommended planning department changes include updating regulations, streamlining processes, hiring

AUDIT, from page 1

key documents that govern local development projects, streamlining the permit process, improving City Hall's Web site and possibly hiring new workers.

No real surprises were contained in the 262-page report, said officials, who already were working to improve productivity and transparency in the oft-criticized department. Still, the report is methodical and thorough in its recommendations for a better planning process, officials added.

"There are a lot of real opportunities," said Andy Agle, assistant director of City Hall's planning department. "Our plan is that we'll actually be working through putting together the sequencing and strategies, so that, in the fall, we'll actually be able to put what are the sequentially most pressing recommendations into effect."

"There are many, many recommendations and many of them are ... specific ones. It'll be a gradually rolling implementation of the recommendations."

Included in the report are suggestions for improving the operations and management of the planning department, as well as bigger picture suggestions that address policy issues, which must be decided upon by elected leaders. The changes are expected to cost City Hall about \$500,000 this year.

Many smaller local businesses have complained the current system favors corporations that can afford long approval processes. Residents have voiced frustrations over seemingly endless delays for small projects. Perhaps more troubling to City Hall is a finding in the Matrix report that the planning department from 2000 to 2003 has seen an annual turnover of 18 percent, far exceeding City Hall as a whole.

City Councilman Herb Katz said he looks forward to digging deeply into the report. Like many other community leaders, including planning department leaders, Katz feels serious work is in order.

"We talk about helping the little person, and then we make it so complex that the little person can't get in there and do it," Katz said. "It takes too long, and it costs too much money."

Prepared over the last four months by the Matrix Consulting Group, the report outlines these 12 key suggestions for improving City Hall's planning department:

- Update, reorganize and illustrate the zoning ordinance.

- Update the land use and circulation elements of the general plan within 36 months.

- Have senior building inspectors spend more time in the field — with no more than one office hour a day.

- Add a building inspector, if needed.

- Streamline approval of simpler permits by giving individual departments more authority to approve small permits, adding workers, if necessary, and making the planning department's Web site more useful.

- Revise and reduce schedules for zoning applications, administrative permits and building checks.

- Simplify the discretionary and administrative permit process, while preserving public participation.

- Focus four staffers on long-term planning, or hire new ones.

- Allow the civil engineering division to check all plans and permits for City Hall's environmental and public works management department.

- Update the code compliance section.

- Make Planning Commission and Architectural Review Board more effective. Reduce meeting lengths.

- Use technology to improve processes for permits, plan check, inspection and code enforcement.

(To access the entire 262-page report, log on to www.santa-monica.org/city-clerk/council/information_items/2004/Matrixindex.htm).

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STATE



California tribe fights for water rights in desert

BY CHRIS T. NGUYEN

Associated Press Writer

LOS ANGELES — The bottling plant sucking water from under the California desert was hailed as a means to diversify business for a casino-owning Indian tribe, but now the state is re-examining the validity of the water use permit and a local agency is claiming the water for a growing populace.

The fight over the spring in the arid inland region east of Los Angeles exemplifies the West's water dilemma as increasing numbers of users vie for a limited resource.

On one side of this water war are the Morongo Band of Mission Indians, which runs one of the state's most profitable casinos, and its partner, Swiss food-processing giant Nestle, which built the \$26 million Arrowhead bottling plant.

On the other side are the state Water Resources Control Board, which questions the validity of the tribe's permit, and the Coachella Valley Water District, which serves communities and farms north and east of Palm Springs and claims rights to the old SP Spring based on a decades-old court decree.

"We think it's our water. They're trying to convince us it's not our water, and we're not buying it," said Gil Granito, an attorney for the Coachella Valley Water District.

Nestle's attorney, Rob Saperstein, counters that the district laid claims to the spring only because it is struggling to find enough water for its customers.

"Things are getting worse for them," he said. "Even if Nestle went away, which we have no intention of doing, Coachella's problems won't go away."

All sides of the dispute agree that it is unknown what would happen if the Water Resources Control Board revoked the tribe's permit to draw water.

Board attorney Samantha Olson said the panel has not reviewed that matter.

The tribe, meanwhile, has gone on a two-pronged counterattack, questioning the regulators' definition of its water source and claiming that Olson inappropriately recommended revoking its permit.

In a recent lawsuit, the tribe claimed she violated conflict-of-interest laws by serving both as a regulatory investigator

and an adviser to the state board.

"I think originally she was just nosing around and was trying to make a name for herself," said Stuart Somach, a Morongo lawyer. "This is just one attorney moving forward with this. It's much ado about nothing. For the state board to be spending the time and money on this case is the abuse of the public process."

Olson asserts that she is just doing her job in raising questions about the tribe's permit.

"Our agency's job is to enforce the law, and individual attorneys don't have discretion in what cases to pursue," Olson said.

The spring in Millard Canyon has a rich history.

Holes in nearby boulders indicate American Indians used the site before Spanish explorers arrived in the 16th century.

In the 1800s, the Southern Pacific Railroad used the spring to service trains traveling through a mountain pass.

A land company applied for the first water use permit in 1917. It passed through several owners after a 1938 court decree that allowed parties to have access to surface water in a basin, including the spring, if the spring wasn't being used.

In May 2003, more than a year after Nestle began building the bottling plant, the state water board was notified that the Morongo tribe held the permit.

But back in 1996, a routine records check by board employees had revealed that a previous permit holder had failed to use the water for its intended purpose, irrigating 13 acres of farmland.

Under state law, Olson said, the board can revoke the permit if it is not used for five years. She said the tribe should have done some homework before acquiring the permit.

"When you buy something, you're supposed to do a title research and make sure the title's valid," Olson said. "If not, you acquire the property with all the liens and everything."

Olson said the tribe has two other permits for the spring but they do not authorize bottling water.

Somach asserts that the Morongo Band has rights in addition to the state permits,

including one simply based on the fact that the spring is located on tribal land.

In addition, he contends the tribe is tapping groundwater — not spring water — because the tribe is taking it before it reaches the surface.

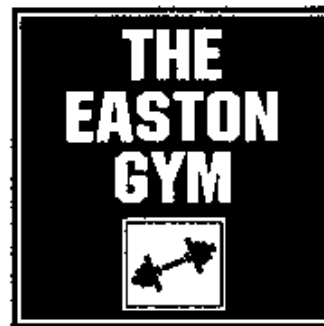
Olson, however, cites a 2001 study conducted for the state Department of Health Services that identified water from the SP Spring as "spring water."

The permit issue is on hold for now, but later this month the Water Resources Control Board will rule separately on whether to excuse Olson from the case because of the alleged conflict of interest.

"If they're right, it has broad implications for every state and local agency. But I don't think they're right," Olson said. "We have to assume that board members can make an informed decision by themselves."

In the meantime, the bottling operation hasn't been hindered, attorneys for the tribe and Nestle said.

The plant, which began operating last year, employs 141 workers on four production lines. Expansion plans call for up to 10 lines. Morongo receives payments for 120,000 gallons of water a day and lease payments from Nestle for the property, a plant manager said last year.



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AP Sports Writer

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Montgomery has been charged with steroid use by USADA and faces a lifetime ban if found guilty.

Chryste Gaines, who along with Montgomery is among the four sprinters charged with steroid use by USADA, finished fifth in her 100 semifinal and did not qualify for the final.

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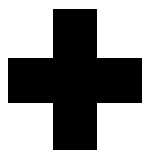
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STATE



Wildfire victims question insurance industry's cost calculator

BY ELLIOT SPAGAT

Associated Press Writer

SAN DIEGO — Don Robinson says his Residence Mutual insurance policy pegged the cost of replacing his San Diego home at \$233,000. After Southern California's wildfires destroyed the 40-year-old biologist's four-bedroom house last year, a contractor told him it would cost \$460,000.

Hundreds of other homeowners are also finding their coverage was inadequate, raising the question of what went wrong. Some industry critics and attorneys suing on behalf of homeowners have a theory: Insurance agents may be misapplying software that estimates the cost of replacing a home and coming up with lowball numbers.

In Robinson's case, a popular software program's quick survey puts the cost of replacing his home at \$249,000, pretty close to the coverage he bought. A more detailed questionnaire estimated \$427,000, much closer to what his contractor said he will need.

Critics say insurance agents may be writing policies with the quick survey, which requires only a few key-strokes. It asks for a home's ZIP code, year of construction, square footage and a few other questions. A more detailed survey — which takes into account details such as whirlpool spas and fireplaces — takes more time to complete but offers more accurate estimates.

California Insurance Commissioner John Garamendi's office is studying the industry's use of replacement-cost calculators in its investigation into complaints by victims of last year's fires, which destroyed more than 3,600 homes. Underinsurance accounted for 219 of 445 complaints his office had fielded as of June 28.

After hearing dozens of complaints in April at homeowner meetings in San Diego and San Bernardino counties, Garamendi said agents may have deliberately low-balled the cost of replacing homes in an effort to sell more policies. He hasn't set a date to complete the investigation.

A spokesman for an insurance industry group denied that agents deliberately give low estimates when writing policies, saying that underinsuring homes would deprive companies of additional premiums. He said the replacement-cost calculators — while not perfect — have performed well.

"It's not an exact science," said Peter Moraga of the Insurance Information Network of California, an industry group. "It's ultimately up to the homeowner to try to ascertain if (the coverage) is enough."

The complaints have cast a spotlight on Marshall & Swift/Boeckh LLC, an obscure company based in New Berlin, Wis., that says its software can pinpoint the cost of 100,000 construction items, tailored to every ZIP code in the United States and postal code in Canada. The numbers are updated every three months.

Homeowner attorneys haven't faulted Marshall & Swift, which isn't named in a spate of recent lawsuits. Instead, they suggest that insurance agents are using Marshall & Swift's shortcut survey — called Quick Quote — instead of the more time-consuming questionnaire.

"If used properly, the software can spit out pretty accurate numbers," said Jerry Ramsey, a Los Angeles attorney who has sued on behalf of 30 homeowners and plans about 20 more lawsuits, including one seeking class-action status against Farmers Insurance Co. "We have no ax to grind with Marshall & Swift. It's merely a tool that, if used improperly, gives inaccurate results."

Peter Wells, senior vice president of Marshall & Swift, says the abbreviated survey is designed to let agents give shoppers a ballpark estimate of what kind of coverage they may need, often times over the phone. He insists that Quick Quote offers fairly accurate numbers but that agents should use the more detailed questionnaire.

"The Quick Quote is really just a guide," he said.

Marshall & Swift has been raising public awareness of underinsurance — a problem that surfaces after nearly every major natural disaster. It authored a survey that found 64 percent of U.S. homes were underinsured by an average of 27 percent last year. That's an improvement over 2001, when 73 percent of households were underinsured by an average of 35 percent.

In the early 1990s, Marshall & Swift and Boeckh — then separate companies — introduced software that replaced much cruder valuation methods, such as multiplying a home's square footage by the going rate of construction. Wells said its software is used by about 95 percent of U.S. insurance companies, allowing agents to drill into such detail as, say, the difference between a car-

penter's hourly wage in Oklahoma City and Oklahoma City's suburbs.

"Everybody uses Marshall & Swift," said Jeff Smith, chief executive officer of ITV Solutions Inc., a rival company based in Salt Lake City. "They have a monopoly."

George Kehrer, who founded a nonprofit group to counsel disaster victims after he lost his home in the 1991 Oakland fires, said he has tested the software on about 150 homeowners and found the Quick Quote estimates to be about 40 percent below the more detailed questionnaire. Two attorneys who are suing insurance companies say they found similar discrepancies.

One night last month in Crest, a mountain community east of San Diego, Kehrer opened his laptop computer and looked for volunteers in a roomful of about 25 people who lost their homes. Pam Mitchell, 53, raised her hand.

Kehrer tells her that the quick survey pegged the cost of replacing her home at \$331,000 — pretty close to the \$358,195 limit on her State Farm Insurance Co. policy. She also had "extended" coverage to give her some extra cushion, raising her limit to \$429,834.

He then did the more detailed survey — eliciting such details as solid oak floors, two fireplaces, two wood stoves — and found in about 12 minutes that it would cost about double — \$676,054, to be exact. As it turns out, an adjuster sent by State Farm after the home burned estimated \$782,000. Mitchell wept.

"It's been a while since I sat down and cried but I guess I just didn't realize what we had," said Mitchell. "It was a beautiful home that we worked all our lives for. There were no vacations, no fancy cars."

Wells, the Marshall & Swift executive, said such wide discrepancies between the Quick Quote and more detailed survey were unlikely if all questions were answered properly.

"That doesn't sound logical," he said. "You shouldn't have such a wide variation."

A State Farm spokesman, Scott Smith, declined to comment on individual cases but noted that many policies have allowances for debris removal, building-code changes and other extras that may not be reflected in the quick surveys.

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NATIONAL

Democrat votes could go south on gay marriage

BY LOLITA C. BALDOR

Associated Press Writer

WASHINGTON — Here's a political reality check — Southern-style.

When John Kerry chose John Edwards to be his running mate, Democrats predicted that the presence of the North Carolina senator on the ticket would increase its appeal in the Republican South.

In the coming days, though, Senate Republicans are working to ensure that Kerry and Edwards cast votes that could alienate voters in the Bible Belt, Florida Panhandle and other Southern bastions. The legislation: a constitutional amendment to ban gay marriages.

No other social issue carves a wider divide between the North and the South than gay marriage. Not abortion. Not gun control. In the South, where as many as two-thirds oppose same-sex marriages, voters say they are far less willing to back a candidate that feels differently.

The Democratic ticket's Southern bounce could hit a speed bump.

Gay marriage, says Merle Black, a professor at Emory University in Atlanta, "goes to the heart of (Southern voters') cultural beliefs. They really believe marriage should be between a man and a

woman."

While Kerry and Edwards oppose gay marriage, they argue that it is an issue that should be left to the states to decide. Both senators say they would vote no on the proposed constitutional amendment.

"It will give the Republicans ammunition against Edwards across the South. And they would use that in their advertising closer to the election," Black said.

The Senate vote would come just days before the Democratic National Convention in Boston July 26-29 when Kerry, a four-term Massachusetts senator, and Edwards are nominated by their party. Supporters of the gay marriage amendment acknowledge it is doomed to fail, and the Kerry campaign sees the timing of the vote as pure politics.

"Americans see through phony efforts to shred the Constitution of the United States for political purposes," Kerry spokesman David Wade said Thursday. "That's not conservative, that's purely divisive."

In the 2000 election, Bush big across the South, but the Kerry campaign hopes that Edwards will help them secure North Carolina and make inroads elsewhere.

The latest Associated Press-Ipsos poll found that Kerry slightly strengthened his support in the South with the addition of

Edwards.

But polling done in February and March by the Pew Research Center suggests that Southerners, more than folks in any other region, will consider the gay marriage issue in the voting booth.

According to the Pew poll, 68 percent of Southerners oppose gay marriage and nearly 40 percent said they wouldn't cast a ballot for a candidate who votes otherwise. By comparison, 48 percent of those polled in the Northeast oppose gay marriage, and just 26 percent said they wouldn't vote for someone who disagrees.

"The huge question is, can Kerry and Edwards successfully separate their position on gay marriage from their position on a constitutional amendment," said Pew Research Director Michael Dimock.

Kerry and Edwards, who have missed many Senate votes while campaigning the last year, could be absent for the gay marriage amendment, but that would not go over well with gay activists, who raised \$1.8 million for the campaign in a single night.

"There is a tremendous sense of urgency that Bush be driven from office," said New York gay activist Ethan Geto, calling the gay marriage issue "the greatest political motivation ever."

But Matt Daniels, who helped draft the

amendment and is president of the Alliance for Marriage said, "Any politician that stands in the way of protecting marriage, does so at their peril."

Providing a bit of cover for Kerry and Edwards is that some conservative Republicans — including former Georgia Rep. Bob Barr — oppose the amendment saying they don't want the constitution littered with directives that should be left to the states. Others say it shouldn't be used as a tool for discrimination.

And some activists argue that the issue really won't sway votes, with a good portion of the electorate having decided on their candidate or influenced by other matters.

"People vote on broader issues like the economy or the war" in Iraq, said Jeff Soref, a Democratic National Committee member and major fund-raiser in the gay community. "I think that people for whom this is an important issue made up their minds a long time ago."

Even Family Research Council president Tony Perkins, a vocal proponent of the constitutional amendment, said gay marriage should be a factor in the presidential race, but it may be overshadowed by issues such as the war, the economy and terrorism.

Eliminating national park maintenance backlog impossible

BY JOHN HEILPRIN

Associated Press Writer

WASHINGTON — Eliminating a maintenance backlog in the national

parks, as President Bush promised in his 2000 campaign, is impossible, Interior Secretary Gale Norton said this week. She likened the park system to an old house that will forever need repairs.

"Just like in your house," Norton said in answer to a reporter's question. "You never get to the point where you say, 'Well, all done, totally zero left to do.'"

The National Park Service has come under criticism from environmentalists, retired agency employees and House Republican who oversee the service's budget. So Norton summoned reporters to show how much money the agency has spent on parks on Bush's watch.

Her report said Bush "is meeting his commitment to invest \$4.9 billion to address maintenance needs" by 2006 and has increased spending in other areas. The administration, Norton said, has added the equivalent of 829 full-time jobs to the agency since 2000, bringing the total to 20,637. Previously, she has said that more than \$3 billion has spent so far.

She said the agency's operations and construction budget has grown 18 percent since Bush took office, compared with a 2 percent cut during President Clinton's first term.

"Let me set the record straight: The big picture is a bright one. Never before have our parks received so much care," Norton said.

The National Parks Conservation Association, however, says the Park Service has spent only \$662 million in new money to reduce a backlog of maintenance needs. The group says the rest of the money is going to repairs that do not ease the backlog.

The Coalition of Concerned National Park Service Retirees brushed off Norton's progress report as "surreal happy talk that is divorced from the genuinely dire reality of the situation."

Last month, House Republicans who oversee Interior Department spending approved a \$1 billion budget for park operations. But they took issue with hundreds of millions of dollars spent for construction and travel rather than to reduce the maintenance backlog.

Norton suggested those lawmakers

were misinformed. "Congress, like all the rest of us, responds to the information they hear," she said.

On Sept. 13, 2000, then-Texas Gov. George W. Bush traveled to Monroe, Wash., where he "pledged to eliminate the \$4.9 billion maintenance and resource protection backlog at the National Park Service, over five years," according to the Bush-Cheney 2000 campaign Web site.

Almost four years later, that figure is seen as a "guesstimate" and "just fiction," Assistant Interior Secretary Lynn Scarlett says. Yet that number was based on Park Service figures and the General Accounting Office, Congress' investigative arm.

"It turns out that wasn't a useful guide," she said in an interview. "All of that was guesstimate. Nobody went out there and did what a real property manager does, which is to physically assess the facilities and document it."

Department officials acknowledge that no one really knows what the backlog is. But they are offering another way to look at Bush's campaign promise.

"The pledge that we're implementing is to spend \$4.9 billion on that backlog and to simultaneously get the information we need to henceforth manage the parks and get them in acceptable condition," Scarlett said.

That figure was a 1997 estimate, based on Park Service information from 1993. The latest GAO estimate, from February 2002, puts the backlog at between \$4.08 billion and \$6.8 billion. The department does not plan an update.

"We have learned that a dollar figure is not produceable or meaningful," Scarlett said.

She said the department now intends to repair an unspecified number of high priority facilities among the more than 28,000 run by the Park Service. One goal is to complete by October an index to the condition of those facilities, using methods from the real estate industry.

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Intelligence debate looks ahead to future reform

BY KATHERINE PFLEGER
SHRADER

Associated Press Writer

WASHINGTON — Following the release of a Senate report harshly criticizing U.S. intelligence gathering and analysis, the focus will soon shift to whether and how to make sweeping changes to the intelligence community.

After a yearlong investigation, the Senate Intelligence Committee released nearly 120 conclusions about the intelligence community's performance on estimating the threat from Iraq, found primarily in a 2002 assessment that served as the Bush administration's leading arguments for war.

Following release of the 511-page review Friday, the panel's top Democrat, West Virginia Sen. Jay Rockefeller, said three-quarters of senators would not have voted to authorize the invasion if they had known how weak the intelligence was.

"This report cries out for reform," said committee chairman Pat Roberts, R-Kan.

In the unanimously approved report, senators concluded that the CIA kept key information from its own and other agencies' analysts; engaged in "group think" by failing to challenge the assumption that Iraq had weapons of mass destruction; and allowed President Bush and Secretary of State Colin Powell to make false statements.

"Most, if not all, of these problems

stem from a broken corporate culture and poor management," which won't be fixed simply by giving the agency more money or people, the report said.

Among much-discussed reform proposals, some have suggested centralizing the intelligence community under a Cabinet-level Director of National Intelligence who would oversee the roughly \$40 billion budget of the 15-agency intelligence apparatus. Currently, the CIA director also oversees the intelligence community, but he doesn't control the vast majority of the money.

Deputy Central Intelligence Director John McLaughlin, who said the CIA and other agencies are adapting and making internal reforms, urged caution against disruptions while the nation is in the middle of the anti-terror fight. "Some sort of reordering of the boxes here will not bring you perfection in the intelligence business," he said.

But politics may play more of a role in reforms than anything else. Few believe significant changes will happen before the November election.

The report was yet another blow to the credibility of the Bush administration and U.S. intelligence agencies. The committee concluded that key assertions used to justify the Iraq war — that Saddam Hussein had chemical and biological weapons and was working to build nuclear weapons — were either wrong or overblown.

Bush called the report a useful accounting of intelligence agencies' shortcomings. He defended the decision to go to war, however, as well as his prewar assertions about Saddam's government and weapons of mass destruction.

"We haven't found the stockpiles, but we knew he could make them," the president said. "The world is better off without Saddam Hussein in power."

Although senators from both parties agreed in harshly criticizing the CIA, Democrats and Republicans clashed over whether administration officials had pressured intelligence analysts to reach predetermined conclusions on the Iraq threat. Democrats said there was pressure; Republicans said there were tough questions but no inappropriate influence.

Democrats also said the investigation should have examined whether the White House had twisted the intelligence it received — a second phase of the probe that probably won't be finished until after the elections.

"The fact is that when it comes to national security, the buck stops at the White House, not anywhere else," said Democratic presidential candidate John Kerry.

The report comes as Bush looks for a new leader for the intelligence community. CIA Director George Tenet has resigned, effective Sunday, and McLaughlin will take over as a temporary replacement. But the report's across-the-

board criticism of the CIA could indicate that any nominee from within the intelligence community would have a tough time winning confirmation by the Senate.

McLaughlin said the CIA is learning from its mistakes and has already made changes, including adding reviews from a "devil's advocate" perspective to all future national intelligence estimates.

"We get it," McLaughlin said at a rare news conference at CIA headquarters. "Although we think the judgments were not unreasonable when they were made nearly two years ago, we understand with all we have learned since then that we could have done better."

Among conclusions in the report:

■ Most major judgments in the October 2002 National Intelligence Estimate about Iraq's alleged nuclear, chemical and biological weapons programs were "either overstated or were not supported by the underlying intelligence reporting."

■ Intelligence officials didn't explain to policy-makers the uncertainties behind their judgments.

■ Intelligence agencies suffered from a collective presumption that Iraq had an active and growing program to develop weapons of mass destruction.

■ The United States depended too heavily on defectors and foreign governments' intelligence.

U.S. Marines clash with Iraqi insurgents, killing three

BY DANICA KIRKA

Associated Press Writer

BAGHDAD, Iraq — U.S. Marines pummeled guerrillas taking cover Saturday at a taxi stand in a stronghold of support for Saddam Hussein's ousted regime, killing three and wounding five others, military and hospital officials said.

The Marines came under fire in Ramadi, part of the so-called Sunni Triangle and the site of frequent clashes with coalition forces, the military said. The Americans counterattacked, blasting the stand into a twisted pile of molten metal. Blood soaked the street.

At Ramadi's hospital, a child caught in the crossfire moaned in agony, video from Associated Press Television News showed.

"We went to the market near the stand, and the Americans struck against us," said the child, who did not give his name.

North of the capital, insurgents blew up three liquor stores in Baqouba prompting concern Islamic militants may be trying to impose their strict interpretation of Islam there, witnesses said. The blasts killed a passing taxi driver, said Dr. Nassir Jawad from Baqouba General Hospital.

Iraq has been torn by a persistent insurgency since the fall of Saddam more than 14 months ago.

Meanwhile, the fate of captured

Filipino worker Angelo dela Cruz remained unclear. His captors had demanded the Philippines withdraw its 51-member force from Iraq or dela Cruz would be killed. They gave a Saturday deadline. Another 4,100 Filipinos work as key contractors on U.S. bases.

A spokesman for Philippine President Gloria Macapagal said Saturday the country's small peacekeeping contingent would be withdrawn when its stint ends Aug. 20, though no decision had been made on whether to send replacements.

Later, officials in the Philippines said dela Cruz was about to be freed.

"While this man is still not in our hands, he will be brought to a hotel in Baghdad, where he will be turned over to our people," Labor Secretary Patricia Santo Tomas said.

But a diplomat familiar with the talks in Baghdad remained cautious, and the Al-Jazeera television station, which broadcast the original tape showing dela Cruz surrounded by armed men, said it received a statement Saturday night from the group denying he had been freed and calling him a "prisoner of war."

In the statement, the group called itself "The Islamic Army of Iraq — Khalid bin al-Waleed Brigade" and gave the Philippines an extension until Sunday night, according to Al-Jazeera.

In a video aired earlier Saturday on Al-

Jazeera, the hostage urged his countrymen not to come to the country.

"I advise you not to come to Iraq because there are a lot of problems, and the Iraqi police won't be able to protect you, like what happened to me," he said, according to the announcer.

Also Saturday, saboteurs attacked a natural gas pipeline that runs from the oil-rich northern city of Kirkuk to a power station, an official with the North Oil Company said.

The attack could cut power supplies even as Iraq sizzles in summer temperatures topping 110 degrees Fahrenheit, but it wasn't clear how severe cutbacks would be.

Insurgents have targeted the country's crude oil, natural gas and electricity supplies to cut off sources of revenue to Iraq's interim government. Such attacks, together with hostage taking and other acts of intimidation, are intended to disrupt efforts to stabilize and rebuild the country.

While the Philippines awaited dela Cruz's fate, Bulgaria expressed hope that two Bulgarian truck drivers also kidnapped by militants here were still alive.

Jordanian militant Abu Musab al-Zarqawi's Tawhid and Jihad group threatened to kill the men if the United States did not release all Iraqi detainees — an ultimatum that has expired.

Bulgarian Foreign Minister Solomon

Pasi suggested Saturday that the men were still alive, though he warned the information was "unconfirmed."

President Bush telephoned Bulgarian President Georgi Parvanov on Saturday to discuss the hostage situation.

Bush offered to assist but refused to negotiate with terrorists, the White House said. Parvanov affirmed Bulgaria's strong commitment to Iraq.

A Pakistani truck driver who returned home after being held hostage here said Saturday he watched as three fellow captives were beheaded. Amjad Hafeez, 26, said he was taken to a room where two foreigners and an Iraqi were killed with a sword.

Hafeez told The Associated Press the two foreigners were "English-speaking people" who were crying, weeping and begging for their lives. He said they were killed June 27, but there was no confirmation on their identities.

Both an American hostage and a South Korean known to have been killed by the group were reportedly slain before that date.

Earlier Saturday, a senior military official in Bulgaria, Gen. Stefan Stefanov, deputy chief of the military intelligence service, dismissed speculation that the two Bulgarians were the victims Hafeez saw die.



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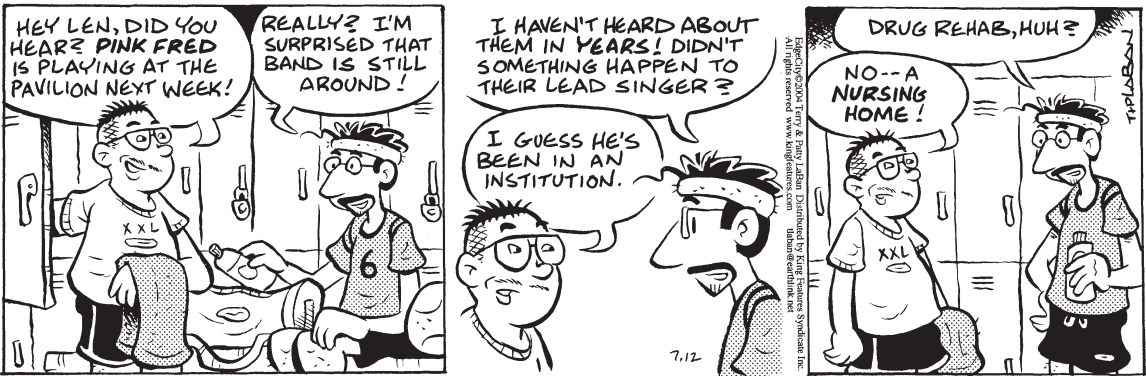


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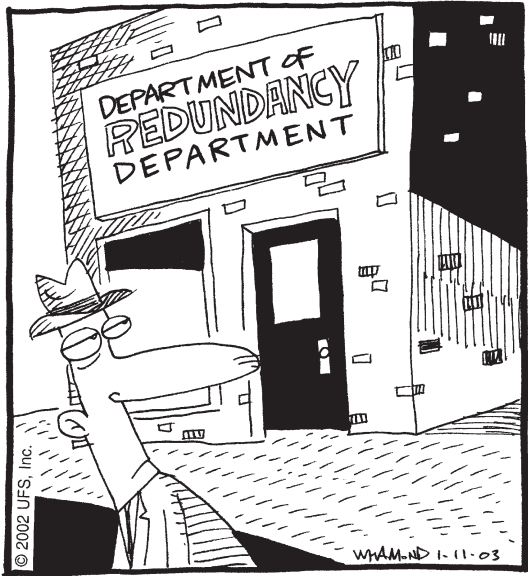
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Saturday's answer

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- 16 Pleasant
- 21 Volunteer's question
- 22 Barter
- 23 Nassau's home
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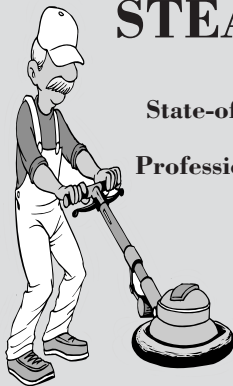
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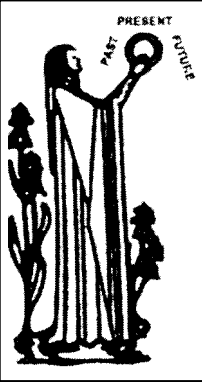
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Senior Associate

310-440-8500 x.104

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DBAs

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1483492 FIRST FILING. The following person(s) is (are) doing business as Rainbow Janitorial Cleaning, 13634 Doty Ave. #9 Hawthorne CA 90250. The full name of registrant(s) is/are : Guadalupe Leon This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)6/9/2004. /s/: Guadalupe Leon

This statement was filed with the County Clerk of LOS ANGELES County on 6/9/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1492692 FIRST FILING. The following person(s) is (are) doing business as Jason Lozano Ministries, 9333 Millergrove Drive Santa Fe Springs CA 90670. The full name of registrant(s) is/are : Jason Lozano Ministries, INC This Business is being conducted by, a corporation. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)6/10/2004. /s/: Jason Lozano

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1494854 FIRST FILING. The following person(s) is (are) doing business as TMK Crane Rental, 1013 N. Fredric Street Burbank CA 91505. The full name of registrant(s) is/are : Dave Sizemore This Business is being conducted by, a general partnership. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)6/1/2004. /s/: Dave Sizemore, Dan A. Smith

This statement was filed with the County Clerk of LOS ANGELES County on 6/1/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1496355 FIRST FILING. The following person(s) is (are) doing business as Premier Plumbing

DBAs

Services, 5752 Faust Ave. Lakewood CA 90713. The full name of registrant(s) is/are : Scott E. Linder This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Scott Linder

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1495754 FIRST FILING. The following person(s) is (are) doing business as AJ Stevens Group, 269 La Verne Ave. Suite D Long Beach,CA 90803. The full name of registrant(s) is/are : Andrew J. Stevens This Business is being conducted by, husband and wife. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Andrew J. Stevens, Jennifer D. Stevens

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1494413 FIRST FILING. The following person(s) is (are) doing business as N & D Meat Company, 6036 Vinevale Ave. Maywood CA 90270. The full name of registrant(s) is/are : David Campana This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: David Campana

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1494282 FIRST FILING. The following person(s) is (are) doing business as Wheat Field Consulting, 4067 Hardwick St. #369 Lakewood CA 90712. The full name of registrant(s) is/are : Richard Goody Jr. This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Richard Goody

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1495706 FIRST FILING. The following person(s) is (are) doing business as Xtreme Image Audio Custom Sounds, 13245 Rosecrans Ave. Santa Fe Springs CA 90670. The full name of registrant(s) is/are : Humberto Reyes Jr. This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Humberto Reyes Jr.

This statement was filed with the County Clerk of LOS ANGELES County on 6/10/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1492655 FIRST FILING. The following person(s) is (are) doing business as Best Spray Solution Sales & Service Termite & Pest Equipment, 14850 Valley Blvd. City of Industry CA 91746. The full name of registrant(s) is/are : Ruben Martinez This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Ruben Martinez

This statement was filed with the County Clerk of LOS ANGELES County on 6/9/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

LEGAL NOTICES



DBAs

THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 7/12/2004, 7/19/2004, 7/26/2004, 8/2/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1568722 FIRST FILING. The following person(s) is (are) doing business as C-Covercharge, 533 N. Victory Blvd. Burbank CA 91502. The full name of registrant(s) is/are : Emilio Mondet This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Emilio Mondet This statement was filed with the County Clerk of LOS ANGELES County on 6/18/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 7/5/2004, 7/12/2004, 7/19/2004, 7/26/2004

DBAs

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 041693100 FIRST FILING. The following person(s) is (are) doing business as Consegos y Valores, 16444 S. Paramount Blvd., Paramount, CA 90723. The full name of registrant(s) is/are : Rafael Salinas, 1355 Abraham Terr. Harbor City, CA 90710, Edgar Delgado, 16608 Patronella Ave, Torrance, CA 90504 This Business is being conducted by, co-partners. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Rafael Salinas, Edgar Delgado This statement was filed with the County Clerk of LOS ANGELES County on . NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 7/12/2004, 7/19/2004, 7/26/2004, 8/2/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 041464110 FIRST FILING. The following person(s) is (are) doing business as LFK 13 Motorsports, 672 Broadway St., Venice, CA 902791. The full name of registrant(s) is/are : Benjamin Martinez Gomez, 672 Broadway St. Venice, CA 902791 This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business

DBAs

name or names listed on (Date)6/1/2004. /s/: Benjamin Martinez Gomez This statement was filed with the County Clerk of LOS ANGELES County on 6/1/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 7/12/2004, 7/19/2004, 7/26/2004, 8/2/2004

FILE NO. 04-1464110FICTITIOUS BUSINESS NAMES STATEMENTS THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: LFK 13 Motorsports, 672 Broadway St. Venice, CA 90291 The full name of registrant(s) is/are : Benjamin Martinez Gomez, 672 Broadway St. Venice, CA 90291. This Business is being conducted, an Individual. The registrant commenced to transact business under the fictitious business name/names listed above on: Registrant has not yet begun to transact business under the fictitious business name or names listed herein. I declare that all the information in this statement is true and correct. (A Registrant who declares true, information which he knows to be false is guilty of a crime) /s/: Benjamin Gomez

DBAs

This statement was files with the County Clerk of LOS ANGELES County on 7/08/04 indicated by the file stamp above. NOTICE- THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another federal, state, or common law(see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS Published 7/12/04, 07/19/04, 07/26/04, 08/02/04.

JW MILLS MANAGEMENTFICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1441800 FIRST FILING. The following person(s) is (are) doing business as JW Mills Management,Mills & Associates Management Co., 616 Veteran Ave. #115 Los Angeles CA 90024. The full name of registrant(s) is/are : Jerrad Mills This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Jerrad Mills This statement was filed with the County Clerk of LOS ANGELES County on 6/4/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME

DBAs

STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/21/2004, 6/28/2004, 7/5/2004, 7/12/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-1526510 FIRST FILING. The following person(s) is (are) doing business as Amy's Messenger Service, 369 S. Doheny Drive #249 Beverly Hills CA 90211. The full name of registrant(s) is/are : Amy Bowden This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Amy Bowden This statement was filed with the County Clerk of LOS ANGELES County on 6/15/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 6/28/2004, 7/5/2004, 7/12/2004, 7/19/2004

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PEOPLE IN THE NEWS

Rosie's gay, lesbian cruise line earns key to Key West

By The Associated Press

KEY WEST, Fla. — Rosie O'Donnell's new cruise line is getting a warm welcome in sunny Key West.

O'Donnell will receive the key to the city this week when her cruise, billed as the first that caters to gay and lesbian families, stops at the popular island port Wednesday on its inaugural voyage, officials said.

The Norwegian Dawn's seven-day trip departs New York on Sunday and is the first cruise of R Family Vacations, the O'Donnell-backed company that promotes family-friendly vacations for gays and lesbians.

Key West has long fostered a reputation as a tolerant vacation community that is especially friendly to gays and lesbians. A street fair will provide entertainment for children on the cruise.

O'Donnell married Kelli Carpenter O'Donnell in a civil ceremony Feb. 26 in San Francisco. The duo are raising four children together and are strong advocates of gay marriage and adoption.

ST. LOUIS — Former pro hockey player Tony Twist has been awarded \$15 million by a jury that found a comic strip used his name without permission.

Comic book artist Todd McFarlane used the name Antonio "Tony Twist" Twistelli for a violent New York mob boss character in "Spawn" comic books in the early 1990s.

A St. Louis jury decided Friday that McFarlane and his comic book company, Todd McFarlane Productions Inc., infringed on Twist's publicity rights and ordered them to pay \$15 million.

McFarlane claimed his use of the name was protected under the First Amendment. Twist disagreed, saying

McFarlane had gone outside the bounds of free speech rights.

"They made Tony into a Mafia boss," said James Holloran, an attorney for Twist. "He was involved in murders and kidnappings and rapes."

Twist was initially awarded more than \$24.5 million by a jury in 2000, but the judge overruled that decision. The Missouri Supreme Court ordered a new trial last year, and the U.S. Supreme Court rejected an appeal by McFarlane without comment.

Michael Kahn, one of McFarlane's attorneys, vowed to appeal the latest ruling.

"The use at issue in this case is no different from Simon and Garfunkel's use of the name Joe DiMaggio in the song 'Mrs. Robinson,'" Kahn said.

LOS ANGELES — Actor Martin Milner is seeking the public's help in finding a bone marrow donor for his leukemia-stricken daughter.

Milner, who starred in the TV series "Route 66" and "Adam 12," said a marrow transplant may be the only hope for 45-year-old Amy Milner, and no suitable donor has been found among family members or on the national registry.

Milner hopes widespread blood testing will help his daughter and others.

"There's a good likelihood that somebody else could be saved, somebody not related to us at all. ... There are a lot of people waiting for good news," Milner said.

His daughter Amy, a single mother who lives in Encinitas, was diagnosed with acute myeloid leukemia in February 2003.

Blood drives to find a match are scheduled in San Diego and Carlsbad this month and one is set for the

Screen Actors Guild in Los Angeles on July 16. Kent McCord, Milner's friend and "Adam 12" co-star, is heading the SAG drive.

INCLINE VILLAGE, Nev. — A theme park based on the 1960s television show "Bonanza" has been sold to PeopleSoft founder David Duffield for an undisclosed sum.

Duffield, who became a residential real estate developer after leaving as president and CEO of the software maker in 1999, was vague about his plans for the 570-acre Ponderosa Ranch.

"Some folks are concerned about the development potential of the Ponderosa Ranch," he said in a statement. "I can assure them that I have no immediate development plans for the property."

The ranch, on Lake Tahoe's north shore, opened in 1967 based on the NBC show Bonanza, which aired from 1950 to 1973. The park includes a mock old West town, a shooting gallery and stunt performances.

Local, state and federal officials had hoped to purchase and preserve the real estate. The U.S. Forest Service planned to use \$35 million generated by a recent auction of federal land near Las Vegas to purchase about 490 acres of the ranch. Other agencies had planned to split the rest.

"We all invested so much time and hard work in this and it's a real blow. We're just crushed," said Pam Wilcox, administrator of the Nevada State Lands Division.

David Geddes, president of the ranch, expressed confidence that Duffield will be "a responsible steward of the land."



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