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TUESDAY, JULY 23, 2013
Volume 12 Issue 218

Santa Monica Daily Press

We have you covered

PERILS OF PCH
SEE PAGE 3

THE CAPTIVATED AUDIENCE ISSUE

Felon allegedly pulls gun on pier visitors

BY KEVIN HERRERA
Editor-in-Chief

PUBLIC SAFETY FACILITY A convicted felon from Washington state was in custody Monday for allegedly pointing a loaded firearm at people visiting the Santa Monica Pier.

Officials said that Tony Andre Andrade, 33, plead not guilty July 18 to attempted murder, assault with a firearm, evading police, carrying a loaded firearm and receiving stolen property. He was being held at the Twin Towers Correctional Facility on a bail of $1.23 million.

Santa Monica Police Lt. Jay Trisler said Andrade refused to stop for officers on July 16 just shortly after 1 a.m. after police received a report of a man matching his description pointing a gun at random people. He led police on a car chase along Pacific Coast Highway toward Malibu, eventually crashing near the Ventura County border. No other vehicles were involved in the crash.

Andrade was transported to a local hospital with minor injuries.

Police received a report of a man pointing a handgun at people along the 200 block of the pier. One witness told officers that Andrade pointed the gun and pulled the trigger at least twice, but the gun did not fire. He then fled to a vehicle and left. Officers located the car near Lincoln and Pico boulevards and tried to stop Andrade. That's when the pursuit began.

A spokesperson with the Los Angeles County District Attorney's Office said Andrade has four prior felony convictions out of Adams and Spokane, Wash. for possession of stolen property, possession of a firearm, theft and possession of stolen property.

His next court date is scheduled for Aug. 1.

kevinh@smdp.com

WHAT DO YOU THINK?
Send letters to **editor@smdp.com**

Getting out of the car saves cash, study shows

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

DOWNTOWN What would you do with another $1,102 in your pocket?

That's how much the typical city commuter could save if they turned their backs on solo car trips and turned to carpooling, according to a report by the Natural Resources Defense Council that examined the economics of commuting.

That chunk of change is one of the more extreme — and consequently lucrative — examples of commute change in the report, which also runs down more manageable alterations in travel patterns that result in less cash out of hand and a range of other positive benefits, like less traffic, better road conditions and reduced greenhouse gas emissions.

Researchers found that carpooling tended to offer the greatest amount of savings across

SEE SAVINGS PAGE 9



DOUBLE TIME
Daniel Archuleta *daniela@smdp.com*
Buster Balloon performs before a packed house at the Main Library on Monday. Here he creates two balloon dogs at the same time.

Council considers $2.3M spending package

BY AMEERA BUTT
Daily Press Staff Writer

Editor's note: This story is part of an ongoing series that tracks the city's expenditures appearing on upcoming Santa Monica City Council consent agendas. Consent agenda items are routinely passed by the City Council with little or no discussion from elected officials or the public. However, many of the items have been part of public discussion in the past.

CITY HALL City officials propose to spend $1.46 million on a wide range of services, including water pump maintenance and repair and carpet flooring contractor servic-

SEE CONSENT PAGE 8

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Tuesday, July 23, 2013

Story time
Fairview Library
2101 Ocean Park Blvd., 11 a.m. — 11:20 a.m.
Story series for babies ages 0-17 months, accompanied by an adult. Call (310) 458-8681 for more information.

Summer reading
Montana Avenue Library
1704 Montana Ave., 4 p.m.
Kids in grades six through eight will discuss "Life As We Knew It" during this meeting of the Summer Books & Bites group. For more information, visit smpl.org.

Find your (tai) chi
Annenberg Community Beach House
415 PCH, 5:30 p.m.
For both beginning and continuing students, this tai chi class teaches the 24 movements of the Yang style simplified form. For more information, visit beachhouse.smgov.net.

City Council meets
City Hall
1685 Main St., 5:30 p.m.
The City Council will be asked to vote on the Bergamot Area Plan that would guide development around the Bergamot Arts Center and a future Expo Light Rail station. They will also get an update on the Santa Monica Pier. For more information, visit smgov.net

Celebrate the real oldies
Annenberg Community Beach House
415 PCH, 6:30 p.m. — 8 p.m.
Join USC professor Josh Kun and special guests I See Hawks in L.A. for live music and a musical tour of 1840s-1950s Los Angeles using rare sheet music recovered from the stacks of the Los Angeles Public Library. Copies of the book "Songs in the Key of Los Angeles," which documents the tour, will be available. Admission is free. For more information, visit beachhouse.smgov.net.

Wednesday, July 24, 2013

Planning Commission meets
City Hall
1685 Main Street., 7 p.m.
A special Planning Commission meeting will feature representatives with Hampton Inn & Suites and Marriott on hotel development plans for 501 Colorado Ave. and 1554 Fifth St., respectively. There will also be a zoning ordinance update on transportation demand management. For more information, call (310) 458-8341.

Book signing
Main Library
601 Santa Monica Blvd., 7 p.m.
Stephanie Lehmann will discuss and sign copies of her new novel "Astor Place Vintage," a story about the intertwining lives of two women from different times. Admission is free. Copies of the novel will be sold after the discussion. For more information, call (310) 458-8600.

Aguabella performs
Typhoon
3221 Donald Douglas Loop South, 8 p.m.
The Aguabella jazz band will perform at the Typhoon restaurant for one night only. Cover charge is $5. Dinner reservations are highly recommended. For more information, call (310) 390-6565.

Wine dinner
Daily Grill Santa Monica
2501 Colorado Ave., 6 p.m.
Savor a five-course dinner by Chef Jose Urena featuring the J. Lohr gold label collection of wines. Admission is $45. Reservations are recommended. For more information, call Winn Haskell at (310) 309-2170.

To create your own listing, log on to smdp.com/submitevent

For help, contact Daniel Archuleta at **310-458-7737** or submit to editor@smdp.com

For more information on any of the events listed, log on to **smdp.com/communitylistings**



COMMUNITY BRIEFS

NEW ROADS SCHOOL

Locals appointed to LACO board

Santa Monicans Marc Hayutin and Eugene Ohr were recently appointed to serve three years on the board of directors of the Los Angeles Chamber Orchestra.

Though the nonprofit is based in Downtown Los Angeles, executive director Rachel Fine said Santa Monica is well represented within the organization with a third of the board now made up of local residents. The orchestra has also put on a concert series at The Broad Stage.

"Our presence is significant in Santa Monica but primarily on the Westside," Fine said.

Hayutin's and Ohr's responsibilities will include governance, a sense of fiscal responsibility and an expectation to perform advocacy in the community and direct fundraisers. Fine added that board members must express a passion for music and a dedication to their mission of enriching and connecting the community through music.

While Ohr, senior vice president and investment analyst at the Capital Group Companies, sustained a musical background well after college, Hayutin, head partner of Sidley Austin Los Angeles Real Estate Group, took piano classes into his teen years and from then on remained more of a opera supporter.

"This is a chance for me to reconnect [with symphony music] in a meaningful way," Hayutin said.

Ohr could not be reached for comment.

Hayutin added he will mainly occupy himself with the orchestra's finance committee working to find a solution to the challenges all nonprofits — including Skid Row Housing Trust, for which he is chairman — face such as few available government funds and the failure of performance tickets to cover major costs.

"[O]ld [funding] models are not going to work for the future," Hayutin said.

News of Hayutin and Ohr's appointment also marks the nonprofit's move to the New Roads School on Olympic Boulevard in Santa Monica for a three-part concert series.

The series will kickoff in spring 2014. Fine said they are planning on getting student involvement.

"One of our hallmarks is being very flexible," Fine said.

Hayutin said he commends the organization's broad reach across the county and hopes to help continue its 45-year run well into the future.

– ILEANA NAJARRO

CITYWIDE

Police focus on stop sign violations

The Santa Monica Police Department's Traffic Enforcement Section is focusing on motorists traveling at unsafe speeds and those who fail to stop for posted stop signs now through September.

An SMPD press release stated that speeding is one of the leading causes of traffic collisions in Santa Monica. Drivers and cyclists are also encouraged to make a full stop at stop signs with wheels ceasing movement.

Those on the road are advised that city officials are proposing the addition of four-way stop signs along Broadway due to 28 accidents at six intersections on that street between November 2007 and June 2013.

A violation regards failure to follow the California Basic Speed Law and failure to stop at the limit line at the entrance to or within an intersection.

– IN

WILSHIRE BLVD

PYFC, Callahan's to host fundraiser

On July 31, the Pico Youth & Family Center will partner with Callahan's Restaurant for a community fundraiser.

From 3 p.m. – 9 p.m. 20 percent of proceeds will be donated to the center, which provides after-school programs for youth. Debbie Mitchell, a volunteer for the event, said her goal is to raise $20,000 for the center, which experienced a reduction of almost $100,000 in funding from City Hall this spring.

Children from the center will be in attendance.

–IN



Daniel Archuleta *daniela@smdp.com*

BLUR: Vehicles streak past the Annenberg Community Beach House on Pacific Coast Highway on Monday.

Kickstarter campaign launches to document perils of PCH

BY AMEERA BUTT
Daily Press Staff Writer

PCH The father of a 13-year-old girl who was struck and killed while walking along Pacific Coast Highway in Malibu launched on Monday a Kickstarter campaign to fund a documentary on the perils of the heavily-traveled roadway.

Michel Shane is the producer and creator of the documentary, "PCH: Probably. Cause. Harm." The documentary's inspiration is Shane's daughter Emily, a former Santa Monica-Malibu Unified School District student, who was struck by a car and killed while walking down the 29000 block of PCH in April 2010.

The driver, Sina Khankhanian, was sentenced to 15 years to life in prison in June of last year. Prosecutors said at the trial that Khankhanian was suicidal over losing his job and problems with his girlfriend. Prosecutors argued he was speeding on PCH for 17 miles when he intentionally struck the teen, who was walking along the highway.

Shane is hoping to raise a minimum of $35,000 by Aug. 21, he said. As of presstime, Shane had raised $350.

The documentary would focus on a section of

SEE **PCH** PAGE 10

Hermosa Beach to consider renewing oil drilling

ASSOCIATED PRESS

HERMOSA BEACH, Calif. Residents are debating whether to get back into the oil business, 80 years after this wealthy coastal town first banned drilling.

An environmental review is scheduled to begin Wednesday on a project to drill as many as 30 wells, and an election on the matter could be held next spring, the Los Angeles Times reported.

The city's 1932 oil drilling ban was overturned more than 50 years later after Santa Monica-based Macpherson Oil proposed a project that could have filled city coffers. In 1995, however, voters changed their minds and the city halted the project, declaring it unsafe.

The company filed a $750 million breach of contract lawsuit that dragged on for 14 years. In March, the city announced a settlement.

Under the deal, Bakersfield-based E&B Natural Resources bought Macpherson's stake in the deal for $30 million and limited the city's liability to

SEE **DRILLING** PAGE 10

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Clogged arteries

Editor:

I walked Downtown Sunday and observed the auto and pedestrian congestion. I noted some problems and would like to suggest some solutions.

Problems:

1) Cars waiting many minutes (idling and polluting our air) for the sidewalk pedestrians to clear a way so they could enter the various parking structures.

2) Cars unable to make right and left turns at intersections. There was gridlock and too many pedestrians.

3) Cars blocking intersections and crosswalks.

Solutions:

1) One-way streets Downtown on the weekends. It works fine in Chicago. Every other street is one way.

2) Right and left turn auto signals so the pedestrian traffic stops completely for a time.

3) Pedestrian stop lights at the parking garages to give the cars a chance to get in and out.

Traffic engineers must have many other solutions that could be implemented. Let's stop complaining about the traffic and do something about it!

Dennis Erickson
Santa Monica

They don't stop

Editor:

I can certainly understand why cyclists like Broadway ("Cyclists sound off on stop signs," July 20-21). It is about the only east/west street that doesn't have stop signs at most corners, not to mention the construction. What I can't understand is why they would complain. From what I have observed in the city of Santa Monica and almost everywhere is that most cyclists do not follow the traffic rules. Seldom do you see a cyclist stop at a stop sign, not to mention traffic lights when there are no cars within a few feet.

Pat Robles
Santa Monica

Closed for business

Editor,

I visited the new Seventh Street post office three times since they opened. Each time they failed to open at their posted time – 6 a.m. Once they opened 11 minutes late, once three minutes late. The last time I gave up at 6:16, their doors still shut despite my knocking (which sometimes gets their attention).

The old Fifth Street office usually (if not always) opened on time. But so far I've experienced a 100 percent failure rate at the Seventh Street office.

I asked a postal employee if the posted hours were accurate, and he confirmed that they were. Why post opening hours if they are routinely ignored? I can see why the post office is losing business to private mail boxes and carriers – they're more reliable.

Thomas M. Sipos
Santa Monica

What about the O.J. verdict?

Editor:

Across America, from sea to shining sea, we see thousands of demonstrators taking to the streets in vigorous (sometimes violent) protest of the Zimmerman not-guilty verdict. What I want to know is, where were all these impassioned advocates for justice – activists like Al Sharpton and his followers – after the acquittal in the O.J. Simpson case?

Racism is a two-way street.

David Stoughton
Santa Monica

Our Town

By Zina Josephs and Ellen Brennan

Send comments to editor@smdp.com

Bergamot plan would destroy neighborhoods

TONIGHT, JULY 23, THE CITY COUNCIL will be asked to adopt the Bergamot Area Plan and to find that it's consistent with the LUCE environmental impact report.

However, city planners' words and actions don't match, conclusions don't match reality and some of the original 20-year goals of the LUCE (the Land Use and Circulation Element of the city's General Plan) have already been exceeded.

The Bergamot Area Plan will damage residential neighborhoods the LUCE purports to save. It will create increased traffic congestion, making that part of town (the 140-acre Bergamot area is bounded by Cloverfield, Colorado, Centinela, and Exposition boulevards) a nightmare. Folks, this is a recipe for disaster.

The staff report for the Bergamot Area Plan is full of myths. Let's look at some.

Community involvement: The staff report claims that feedback has been generated from neighborhood groups and other entities, and further that "extensive community involvement" has been supported by a 2010 Housing and Urban Development grant. Peter James, a senior planner, and three other staff members came to a recent community meeting, listened to residents for two hours and never took a single note. Staff also attended one board meeting of the Pico Neighborhood Association. Regardless of claims, this is minimal, not extensive, involvement and yet the plan will dramatically impact the neighborhoods involved.

Conserving neighborhoods: The planning staff is fond of quoting parts of the LUCE. But a not-so-often quoted part of the LUCE says that it "translates the community's desire to preserve the city's unique character into programs that carefully limit and control growth ... [and] conserves the city's neighborhoods and historic resources." But what have they done? Instead of preserving the historic Village Trailer Park, a unique neighborhood in the Bergamot area, they're allowing it to be completely destroyed.

Greater density will improve the quality of life: Planners support the theory that denser development will reduce car trips, reduce emissions, and improve our health by forcing us to walk, cycle, and use public transit instead of driving. We've been seeing denser development in Downtown, where gridlock has become standard, with cars stuck in stand-still traffic wasting gas and polluting the air in greater quantity than normal drive-through traffic.

During the expansion of the Special Office District (the Water Garden, the Yahoo Center, the Arboretum, MTV, and the Lantana Campus), north-south cut-through commuter traffic in Sunset Park increased dramatically.

Due to the location of Santa Monica Airport on the east and the Penmar Golf Course on the west, the only "through street" south of the Bergamot area is the Cloverfield/23rd corridor, through the center of the Sunset Park neighborhood (which stretches from Lincoln Boulevard to Centinela Avenue).

This same corridor also serves Santa Monica Business Park, Santa Monica College, the Cloverfield entrance/exit on Interstate 10, and the hospital district. It becomes a virtual parking lot at various hours of the day, complicating the lives of residents. How will creating even greater density in the Bergamot area make things better?

No net new trips: Systems analyst Valerie Griffin has suggested that planners and developers are greatly overestimating the square footage needed per employee in office projects. As a result, the number of new jobs in the Bergamot Area will likely increase significantly as office projects are completed, bringing many more commuters than estimated in the LUCE EIR.

Traffic consultant Jeff Tumlin claims that the Bergamot Area Plan would result in 700 fewer p.m. peak-hour daily car trips. Yet, trip generation estimates in EIRs for the current development agreements, which cover about 15 percent of the Bergamot area, add up to about 2 million square feet of new development and more than 20,000 new daily car trips.

Mr. James responded as follows: "I'm not familiar with the EIRs of those projects but I think, on a point of clarity, the 'no net new trips' is an end state goal set for the year 2030."

In other words, the Bergamot Area Plan is going to generate a lot of traffic, and the quality of life for Pico, Mid-City, and Sunset Park neighborhood residents will be seriously impacted.

Reducing density in the Bergamot Area: Mr. James has also stated that the Floor Area Ratio (FAR) maximum has been reduced from 3.5 to 2.5 in the plan. When asked how buildings up to 86 feet in height in the proposed Bergamot Transit Village Center fit within 2.5, Mr. James replied that the project is at 2.47 FAR. That's because staff is allowing developers to include "new streets" in their floor area calculations.

Replacing the 200,000-square-foot Papermate plant with the 766,000-square-foot Bergamot Transit Village Center; and adding the 192,000-square-foot Colorado Creative Studios; the 304,000-square-foot Roberts Center; the 341,000-square-foot Village Trailer Park development; and the 356,000-square-foot Paseo Nebraska doesn't sound like reducing density — it sounds like lots of massive buildings.

The Bergamot Area Plan's consistency with the LUCE EIR: The projected growth predicted by the LUCE for 2030 was underestimated because it relied on forecasts by the Southern California Association of Governments (SCAG) and the California Department of Finance. Neither of those apparently took into account the changes in land use in the 2010 update of the city's LUCE.

For example, the LUCE estimated 1,300 new residential units being built in the Bergamot area by 2030. Yet three years into the 20-year plan, there are already nearly 1,500 units proposed in four development agreements. This Bergamot Area Plan should not go forward without a separate EIR.

It's obvious, the increase in density and traffic, the draw on city services, the certain gridlock in the area, and the impact on air quality make this a roadmap for disaster for the quality of life of Pico, Mid-City and Sunset Park neighborhood residents.

This column was co-authored by **ZINA JOSEPHS**, a retired school teacher, a current member of the SMMUSD District Advisory Committee on the Visual and Performing Arts, a former Santa Monica Arts Commissioner and Sunset Park resident; and **ELLEN BRENNAN**, a retired stockbroker, former board member and chair of the Pier Restoration Corporation, and renter in South Beach. They can be reached at ourtownsantamonica@gmail.com.

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What's the Point?

David Pisarra
Send comments to editor@smdp.com

Bureaucracy hinders small business

STARTING A BUSINESS IS A BREATHTAKINGLY easy thing to do. Keeping it going and making it a success is an excruciatingly difficult thing to do.

Over the years I've had clients who came to me wanting to start a business, and usually I try to talk them out of it. The more determined they are, the more likely they are to succeed and if I can easily talk them out of their pie-eyed dreams, then I've done them a great service, though they usually don't see it that way.

My favorite story about this was the guy who just knocked on my door one day wanting to start a restaurant. Sitting down he says, "I want to start an Italian restaurant." That's reasonable. It's one of the most popular foods on the planet so we're going in the right direction. Then I ask how much money he has to start with. "None, but the bank will give it to me." Not likely, unless your last name is Morgan or Stanley. How much experience do you have in the restaurant world? "None. But I love people." A really bad sign. Last question: How good a cook are you? "I can't boil water."

OK, so three up, three down, he's out of here. I told him to go get a job as a busboy and work his way up. I never heard from him again.

For an example of what it takes to start a new business and really keep it going you could look to Ken and Kathy Lindner. They did the seemingly impossible in this day and age, and are still fighting battles to keep their company growing. Lindnerbison.com is the website for these two workhorses who gave up the corporate world to become ranchers. Not just any kind of rancher mind you, but bison ranching. The original American red meat.

They chose one of the roughest roads in ranching; a completely undomesticated animal that there is no large scale demand for. The meat industry is not set up to handle the small provider of a quality product like grass-fed bison. The story of their conversion from suit-and-tie people to ranchers is documented in their book, "Standing Into The Storm," which I downloaded from Amazon and read while I was on vacation. It's a great exploration of what it takes to get a business off the ground today.

The title comes from how the bison handle winter storms. They huddle and keep the little ones inside, while the bigger bison form an outer ring to shield the weaker ones.

The Lindners have been put through the proverbial wringer from day one and that is what proved to me what amazing people they are. From the first time they met with their mentor in bison ranching who made them go to a slaughterhouse and witness the killing and dressing of an animal, to their latest battles with local bureaucracies that are intransigent in their rule following, the Lindners have faced the storm.

Currently the Lindners are engaged in another battle that could be detrimental to their survival. The Los Angeles County Department of Public Health has decided that after years of the Lindners storing their meat in commercial-grade freezers in a local garage, they must use an "approved cold storage" facility. This after 10 years of problem-free sales in our local Santa Monica Farmers' Markets, the Hollywood Farmers' Market and others in the county.

When I reached out to the health department for a comment they wrote back to me that the regulation is: "All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption."

Well the ribeyes that I bought on Sunday were vacuum packed and frozen, and they were delicious, so I don't see what the problem is there. The bison is grown, slaughtered, packed and frozen in Northern California. If it was shipped direct from the ranch to the markets, it would be fine by county standards, but if it stays in a commercial-grade freezer in the Lindner's condominium in Santa Clarita it's not OK.

This is the sort of over-regulation that causes companies to go out of business. For 10 years this bison has been sold to the public problem free. It's just one more storm for the Lindners, and I'm hopeful that they will weather it like all the others. Until they are cleared for sale in Santa Monica again, I guess I'll have to order online and have it shipped to me.

DAVID PISARRA is a Los Angeles divorce and child custody lawyer specializing in father's and men's rights with the Santa Monica firm of Pisarra & Grist. He welcomes your questions and comments. He can be reached at dpisarra@pisarra.com or (310) 664-9969. You can follow him on Twitter @davidpisarra

The Q Line

Paying to play

City officials are considering a new fee on developers to pay for future parks to serve residents attracted to the city.

So, this week's Q-Line question asks:
Do you think it is wise to impose another cost to develop property in Santa Monica and why?

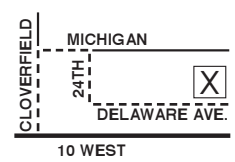
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Herbert Shank Chase Jr. 1923-2013



Herbert Shank Chase Jr. of Santa Monica passed away July 6. He lived 90 good years and died following a brief illness. A gathering will be held August 2 in Santa Monica to celebrate a dynamic life filled with inventive ideas and a generous spirit.

Born to Herbert S. Chase Sr. and Hazel Noera Chase, with sister Virginia Chase Howard, he grew up in Elizabeth, New Jersey where he attended Pingry School. He finished at Governor prep school and later attended Hamilton College and Colgate University. 1943-45 he enlisted in officer training in the Marines and was stationed at Camp Pendleton. He served in the Pacific. While in Camp Pendleton, Herb developed a love of California. He married Elise Kirkland also of Elizabeth and left the east coast to settle in Malibu. He moved to Santa Monica and purchased the Santa Monica Independent Journal Newspaper from Henry Luce. Through his newspaper he led many crusades including opposition to oil drilling in the Santa Monica Bay and against corruption and development schemes that would have compromised the natural beauty of our public beaches. He married Marjorie Zickler of Holland, Michigan in 1970 through a shared love of horses. He devoted himself to a career as editor and publisher of various publications including the "Good Life". He gave up his office late last year, but continued to write for local papers.

Herb believed fervently that each generation owed the next a better life. He was devoted to the Boys and Girls Club and was on the board for over 50 years. He coached SM Little League, SM Bobby Sox Softball, AYSO soccer, and youth football. He was a longtime booster of Santa Monica and in his final years launched an online publication called "Santa Monica Boosters". He had seven children and 14 grandchildren and was actively involved in their lives, attending every graduation, sports event and family celebration. He loved kids of many ages and his life as a parent was distinguished by involvement with his children's many friends. He loved to treat everyone to his new favorite restaurant and relished the large family reunions. Give him the beach, the Dodgers, his dog Samohi and family… he was a happy man.

He is survived by seven children, Anne Chase-Stapleton of Samish Island, WA, Ashley Andrews and husband Vincent of North Salem, NY, Herb Chase III of Pacific Palisades, Frances Workman and husband Henry Workman of Newbury Park, Carole Elliott and husband Glen of Palo Alto, step daughter Lory Bierschenk and husband Kurt of Pacific Palisades and Paige Chase of Santa Monica. He had 15 beloved and beautiful grandchildren: Chesley, Matt, Sarah, Hannah, Elizabeth, Michael, Katherine, Hank, Jack, Brinson, Mason, Alyssa, Jessica, Andrew and Bailey to which he was simply and lovingly known as "Granman". 310-663-8652 for information on memorial gathering.

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Will Apple's latest results be another letdown?

MICHAEL LIEDTKE
AP Technology Writer

SAN FRANCISCO Apple's latest quarterly results are likely to illustrate why investors are clamoring for the maker of the iPhone and the iPad to come out with another trend-setting device.

The report, due out after the stock market closes Tuesday, is expected to show that Apple Inc. is making less money as more customers buy its lower-priced iPhones and iPads instead of the top-of-the-line models. Other consumers increasingly are bypassing Apple products altogether as smartphones and tablet computers running Google's Android software win more fans.

Those dynamics have changed the way that Wall Street — and even parts of Main Street — view Apple. Once regarded as an indomitable innovator, Apple now looks vulnerable and perhaps a step behind Google Inc. and the leading Android disciple, Samsung Electronics Co.

If analysts' projections pan out, Apple's earnings fell during the three months that ended in June, marking the second consecutive quarter of decline. The slump follows a decade-long streak of earnings growth that ended at the start of the year. Analysts surveyed by FactSet are expecting, on average, earnings of $7.34 per share, down from $9.32 per share a year ago.

Meanwhile, analysts are forecasting little or no revenue growth for the first time since the debut of the iPhone six years ago. Analysts are expecting $35 billion in revenue for the period, its fiscal third quarter. It was $35 billion at the same time last year.

Those would be impressive numbers for most companies, but the bar has been set high for Apple since the introduction of its iPhone triggered an upheaval that has changed the way people engage with technology. Smartphones and tablets are emerging as the preferred way to connect to the Internet and perform many other common computing tasks. In the process, those mobile devices are supplanting laptop and desktop computers.

Ignited by its early lead in smartphones and tablets, Apple's financial performance launched into a scintillating trajectory that catapulted its stock into Wall Street's stratosphere, too. The company's shares rose nearly six-fold from the debut of the first iPhone in 2007 to the release of the latest model last September to establish Apple as the world's most valuable company.

Since peaking 10 months ago at $705.07, Apple's stock has plummeted by about 40 percent to about $425 to wipe out roughly $260 billion in shareholder wealth. It is now behind Exxon Mobil Corp. in market capitalization — at $400 billion, compared with $422 billion for the energy company. Not even a recent 15 percent increase in Apple's quarterly dividend has done much for the stock.

Despite the downturn in the company's fortunes, Apple's products still have legions of admirers. Sales of iPhones for the just-ended quarter are expected to total about 26 million, around the same number as the same time last year. But a growing number of consumers have been content to buy the older iPhone 4 and iPhone 4S models, which are less expensive and less profitable for Apple than the iPhone 5 released last September.

Stifel Nicolaus analysts Aaron Rakers and Sanji Wadhawini estimate that Apple sold about 21 million iPads in the recent quarter, which would be a 24 percent increase from 17 million iPads a year earlier. But the analysts believe most of those sales were likely for the iPad Mini, whose price starts at $329, or $170 less than the cheapest model of the latest full-sized iPad. As a result, Rakers and Wadhawini estimate iPads sold for an average $414 in the past quarter, down from $449.

The past quarter typically is a slower sales season for Apple because gadget lovers have been trained to wait for the new version of the iPhone that the company releases in the fall. Analysts and bloggers are expecting the next version to be called the iPhone 5S, a name selection that denotes the device will probably include relatively minor changes from the previous model. The next-generation iPad will probably come out before the holiday shopping season, too. By contrast, makers of Android products release new models throughout the year.

What investors really want to see from Apple is proof that the Cupertino, Calif., company can still break new ground nearly two years after its visionary founder, Steve Jobs, died after a long battle with cancer. Since then, Apple has mostly released variations of the same themes orchestrated by Jobs.

CEO Tim Cook, Jobs' hand-picked successor, has been dropping hints about the company getting ready to blaze new trails in technology, but he hasn't provided any specifics about what the next breakthrough might be or when it might come out. There have been unconfirmed reports that Apple will introduce a smartwatch to make a splash in the still-nascent field of wearable computers.

Before he died, Jobs told his biographer Walter Isaacson that he had figured out a way to revolutionize TV, raising hopes that Apple was ready to change the way people interact with the biggest screen in their homes. But the Apple TV device that is currently on the market is mostly an Internet streaming device and is far from a game-changer.

So far, all that has changed is the stock market's perception of Apple.



Jackson's mother tearfully concludes testimony

ANTHONY MCCARTNEY
AP Entertainment Writer

LOS ANGELES The promoters of Michael Jackson's ill-fated comeback concerts watched the singer waste away and should have reached out to his family for help, the superstar's mother tearfully told a jury on Monday.

Clutching a tissue and hanging her head at times, Katherine Jackson said she didn't know the extent of her son's weakness until after the start of her trial against AEG Live LLC.

"They watched him waste away," she said after her attorney cited several emails from top workers preparing for the "This Is It" shows. The messages described her son's condition as deteriorating and cited his inability to rehearse.

"They could have called me," Katherine Jackson, 83, said. "He was asking me for his father. My grandson told me that his daddy was nervous and scared."

Her comments came under questioning from her attorney, Brian Panish.

Moments earlier, an attorney for AEG Live had questioned why the Jackson family matriarch —if her purpose for filing the lawsuit was to find out the truth about her son's death, as she had testified — hadn't read through thousands of pages of deposition testimony, or asked her grandchildren about what happened in her son's rented mansion before his June 2009 death.

She later said that while she could have asked her grandchildren about some issues, she didn't want to bring it up with them.

She also said that she didn't see a photograph of her son shot six days before her his death until after the trial started.

Katherine Jackson at first didn't seem to want to look at the photo, which has been repeatedly displayed during the trial and shows her son wearing a T-shirt, his arms thin and bones visible in his upper chest.

Katherine Jackson claims AEG Live failed to properly investigate Dr. Conrad Murray, who was later convicted of involuntary manslaughter for giving the singer an overdose of the anesthetic propofol.

AEG defense attorney Marvin S. Putnam told jurors during opening statements in the negligence lawsuit in April that the case centered on personal responsibility — specifically Michael Jackson's decision to ask Murray to administer propofol as a sleep aid while he prepared for his shows.

AEG Live denies it hired the doctor or bears any responsibility for Jackson's death.

Katherine Jackson said she believes AEG Live hired Murray, not her son. She said she never heard of the cardiologist until her son died, and indicated that she felt Murray bore responsibility for her son's death.

"Even though he asked for it, he could have said no," she said of Murray.

Putnam also asked Katherine Jackson about her son's payments to her over the years. She said he directly paid many of the expenses on her home and would occasionally give her cash as a gift.

Saying she didn't keep track of the payments, Katherine Jackson appeared to being annoyed at the questions.

"What does this have to do with the death of my son," she asked Putnam.

The attorney also asked her about conversations she had with her son about prescription drug use.

She said she asked him about it when he lived in Las Vegas and he denied he was abusing prescription medications.

"I'm a mother, quite naturally he denied it," she said. "He wouldn't want me to think that."

She said she was aware her son took medications for pain in his back and scalp after he sustained injuries over his career. She said she never saw signs that her son was abusing medications, including when she and several of her children went to the singer's Neverland Ranch in 2002 for an intervention.

Her son was fine but upset that they thought he had a problem, she said.

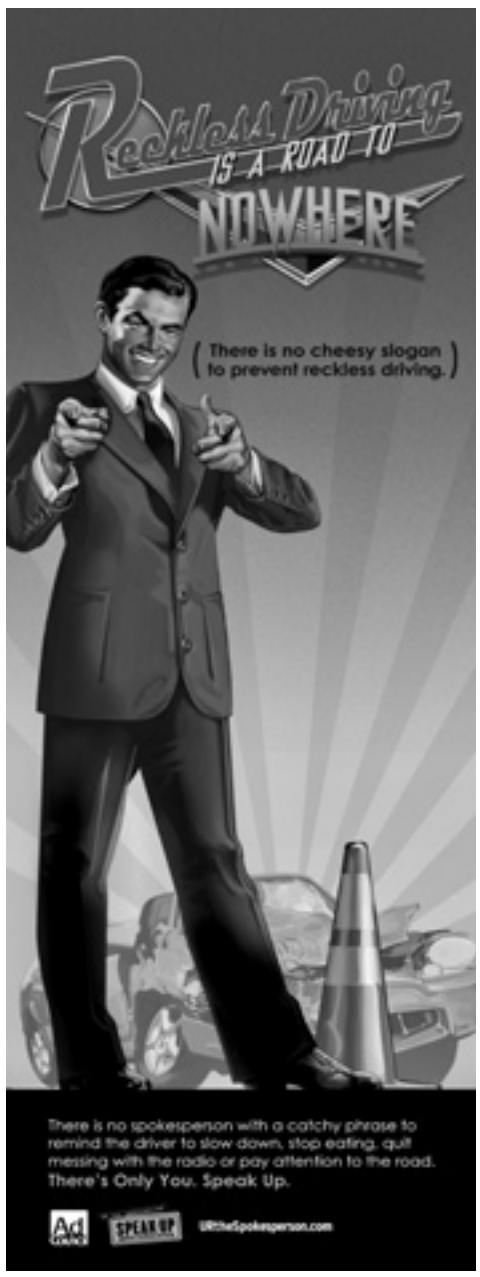
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CONSENT
FROM PAGE 1

es, provided by companies that have come out on top in formal bidding.

City Hall's Purchasing Division formally bid for a variety of goods and services from March 2013 to June 2013. City officials are asking the City Council to approve a list of vendors to provide the specified food or service through June 30, 2014.

If approved, there are two one-year renewal options for a total amount of $4.38 million over a three year period.

The services contracts are just part of a roughly $2.3 million spending package the council is being asked to approve tonight.

MEMORIAL PARK NEIGHBORHOOD PLAN

John Kaliski Architects, a California-based company, is being recommended by city officials to provide urban design, land use and transportation planning and economic analysis to the Memorial Park Neighborhood Plan in an agreement for $596,000.

The plan would define land use, circulation, parking, open space and building form criteria for the area through a community process involving neighborhood groups, local businesses and property owners.

The plan covers the area around the future Exposition Light Rail station at 17th Street and Colorado Avenue in close proximity to Memorial Park and near Santa Monica College, hospitals, Santa Monica-Malibu Unified School District headquarters and existing residential and commercial uses, according to the staff report.

FURNITURE FOR FINANCE

City officials are recommending updating the furniture in the Finance Department's office suite.

City officials solicited two bids, but recommended Systems Source, Inc. as the best for both at a cost of $115,242.

The existing suite was expanded over the years in a piecemeal fashion resulting in office space that is not optimal and disjointed, according to the staff report.

GETTING PEOPLE TO CARPOOL

City officials hope to expand the scope of Murakawa Communications, a California-based company, to include two new outreach programs: "Where the Locals Go" and "I'm a Local," in the No Net New Trips TDM Toolkit Program grant.

It would be an agreement for $69,900 to complete outreach, marketing and implementation of the grant and facilitate a residential vanpool program. The program provides incentives to assist the community to alter their travel behavior by subsidizing vanpool programs and transit passes.

Since beginning the program, Murakawa Communications has identified potential target groups, developed a program for each group, a marketing plan and an implementation plan, and produced an employee (trip reduction) outreach program in the Bergamot area, according to the staff report.

If approved, the contract would run until June 30, 2014.

FIRE STATION IMPROVEMENTS

The City Council is likely to approve a contract with California-based firm, IDS Group, Inc., to design and oversee seismic improvements to a fire station in the Mid-City area for $64,350, which includes a 10 percent contingency.

The company would provide improvements in two phases for Fire Station No. 3, a two-story, wood frame and stucco structure built in the early 1970s prior to current seismic building standards.

City officials entered into a services agreement with IDS Group, Inc. to perform phase one for $28,000. For phase two, additional design and construction services, including preparation of construction documents, procurement of all required permits, and pre-construction and construction administration services are necessary for the project.

Last year, 91 prospective firms registered on City Hall's online bidding site and 10 proposals were received and publicly opened on Sept. 20, 2012, according to the staff report. City officials picked IDS. The company had previously worked with City Hall, the city of Orange and L.A. County Public Works Department, who said work was completed in a timely and cost-efficient manner.

Construction will take place in fiscal year 2014-15.

DOLLAR DOGGY

Police service dog Landor, who is handled by Officer Adam Barry, will retire and be sold to Barry for a dollar.

The 10-year-old service dog retired from after more than five years with the police department.

During Landor's length of service, he has been involved in numerous felony arrests, apprehensions and has received commendations for his acts, according to a staff report. He is also a cross-trained explosive detection canine who has been involved in high-risk explosive detection searches in Santa Monica and other regional cities.

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Daniel Archuleta *daniela@smdp.com*

BIKE IT: Commuters who ditch their single cars save money and the environment in the process.

SAVINGS
FROM PAGE 1

four different kinds of commuters, followed by increasing the use of public transit by eight trips a month and moving 25 percent closer to work.

The relative position of those two options changed depending on the kind of commuter in question, be they traveling in an urban environment, a suburban setting, a rural area or a "non-commuter," meaning they do not work outside the home.

"Basically, the report is about choice," said Jessica Lass, a spokesperson for the NRDC in Santa Monica. "You don't have to drive every day. There are other options like taking the bus, and (the Exposition Light Rail line) is branching out on the Westside."

Driving provides flexibility for the individual, but it's a costly benefit.

Americans have tallied up 3 trillion miles of driving each year for the past decade, a habit that accounts for 20 percent of all greenhouse gas emissions in the country, according to the U.S. Department of Energy.

City commuters, who live in highly urban areas served by mass transit, shell out $2,180 for the privilege. That jumps up to $3,347 for a suburban driver and a whopping $4,272 for rural and town commuters.

Non-commuters still see expenditures — $1,857 goes to gas and operating costs, assuming $3.50 per gallon of gas and 12.5 cents per mile of wear and tear on the car.

Embracing alternative forms of transportation or even planning trips to the store around other such errands — a practice called "trip chaining" — can have a dramatic impact, according to the report.

Increasing transit use adds up to an 80 percent reduction in travel for the days the commuter gets out of the car, and trip chaining can mean a 75 percent reduction in non-work travel.

For her own part, Lass bikes roughly 3.5 miles to the NRDC office in Downtown every day, with occasional bus rides on days that she has to carry something heavy.

She has a car, but cutting out unnecessary driving saves at least $100 per month, Lass estimated.

"No one wants to sit in traffic and watch their gas gauge go farther and farther down," Lass said.

Before commuters can change their habits, the infrastructure to get them from point A to point B has to be in place. Santa Monica public officials have been laying the groundwork by adding miles of new bicycle lanes, working to connect the Big Blue Bus to other transit options and even paying out cold, hard cash to convince people to at least try carpooling.

Many people don't even realize how much they're paying for the privilege of owning a car, said Jacquilyne Brooks de Camarillo, the transportation management coordinator with City Hall.

"They pay for their insurance, oil, and tire changes, but they pay for it as they go, and they don't realize the amount of money that it costs them," Brooks de Camarillo said. "Once we started pointing that out, people were shocked at how much money they spend to commute."

Officials decided to begin their efforts in the Bergamot Arts Center area. They provided employers and employees with information about alternate commuting practices and the promise of an initial $100 subsidy to start "green" commuting full time.

Those who wanted a part-time switch could get $25.

The program has been successful, Brooks de Camarillo said, and she plans to replicate it Downtown.

City Hall already has a number of commuter programs available for its employees, including transit, van pool and commuter clubs that try to get public employees onto bus or rail, into shared ride vans or setting up their own carpooling arrangements.

If public policies like those enshrined in the 2010 Land Use and Circulation Element aim to get residents and others out of their cars, the roughly 2,500 city employees need to do the same, said Mayor Pam O'Connor.

"We're not just talking the talk, we're walking the walk," O'Connor said.

Santa Monica's naturally mild climate and flat geography make it perfect to get out of single-passenger vehicles, she said.

"It's part of the culture of this city to be multimodal," O'Connor said.

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DRILLING
FROM PAGE 3

$17.5 million.

The settlement allowed Bakersfield-based E&B Natural Resources to take over the project, which could produce up to 45 million barrels of oil from wells a few blocks from the beach. The wells would slant both inland and beneath the ocean to reach oil and gas deposits.

Supporters said the city could gain as much as $500 million in oil revenues over 30 years and the school district could receive $11.7 million.

Opponents said derricks aren't welcome in their scenic town. They fear leaks, toxic chemicals, as well as construction traffic and noise.

Mike Collins, who grew up amid the oil fields of Bakersfield, lives four blocks from the shore and 100 yards from a proposed drilling site. He and others have formed a coalition called Stop Hermosa Beach Oil.

"I know what oil smells like, I know what it looks like, what it sounds like," Collins said. "I don't want that in my backyard."

The battle already is heating up.

Wind shop co-owner Kathleen Knoll said she received a dozen angry telephone calls and emails after agreeing to let E&B hold a meet-and-greet public event there. Some customers vowed to boycott the shop and the event was moved.

"We got a glimpse of how passionate people already are and how upset they've become about even the possibility of having oil," Knoll said. "This has gone on for decades, and I think it's going to be very divisive."

PCH
FROM PAGE 3

PCH that runs through Malibu, Shane said.

In 2010, there were four fatal collisions along PCH in Malibu and two more in 2011, according to data from the California Highway Patrol. Countywide there were 12 total fatal collisions in 2010 and 11 in 2011, data showed.

"There are accidents everywhere in local neighborhoods on all streets. It's the nature of the situation. You're driving, something happens, you don't react," Shane said. "We are going to talk to a lot … of experts … on … what can be done to make this safer."

Shane said he wants "immediate solutions." The documentary, directed by a young film maker who has been working with Shane at the Emily Shane Foundation, will interview law enforcement, engineers, and designers to find answers, he said. The foundation was formed by Shane and his wife, Ellen, in honor of their daughter's memory.

He said he hopes the documentary serves as a template to help other communities that have highways running through them. If the documentary makes a profit, Shane said half of it will go to the film makers and half to the foundation.

Once available, he said he hopes to give it away for free to schools and libraries. It would take about six months to make the documentary once the Kickstarter campaign hits its monetary target, Shane said.

He said in his daughter Emily's name, "everyone's being helped."

"The road becomes safer," he said. "The kids are able to move forward."

On the Emily Shane website, there is a "pay it forward" campaign the parents launched with a goal of getting 100 million people to document their good deeds on the site. The family also launched Successful Educational Achievement (SEA), which pairs children who have difficulty in the classroom with mentors that can help them grasp material and get organized. When she was in the second grade, her parents and teachers realized that Emily was having difficulty processing the information she was learning in school.

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Fracking documentaries reflect twists in drilling debate

KEVIN BEGOS
Associated Press

PITTSBURGH The boom in natural gas drilling has cast two opposing documentary filmmakers in unlikely roles.

Josh Fox, a liberal environmental activist, finds himself at odds with President Barack Obama. Phelim McAleer, a free-market conservative, is echoing the Democratic president's support for natural gas.

The two don't see eye-to-eye on much of anything, especially each other.

"He's a very skillful filmmaker," McAleer said of Fox. "He's one of the most trusted scientists in America at the moment, even though he has zero qualifications. I don't accept that, but a lot of Americans do."

Fox, in an e-mail to The Associated Press, said McAleer "is not a credible source of information" and is "a climate change denier."

Their dueling documentaries — the sequel to Fox's Oscar-nominated "Gasland" aired July 8 on HBO and McAleer's "FrackNation" aired the following night on AXS — have clear aims when it comes to hydraulic fracturing, or fracking, the gas drilling method by which chemical-laced fluid is injected into the earth to free natural gas trapped deep underground.

Experts say the pro- and anti-drilling movements represented by the filmmakers each have some good points — even though Fox claims the process is an environmental and public health disaster while McAleer says Fox distorts facts and ignores the benefits of drilling.

Jeff Frankel, an economics professor at Harvard's Kennedy School of Government, said, "The fracking revolution is clearly good news from the national security and economic standpoint" since it reduces imports and generates jobs and investment in America. He said the most extreme fracking critics don't seem to understand how much the gas boom is reducing pollution by cutting the amount of coal that gets burned in power plants.

Yet the fracking critics have legitimate concerns, Frankel said.

It makes sense that they would want to be cautious about drilling in some areas such as sensitive watersheds, Frankel said. Residents should get to choose whether they want drilling locally, he said.

If all the anti-drillers' passion "gets channeled into vigilant regulation, then it will turn out to have been a good thing," Frankel said.

McAleer concedes that Fox appears to be swaying people in at least some states to oppose drilling.

"I think they've got a very strong case in New York, and they have a good chance of winning in places like Colorado and California," said McAleer, who added that there's an irony to that.

New York has placed a moratorium on fracking, but natural gas is the top source of energy for the state, dwarfing hydroelectric or nuclear power. New York gets virtually all that natural gas from states that allow drilling, such as Pennsylvania.

Environmental groups in Colorado and California have also tried to limit or ban fracking, even though those states have long histories of oil and gas drilling.

"If you want to ban fracking, that's your business. But you're just shifting production to the next state," McAleer said.

Fox said, "New Yorkers are becoming increasingly aware that if they want to ban fracking they have to begin to change their energy infrastructure to renewable energy," and that more and more groups are pushing for that transition.

But even prominent scientists who warn about the dangers of global warming say the switch will take a long time.

"Suggesting that renewables will let us phase rapidly off fossil fuels in the United States, China, India or the world as a whole is almost the equivalent of believing in the Easter Bunny and Tooth Fairy," former NASA scientist James Hansen wrote in an online essay in 2011.

Hansen added that "renewable energies are grossly inadequate for our energy needs now and in the foreseeable future."

That's essentially why the Obama administration supports using natural gas as a "bridge" fuel during the transition to renewables, since gas emits half the carbon dioxide of coal.

Fox plans to keep hammering away at fracking. He's working on a short documentary on illnesses affecting gas workers and plans eventually to move onto projects on the broader issues of climate and sustainability.

McAleer — who in previous documentaries challenged Al Gore's "An Inconvenient Truth" and environmentalists' campaign against Romania mining — doesn't plan to make "FrackNation II."

"If you can't say it well in one, you shouldn't need a second one," McAleer said.

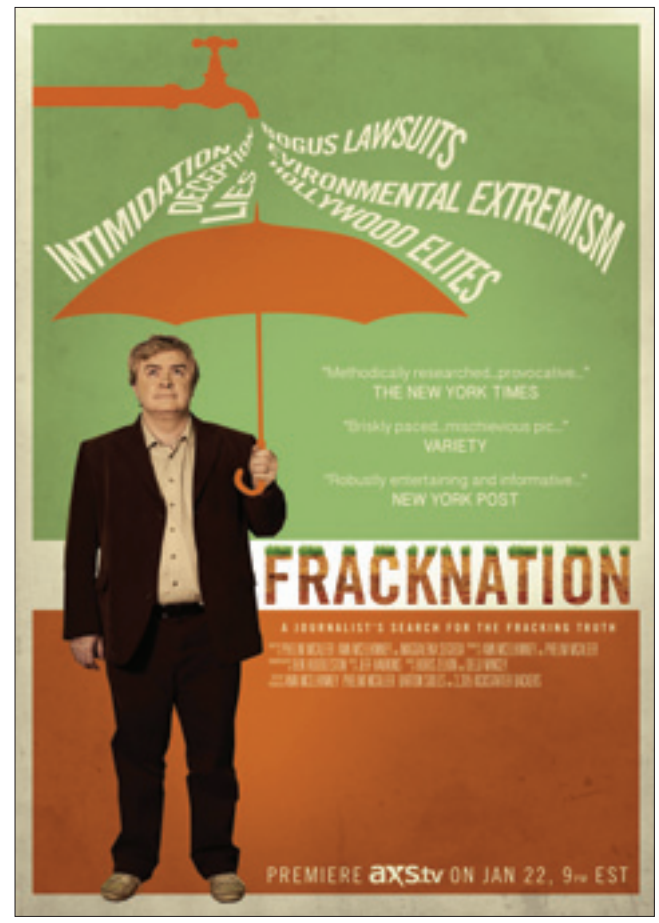


Photo courtesy AXS

'FRACKNATION'

S&P 500 edges higher, helped by gold mining companies

STEVE ROTHWELL
Markets Writer

NEW YORK Mining companies and banks helped the stock market overcome some disappointing quarterly performances on Monday.

Poor second-quarter results from a handful of large U.S. companies weighed on stocks. McDonald's Corp. fell after its results missed expectations and it warned of a tough year ahead. Media company Gannett dropped after its revenue fell short of financial analysts' expectations.

But gold and copper prices boosted mining companies, and that helped nudge the market to another all-time high.

Investors are looking ahead a busy week of corporate earnings. More than 150 companies in the Standard & Poor's 500 stock index are reporting quarterly earnings over the next four days.

For the most part, corporations have reported results that have beaten analysts' expectations, though there have been some big letdowns. On Friday, Microsoft plunged after it reported declining revenue and a big write-off on its new tablet computer. Coca-Cola slumped last Tuesday after the company said it sold fewer soft drinks in North America.

"Earnings are not stellar," said Brad Reynolds, chief investment officer at investment adviser LJPR. "It just seems that the market is OK with that."

Investors were more than OK with gold Monday. Its price climbed above $1,300 for first time in a month, giving mining stocks a big lift.

Gold gained $43.10, or 3.3 percent, to $1,336 an ounce. Copper rose 4 cents, or 1.3 percent, to $3.19 per pound.

Among mining companies, Newmont Mining rose $1.66, or 5.8 percent, to $30.35. Freeport-McMoran Copper & Gold gained 59 cents, or 2.1 percent, to $29.15.

Gold plunged last month because investors thought the Federal Reserve was close to ending its economic stimulus. That pushed up interest rates. And when rates rise, it costs investors more to hang onto gold, which pays no interest.

But with the Fed now willing to continue the stimulus, rates are falling.

The S&P 500 index rose three points, or 0.2 percent, to 1,695.53 on Monday. The index is at an all-time high, though trading volumes were lower than average.

Five of the 10 industry group in the S&P 500 rose. Gains were led by financial companies, which have posted some of the strongest earnings for the quarter so far. They are expected to report average earnings growth of 23 percent. Bank of America added 17 cents, or 1.2 percent, to $14.92.

The Dow Jones industrial average rose nearly 1.8 points, or 0.01 percent, to 15,545.55. The slump in McDonald's stock weighed on the index. The restaurant chain's stock fell $2.69, or 2.7 percent, to $97.58.

The Nasdaq composite climbed 12.77 points, or 0.4 percent, to 3,600.39.

One sector that struggled was homebuilders. Sales of previously occupied homes slipped in June to an annual rate of 5.08 million, the National Association of Realtors said Monday.

As a result, Pulte Group fell 22 cents, or 1.1 percent, to $19.14. Lennar fell 73 cents, or 2.1 percent to $34.80.

The stock market has surged in July following a tough June. Fed Chairman Ben Bernanke spooked investors on June 19, when he seemed to signal that the Fed's tapering of bond purchases would start later this year. Then, after a couple of weeks of panic in stock and bond markets, Bernanke dialed things back on July 10. That's when he told the National Bureau of Economic Research, in a speech in Cambridge, Mass., that the economy still needed help from the Fed's low rates.

The Fed is buying $85 billion of bonds each month to keep long-term interest rates low and to encourage spending.

The S&P 500 has gained 5.6 percent in July. The market last did better than 5.6 percent in October 2011.

Small-company stocks have fared even better. The Russell 2000 closed above 1,000 for the first time on July 5 and is up 7.8 percent for the month. That signals that investors have become more comfortable buying riskier assets.

In commodities trading, the price of oil fell 93 cents, or 0.9 percent, to $106.94 a barrel.

In government bond trading, the yield on the 10-year Treasury note was unchanged from Friday at 2.48 percent. As recently as July 5, the yield was as high as 2.74 percent.

As of Monday, 63 percent of the companies that have reported earnings have exceeded expectations. That's above the historical average.

S&P 500 companies are forecast to report earnings growth of 3.6 percent for the second quarter compared with a year earlier, according to data from S&P Capital IQ.

Analysts expect earnings growth to climb to nearly 6 percent in the third quarter and 11 percent in the fourth quarter.

Those forecasts may prove optimistic if economic growth doesn't accelerate in the second half of the year, said Michael Sheldon, chief market strategist at RDM Financial.

"I'm a little suspect that we're going to see double-digit (earnings) growth," Sheldon said. "We're more likely in a period of moderate-to-sluggish growth."

Among other stocks making big moves.

• Hasbro Inc.'s stock rose $1.49, or 3.3 percent, to $46.87. The nation's second biggest toy maker said Monday that it is expanding a merchandising deal with The Walt Disney Co. for properties including Marvel and Star Wars.

• Yahoo fell $1.25, or 4.3 percent, to $27.86. The company said Monday that activist investor Dan Loeb and two other directors nominated by his hedge fund, Third Point LLC, are leaving Yahoo's board after big gains in the company's stock price the past year.

• Kimberly-Clark, which makes Kleenex tissue and Huggies diapers, fell $1.81, or 1.8 percent, to $97.68. The company on Monday reported revenue that fell short of financial analyst's expectations.

Suit alleges that Puig lied about smuggling plan

ASSOCIATED PRESS

MIAMI A lawsuit seeking $12 million from Los Angeles Dodgers outfielder Yasiel Puig says he and his mother lied to Cuban authorities about a plan to smuggle the player out of the country.

The suit filed in Miami by Miguel Angel Corbacho Daudinot lists Puig and his mother Maritza Valdes Gonzalez as defendants. Corbacho Daudinot is serving a seven-year sentence of "prolonged detention and torture," which he alleges was caused by Puig and Gonzalez saying he was trying to hatch a plan to smuggle Puig out of Cuba.

Corbacho Daudinot was convicted in 2010.

Puig attempted to defect several times before signing with the Dodgers last year. The $12 million Corbacho Daudinot seeks is equal to the signing bonus Puig received in his $42 million, seven-year deal.

The suit was filed in Miami in large part because Puig and his mother maintain their permanent residence there, according to court documents.

The Dodgers have said the team will have no comment about the allegations.

Corbacho Daudinot said Puig and his mother "conspired with ... the Cuban government" to "tortiously, intentionally, willfully, wantonly, maliciously, knowingly, recklessly and negligently" cause his prison sentence, some of which was served under what he described as inhumane conditions. He's serving the remainder of his sentence at home with many restrictions including limited travel and monthly reports with penitentiary officers.

Corbacho Daudinot said he once lent an associate $100 in Cuban convertible pesos, which that associate gave to Puig. Corbacho Daudinot said he never spoke with Puig, and never heard of him again until his arrest on human trafficking charge.

Corbacho Daudinot said Puig and his mother testified that he offered to take the ballplayer out of Cuba and to the Dominican Republic. After he was convicted, Corbacho Daudinot appealed to no avail.

Corbacho Daudinot "is paranoid, he cannot sleep and he does not enjoy life. He lives with the constant awareness that he has no rights, that anything he does can be construed as evidence of a crime, and that his very life can be taken from him at any time," according to the lawsuit.

Before his defection, Puig rarely played outside Cuba, but he excelled with the Cuban team Cienfuegos during the 2010-11 season, batting .330 with 17 homers, 47 RBIs and a .430 on-base percentage in just 327 at-bats while mostly playing center field.

The 6-foot-3 slugger sat out a year for disciplinary reasons possibly related to his attempts to defect. He eventually established residency in Mexico before being signed by the Dodgers.

SURF REPORT



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Surf Forecasts

Water Temp: **68.5°**

TUESDAY – **FAIR** – SURF: **2-3 ft** thigh to chest high
SW-SSW swell continues

WEDNESDAY – **POOR TO FAIR** – SURF: **1-3 ft** ankle to waist high
Leftover SW/SSW swell

THURSDAY – **POOR TO FAIR** – SURF: **1-3 ft** ankle to waist high
Small SSW swell in the AM, with new SSW swell building in the PM for larger waves, trace NW windswell

FRIDAY – **FAIR** – SURF: **2-3 ft** Knee to chest high occ. 4ft
SSW swell fills in a bit more; trace NW windswell

BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **July 17, 2013**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - beachreportcard.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 30 days)
- Number of sewage spills -- 1
- Number of beach closures due to a sewage spill -- 1
- Number of wet days -- 8
- Number of A grades for dry/wet weather -- 26 / ns
- Number of (C,D,F) grades for dry/wet weather -- 0 / ns

The Beach Report Card is made possible by: simplehuman, LAcarGUY, SIMA and Grousbeck Family Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.		
El Pescador State Beach, between Lechusa and Los Alisos creeks.	A+	ns
Encinal Canyon at El Matador State Beach.	A+	ns
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	A+	ns
Latigo Canyon Creek mouth.	A+	ns
Solstice Canyon at Dan Blocker County Beach.	A	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A+	ns
Surfrider Beach at Malibu Colony fence.	A	ns
Surfrider Beach (broach location)- daily.	D	ns
Malibu Pier - 50 yards east.	A+	ns
Carbon Beach at Sweetwater Canyon.	A+	ns
Las Flores State Beach at Las Flores Creek (point zero).	A	ns
Big Rock Beach at 19948 PCH stairs.	A+	ns
Pena Creek at Las Tunas County Beach.	ns	ns
Tuna Canyon.	A	ns
Topanga State Beach at creek mouth.	A+	ns
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	A+	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	ns

LOCATION	DRY	WET
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	ns
Will Rogers State Beach at Pulga Canyon storm drain.	A+	ns
Will Rogers State Beach at Temescal Canyon drain.	A+	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A+	ns
Santa Monica Beach at Montana Ave. drain.	A+	ns
Santa Monica Beach at Wilshire Blvd. drain.	C	ns
Santa Monica Municipal Pier.	A+	ns
Santa Monica Beach at Pico/Kenter storm drain.	A+	ns
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	ns
Ocean Park Beach at Ashland Ave. drain.	A+	ns
Venice City Beach, at the Rose Ave. storm drain.	A+	ns
Venice Beach at Brooks Ave. drain.	A+	ns
Venice Beach at Windward Ave. drain.	A+	ns
Venice Fishing Pier - 50 yards south.	A+	ns
Venice Beach- projection of Topsail St..	A	ns
Marina del Rey, Mothers' Beach- lifeguard tower.	C	ns
Dockweiler State Beach at Ballona Creek mouth.	A	ns
Dockweiler State Beach at Culver Blvd. drain.	A+	ns
North Westchester Storm Drain at Dockweiler State Beach.	A+	ns
Dockweiler State Beach at World Way (south of DWW jetty).	A+	ns
Dockweiler State Beach at Imperial Hwy drain.	A+	ns
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	ns
Dockweiler State Beach at Grand Ave. drain.	A+	ns

LEGEND
DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

Heal the Bay's Beach Report Card℠ is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A-F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

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Monsters University (G) 1hr 47min
2:30pm, 5:10pm

Lone Ranger (PG-13) 2hrs 29min
10:10pm

Despicable Me 2 (PG) 1hr 38min
2:45pm, 5:20pm, 7:45pm

R.I.P.D. (PG-13) 1hr 36min
11:55am, 4:30pm, 9:45pm

World War Z (PG-13) 1hr 56min
7:50pm, 10:30pm

Conjuring (R) 1hr 52min
11:45am, 1:00pm, 4:05pm, 7:15pm, 10:15pm

R.I.P.D. 3D (PG-13) 1hr 36min
1:45pm, 7:00pm

AMC 7 Santa Monica
1310 Third St.
(310) 451-9440

Despicable Me 2 (PG) 1hr 38min
11:30am, 4:20pm, 9:45pm

Pacific Rim in 3D (PG-13) 2hrs 11min
12:15pm, 6:45pm

Pacific Rim (PG-13) 2hrs 11min
11:20am, 3:30pm, 10:00pm

Turbo (PG) 1hr 36min
11:10am, 1:45pm, 7:00pm

Red 2 (PG-13) 1hr 56min
11:00am, 1:55pm, 4:50pm, 7:45pm, 10:40pm

Grown Ups 2 (PG-13) 1hr 41min
11:45am, 2:30pm, 5:20pm, 8:15pm, 10:45pm

This Is The End (R) 1hr 47min
2:20pm, 5:00pm, 7:50pm, 10:35pm

Despicable Me 2 in 3D (PG) 1hr 38min
2:05pm, 7:15pm

Heat (R) 1hr 57min
11:00am, 1:40pm, 4:30pm, 7:30pm, 10:30pm

Turbo 3D (PG) 1hr 36min
4:40pm, 9:55pm

Laemmle's Monica Fourplex
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Before Midnight (R) 1hr 48min
1:40pm, 4:20pm, 7:00pm, 9:40pm

20 Feet from Stardom (PG-13) 1hr 30min
1:00pm, 3:20pm, 5:40pm, 8:00pm, 10:15pm

Way, Way Back (PG-13) 1hr 43min
1:50pm, 4:45pm, 7:30pm, 10:00pm

Only God Forgives (R) 1hr 30min
1:00pm, 3:15pm, 5:30pm, 7:45pm, 10:00pm

For more information, e-mail **editor@smdp.com**

HANG OUT TONIGHT, AQUARIUS

ARIES (March 21-April 19)
★★★★ You might feel pulled in two seemingly opposite directions. You will wonder which way would be best to go. If you can't decide, you could do the unexpected and end up surprising yourself. Tonight: Where your friends are.

TAURUS (April 20-May 20)
★★ Make it OK not to be rambunctious. Sometimes it is best to pursue a leisurely pace at home. You might want to think through some recent events. You'll gain unusual insight when you investigate further. Tonight: Do your thing.

GEMINI (May 21-June 20)
★★★★ You will want to stop reacting for a while; instead, take an overview of what's happening around you. Your perspective will change as a result. Tonight: Let your mind wander.

CANCER (June 21-July 22)
★★★★★ You could be wondering when you can make a statement of importance. You'll want to share your thoughts with several different people before the actual presentation. You might opt not to do anything at all after getting some intense feedback. Tonight: Be with a favorite person.

LEO (July 23-Aug. 22)
★★★★ Others seek your feedback. Someone's statement might cause you to reconsider a personal matter. Unexpected news also heads in your direction. By blocking a particular way of thinking, you could be preventing yourself from heading in a new direction. Tonight: Follow a suggestion.

VIRGO (Aug. 23-Sept. 22)
★★★ You'll approach a situation in a new way, and you'll be more than ready for a positive change. You might wonder what is going on with a partner. Part of the issue could be that this person continues to be unpredictable. Tonight: Relax, and choose a favorite pastime.

LIBRA (Sept. 23-Oct. 22)
★★★★ Your attitude could provoke an unexpected reaction. Your playfulness will pull you in a new direction. Honor a change of pace. You have the ability to cruise through problems with ease. Tonight: Stay present.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Come from a place of understanding, and recognize that others might not have the same values system as you. Your ability to read between the lines will be beneficial, but it also will be important to confirm exactly what you are seeing. Tonight: Relax at home. Do not push.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Returning calls leads to more calls. An unexpected development with a creative venture could provoke a lot of thinking and talking. You easily could see the day fly by in an instant. Tonight: Flex with the moment.

CAPRICORN (Dec. 22-Jan. 19)
★★★ A family member or a domestic matter once more triggers you. You might feel as if you have your hands full. If you try to focus on other matters, you could find it difficult. Focus on what ails you first. Your productivity will increase, and you'll feel better. Tonight: Your treat.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Your ability to flex is high. Your sense of direction could change radically because of forthcoming news, and then again because of others' reactions. You know what needs to be handled. Tonight: Hang out.

PISCES (Feb. 19-March 20)
★★ You might prefer to be left alone in order to work through an issue. A financial instability could affect your sense of direction. Honor news, and make decisions once you are sure that you have all the facts. Remain sensitive to a friend or loved one. Tonight: Get some extra zzz's.

Tuesday, July 23, 2013

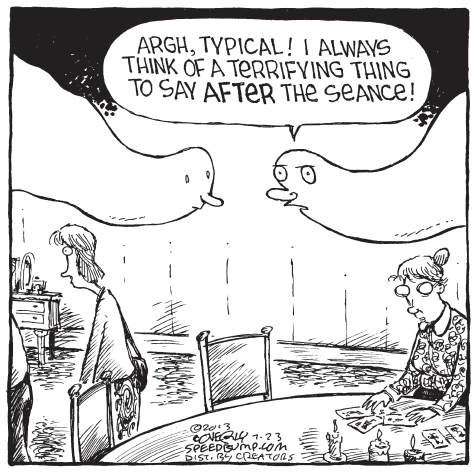
This year relationships take priority. People seek you out even more than in the past. The potential for an unusual bond becomes possible. Friendship will be critical to making this interaction work. You will gain tremendous insights if you access the areas of your mind that have been blocked off until now. If you are single, it seems as if there is always a better choice just around the corner. Do not settle. If you are attached, the two of you often debate the pros and cons of an issue. Remember that all fighting is about separation. Count on AQUARIUS for friendship.

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

Email QLINE@SMDP.COM. WE'LL PRINT THE ANSWERS.
Sound off every week on our Q-Line™. See page 5 for more info.

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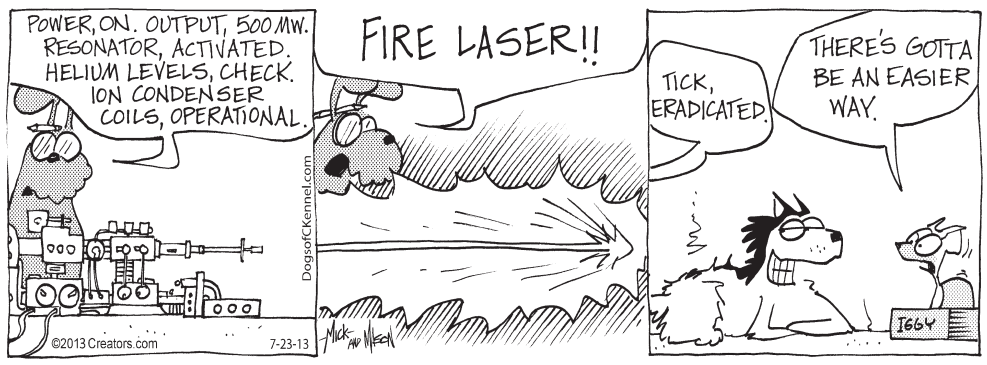
Speed Bump
By Dave Coverly



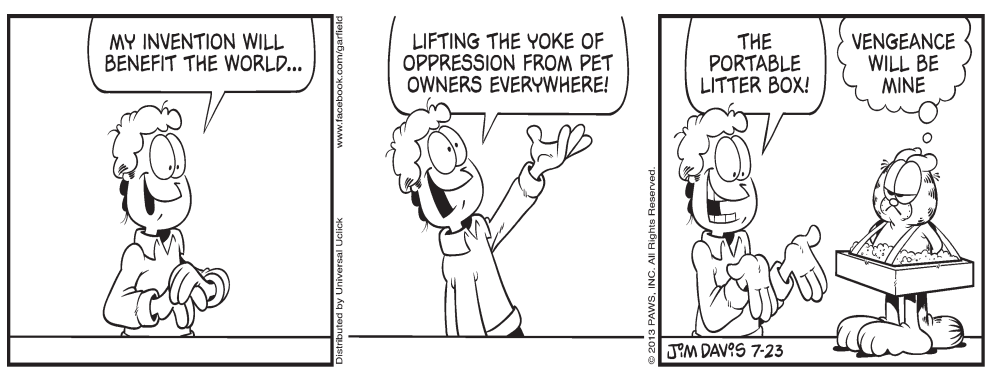
Strange Brew
By John Deering



Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



The Meaning of Lila
By John Forgetta & L.A. Rose



Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★

		9		6			2	
	4				5			8
8				7	1			
						2	7	
5		4				1		3
	7	3						
			2	8				5
1			3				8	
	2			5		6		

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

9	4	2	7	8	6	5	1	3
8	3	5	2	1	4	6	7	9
6	7	1	5	3	9	4	8	2
4	6	9	1	5	7	2	3	8
1	5	3	8	4	2	9	6	7
2	8	7	6	9	3	1	4	5
3	1	4	9	2	8	7	5	6
5	2	6	3	7	1	8	9	4
7	9	8	4	6	5	3	2	1

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MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*. Send your mystery photos to *editor@smdp.com* to be used in future issues.

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Sun-powered
6 Viewed anew
11 Texas landmark
12 44th president
13 Don Ho song
15 Cain's mother
16 Sis' sibling
17 Gallery fill
18 Fall
20 Old Russian space station
21 Tax org.
22 Monopoly pair
23 Farm animals
26 Said with a twang
27 Poker payment
28 Poker prize
29 Agent, for short
30 Church's foe
34 Had supper
35 Sleeve filler
36 — tizzy
37 National Zoo critters
40 Game show host
41 Inclined
42 Garden starters
43 Foot parts

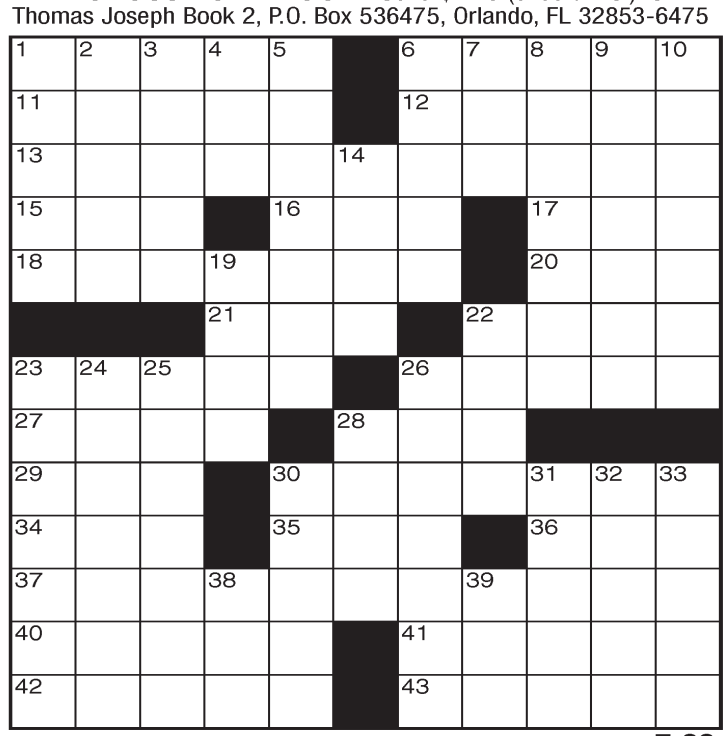
DOWN

1 Quite full
2 Green shade
3 Highway divisions
4 Writer Tan
5 Cops' foes
6 Mechanical man
7 Flow out
8 Seasoned sausages
9 Uncle Sam's home
10 Spendthrift
14 Fancy planters
19 Refer to
22 Postmark part
23 Mechanics' workplaces
24 Former
25 In a state of concord
26 Usual temperatures
28 Crime doer, in slang
30 Abhors
31 Kind of pool
32 Ridiculous
33 Play groups
38 Homer's neighbor
39 Recent: Prefix

P	A	I	R	S	■	S	L	I	P	■
A	D	D	U	P	■	T	O	T	A	L
S	L	O	T	H	■	O	S	A	G	E
T	I	L	■	E	L	I	■	L	E	A
A	B	S	T	R	A	C	T	I	O	N
■	■	■	R	E	X	■	W	A	N	T
C	L	A	Y	S	■	M	I	N	E	O
H	I	T	S	■	H	A	S	■	■	■
O	B	S	T	R	U	C	T	I	O	N
P	E	T	■	E	B	B	■	D	I	E
I	R	A	T	E	■	E	M	I	L	E
N	A	K	E	D	■	T	O	N	E	D
■	L	E	E	S	■	H	E	A	R	S

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 2, P.O. Box 536475, Orlando, FL 32853-6475



7-23

DAILY LOTTERY

POWERBALL
Draw Date: 7/20
14 25 27 38 58
Power#: 6
Jackpot: $166M

MEGA MILLIONS
Draw Date: 7/19
16 20 24 39 42
Mega#: 46
Jackpot: $13M

SUPER LOTTO PLUS
Draw Date: 7/20
10 13 27 33 34
Mega#: 23
Jackpot: $36M

Fantasy 5
Draw Date: 7/22
10 13 18 22 23

DAILY 3
Draw Date: 7/22
MIDDAY: 5 0 2
EVENING: 5 7 7

DAILY DERBY
Draw Date: 7/22
1st: 03 Hot Shot
2nd: 12 Lucky Charms
3rd: 10 Solid Gold
RACE TIME: 1:43.55

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site at **http://www.calottery.com**

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ At a June hearing, a Philadelphia judge became so exasperated at defendant Robert Williams' seeming cluelessness about his need to keep his probation appointments that she ordered him to take "etiquette" classes before returning to court. Williams, a rap singer and budding music mogul still under court supervision on gun and drug charges from 2008, cavalierly defended his inability to find time for his probation officer by explaining that he was a busy man, working with seven "artists," with a demanding travel schedule, and uninhibitedly using social media (creating posts that, allegedly, led to threats against the probation officer). (Williams, of course, was accompanied to court by a several-man entourage.)

■ The business website Quartz reported in June that a popular consumer item in North Korea's perhaps-improving economy is the refrigerator, made in China and increasingly available as a reward to stellar performers among civil servants and other elites. The appliances, however, cannot reliably store food because the country's electric grid is so frequently offline and are mostly just status symbols. One item Quartz says often gets displayed in the refrigerator: books.

TODAY IN HISTORY

1962 - The International Agreement on the Neutrality of Laos is signed.

1968 - The only successful hijacking of an El Al aircraft takes place when a Boeing 707 carrying 10 crew and 38 passengers is taken over by three members of the Popular Front for the Liberation of Palestine. The aircraft was en route from Rome, Italy, to Lod, Israel.

WORD UP!

quillet
\ KWIL-it \ , noun;
1.
a subtlety or quibble.

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DBAS

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 201311969 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 06/10/2013 The following person(s) is (are) doing business as The Conscious Living Company, Conscious Life Coaching. 949 Nowita Pl. , Venice, CA 90291. The full name of registrant(s) is/are: Jennifer Ann Gaynor Yaker 949 Nowita Pl. Venice, CA 90291, Richard L. Yanker 949 Nowita Pl. Venice, CA 90291. This Business is being conducted by: Co-partners. The registrant has not yet commenced to transact business under the fictitious business name or names listed above. /s/:Jennifer Ann Gaynor Yaker. This statement was filed with the County Clerk of LOS ANGELES County on 06/10/2013. 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 07/09/2013, 07/16/2013, 07/23/2013, 07/30/2013.

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2013147019 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 07/15/2013 The following person(s) is (are) doing business as THE MCCANN GROUP, MCCANN GROUP GLOBAL. 313 VIRGINIA STREET SUITE #B , EL SEGUNDO, CA 90245. The full name of registrant(s) is/are: MBA GLOBAL TRAVEL, INC. 313 VIRGINIA STREET SUITE #B EL SEGUNDO, CA 90245. This Business is being conducted by: a Corporation. The registrant commenced to transact business under the fictitious business name or names listed on (Date)5/1/2013. /s/: LARRY JOHNSON. This statement was filed with the County Clerk of LOS ANGELES County on 07/15/2013. 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 07/23/2013, 07/30/2013, 08/06/2013, 08/13/2013.

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