

FREE

FRIDAY, JULY 19, 2002

Volume 1, Issue 215

Santa Monica Daily Press

A newspaper with issues

Ready to rock n' roll



Band members from Laura Love tune their instruments during a sound check as they prepare to perform at Thursday night's Twilight Concert series on the pier. Del Pastrana/Daily Press

Worm-ridden walnut buy neither smart nor final

BY JOHN WOOD
Special to the Daily Press

Live worms and larvae are to blame for a Santa Monica man's two-day bout with food poisoning, he told a judge Thursday.

Shepherd, a 61-year-old Santa Monica real estate consultant, purchased a bag of walnuts produced by Mixed Nuts Inc. in February from a Smart & Final store on Pico Boulevard in West Los Angeles.

That evening, Shepherd said he poured some of the nuts into a salad, ate his dinner and went to bed. At 1 a.m., he was awakened by a violent case of diarrhea that had him sitting on the toilet for the next two days.

During a short reprieve, Shepherd went searching for the culprit.

The salad was fine, so were the tomatoes. But the walnuts, which were stored in a self-sealing plastic bag overnight, were accompanied by tiny live worms and covered with walnut-colored larvae webbing, Shepherd said.

Shepherd demanded answers. But he got the run-around — from store managers, corporate personnel, walnut people.

"What bothered me about the whole thing was I just got stonewalled," he said.

Weeks later, in an attempt to resolve the dispute, Mixed Nut Inc. made him an offer.

But Shepherd said it was unacceptable.

"They offered me some nuts," he said. "And I replied, 'Are you kidding me?'"

Shepherd sued Smart & Final in Santa Monica Small Claims Court, seeking \$1,500 for time missed from work and the discomfort he endured.

Susan Wong, a claims coordinator for Smart & Final, said Shepherd was the only customer who complained about the walnuts. She added that Smart & Final immediately pulled the walnut stock from its shelves.

Wong showed Judge Pro Tem Herbert Rubinstein a report detailing a laboratory investigation done on a different bag of walnuts which indicated no worms or larvae were found. Wong admitted that the company did not accept Shepherd's offer to test his walnuts.

Judge Rubinstein, after inspecting what remained of Shepherd's walnuts, said the retailer hadn't done enough.

"It's an issue that nobody tested his nuts," the judge said. "Smart & Final put the walnuts in the stream of commerce. Food has to be wholesome. And if it's not, there are liabilities."

Judge Rubinstein awarded Shepherd \$750.

"That's what I thought it was worth," he said.

City council approves partial settlement of contaminated water suit

BY ANDREW H. FIXMER
Daily Press Staff Writer

Two of the largest oil companies accused of contaminating Santa Monica's wells with a gasoline additive that is a suspected carcinogen have reached a tentative settlement with the city.

Both Chevron Texaco and Exxon Mobil have agreed to pay the full cost to design, construct, operate and maintain a water treatment facility that is estimated to cost hundreds of millions of dollars. The oil companies also will provide an undisclosed amount of cash to cover costs associated with the contamination.

In return, the city has agreed to release the two companies from its MTBE lawsuit. The suit was filed in June 2000 against 18 manufacturers, suppliers, refiners, owners and operators of pipelines and other gasoline facilities for allowing the additive to leak into its ground water. Methyl tertiary-Butyl Ether is a colorless chemical that at very low concentrations smells like turpentine and poses a serious public health risk.

City council members voted 5-0 at about 9:30 p.m. Wednesday behind closed doors in a special meeting to specifically approve the agreement. The meeting was called quickly after city attorneys learned the boards of directors of the two oil companies had agreed to the settlement's con-

ditions. Mayor Pro Tem Kevin McKeown and Councilman Robert Holbrook were not present at the meeting.

"This agreement basically provides us with a guarantee that the cost of cleaning up the water is going to be taken care of"

— KEN GENSER
Santa Monica City Councilman

"These companies have stepped forward and acted with integrity and they have a chance to recoup some of their money," said Joe Lawrence, the city's lead attorney on the MTBE case. "The city is very upbeat about the settlement. This is a significant breakthrough for us."

The terms of the settlement must be approved by Orange County Superior Court Judge Stephen J. Sundvold, who

See MTBE, page 5

San Francisco hotels launch campaign against homelessness

BY OLGA R. RODRIGUEZ
Associated Press Writer

SAN FRANCISCO — Tired of political rhetoric that hasn't reduced the city's homelessness problem, tourist industry leaders are trying to shame local politicians into cleaning up the streets.

In one of 33 giant billboard ads spread throughout the city by the Hotel Council of San Francisco, a businessman holds up a cardboard sign saying, "I want to know why homelessness is still a problem after we spent \$200 million last year."

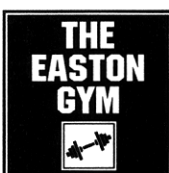
Others hold more direct messages: "I want the Board of Supervisors to stop playing politics and actually do something about the streets."

Hotel Council member Paul Ratchford, who is directing the campaign, says the ads, which will run for six months, reflect the tourist industry's frustration over the failure of the board and mayor to solve the problem.

"It's a call to action to the residents of San Francisco to call their elected officials in their districts and let them know we need reform," said Ratchford, who also is managing director of the Argent Hotel.

The Hotel Council, which represents 55 city hotels, sees homelessness and panhandling as a huge social issue that is now also becoming a deterrent for business travel and tourism, he said.

See CAMPAIGN, page 6



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

ARIES (March 21-April 19)
★★★★ Handle a personal matter first. Return calls and network in the afternoon. An associate you count on flakes out when you least expect it. Your ingenuity comes through. An opportunity involving an investment or your domestic life delights you. Tonight: Take off as soon as you can.

TAURUS (April 20-May 20)
★★★★ A boss can be testy. Work with this person. How you say what is on your mind makes all the difference in the end. New beginnings greet you as a result of your extremely positive attitude. Do nothing halfway. Tonight: Make it a night for two.

GEMINI (May 21-June 20)
★★★★ Carefully review a situation that involves finances. Clear out work before you start returning calls. Inevitably, a social nature takes over. Your high energy draws many. Use this perfect mood and occasion to network. Tonight: Play away.

CANCER (June 21-July 22)
★★★★ You cannot put the kibosh on your social personality or another's enthusiasm about you. Creativity peaks in this present mood. Allow yourself to flow with a co-worker. Bright ideas just happen. Together you make a strong team. Tonight: At a favorite spot.

LEO (July 23-Aug. 22)
★★★★ Domestic matters still take precedence. You cruise through problems with ease. Someone might have unusually strong feelings. Your instincts hone in on a child or new love interest. Follow through on what you know. Tonight: Ever playful.

VIRGO (Aug. 23-Sept. 22)
★★★★ Success becomes you. Others seek you out. It seems as if everyone wants your advice and opinions. Your popularity soars. When you return a call, someone is genuinely thrilled to hear from you. Understand how much this person cares. Tonight: A cozy night at home.

LIBRA (Sept. 23-Oct. 22)
★★★★ Carefully realize your limits with a boss. Though you feel as if you're on cruise control, you could be rather uncomfortable. Understand where another is coming from, especially when dealing with money. Reach out for others this afternoon while you clear your desk. Tonight: Tell it like it is.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Make a big push with important details in the morning. You can get a lot done, and quickly at that. By afternoon, stop and do a quick overhaul of your finances. Get ready for a fun weekend, when you won't want to have a problem in the world. Tonight: Your treat.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ This morning, tie up some details that you have left undone for too long. A partner or associate guides you with a financial decision. By afternoon, you enter your monthly power cycle. The world is your oyster, and others know it. Tonight: Ask for what you want.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ An associate keeps coming through for you in big ways. You delight in this relationship. Stop and notice how many others step up to the plate for you. Acknowledge those key people in your life. A loving attitude goes far. Tonight: Let a loved one indulge you.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Recognize what is going on with an associate who might be very excited. Your work takes a high priority through the early afternoon. Know that someone is checking out your performance. A meeting points to unusual success. Tonight: Where the happening is.

PISCES (Feb. 19-March 20)
★★★★ Return calls and e-mail ASAP. Important news heads your way early on. You might need to change your plans or head in a different direction. Don't be too attached to the idea of getting out of the office on time. Tonight: A late dinner.

QUOTE of the DAY

“What a man enjoys about a woman's clothes are his fantasies of how she would look without them.”

— Brendan Francis

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LOCAL

NEWS BRIEFS

Fire causes \$50K damage to building

By Daily Press staff

A fire broke out Wednesday that caused \$50,000 damage to a Santa Monica apartment building, leaving its residents without water for several hours. Firefighters responded to 911 calls from tenants of a building on the 2200 block of 29th Street at 7 p.m. Residents of the building reported hearing a “boom” and then they saw flames around the doorway of the utility closet, fire officials said. There were no injuries and fire, smoke and water damages were contained to one unit in the building, with no spread to other buildings. The 29 responding firefighters had the blaze extinguished in less than 20 minutes, officials said. A broken water line left the eight-unit building without water for several hours. The cause of the fire is under investigation, and is undetermined at this time.

Promenade concerts begin today

By Daily Press staff

As of today, the Third Street Promenade will begin hosting a free summer concert series. Officials at the Bayside District Corp., the non-profit that manages the Promenade in partnership with the city, will team-up with Los Angeles night club Spaceland to bring up-and-coming bands to Santa Monica. The concert’s stage for the new series will be set up in the Promenade’s center court, which is the geographical center of the three-block outdoor shopping mall, between Arizona Avenue and Santa Boulevard. Today’s band, ‘Irving,’ is scheduled to begin at noon and play until 4 p.m. The concert series will continue through the next month on alternating Fridays on Aug. 2, 16, and 30. All concerts in the summer concert series are free. Parking is free for two hours in any public parking structures on Second and Fourth Streets. For additional information on events in downtown Santa Monica, visit the Bayside District Web site’s “What’s Happening” section at www.downtownsm.com.

Big Blue needs you

By Daily Press staff

The Big Blue Bus is hosting a public hearing on whether to operate the current the Line Four route on a permanent basis. The meeting will be held next Tuesday from noon to 1:30 p.m. at the VA Greater Los Angeles Healthcare Center at 11301 Wilshire Boulevard in Los Angeles. The hearing will be held in room 6400, which is on the sixth floor of building 500 of the complex. Conveniently, the Line Four stops right in front of the Healthcare Center. The route was created in June by combining the Line Four Carlyle route with the Line 15-VA Shuttle. The Big Blue Bus has been operating the new route over the summer as an experiment to see how riders like the service, bus officials said. Big Blue officials said they will rely heavily on what their riders think about the current route, and they ask those interested to attend the meeting. For more information, call (310) 451-5444 or riders may send their comments by e-mail to businfo@bigbluebus.com.

Life’s a beach



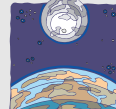
Del Pastrana/Daily Press

Summer is in full swing at the Santa Monica Beach. Hundreds gather just north of the pier Thursday.



Information compiled by Jesse Haley

A mix of minor swells keeps local breaks mostly in the one-to-three foot range this weekend. Good southwest exposures. Zuma, Point Dume show slightly better sets, averaging knee- to waist-high with rarefied chest level surf. Saturday and Sunday promise pulses from a small, peaking southwest swell, which will mix with a fading northwest wind swell to put LA County in ankle- to waist-high surf. Leo Carrillo, Topanga and Surfrider, small currently, should remain so. Best bet is probably Zuma or County Line, though longboarders and/or beginners may want to hit up Bay Street where sets look small, clean and consistent.



Today's Tides:

Low-	12:48a.m.	0.42'
High-	7:01a.m.	3.45'
Low-	11:41a.m.	2.09'
High-	6:20p.m.	6.10'

Location	Friday	Saturday	Sunday	Water Quality
County Line	2-3'/Fair	2-3'/Fair	2-3'/Fair	A
Zuma	2-3'/Fair	2-3'/Fair	2-3'/Fair	A
Surfridfer	1-2'/Fair	1-2'/Fair	1-2'/Fair	A
Topanga	1-2'/Fair	1-2'/Fair	1-2'/Fair	A
Breakwater	2-3'/Poor	1-3'/Poor	1-3'/Fair	A
El Porto	-3'/Fair	2-3'/Fair	2-3'/Fair	A

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OPINION

LETTERS

Blaming the bottoms

Editor:

My letter is in response to the Carolyn Sackariason lead article on July 12, 2002. Carolyn do you and your boss at the Santa Monica Daily Press, which exists solely on paid advertisements of mostly local vendors, actually believe the homeless should be booted from Santa Monica? Do you believe that by booting the homeless like so many other cities and police departments have done that you are doing a humane and good thing?

Just because there are homeless people in a minimum wage economy that can't employ all of its labor force, and because there are people who have no visible means of income for any number of reasons, you would boot them out of this city? Poor people be gone, just like that! Move on, take a hike, go away, just like that!

Times are tough for businesses because a minimum wage economy lowers demand for goods and services that make businesses prosper. Times are tough because too many CEOs have tricked up their books and left Wall Street holding worthless stocks.

So the Santa Monica Daily Press blames the people on the bottom. Blames the people on the bottom for eating food in public. Blames the people on the bottom for being seen in public. Blames the people on the bottom for being on the bottom in public!

You should be ashamed.

Randy Walburger
Santa Monica

'Media whore'

Editor:

A few months ago, a certain city council candidate overstated the number of votes he received when he ran for a council seat four years ago. Now, it appears that he has misrepresented actor Martin Sheen's support for his current campaign. (SMDP, July

18, 2002, "A not so memorable endorsement by Sheen.")

The little credibility this man had is now totally shot. Your readers should be aware that these are the manipulations of a compulsive publicity hound and media whore who really has nothing to say — but and will do anything to get his name in print — which is why I'm not going to mention his name.

Chuck Allord
Santa Monica

SMDP should take a bow

Editor:

The Daily Press was sternly lectured in the letters section on July 12 from City Council member Pam Connor and David Busch, editor of the homeless newspaper, "Making Changes..."

Although I take no position on either argument, I do want to underline that overall the Daily Press has had a positive influence on the city. For example, despite the transportation department's contention that the downtown transit mall speeds up traffic, residents emphatically disagree as demonstrated in their Q-Line comments in the same July 12 issue.

Likewise, the SMDP also shines a light — perhaps too bright for some — on city council actions. Confronted by a sizable budget shortfall, the city, according to the newspaper, resolved to fund a park but not affordable housing. Without the newspaper, these decisions were likely to go unnoticed, and voters would go to the November polls clueless as to the city council's decisions.

Similarly, without the SMDP, the uptick in street crime would go unreported.

Consequently, I think the newspaper is entitled to take a bow for the positive impact it has had on resident awareness.

Joanne Gamlin
Santa Monica

No butts about it, smoking should be allowed in parks



By Mike Tittinger

The City Council and Recreation and Parks Commission need to butt out.

Santa Monica's civic leaders are currently mulling a measure that would ban smoking within 25 feet of a children's playground. Sounds reasonable enough when you

throw the word children in the same sentence with smoking. But then officials begin intimating that such a proposal is just the beginning, the tip of the iceberg.

Councilman Richard Bloom said as much in a recent Daily Press article (June 19) chronicling the commission's anti-smoking agenda, hinting that banning smokers from city playgrounds may be just the first step. Bloom, the council's liaison to the Recreation and Parks Commission, proposes the ban of cigarettes from outdoor patios and restaurants throughout the city.

When we start lobbying to ban smoking from outdoor arenas, there is no limit to

how far the iron-lung curtain will stretch.

C'mon people, it's a big atmosphere, there's plenty of it to go around. Is second-hand smoke really a big health risk when all the involved parties are outdoors? Short of blowing smoke into a 4-year-old's face on the monkey bars, I really don't see how that child's development is going to be stunted.

I think the anti-smoking advocates are trying to blow smoke up our asses.

I have covered enough governmental meetings in my years as a journalist to detect when local politicians are making laws simply to make laws. It's not just a misuse of power by itchy, aspiring politicians; it's nothing short of a mounting threat to our personal freedoms. Cigarettes are harmful and disgusting and carcinogenic, we all know that. But if my neighbor who pays his taxes and lends me his ball-peen hammer and turns down his Eminem after 10 o'clock on a weeknight wants to take a couple drags in the park while his child gets his freak on in the playground, Godspeed good man! Have one on me.

This ought to be interesting to see how this law is indeed enforced. I guess the police will have to hop over the vagrants

smoking ganja in their underwear (because we don't want to violate their civil rights) in order to tackle the inhaling father of three when he flirts with a park boundary. The powers that be evidently feel the quality of life is improved if the panhandler asleep on the carousel doesn't have a cigarette dangling from his mouth.

Public officials are on the verge of passing a feel-good, tree-hugging measure that they have absolutely no hope of ever enforcing. It's pointless. Maybe we could just provide more accessible ashtrays throughout the parks, and have faith in our neighbors that the vast majority of them will want to keep this city beautiful.

I'm not sure I can sympathize with the concerns of those regarding the effects of second-hand smoke on children while they play outdoors. Are parents forming smoking circles at the bottom of the sliding board? I could never understand the banning of smokers from outdoor areas.

The first time I recall hearing of such prohibitions was at baseball parks and it irked me then. I'm all for smoke-free public buildings since we all should be free to utilize them without health-risk issues. I'm less understanding of the ban on ciga-

rettes in bars and restaurants, although I'm working through that one. Personally, I prefer my bars a little dank and seedy, but that's another story.

Committee member Robert Berger's recent remarks are even more disconcerting. "(Smoking) just doesn't fit in with those types of family events," he said.

It's beginning to sound more and more like a right-wing rant without any real merit, as Berger and the anti-smoking regime take their shot at shaping our morals and behaviors under the veil of supposed health-driven legislation.

Mr. Berger, are we banning the cigarettes from parks because of the "magic-puffer theory," whereby children are going to somehow inhale the second-hand smoke that ricochets off the sandbox, through the swing chains and up into the tubular slide? Or are we just drawing aim at our neighbor's legal right to draw on a cancer stick?

Oh, and just one sidenote — I don't smoke!

(Mike Tittinger is a Santa Monica resident.)

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 530 Wilshire Boulevard, Suite 200, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

GOT SOMETHING TO SAY? SOUND OFF IN THE DAILY PRESS

Please send letters to:

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LOCAL

Settlement is city's first break in MTBE lawsuit

MTBE, from page 1

has been assigned to the case. Attorneys for both sides believe a decision is likely to be made in the next four to six weeks.

Though the oil companies were successful in moving the trial to an Orange County court in an effort seek a neutral setting, the city has won every challenge to its lawsuit. The settlement marks the first time oil companies have come to terms with the city's demands for complete restitution.

The city will continue its litigation against the others named in the lawsuit, including Shell Oil Co., which city officials hold most responsible for contaminating the city's drinking water supply.

However, if Shell is not found liable for the pollution, the settlement provides the city with a safety net, ensuring the wells will be cleaned up. The two oil companies named in the settlement could sue Shell to recoup their costs from the remediation.

"This agreement basically provides us with a guarantee that the cost of cleaning up the water is going to be taken care of," said Councilman Ken Genser. "We think Shell should have to pay for that, but if for some reason it doesn't, these other two have guaranteed the cost of clean-up to a very strict standard."

Even though Chevron acknowledges it has reached a settlement, the company continues to deny any responsibility for the pollution.

"It is our strong belief that our facilities have in no way contributed to the contamination, which exists in the well field today," said Chevron spokesman Rod Spackman. "However, by solving this problem now and assigning responsibility later, financial and manpower resources can be best used in developing an effective solution to the city's water needs instead of expensive and counterproductive litigation."

Shell couldn't be reached for comment by press time.

The oil companies have been pointing fingers at each other, denying responsibility and blaming other companies named in the lawsuit, city officials said. Until now, the infighting had all but prevented any company from settling with the city.

City officials would not speculate if the settlement would place pressure on the remaining parties in the MTBE lawsuit to find an agreement with the city outside of court.

"You would think it would," Lawrence said. "And you would think the other companies would recognize it is not in their best interest to continue with the litigation, but who knows what they are going to do."

The pollution closed seven of Santa Monica's 11 wells six years ago, forcing the city to import nearly 80 percent of the 12 million gallons of water it uses each day.

When the wells were first closed, early tests found water from the Charnock well fields contained more than 600 parts per

billion of MTBE. The state determined that water must contain less than 5 parts per billion before it is safe to drink.

City officials detected the additive almost immediately in its water supply. It is unknown whether there are long-term effects from being exposed to the chemical.

Because of the high levels of contamination and amount of water located there, the Charnock wells, which hold five of the city's seven drinking water sources, will require a massive treatment facility before it is reopened. Cleaning up the city's wells and building a water treatment facility has been estimated to cost several hundred million dollars.

"It is our strong belief that our facilities have in no way contributed to the contamination, which exists in the well field today."

— ROD SPACKMAN
Chevron spokesman

Six months ago, Santa Monica opened a water treatment facility for the Arcadia wells, which hold the other two MTBE contaminated wells.

Currently, the city treats water drawn from the Arcadia wells with granularly activated carbon. The water is run through a huge filter made of carbon, which absorbs the MTBE.

However, the carbon filter won't completely clean the Charnock water. The city plans to use the carbon process in addition to an advanced oxidation process to clean the water.

The oxidation process involves adding hydrogen peroxide to the water and then using high intensity ultraviolet light to cause a chemical reaction that burns off the MTBE.

Until the drinking water is cleaned, the oil companies pay \$3.5 million per year to import drinking water to the city from the Metropolitan Water District in Los Angeles. Since 1997, Santa Monica has budgeted \$2.2 million annually for the study, investigation and now treatment of the MTBE-contaminated wells at the Charnock and Arcadia wells, which are located in West Los Angeles.

Recently, oil companies lost similar MTBE cases across the country, including in South Tahoe, Calif. Those companies found liable have been ordered to pay millions of dollars in damages.

The state was scheduled to ban the gasoline additive, but California Gov. Gray Davis has delayed the action.



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LOCAL



Residents wary of corporate naming

Last week the Santa Monica City Council adopted an official policy that allows public facilities and places to be named after corporations or individuals that contribute monetarily or beneficially to the community.

Here are your responses to this week's Q-Line question:

"Do you have a problem with corporate naming of public property? Will it benefit or harm the city?"

■ "Although naming rights are assets a city could sell, I don't believe the City of Santa Monica is empowered to or should sell such rights in exchange for the naming of existing facilities. However, if organizations donate tangible assets for new projects such as land or funding, then naming that new facility after the donor should be considered."

■ "The City Council has done it again. Their latest scheme, and I think this is to get favorable reviews by the public, is to name public property after corporations and individuals. Yes, I do have a problem with this. I wonder if the corporations or individuals have contributed to their campaigns or do business with these same people? This is another one of their ill advised plans, just like the transportation mall that turned traffic into a nightmare. I hope that when the November election comes up, the voting public sees the light and they do something about the council and vote in veritas. Just because Feinstein and McKeown didn't go along with the majority does not mean they have not supported other ridiculous, hair-brained ideas and ordinances."

■ "I disagree with Mayor Mike Feinstein and Mayor Pro Tem Kevin McKeown."

■ "The Santa Monica City Council should stop coming up with bad ideas. Corporations and individuals giving money to the city will only pay less taxes. Thanks Mr. Feinstein and Mr. McKeown. Keep up your positions against the council ideas."

■ "There is no reason to ban corporate naming. Corporations employ millions of people in America. With current budget crunches, corporations can help donate money to continue city services. Michael Feinstein, our mayor, was way out of line with his comment and should be ashamed of himself. Maybe he would be happier in communist North Korea?"

■ "I think that the Bubba Gump Corporation should make a huge contribution to the City of Santa Monica and that everything in Santa Monica should be named after Bubba Gump. We could have the Bubba Gump Pier, the Bubba Gump Park, the Bubba Gump Civic Center, the Bubba Gump Police Station and the Bubba Gump Library. Finally, that monstrosity at the top of the California Incline could be replaced by a giant shrimp and call it the Bubba Gump Monument. In fact, the entire city of Santa Monica could be saved. Bubba Gump City!"

■ "Most definitely. Corporate promotions are everywhere. Public space is the only thing left free of corporate naming, and it should stay that way. Besides, taxpayers pay for public space. Perhaps the idea works in a place like Orange County, where large corporations and chain stores dominate most everything already. Here in Santa Monica large corporations do not, not yet anyway. There are a lot of great independent shops and a great sense of community. Community pride will be lessened because there is more pride in saying let's go to the Santa Monica Pier instead of saying let's go to the Enron Pier. Less interesting places bring less tourism dollars."

SF businesses say vagrants harming local commerce

CAMPAIGN, from page 1

"Our business levels are down and our business meetings are down," said Ratchford. "To say the blight on the streets is not a deterrent to visiting San Francisco is putting your head in the sand."

But City Supervisor Chris Daly said the campaign is a political move by supporters of Gavin Newsom, a city supervisor whose plan to cut homeless welfare checks will be voted on in November.

"What the Hotel Council wants, and they got Gavin Newsom to propose, is to get people out of sight and out of mind, but that doesn't solve the problem," said Daly, a longtime advocate for the homeless.

Newsom, who is expected to run for mayor next year, said San Franciscans are more fed up than ever with homelessness, and the ad campaign reinforces that sentiment.

"Seeing the billboards has surprised nobody," Newsom said. "People are not interested in the status quo and the idealism and the emotion that drives homeless advocates. They're interested in real change."

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STATE



'I'm innocent'



Nick Ut/Associated

Inglewood Police Officer Jeremy Morse, right, is accompanied by his attorney, John D. Barnettas, as he appears in a Los Angeles courtroom Thursday. Morse, who was videotaped punching a handcuffed teenager, pleaded innocent to assault. His attorney said the incident was a "reasonable" use of force under the circumstances.

Mock war set up in West to test battle technology

BY SETH HETTENA
Associated Press Writer

SAN DIEGO — Preparations are underway in Southern California and Nevada for the largest military experiment in U.S. history.

The Millennium Challenge 2002, which begins next week, was mandated by Congress to help U.S. forces prepare for future wars.

About 13,500 troops from the Army, Navy, Air Force and Marines will use the latest in military hardware in a simulation of what planners believe the battlefield could look like in five years.

Over three weeks, troops will play out a scenario that echoes real-world events involving simulated weapons of mass destruction, urban warfare, the United Nations and humanitarian relief.

The Joint Forces Command, operating in Suffolk, Va., is coordinating the experiments from July 24 through Aug. 15 off the coast of San Diego and at bases in Southern California and Nevada. Top military brass, including the chairman of the Joint Chiefs of Staff and the chief of Naval operations, will attend.

The experiments are the fruits of a drive to transform the military from a heavy, mechanized force designed to fight the Soviet Union into mobile, high-tech troops that can deliver swift hammer blows to a different kind of enemy.

"In the Persian Gulf, it took us months and months to stage forces and stockpile logistics," said Tony Billings, a spokesman for Joint Forces Command. "New concepts are designed to cut down on that preparation time dramatically and

position U.S. forces so that they're capable of rapidly and decisively striking at the enemy's center of gravity."

Just as remarkable is the fact that all four branches of the military — often driven by intraservice rivalries — are working on the same page.

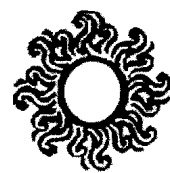
"It's like you're playing baseball all these years but the infield never worked with the outfield," said Dan Goure of the Lexington Institute in Arlington, Va., who specializes in transformation issues. "Now you've got them all in the field trying to go through a couple of innings."

Two years of planning have gone into the experiment to test how the U.S. military can respond to an international incident that can rapidly spin out-of-control into all-out warfare.

"The question for us is how do we bring all our resources to bear to prevent that from occurring," said Cmdr. Jack Hanzlik, spokesman for the Navy's Third Fleet based in Coronado.

The hypothetical scenario begins with a military coup in a country stricken by a massive earthquake. At the same time, a decision by the World Court over disputed territory outrage the coup leaders and prompts a military build-up and a shipping blockade. In response, the United Nations votes to impose sanctions.

As part of the simulation, parts of which are classified, the U.S. Marines and special forces will destroy a hypothetical weapons of mass destruction site at the former George Air Force Base in Victorville. That will be followed by a 96-hour urban combat exercise that shifts Marines between all-out fighting and peacekeeping.



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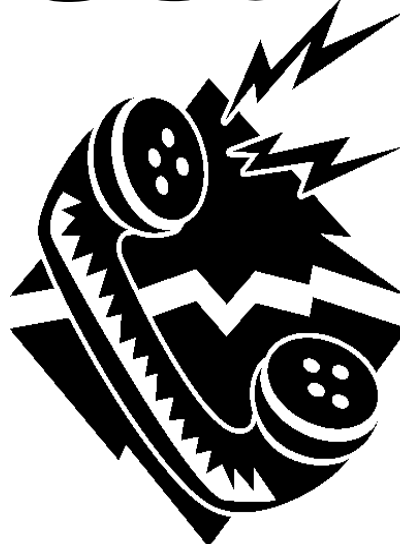
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STATE

Ski resort to pay millions to paralyzed snowboarder

By The Associated Press

SAN FRANCISCO — A jury did not award enough money to a woman paralyzed from a snowboarding jump, so the ski resort must pay an additional \$5.3 million or undergo another trial, a judge has ordered.

San Francisco Superior Court Judge Paul Alvarado ruled the \$4.4 million awarded by a jury to Charlene Vine of Murphys was insufficient to compensate for her injuries.

Alvarado gave Bear Valley Ski Company the option of paying Vine an additional \$5.3 million for pain and suffering or requesting a new trial for a jury to decide how much she should receive.

Alvarado's decision is unusual because judges typically reduce awards in ski and snowboard cases, believing juries hand out money too easily, said Niall Yamane, Vine's attorney.

In May, the jury ordered the ski resort to pay Vine \$713,000 for her injuries and the remainder of the money for hospital bills and her inability to work. Bear Valley's attorney, Peter Koenig, said the total amount

was to be reduced by 55 percent since the jury ordered Vine to accept responsibility for that portion of her injuries.

On July 12, the judge disagreed.

"Although there is no mathematical test for determining pain and suffering damages, the permanent physical injuries and mental pain and embarrassment suffered by the plaintiff clearly warrant a non-economic damage award in excess of \$713,000," Alvarado wrote.

Koenig said he will appeal.

"We went to trial on a case where the judge gutted me of any hazardous sports defenses," Koenig said. "He made me argue it like there was milk spilled in aisle two and now she's paralyzed."

Vine, 29, was paralyzed from the waist down in April 2000 while attending an end-of-season Bear Valley employee party. Vine worked inside the resort and had a season ski pass.

Her lawyers argued a jump had been formed with angles that were too steep, increasing the impact endured during landings. Vine landed on her back, breaking it and severing her spinal cord.

UC Davis campus newspaper editor will remain employed

By The Associated Press

DAVIS — Despite complaints about sexist and racist stories and pictures in the University of California, Davis campus newspaper's annual spoof edition, the Campus Media Board has decided to let the student newspaper's editor keep his job.

The media board held a public hearing Wednesday in response to concerns over The Aggie's June 7 spoof edition, "The Ivory Basement," which contained what many construed as sexist and racist content.

Following testimony from three complainants — student Mary Vasquez, attorney Chad Carlock and Davis resident Norb Kumagai — the board agreed with each complainant that there were violations of the newspaper's policies, but that editor-in-chief Fitzgerald Vo wouldn't lose his job.

Vasquez, who was targeted with explicit language in the spoof edition's disclaimer box, claimed she was sexually harassed. Carlock filed a complaint on behalf of the parents of two children who were depicted in a photo that included an image of a penis superimposed into it. Kumagai filed a joint complaint with student Atul Nair regarding a reference to Vo as "Editor-in-Chink."

The board, which acts as an advisory group to the newspaper and hires its editor, recommended a wide range of reme-

dies, from holding a public forum to discuss community concerns about the paper, to implementing cultural ethics and diversity training and retaining a professional journalist to act as an adviser to The Aggie.

Vo was also asked to ensure that appropriate action be taken against Aggie employees whose contributions to the spoof edition violated campus and newspaper policies.

Carlock said after reading the board's recommendation that he doubted his clients would be satisfied because Vo was not fired.

He said Thursday that his clients would likely take their complaint to the Student Judicial Board.

At the hearing, Vo acknowledged that he was the one who altered the photograph, while Vasquez and others demanded that Vo name the people responsible for the comments directed at her. Vo has said repeatedly he does not know who wrote the disclaimer box, and that the printed version was not the one he saw before the edition went to print.

Vo said he would take appropriate action those responsible. "It seems to me that the more important thing is to make sure that something like this doesn't happen again."

Bee swarm attacks, kills dog

By The Associated Press

WHITTIER — A swarm of bees attacked a Whittier man and his daughter, killing their dog and forcing the lockdown of a nearby elementary school.

The man and his 12-year-old daughter were outside their home Wednesday when the bees swarmed about 1 p.m., authorities said. Both were stung, but neither suffered any serious injuries.

After word spread of the swarm, children at Lincoln Elementary School were temporarily confined to their classrooms.

Officials have yet to determine whether the man and his daughter were attacked by Africanized honeybees, also known as killer bees.

Neighbors said they believed the bees had a hive in the family's attic or garage.

NATIONAL



His mercury level is off the charts



Derek Gean/Associated Press

Willie Pollock stands next to a freezer full of fish that he caught in the Bayou Bartholomew in Bastrop, La. Pollock was recently diagnosed with advanced level mercury poisoning after years of being misdiagnosed as having gout. Pollock said his doctor told him that he held the world's record for the person with the highest mercury level who was still alive. His mercury level was 152, and the normal mercury level is eight.

Prince smuggled drugs under diplomatic immunity

BY CATHERINE WILSON
Associated Press Writer

MIAMI — A Saudi prince smuggled a 4,400-pound load of cocaine from Venezuela to Paris on his personal aircraft under diplomatic immunity, U.S. drug investigators charged Wednesday.

Nayef bin Sultan bin Fawwaz Al-Shaalan, a prince who prosecutors said is not in the line of succession to the Saudi throne, was indicted along with three others on two drug conspiracy counts.

Officials said they don't know the prince's whereabouts, and it is unclear, because of his diplomatic immunity, whether the prince could be prosecuted if he were located.

A woman at the Saudi embassy's information office in Washington after business hours Wednesday said diplomats were gone for the day, and no one was available for comment.

Agents seized a Goya painting, three paintings by Colombia's Fernando Botero and a sculpture by Japan's Tsuguharu Foujita as part of the investigation. The DEA estimates the Goya and the Foujita works are worth at least \$1 million each.

DEA agents found the alleged broker of the deal, Doris Mangeri Salazar, 44, hiding in a bedroom closet at her home Wednesday, a DEA report said.

A six-page DEA report written to obtain a search warrant for her house briefly outlined the alleged drug deal based primarily on reports from Colombian drug smugglers who have been DEA informants.

Mangeri allegedly introduced the prince to the smugglers in 1998, and he agreed to fly the cocaine from Venezuela to Paris on May 16, 1999, investigators said. Some of the cocaine was distributed and more than 2,000 pounds were seized by French and Spanish authorities, the DEA said.

Man arrested for trying to smuggle \$659,000 to Egypt

BY JEFFREY GOLD
Associated Press Writer

NEWARK, N.J. — An American of Egyptian descent was arrested on smuggling charges after allegedly sending his parents to the airport with \$659,000 hidden in their luggage.

The plot was thwarted April 30 when the parents of Alaa Al-Sadawi, 31, were arrested at John F. Kennedy International Airport in New York. Authorities uncovered the alleged plot by using a wiretap.

Customs agents found the \$659,000 in four boxes within a suitcase: a box of Ritz crackers, two boxes of baby wipes and a box of Quaker Oats, authorities said. The boxes contained \$20, \$50 and \$100 bills.

Al-Sadawi obtained his U.S. citizenship last week and then applied for an expedited U.S. passport. That passport was to be available Wednesday, and he

was booked for an evening flight. He was arrested Tuesday night.

Al-Sadawi faces up to five years in prison and a \$250,000 fine on a single charge of conspiring to take more than \$10,000 out of the country without declaring it.

A friend of Al-Sadawi's, Abdul Moniem Soliman, was arrested earlier.

Al-Sadawi's parents, who are free on bail, and Soliman, of New York, face up to 10 years in prison and a \$250,000 fine on a charge of attempting to take the money out of the country without declaring it.

After the money was found, agents listened as the father, Hassan Fahmi Abraham Ahmed Al-Sadawi, called Soliman from the airport. Soliman told the father not to mention his son because "they'll say the money is to finance terrorism and he will be jailed," according to a federal account.

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NATIONAL

Indian actress doesn't resent being detained on flight

By The Associated Press

NEW YORK — A group of air travelers from India who made a fellow passenger suspicious, prompting authorities to have military jets escort the plane, included a noted Indian movie actress.

Samyuktha Verma, described as the Julia Roberts of Malayalam-language movies, said she didn't resent being questioned by police Tuesday after a fellow passenger said she and her companions were acting suspiciously on an American Trans Air flight from Chicago to New York.

The 20-year-old actress is touring the United States in a variety show, traveling with her parents, her sister and two fellow performers.

A passenger had told a flight attendant that the group was engaging in "suspicious activity," by passing notes and changing seats.

"We were enjoying the flight and we were all very excited," Verma told The New York Times. "We were arguing over who would sit next to the window because New York is such a beautiful city, and it was our first time here."

The flight attendant notified the pilot, who alerted federal aviation authorities. Two F-16 fighter jets escorted the plane — a Boeing 757 with 98 passengers plus a crew — to LaGuardia International Airport.

"When the plane landed, the police came on and a woman pointed to us. Then they took the men away,"

Verma said.

The Indian passengers were detained, questioned and then released about five hours after the plane landed at 11:05 p.m. Tuesday.

"At first I thought I would never come to America again, I was so scared," Verma said. "But the police were very nice to us. They made sure we were comfortable, and they treated us well."

Said Verma's father, Ravi Verma: "I don't know, maybe they thought we were choosing targets or something."

Malayalam is a language spoken in southern India. India has a thriving film industry that churns out hundreds of features a year in various Indian languages.

Jury sides with Exxon Mobil in lawsuit

BY RACHEL D'ORO

Associated Press Writer

ANCHORAGE, Alaska — A jury on Wednesday rejected claims by six Alaska communities that Exxon Mobil Corp. owed them \$12 million for the 1989 Exxon Valdez oil spill in Prince William Sound.

During a six-week trial in state Superior Court, Exxon Mobil argued it already paid its bills — more than \$3.7 million.

"Our intention all along was to fully pay anyone with a legitimate claim," said Exxon spokesman Tom Cirigliano.

The plaintiffs "obviously were disappointed" in the verdict, said Dave Oesting, one of the attorneys representing the communities of Kodiak Island Borough, Seward, Cordova, Old Harbor, Larsen Bay and Port Lions.

They have not yet decided whether they will appeal, Oesting said.

The case is unrelated to the main, unresolved issue in federal court of how much Exxon Mobil will be ordered to pay in punitive damages to thousands of commercial fishermen, Alaska Natives, property owners and others harmed by the 11 mil-

lion gallon spill.

The 9th U.S. Circuit Court of Appeals in November found the \$5 billion award levied against the international corporation in 1994 by an Anchorage jury to be excessive. The appeals court ordered the Anchorage federal district court to reduce it. Exxon Mobil has since told the court the award should be no more than \$40 million.

On Wednesday, Oesting filed a 100-page brief in the federal case opposing that amount. Plaintiffs now contend punitive damages should be no less than \$4 billion.

'Jackass' stunt ends in disaster; teen in critical condition

By The Associated Press

MIDLAND, Texas — Three teenagers were charged with dousing a youth with lighter fluid and setting him on fire in a videotaped stunt, and officials said the victim appeared to have taken part voluntarily.

Jonathan Perry, 17, was in critical condition Thursday with second- and third-degree burns over 60 percent of his body. The video was shot Sunday.

Sheriff Gary Painter said Perry apparently cooperated in the burning, but he said the three teenagers could still be prosecuted.

"A person can't give someone consent to violate the law," Painter said.

Casey Tim Owens, 18, and Eva Marie Cedillo and Monroe Rathbone, both 17, were charged Wednesday with aggravated assault and released on \$5,000 bail.

Painter said someone on the tape mentions "Jackass," the MTV program featuring a series of strange and dangerous stunts.

"I can't say for sure they were referring to that show, but they were simulating things that are done on that show," he said Thursday.

Several young people have been seriously injured trying to copy stunts on the show, prompting MTV to move it to a later time slot and run disclaimers. Telephone calls placed to MTV's New York offices weren't immediately returned Thursday.

Thieves make off with 82-pound salmon

By The Associated Press

SITKA, Alaska — One of the biggest king salmon ever caught in Southeast Alaska — 82 pounds at the dock, estimated at 92 pounds before being dressed out — has disappeared, apparently stolen from the processing plant where it was being kept.

Sitka police said the only clue to the whereabouts of the giant fish was the report of a night watchman who saw two men in hooded sweatshirts late Tuesday night near the freezer area.

"This is the biggest fish that I've ever heard of being caught on commercial gear," said Pattie Skannes, assistant troll management biologist for the Alaska Department of Fish and Game in Sitka.

Hauled in on commercial trolling gear by the crew of the power troller F/V Valiant Hunter near Shelikof Bay Monday, the fish was delivered to the co-op Tuesday afternoon.

After being weighed and photographed, the fish was placed in one of the co-op's freezers, where it was to stay until it could be mounted, said plant manager Craig Shoemaker. Shoemaker said freezers are not locked, and the plant is open at night because the co-op runs 24 hours a day.

Joey Carpenter, the deckhand on the Valiant Hunter who helped bring in the giant king, said he was shocked to learn it was missing.

"Who would think someone could go into the co-op and walk off with an 82-pound fish? You don't just stick that under your coat," he said.



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SPORTS



Five non-PGA Tour winners share lead at B.C. Open

BY JOEL STASHENKO

Associated Press Writer

ENDICOTT, N.Y. — Tripp Isenhour, Shaun Micheel, Paul Claxton, Joe Ogilvie and David Morland IV, five golfers clawing to establish themselves as regulars on the PGA Tour, shot 7-under 65s Thursday and shared the first-round lead at the B.C. Open.

The five started what has become the annual ritual of the pros carving up the 6,974-yard En-Joie Golf Club course. No golfer in the 30-year history of the event has ever shot an above-par round during the tournament and won.

Trailing the leaders by one stroke was Brian Wilson, a Buy.Com Tour member playing in his first PGA event of the year. A large group at 67 included J.P. Hayes and David Peoples.

Jay Haas, one of the top names in a tournament dominated by lesser lights as it goes head-to-head again with the British Open, quit after teeing off on No. 15 due to apparent kidney stones. He was being evaluated at a hospital Thursday evening.

Among them, the five leaders made 383 starts in PGA tournaments heading into the B.C. Open without a win. Isenhour is having the best year of the group, making the cut in seven of 10 events and earning \$207,144 for 138th on the money list.

The best-ever finish for any of the leaders in a tour event

is a fourth-place tie by Ogilvie at the 2000 St. Jude Classic.

Isenhour made a three-putt bogey on his first hole of the day and followed with eight birdies and nine pars. His 65 was a significant improvement over his last two opening rounds on tour — 79 at the Western Open and 78 at the Greater Milwaukee Open. He missed the cut in both.

"It was a little bit like, 'Oh, boy,'" he said of his only bogey. "But I just said I was going to stay patient today and not try to force things."

Morland has missed the cut in eight of the nine PGA tournaments he has played this year as he splits his time between the PGA and Buy.Com tours. The highlight of his round was an eagle at the short, par-4 16th when his wedge from 66 yards skipped past the pin by about 4 feet and backed up into the cup.

Micheel said a sloppy bogey on the par-4 18th — his ninth hole of the day — woke him up and he made five birdies in six-hole span starting at No. 3.

Ogilvie, who had a bogey-free round, has made only two of nine cuts on the tour in 2002.

Claxton had nine birdies and two bogeys, and took only 25 putts.

"I was real hot with the putter today," he said. "I think that's the key — hitting good tee shots and rolling the putter."

Claxton was the last of the leaders to finish, and he did so as threatening skies moved in following a hot, humid day.

"We were hustling to get in," he said.

Defending champion Jeff Sluman shot even-par 72. Paul Gow, whom Sluman beat on the second playoff hole last year, shot a 6-under 29 on the back nine, his opening nine of the day, but cooled off to finish at 67.

Wilson's best finish in 32 previous PGA events was 20th in the 2000 Buick Open. He said he was with friends in Fort Worth on Tuesday expecting to be on vacation this week when he got a call telling him the final spot in the B.C. Open field had opened.

He arrived in Endicott on Wednesday evening and shot a 66 without a practice round.



Adam Butler/Associated Press

Tiger Woods of the United States plays from the rough during the first round of the British Open Golf Championship at Muirfield golf course in Scotland Thursday. Woods posted a 1-under par 70.

Researchers may get long-sought answers about sports concussions

BY ALAN ROBINSON

AP Sports Writer

PITTSBURGH — The most extensive study ever of concussions in college and high school athletes may soon yield the answers to several perplexing questions coaches and trainers have been asking for decades.

Namely, when is it safe for a player with a concussion to resume playing? And how many concussions are too many, and should cause an athlete to retire?

The \$3 million, five-year study by researchers and doctors at the University of Pittsburgh and Carnegie Mellon University, funded by a grant from the National Institutes of Health, is designed to objectively study the effects of single and multiple concussions on athletes' brains.

By the end of the study, researchers hope to draw up a definitive timetable of how long an athlete should wait before playing following a concussion. The determination is critical because an athlete suffering a second concussion while still recov-

ering from an earlier one risks permanent brain injury or death.

A concussion occurs when a person's brain is violently rocked back and forth due to a blow to the head or the upper body. Concussions disturb brain activity and can cause brain swelling, blood vessel damage and even death; 17 athletes are known to have died between 1992 and 1997 following a second concussion.

"Whether or not an athlete should keep playing has always been based on opinion, not on science," said Mark Lovell, a neuropsychologist and the director of the UPMC Center for Sports Medicine concussion program. "But this could be the missing link."

The findings will be used in professional sports, too. Lovell is the director of neuropsychological testing for the NFL and NHL and is the director of concussion testing for CART and the Indy Racing League.

Lovell is among 25 experts making presentations at a weekend seminar in Pittsburgh on concussions. Those attending will be told that of the estimated 600,000-plus high

school and college athletes in the United States, an estimated 10 percent — or about 60,000, 63 percent of them in football — have concussions each year.

Because traditional testing means such as CT scans, MRIs and neurological exams often fail to detect concussions, thousands of athletes with concussions may never know it.

Some findings to be presented this weekend are based on data gathered through computerized tests developed by Lowell and colleagues and administered each year at more than 250 high schools and 70 colleges and pro sports teams.

"We've learned more about concussions in the last three years than we learned in the previous 30 years," said Dr. Michael Collins, a neuropsychologist and an instructor at Pitt's department of orthopedic surgery.

As an example, researchers now believe that amnesia, not unconsciousness, is the most telling warning sign of a concussion, perhaps as much as 10 times so.

NBA league's 57th season opens Oct. 29

By The Associated Press

NEW YORK — The Los Angeles Lakers begin their bid for a fourth consecutive NBA championship against the San Antonio Spurs on Oct. 29, the opening night of the league's 57th season.

The league's opening week includes four consecutive days of nationally televised doubleheaders and the expected debut of No. 1 draft pick Yao Ming with the Houston Rockets on Nov. 2.

Opening night begins on TNT with an Eastern Conference matchup between the Philadelphia 76ers and Orlando Magic, followed by the Spurs and Lakers.

There will be 14 games Oct. 30, including a televised doubleheader on ESPN with Washington at Toronto and the Lakers at Portland. The games will be the first on ESPN since 1983-84.

The Oct. 31 doubleheader on TNT has Boston at Washington followed by Portland against Sacramento. The four consecutive televised doubleheaders concludes

on Friday, Nov. 1 with two games on ESPN, the New York Knicks at Philadelphia followed by Seattle at Golden State.

Houston plays Toronto at home and Yao will face Hakeem Olajuwon, who left the Rockets before the 2001-02 season after 17 years with the team. Yao's first nationally televised appearance comes on Nov. 15 in Phoenix for a game to be shown on ESPN.

Turner Sports, which is televising NBA basketball for the 19th consecutive season, will televise 52 games on TNT, 48 of them as part of Thursday night doubleheaders. For the first time, TNT will air the All-Star Game on Feb. 9 from Atlanta.

Beginning this season, ABC and ESPN enter the first year of a six-year agreement with the NBA. ABC will televise 14 games — nearly 20 fewer than NBC showed per season under the old NBA TV deal — beginning with a Christmas Day doubleheader, featuring rematches of the 2002 Conference Finals with Boston visiting New Jersey and Sacramento against the Lakers.

Devean George signs four-year contract with L.A. Lakers

BY JOHN NADEL

AP Sports Writer

EL SEGUNDO — Devean George chose winning and friendships over finances.

Deciding not to pursue more money in free agency, the 24-year-old forward signed a four-year contract Thursday with the three-time defending NBA champion Los Angeles Lakers.

"One of the things I learned is being a part of a winning team and the relationship with the guys is very important to me," George said. "I think I turned down some more money. I wanted to be happy first."

"My teammates, they've been calling me throughout this process, wanting me to come back. I like my short summers, I don't want to go home in April. I think this is the place where I can continue to have short summers."

George's contract is worth slightly less than \$18.5 million, according to a source close to the negotiations who spoke on the condition of anonymity.

"I was happy with my rookie contract, I should have no problem living off this one," said George, a 6-foot-8, 220-pounder who earned \$834,250 last season and can opt out after the third year of the new contract.

George has started only two games in his three NBA seasons and figures to continue coming off the bench. He averaged 7.1 points and 3.7 rebounds last season — both career bests — while playing in all 82 games.

"We coaxed him as much as we could," general manager Mitch Kupchak said. "I can't tell you how excited we are to have him back."

George, who attended Augsburg, Minn., College, became the first Division III player to be taken in the first round of the NBA draft when the Lakers took him 23rd overall in 1999.

George was a free agent because the Lakers declined to exercise the fourth year option of his rookie contract last October.



INTERNATIONAL

Israel stops Palestinian talks, maintains West

BY MARK LAVIE

Associated Press Writer

JERUSALEM — After two deadly Palestinian attacks in as many days, Israel on Thursday postponed talks with the Palestinians and halted plans to ease the army's tight restrictions on the West Bank.

A double suicide bombing in Tel Aviv Wednesday and a West Bank bus ambush the day before killed 14 people, including the two bombers. They were the first fatal attacks against Israeli civilians since June 20, when Israel sent forces into the West Bank after suicide bomb attacks in Jerusalem.

Because of the attacks, Israel suspended the high-level talks with Palestinians that resumed just last week after a gap of several months.

Israeli Foreign Minister Shimon Peres met several Palestinian Cabinet ministers and discussed the easing of restrictions and other matters, but was banned by Prime Minister Ariel Sharon from taking up any issues that would be part of broader peace talks until violence stops.

Peres previously called off a meeting with a Palestinian minister because of the bus ambush. Foreign Ministry spokesman Noam Katz would not say Thursday when talks would resume.

"When the time is right, we will meet," he said.

In Washington, President Bush promised to proceed with peacemaking between Israel and the Arabs despite fresh violence.

"We refuse to be discouraged," he said at the start of a White House meeting with the foreign ministers of Saudi Arabia, Egypt and Jordan. "We are going to push for peace."

The Israelis said they will not ease the tight restrictions that have led to warnings of starvation and violent out-



Adel Hana/Associated Press

Palestinians inspect a hole next to a metal workshop near a Maghazi refugee camp in southern Gaza Strip Thursday. Israeli warplanes bombed the Gaza metal-works factory after nightfall Wednesday, witnesses and the Israeli military said. The Israelis said the factory was used to manufacture mortars and rockets for the violent Islamic Hamas.

bursts by Palestinians. In a statement after the Tel Aviv bombing, Israeli Defense Minister Binyamin Ben-Eliezer ordered a freeze on measures intended to ease restrictions.

The statement did not specify the measures. Israel was considering allowing 5,000 Palestinians into Israel to work — a number Peres said could increase to 50,000 — but that plan likely would be stopped because Israelis are

concerned about Palestinians in their midst.

In recent days, the military lifted daylight curfews in some towns and cities under its control, allowing residents to leave their houses and stock up on food. There was no evidence the curfews were being tightened after the attacks.

The military announced that curfews in Ramallah, Jenin and Hebron would be lifted Thursday for 12 hours.

Nearly a month of curfews have idled workers and added further hardship to an already gloomy economic situation in the West Bank, where Israeli forces have clamped severe restrictions on Palestinian movement with roadblocks at the exits of cities, towns and villages and on many roads.

Israel has said the restrictions are needed for security, to stop attackers and to keep bombers out of Israel.

Palestinians claim the Israeli goal is to destroy the Palestinian economy and collapse the Palestinian Authority.

Despite the tight Israeli grip, two suicide bombers reached the middle of Tel Aviv and blew themselves up a few seconds apart, killing three other people — two foreign workers and an Israeli.

The bombers came from the Balata refugee camp next to Nablus, according to an announcement from a new group affiliated with Fatah, Palestinian leader Yasser Arafat's movement. The group, called Al-Nazir, or the warning, said the bombers were Mohammed Attala, 18, and Ibrahim Najie, 19.

One victim of the bombings was identified as Adrian Andas, 30, a laborer from Romania, police said. Many Romanian workers were among the 25 wounded still hospitalized.

The other foreign worker killed was from Asia, but police did not give his name. The Israeli victim's name also was not released Thursday.

Greek police make breakthrough against terrorist group

BY PATRICK QUINN

Associated Press Writer

ATHENS, Greece — In a major breakthrough against the elusive November 17 terror group, Greek police announced Thursday they captured a leader of the radical leftist organization and had confessions from three other members to bombings and shootings, including the assassinations of American and a British military attaches.

In all, said Police Chief Fotis Nassiakos, seven alleged group members were in custody — the first arrests of November 17 members since the group emerged 27 years ago with the assassination of Richard Welch, the CIA's station chief in Athens.

Since then November 17 has claimed responsibility for 22 other killings — including four American officials, two Turkish diplomats and Greek businessmen and politicians — and dozens of bomb and rocket attacks. Its last victim was British defense attache, Brig. Stephen Saunders, shot dead in June 2000.

Police penetrated the group as Greece came under increasing international pressure to improve security ahead of the 2004 Olympics. The governing Socialists have for years faced international criticism for failing to crack down on domestic terrorism. But authorities did not spell out how the group operated with impunity for more than a quarter-century.

State Department spokesman Richard Boucher declined to say if the United States would seek to extradite any of the suspects, but praised Greek efforts against the group.

"This has been a very good effort by Greek authorities....and we commend them for that," Boucher said.

Nassiakos told a nationally televised news conference that three of the suspects were brothers — sons of a Greek Orthodox priest — who served November

17 as executioners.

"This will clear a cloud that has been hanging over Greece. ... This is a very great success for Greece and the government," said Deputy Foreign Minister Yannis Magriotis.

An American Olympics security expert praised Greece for cracking the case.

"I think Greece's efforts are outstanding in...dealing with a problem that has been around for a long time," said David Tubbs, who headed security at the 2002 Games in Salt Lake City.

November 17, which police estimate has fewer than a dozen members, was believed to have targeted Americans and their allies because of Washington's backing of the Greek military dictatorship, which ruled from 1967 to 1974.

After the fall of the junta, left-wing and anti-American sentiment remained strong throughout the country and defined a gen-

eration of politicians, many of whom participated in the Nov. 17, 1973, student uprising from which the group took its name. The student opposition evolved, in part, into the Socialist Party that has governed Greece for 18 of the past 21 years.

Former U.S. government officials have alleged some Socialist party officials may have sheltered the group because of old student and radical ties.

November 17 has been on the State Department's terrorism list since the 1980s. In its report to Congress last month, the State Department said Greece's failure to arrest November 17 members was "troubling."

Also known as Europe's last red terrorists, November 17 had a reputation for longevity in a terrorist underworld that saw the breakup of far deadlier contemporaries such as Germany's Baader-Meinhoff and Italy's Red Brigades.

In the end it was not the \$9 million reward, but a lucky break that led police into the heart of the group. Savas Xiros, a 40-year-old religious icon painter and one of the priest's sons, was severely injured June 29 when a bomb he was allegedly carrying exploded. He remains hospitalized under heavy guard.

His capture and the release of his picture produced clues that led police to raid two November 17 hide-outs, where police found the group's weaponry. Authorities also have identified one of the handguns found in the raids as the weapon used to kill seven November 17 victims.

In one hide-out, police also found the fingerprints of Alexandros Giotopoulos, the 58-year-old alleged chief theorist for the group. He was picked up on a hydrofoil Wednesday as he prepared to leave the Aegean Island of Lipsi, where he had a vacation home.

Locusts invade Beijing; considered a delicacy

BY AUDRA ANG

Associated Press Writer

BEIJING — Swarms have been spotted flying around the capital. Residents are capturing them by the bagful. They're filled with protein and, some say, delicious when deep-fried.

Beijing's summer locusts have arrived, though experts say the sand-hued, beady-eyed bugs are more of a nuisance this year than a danger to crops.

The insects, from the outskirts of Beijing or Inner Mongolia, aren't the destructive migratory species that laid waste to millions of acres of farmland around the country earlier this year, said Lei Zongren, a researcher with the Chinese Academy of Agricultural Sciences' Institute of Plant Protection.

A continuing drought and a warm winter have provided ideal conditions for locusts to hatch in great numbers. The young, called nymphs, are wingless and thrive in heat.

The species found in Beijing cannot fly for long distances, Lei said. The 2-inch-long insects have reddish legs and wings mottled with black.

Annoying as they can be, though, they have long been considered a delicacy among many Chinese.

"Locusts are good food. They have a high protein content and the taste is not bad," entomologist Wu Jichuan was quoted as saying by the official Xinhua News Agency.

Eight-year-old Zang Quchen agrees. She has been chasing locusts since she was five.

"I usually catch a big bag. Then my grandmother fries them in oil," she said Wednesday, sitting in Beijing's Ritan Park with her grandfather, also a veteran locust-catcher.

"I can eat about 10 at a time," she said proudly.

Newspapers are making the most of the infestation. "Locusts on the loose bug Beijingers," the official China Daily said. The Beijing Morning Post ordered up "A dish of fried locust for the table."

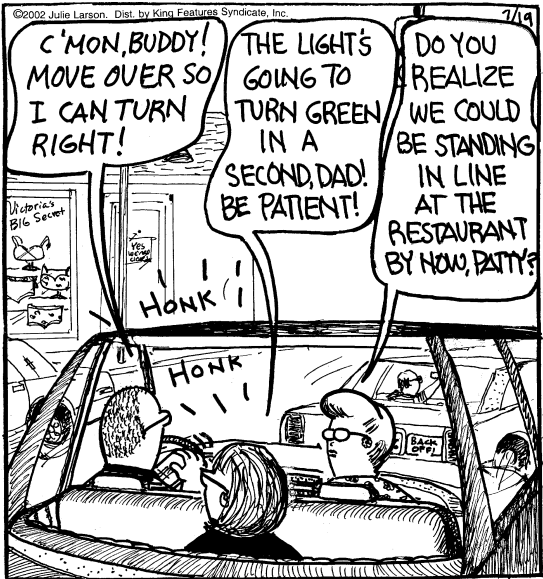
A restaurant owner in the article said deep-fried locust, also known at the eatery by its more palatable moniker "flying shrimp," is very popular. A reader compared the taste to cured salted fish.

Not all locusts are fodder for dinner and lively conversation, though. State media say the government will spend \$6 million to wage war on the more destructive breed of locust that has devastated farmland in 14 provinces, including the northern breadbasket provinces of Shandong and Hebei.

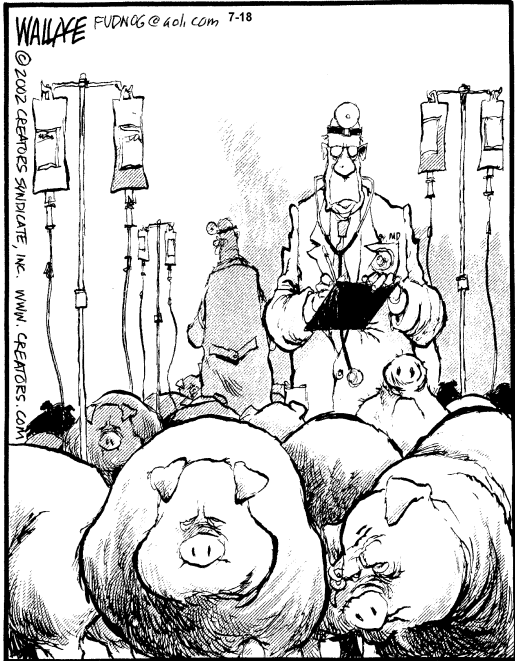
COMICS



The Dinette Set by Julie Larson



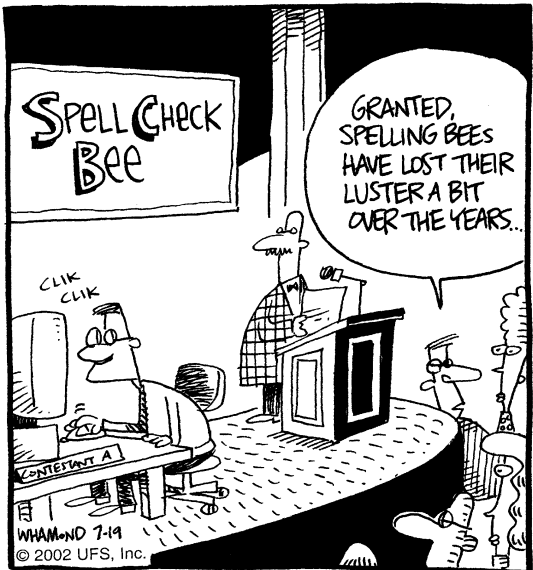
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18 Lairs
20 Flat
22 Informant
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32 Boyfriend
33 Nile serpents
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36 Sister of Amy, Jo, and Meg
38 Steer clear of
40 Loon's cousin
43 Indy entrant
44 Blotto
45 Foot connector
46 Hotel fixtures

DOWN

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5 Salon offering
6 Harbor boat
7 Actor Rupert
8 Mothball
9 Tennis star
10 "Aw, heck!"
16 Slippery one
18 Burden
19 Move carefully
21 Competes
23 Drifting
24 Bound
25 Strays
27 Old Testament book
30 Massage
33 Parts of hearts

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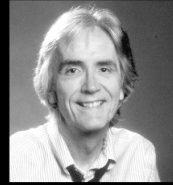
- 19 Move
21 Competes
23 Drifting
24 Bound
25 Strays
27 Old Testament book
30 Massage
33 Parts of hearts
34 Poet Teasdale
35 Infamous czar
37 They're big in Hollywood
39 Dr. of rap music
41 Spelling contest
42 Koch and Bradley

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NEWS OF THE WEIRD

by Chuck Shepard

Man awarded \$525K for starting fight

In April, a court in New South Wales, Australia, awarded a 20-year-old man the equivalent of \$525,000 (U.S.) as a result of his being knocked out in a 1995 Narrandera High School fight that he apparently participated in willingly and in which he threw the first punches. Although he was medically cleared the next day, he said serious headaches and neurological problems have developed and that the last seven years have been physically and financially tough for him.



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928 4th St. #6 \$925
Lower Single, New Carpet, New Blinds, Near Promenade

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Upper 1 Bed, New Carpet & Blinds, High Ceilings, Laundry Rm

1451 Princeton #4 \$1050
Upper 1 Bed, Bright, Front Unit, Laundry Rm, Street Park Only

938 10th St. #7 \$1150
Upper 1 Bed, Great Location, Near Montana Ave., Laundry Rm.

817 Hill #204 \$1150
Upper 1 Bed, Gated Entry, Balcony, New Kitchen & Bath Floor

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Single & 1 Bedrooms, Many Upgrades, Steps to Beach, Hardwood Floors

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1011 19th St. #2 \$1890
2 Bed, 2 Bath, Patio, Hardwood Floors, Yard/Balcony, Open Wknds 10-5

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3 Bed, 2.5 Bath Townhouse, 2 Car Garage, All Appliances

WLA/BRENTWOOD

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SANTA MONICA \$875.00 Spacious 1 bdrm, r/s, crpts. close to SMC, pkgng. Westside Rentals 395-RENT

For Rent

SANTA MONICA \$898.00 Charming 1 bdrmm, pet ok, r/s, hrdwd flrs, garage. Westside Rentals 395-RENT

SANTA MONICA \$900.00 Spacious 1 bdrmm, R/S, carpets, large closets, laundry, parking. Westside Rentals. 395-RENT

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SANTA MONICA \$1495.00 Charming Dplx, r/s, hrdwd flrs, patio, yard, pkgng. Westside Rentals 395-RENT

SANTA MONICA \$1600.00 Charming Hse, pet ok, r/s, crpts, w/d hkups, yard, pkgng. Westside Rentals 395-RENT

SANTA MONICA \$1600.00 Charming house, pet ok, R/S, carpets, W/D hook-ups, yard, parking. Westside Rentals 395-RENT.

SANTA MONICA \$1850.00 Lovely hse, pet ok, r/s, hrdwd flrs, frplce, Indry, deck, pkgng. Westside Rentals 395-RENT

Townhouses

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Townhouses

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CLASSIFIEDS



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I'M THE lovely Dessarae looking for four men to give me \$700 a piece ASAP. 310-319-0462

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

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

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Business Opps

WORK SMART while sleeping. Call (866)NO-DEBT-3. Refer by Preston. Also send \$30.00 to "Making Life Better" P.O.B 829, Burnet, Texas, 78611-0829. Refer 02-319. Plus call (800)363-6177. Refer #1666778 to earn free long distance service and other utilities.

Business Opps

WOULD YOU care to be a private investor? I have a \$3,500 project and I hate Venture Capitalists. Robert Greene (310)394-1533.

Yard Sales

CORNER OF Santa Monica/3rd, Sat. 7/20, 8am-1pm. Bike accessories, snowboards, furniture, women's clothes size 4-6, books, lots more!

MOVING OUT of the state! Everything must go. Appliances, furniture and televisions. 13961 Osborne St. #109, Arleta CA. Sunday, July 21. 1 p.m. to 6 p.m.

YARD SALE Sat 7/20 9-12. 2529 6th St. Vintage furniture & cameras, toys, more!

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

YOUR OPINION MATTERS! Send your letters to Santa Monica Daily Press: Attn. Editor
530 Wilshire Blvd. Suite 200 • Santa Monica • 90401 • sack@smdp.com

Calendar

Friday, July 19, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
The Sum of all Fears (PG-13)
9:30. *The Bourne Identity* (PG-13)
10:45, 1:30, 4:30, 7:30, 10:30. *Like Mike* (PG) 11:15, 1:45, 4:15, 6:45, 9:15. *Stuart Little 2* (PG) 11:00, 12:15, 1:15, 2:30, 3:30, 4:45, 5:45, 7:00, 8:00, 10:15.

Mann Criterion
1313 Third St.
Minority Report (PG-13) 11:40, 3:15, 7:10, 10:30. *K-11: The Widowmaker* (PG-13) 12:00, 12:30, 3:30, 4:00, 7:00, 7:30, 10:15, 10:45. *My Big Fat Greek Wedding* (PG) 11:20, 2:00, 4:30, 7:20, 9:50. *Men in Black II* (PG-13) 11:50, 2:30, 5:15, 8:00, 10:40. *Halloween: Resurrection* 11:45, 2:15, 5:00, 7:40, 10:00.

AMC Theatre SM 7
1310 3rd Street
Lilo & Stich (PG) 12:00, 2:10, 4:20, 7:05. *Mr. Deeds* (PG-13) 11:45, 2:15, 4:40, 7:10, 9:35. *Insomnia* (R) 9:15. *Reign of Fire* 11:15, 1:50, 4:50, 7:35, 10:20. *The Crocodile Hunter* (PG) 10:45, 12:40, 2:55, 5:10, 7:25, 9:40. *Road to Perdition* 11:00, 1:00, 2:00, 4:00, 5:00, 7:00, 8:00, 9:55, 10:50. *Eight Legged Freaks* (PG-13) 11:25, 1:55, 4:30, 7:20, 10:00.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
The Fast Runner: Atanarjuat (NR) 11:30 I 3:15 I 6:45. *Lovely and Amazing* (R) 12:15 I 2:30 I 4:45 I 7:15 I 9:45. *Notorious CHO* (R) 10:05.

Laemmle Monica
1332 2nd St.
Y Tu Mama Tambien (NR) 12:00 I 2:35 I 5:10 I 7:45 I 10:15. *Read My Lips* (NR) 1:30, 4:15, 7:00, 9:45. *Me Without You* (NR) 1:00 I 3:15 I 5:30 I 7:50 I 10:10. *Tadpole* (PG-13) 1:30, 3:35, 5:40, 7:45, 9:55.

Today

Community

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

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

Classes

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

enrolling! laarts@earthlink.net.

Pulse - Through kinesthesia, sight, sound, touch, taste, and smell, pathways clear for your deeper embodiment and wider expression. Each session is supported by live music with Christo Pellani of Soundformation Music and/or by recorded music. Altars devoted to the senses, spirit and play enrich the environment and amplify your awareness. Third Friday of the month, 7:30 p.m. To 9:30 p.m., Continuum Studio, 1629 18th Street #7, (North of Olympic in Santa Monica) Cost \$12.00. For more information please call Kara Masters (310)455-2743.

Arts/ Entertainment

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

Open Mic Music. **UnUrban Coffeehouse**. 3301 Pico Blvd., Santa Monica, (310)315-0056.

All Improv Night! **Addle Essence**, 8 p.m., \$5. **OFF THE WALL**, 9 p.m., \$5. **Unusual Suspects**, 10 p.m., \$5. Comedy Underground, 320 Wilshire

Bldv. *The showtime entrance is in the alley. Show info/Reservation line: (310)451-1800. No drink minimum!

Saturday

Theatre / Arts

Santa Monica Playhouse is proud to present Picon Pie! The World Premiere of a joyous and poignant musical play about the life and loves of legendary Molly Picon. Admission is \$23.50. Show starts at 8:00 p.m. 1211 4th Street, Santa Monica. For more information please call (310)394-9779 or visit www.santamonicaplayhouse.com.

Santa Monica Children's Theatre Co. presents a newly forming musical theatre company for children. Every Saturday from 10:15 a.m. - 2:15 p.m., Quest Studios, 19th & Broadway in Santa Monica. Tuition is \$325 per month - covers cost of all classes and productions. Contact Janet Stegman at (310)995-9636.

Music / Entertainment

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

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

Improv and standup nite: Loosely Based, 8 p.m., \$10 (\$7 with a reservation). Comedy Hideout's Rotating Talk Show, 10 p.m., \$5. Comedy Underground, 320 Wilshire Blvd. *The showtime entrance is in the alley. Show info/Reservation line: (310)451-1800. No drink minimum!

Willy Porter, 8 pm, \$17.50. McCabe's Guitar Shop. Pico at 31st. (310)828-4403.

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

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

KEEP YOUR DATE STRAIGHT

Promote your event in the Santa Monica Daily Press Calendar section. Fax all information to our Calendar editor:

Attention Angela @ 310.576.9913



BACK PAGE



Squid for thought

By The Associated Press

BREMERTON, Wash. — At first, Richard Prine thought it was either a giant pair of pants or enough crab bait to last for years.

"It turned out to be a 7 1/2-foot squid," Prine said. "I didn't know anything like that existed around here."

The 85-pound squid washed up July 7 on Prine's beach near Lofall on Puget Sound. It apparently had only recently died, since only its tentacles had been nibbled at by other marine life.

Prine realized scientists could probably use the find for something better than bait, so he called Suquamish Tribe fisheries biologist Paul Dorn. On his instruction, Prine loaded the cephalopod into his minivan, and he and Dorn packed it in formaldehyde in a 32-gallon bucket.

The squid is now at the University of Washington School of Aquatics and Fisheries Sciences, where collections manager Katherine Pearson said it should be valuable for research.

Large squid that make their way to the school aren't usually in such good condition. The last one the department acquired, from a fishing boat in Alaska, had already been gutted, Pearson said.

Giant squid are common in deep water off the Pacific

coast, said Seattle Aquarium biologist Jeff Christiansen. When they die, they rise to the surface and some float into Puget Sound with the tide, he said.

Sleeping swimmer

By The Associated Press

HONOLULU — A report of a body floating in a stream turned out to be a wake up call for rescuers.

The body found in Nuuanu Stream on Wednesday turned out to be a woman from Kalihi, outside Honolulu, who had fallen asleep but was very much alive. The 37-year-old woman, who was not seriously injured, told fire rescuers she was dreaming and had no idea how she got into the water.

The woman, whose name was not released, appeared to be sleeping and was startled when firefighters grabbed her, authorities said.

"She was shaking as if she was cold," Fire Capt. Jerry Spencer said.

Police received the report of the body floating in the river early Wednesday. Spencer said the current was picking up and the woman could have drifted into Honolulu Harbor if she had not been rescued.

She was taken to Queen's Medical Center by ambulance for observation.

Alligator, not eagle

By The Associated Press

LANDISVILLE, Pa. — When a pet alligator escaped from its owners, police guessed it might turn up in a pond or swimming pool.

They may have been half-right. The 3-foot-long critter was found on the 15th green of a Lancaster County golf course, possibly after a dip in the water hazard.

Golfers spotted the gator at the Four Seasons Golf Complex, East Hempfield Township police said. They called in two animal workers to make the capture.

The reptile, which escaped from its containment area at home in the township Wednesday, was returned to its owners.

Quack complaint

By The Associated Press

MANITOU SPRINGS, Colo. — A duck owner whose neighbor complained that the pet was quacking up a storm has been acquitted of a charge of violating a city noise ordinance.

Lou Smith could have faced a \$1,000 fine and 90 days behind bars if convicted.

Smith's next-door neighbor, Jen Dawson, a retired professor, called police May 1 to complain of Smith's adopted European buff-crested duck, Homer.

Dawson works from home and said the quacking was keeping her from working. But under questioning in court Tuesday, Dawson conceded she did not actually see Homer quack that day.

"I saw it moving around," she said. "I couldn't see its mouth."

Smith, a retired marketing executive, told Judge Robert Lowrey that according to her "Quack Log," Homer has averaged "7.8 quacks a day" since May.

Lowrey said he was not convinced the quacking was continuous and loud enough to constitute an unreasonable noise. He strongly urged the neighbors to resolve their issues.

"I was asking myself this morning: 'Is this what I went to law school for?'" City Attorney Alan Jensen remarked afterward.

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