

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

7, 9, 1, 18, 24

DAILY 3

Afternoon picks: 5, 5, 4

Evening picks: 3, 9, 0

DAILY DERBY

1st Place: 10, Solid Gold

2nd Place: 03, Hot Shot

3rd Place: 04, Big Ben

Race Time: 1:40.75



NEWS OF THE WEIRD

by Chuck Shepard

■ The Speaker of the New Zealand House ruled in May that, though lap-top computers are forbidden in the chamber, one member could bring in his carburetor and work on it, as long as he didn't make noise.

■ The Green Party in Granada, Spain, for the country's May elections, offered a comprehensive platform that included issuing "sex vouchers" to give adults under age 25 local hotel-room discounts to encourage couples' intimacy (and safe sex and contraception) because most people that age still live with their parents.

QUOTE OF THE DAY

"If you have a job with no aggravations, you don't have a job."

— Malcolm Forbes

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City to discuss its liability in farmer's market accident

BY JOHN WOOD

Daily Press Staff Writer

City officials will hold a special meeting tonight to discuss possible lawsuits arising out of the July 16 farmer's market crash.

The meeting will be closed to the public.

No claims have yet been filed against City Hall, said City Attorney Marsha Moutrie. But because the accident occurred on city property, lawyers on both sides of the case predict the city will be pursued in court.

"We anticipate that somebody will file a claim against the city and we are preparing for that eventuality," Deputy City Attorney Jeanette Schachtner said Tuesday.

Schachtner said the specific content of the meeting, which will be held with the City Council, is sealed from the public.

Anticipated litigation is usually discussed in closed session prior to the public portion of City Council meetings.

Councilman Herb Katz said it's very rare for the city to call a special meeting and it's only done when something important needs immediate attention.

"Every attorney in town is drooling at this opportunity,"

"There should be a way for us as a society to provide some relief. But it's not through lawsuits against the city of Santa Monica."

— ROBERT MYERS
Former City Attorney

Katz added. "They all go on contingencies and sue everybody."

An investigation into the crash, which left 10 dead and 79 injured, is ongoing. No criminal charges have been filed against Russell Weller, 86, of Santa Monica, who apparently lost control of his car before driving through the crowded farmer's market. He told police he may have hit the gas pedal instead of the brake.

City Council members said it's too soon to say if the city will assume any responsibility for the crash.

Councilman Bob Holbrook said the city has never dealt with anything like the July 16 tragedy.

See LIABILITY, page 7

Judge rules against alleged spy living in Santa Monica

BY JOHN WOOD

Daily Press Staff Writer

The interrogation of a Santa Monica man accused of acting as a spy for the North Korean government will be used against him at his trial, a federal judge ruled this week.

William Genego, John Yai's defense attorney, had asked that the interview with FBI agents shortly after his February arrest be stricken from the record. Genego argued Yai was coerced into answering questions.

Yai is accused of failing to register as an agent for the North Korean government and making false statements to customs officials regarding nearly \$20,000 in cash that he and his wife, Susan, brought into the country without reporting.

The former owner of snack shop Bon Appetit on the 1800 block of Wilshire Boulevard faces up to 20 years in jail, prosecutors said.

Yai was arrested in February

See SPY, page 7

Digging deeper



Del Pastrana/Daily Press

This is all that's left of the old Main Library on Sixth Street and Santa Monica Boulevard. A new underground parking structure will be built first, then a new library. The entire project will cost \$72 million and take at least four years to complete.

Ex-NFL player pleads not guilty to arson

BY JOHN WOOD

Daily Press Staff Writer

A former LA/Oakland Raider football player pleaded not guilty Tuesday to charges that he set fire to a Santa Monica furniture and antique shop, causing \$4 million in damages.

Anthony Wayne Smith, 36, of Marina del Rey, was arrested by Santa Monica Police on July 15 and charged with arson in connection with the Feb. 13 fire that gutted Simply Sofas, located on the 2300 block of Lincoln Boulevard. He remains incarcerated in Los Angeles County Jail.

Smith, a standout defensive end for eight seasons with the Raiders, is being held on \$1 million bail. He is scheduled to return to court Friday to request a bail decrease.

Los Angeles Deputy District Attorney Jean Daley, the prosecutor in the case, refused to comment on the nature of the evidence against Smith. Daley works in the division of the District Attorney's Office that pursues accused arsons, career criminals, stalkers and those who commit crimes against police officers.

Ted Yamamoto, Smith's lawyer, did not appear at Tuesday's arraignment. He said he has not had a

chance to review the evidence or discuss the charges with Smith, who he has known for years.

"These things coming up right now are way out of character for him. I'm amazed at what's transpired."

— TED YAMAMOTO
Attorney for Anthony Smith

"These things coming up right now are way out of character for him," he said. "I'm amazed at what's transpired."

Erick Ward, another friend of Smith's who represented him at the arraignment, said the former football player had a business relationship with Marilyn Nelson, owner of Simply Sofas.

Nelson told the Daily Press earlier this month that Smith sold personal items, such as framed swords and marble obelisks, on consignment at her store for years. The items were worth between \$100 and several

See ARSON, page 7

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HOROSCOPE

Go til the wee hours, Leo



JACQUELINE BIGAR'S STARS

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

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

HAPPY BIRTHDAY for Wednesday, July 30, 2003:

Investigate the many different possibilities that surround your professional life. Experiment with ideas, knowing when to find the experts. You have a concise way of presenting the facts. Others enjoy brainstorming with you. If a financial opportunity pops up in the next few months, check it out quickly, or it could be gone before you know it. Nevertheless, this year money clicks into your piggy bank, making you very happy. If you are single, you could meet someone anytime this year, being the ever-friendly Lion. First you must decide what you want from a relationship. Then you can create it. If you're attached, be careful about being too me-oriented. Your relationship will always benefit from more attention. VIRGO helps you make money.

ARIES (March 21-April 19)

★★★★ Your imagination plays into each scenario and happening. Your mind is on overdrive, especially at work. Your good will comes forth with loved ones as well. You seem to be able to make time for everyone right now. Tonight: Easy does it.

TAURUS (April 20-May 20)

★★★★ In the next few days you could be overly concerned with what is going on around you. Carefully consider your options that surround a personal matter. Check on a property or investment with the supreme care your sign is known for. Tonight: Play away. You need a break.

GEMINI (May 21-June 20)

★★★★ Investigate what might be going on. You pick up on something odd — be it at work or on the home front. Remain positive about the outcome. A real estate matter could come to the forefront. Check it out. Tonight: At home. Put your feet up.

CANCER (June 21-July 22)

★★★★ You might feel that everyone wants a part of you. Look at it as building your popularity. Make it a point to get back to each person, finding out what might be on his or her mind. Feel free to say "no" to a request involving your funds. Tonight: Out and about.

LEO (July 23-Aug. 22)

★★★★ Use the daylight hours to your benefit. Investigate what might be an interesting business proposition. Whatever you touch seems to come through like magic. Discussions could be insightful and go till the wee hours. Tonight: Talk turkey.

VIRGO (Aug. 23-Sept. 22)

★★★★ Use the daylight hours to complete details on a matter that is close to your heart. Many of you can be found daydreaming and thinking instead of working — oh, dear. Center yourself. Move forward in the p.m. Tonight: The stars twinkle upon you.

LIBRA (Sept. 23-Oct. 22)

★★★★ You soar like an eagle during the daylight hours. Zoom in on what you want, with an eye to success. You attend an instrumental and stimulating meeting, which could have you thinking overtime. Tonight: Vanish.

SCORPIO (Oct. 23-Nov. 21)

★★★★ You step to the head of the class. You know where you're going; assume a leadership position. Others want to get your feedback and consider it valuable. You are heading toward success. You're a force to be reckoned with. Tonight: Zoom in wherever you want to be.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Keep on trucking. What you thought was a great idea probably is — with a tuneup here and there. You impress others with your ability to think out of the box. Bosses and those you look up to are full of questions. Tonight: A must show.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ A partner does more than his or her share to make your life work right. This person might pitch in where you least expect it. Consider your options very carefully that surround a trip or news from a distance. Tonight: Let your mind relax.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Others seek you out. You might have a tendency to want to put your feet up on your desk and let events happen — surprise! You could be energized by a partner and his or her news. Work with this person as an individual. Tonight: Slow down and be a good listener.

PISCES (Feb. 19-March 20)

★★★★ Dig into work, knowing that others have similar demands. Loosen up and discover more of what you want from a prime relationship. Experiment with different ideas. Try them out on a partner or associate who can sometimes be a bit critical. Tonight: Follow through on another's request.

Fish FaCTs:

Q: Which fish swims the fastest?
A: The Tuna. It, and its relatives, can reach 50mph for short bursts.

"Body and sole, fish is good for you!"

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LOCAL

COMMUNITY BRIEFS

National Night Out cut from Santa Monica

By Daily Press staff

While Santa Monica normally participates in an annual national crime and drug prevention event scheduled for next week, it won't this year because of budget constraints.

National Night Out, now in its 20th year, will be held in thousands of cities throughout the country on Aug. 5. But in Santa Monica, a separate event called "Santa Monica Night Out Against Crime" will be held at the end of August, when the new Public Safety Building is scheduled to open.

On Aug. 5, neighborhoods throughout Los Angeles are being invited to join forces with thousands of communities nationwide for the national event. National Night Out, which is sponsored by the National Association of Town Watch and co-sponsored locally by Budlong, Juliet and Catalina Block Club, will involve more than 9,800 communities from all 50 states, U.S. territories, Canadian cities and military bases around the world. In all, more than 33 million people are expected to participate in "America's Night Out Against Crime." The event is supported in part by the U.S. Department of Justice and the Bureau of Justice Assistance.

National Night Out is designed to heighten crime and drug prevention awareness; generate support for, and participation in, local anti-crime efforts; strengthen neighborhood spirit and police-community partnerships and send a message to criminals, letting them know neighborhoods are organized and fighting back.

From 7 p.m. to 10 p.m., residents in neighborhoods throughout Los Angeles and across the nation are asked to lock their doors, turn on outside lights and spend the evening outside with neighbors and police. Many neighborhoods throughout Los Angeles will be hosting a variety of special events such as block parties, cook-outs, parades, visits from police, flashlight walks, contests, youth activities and anti-crime rallies.

Budlong, Juliet and Catalina Neighborhood Association, Van Buren Community Restoration Association and Adams-Normandie Neighborhood Association invite the public to join them on a peaceful walk through the neighborhood. The associations' purpose is to bring attention to the growing blight and alarming wave of lethal violence that has plagued their communities.

The Budlong Tunnel is the designated problem area. It is near the Santa Monica Freeway underpass located at Budlong Avenue and 22nd Street. For more than 15 years the residents have combated illegal dumping at the location.

Groups will canvass through the neighborhood distributing brochures and pertinent informative community information. They will assemble at Salvin Elementary School, located at 1925 Budlong Avenue at 6:15 p.m. with potluck dishes.

Sonki's Fitness runs 132 miles for charity

By Daily Press staff

Sonki's Fitness, a fitness company based in Santa Monica, participated in the American Cancer Society's signature fundraising event, Relay For Life, this past weekend at Santa Monica College. Founder Sonki Hong led a team of 20 runners who ran more than 132 miles in 24 consecutive hours to help raise money for cancer research.

"This event was a chance for us to help raise money for a very valuable cause," Hong said. "Just about everyone has been affected in some way by this terrible disease. I felt honored to be a part of it."

Hong is a five-time STREND (Strength and Endurance) World Fitness champion and co-author of "Wake up, shape up," in book stores now. Hong's team consisted of members of his Santa Monica and Beverly Hills Boot Camp classes, and their family and friends. The event raised \$77,100 for the American Cancer Society.

Sonki's Fitness offers a variety of fitness programs, including individual and group training, boot camp classes in Santa Monica and Beverly Hills, corporate training and fitness vacation packages. The next fitness vacation (Oct. 4-11, 2003) is to Maui for a week-long all inclusive vacation. For further details regarding the fitness trip to Maui or any other Sonki's Fitness services, visit www.sonkifitness.com.



surf report

More waist-high sets today as a new SW starts to fill in this afternoon and yesterday's SW holds strong this morning.

OUTLOOK: NW wind swell in the background, plus a salad bowl of SW swells hold us for a while with best waves early next week. Still watching two areas of disturbed water off of Baja and Mexico. Tune in tomorrow for more details.

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

Today the water is:

70°

Sunrise: 5:50 a.m.
Sunset: 8:15 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	3:00	-0.1	1:48	2.7	9:40	3.7	8:07	6.0
SUNDAY	3:33	-0.4	2:27	2.6	10:10	3.8	8:43	6.3
MONDAY	4:04	-0.6	3:05	2.5	10:39	3.9	9:19	6.4
TUESDAY	4:36	-0.7	3:44	2.3	11:08	4.1	9:56	6.4
WEDNESDAY	5:08	-0.7	4:26	2.2	11:39	4.2	10:34	6.2
THURSDAY	5:41	-0.5	5:13	2.2	(12:12)	4.4	11:15	5.9
FRIDAY	6:15	-0.2	6:07	2.1	N/A	N/A	12:48	4.5

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The Q Line

The recent accident at the Santa Monica farmers market that left 10 people dead and scores wounded has raised many questions about how to prevent such a tragedy from occurring again.

In fact, in a stunning coincidence earlier this week in Florida, an elderly man did almost the exact same thing as the 86-year-old Santa Monica man, though no one was killed in that incident.

One of the most talked about solutions revolves around coming up with some kind of new test that drivers over a certain age must take and pass on a regular basis if they want to keep their driver's licenses.

ver's licenses.

In the past, attempts to pass such a law have been met with strong resistance from senior groups.

So, this week Q-Line wants to know, "Should senior citizens be regularly required to demonstrate the physical and mental skills necessary to operate a motor vehicle? Why or why not?"

Call (310) 285-8106 before Thursday at 5 p.m. and we'll include your response in Friday's paper. Please keep your answer to a minute or less. It might help to think first about the wording of your response before you dial the phone.



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LETTERS

City is not to blame in market crash

Editor:

My family has lived in Santa Monica since the late 1920s. I have seen the city change from the lovely place it was then to the deplorable condition it is in now with the terrible homeless situation, ridiculous traffic patterns, inept city council, etc., etc. However, I do not feel the city is responsible for not putting up stronger barriers at the entrance to the farmer's market to prevent the tragedy we suffered two weeks ago. The wooden barriers with the "no thru traffic" sign have been sufficient all these years. Just because a driver plowed through it is his fault, not the fault of the city. Put the blame where it belongs — on the driver and his family for letting him drive.

Lois Miller
Santa Monica

No sympathy for funeral home

Editor:

I was appalled to read about the accidental cremation case, (SMDP, July 28, page 1). What the mortuary did to that grieving wife was reprehensible. You are at your most vulnerable when dealing with a funeral home. You trust in them to treat your loved one with dignity.

Terry Hemeyer, who oversees Gates, Kingsley, Gates, was quoted as saying that this mistake had only occurred a few times before. What? The first time it happened, the mortuary should have put in effect safeguards which would have prevented a reoccurrence.

Owning up to what they did is not enough. If I were on that jury, I'd make the mortuary pay big.

Paula Stein
Santa Monica

Pico suffers enough social injustice

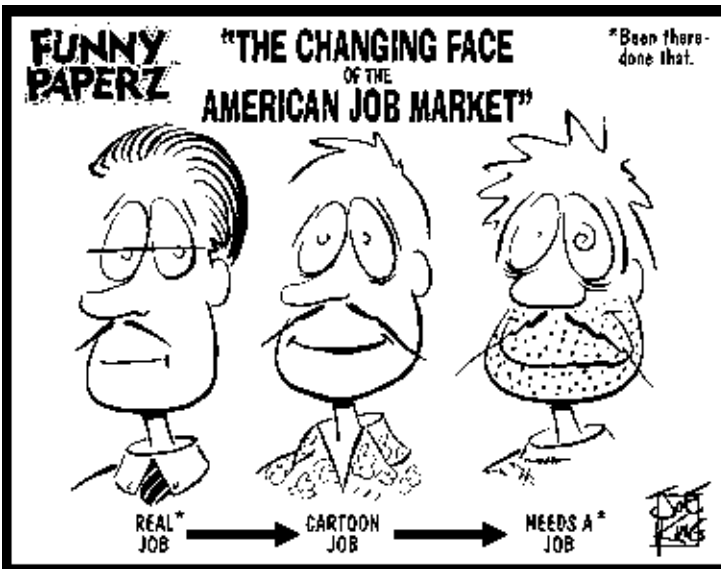
Editor:

I attended the OPCC open house Monday night. While I feel it is admirable to do good work such as the OPCC seems to do, and while their project on 16th Street and

Broadway looks very nice and seems to fit in there well, they didn't answer or skirted around several of questions I asked of them. Here are some of them:

1. What happens after 5 p.m. when the clients of their project leave for the day? Where do they go? What's the traffic impact in an already very congested area? I was told a lot about how they "hope" to get money from the state (good luck) to fund year-round overnight centers for people like those that are now open in the cold and wet months. This was in response to my concern about where these people go after 5 p.m. With 55 beds in the new center for people in the transitional housing program, and

See LETTERS, page 5



Not all lies are created equal for either president



INCITES

By Ed Silverstein

I was one of many Americans manipulated into supporting the increasingly questionable war in Iraq. So I've been doing a lot of thinking about lies lately and what I came to realize is that not all lies are created equal. What I also realized is that the consequences for telling the lie are rarely commensurate to the consequences of the lie. To illustrate I've created the following comparison chart.

BIG LIES: A PRESIDENTIAL COMPARISON

BILL CLINTON

The Big Lie: The President lied under oath about a sexual liaison with intern Monica Lewinski.

Justification: The President did not want his wife and the American public to know about a sexual indiscretion.

Possible secondary reasons: Shame, guilt, sexual addiction.

Actions caused by the lie:

- 1) Arousal of emotions and stiffening of the President's, er, ... "resolve."
- 2) Use of phallus to cause gratification.
- 3) Discharge of bodily fluid.
- 4) Low moan of pleasure.
- 5) Destruction of a dress.

Investigation: \$50 million investigation by partisan Republican special prosecutor. Illegal leaks of information followed by full disclosure in a comprehensive and graphically explicit report.

Action by Press: President roundly condemned by mainstream press. Viciously attacked by conservative pundits who accused him of high crimes and misdemeanors and call for the President's ouster.

Reaction from rest of world: Yawn.

Consequences:

- 1) Friends and family: Hillary and Chelsy are intensely embarrassed. Friends and colleagues severely disappointed and disillusioned. Monica Lewinski gets book, movie and television deals.
- 2) America: The country is disappointed in the President and appalled by the spiteful, malevolent tenacity of Republican lawmakers.
- 3) The President: Impeachment. Slight increase in approval rating.
- 4) Others: Slight increase in popularity of

cigars.

Admission: President Clinton apologized to all Americans.

GEORGE W. BUSH

The Big Lie: The President lied about Iraq seeking nuclear and other weapons of mass destruction.

Justification: The President wanted to manipulate the country and the world into going to war.

Possible secondary reasons: World domination, religious zealotry, messianic complex.

Actions caused by the lie:

- 1) Arousal of the American people and stiffening of resolve for war.
- 2) Use of phallus-like projectiles to cause mortal injury.
- 3) Discharge of bodily fluid and body parts.
- 4) Horrific shrieks of pain.
- 5) Destruction of a country.

Investigation: Proposed limited closed-door secret investigation by intelligence committee chaired by a partisan Republican Congressman. Results to be highly confidential.

Action by the press: Questioned cautiously by the mainstream press.

Defended by Fox News. Conservative pundits rabidly defend President. Call for Kim Jong II's ouster.

Reaction from rest of world: Believes the President and the United States are axis of evil. Possible backlash against American goods and services.

Consequences:

- 1) Friends and family: None
- 2) America: Loses Iraqi peace keeping support from India and other long time allies. Potential increases in terrorism due to loss of cooperation and increased pool of recruits.
- 3) The President: Slight reduction in approval rating.
- 4) Other: Thousands of men, women and children are dead, their families devastated. Severely wounded soldiers and civilians will face lifelong despair as they cope with physical and emotional scars. Oil companies and government contractors such as Halliburton will see profits soar.

Admission: President Bush denied any wrong doing, claimed ignorance and simultaneously blamed and pledged undying support for CIA Director George Tenet.

(Ed Silverstein is a freelance writer living in Santa Monica. He has never told a big lie. E-mail comments to: edsincites@aol.com.)

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

OPINION



LETTERS

LETTERS, from page 4

with serving 200 clients a day, that is approximately 145 people whose whereabouts we don't know after 5 p.m. We don't know if they're going to be wandering around, being picked up (lots more traffic) or taking the bus. We're already burdened with traffic from the Water Garden and SMCC. Enough already.

2. Criminal checks. No answer except that their client base doesn't at this time have much, if any, criminal history.

3. They're moving one or more current programs to the new center. No answer on why it had to be in Santa Monica except that they're chartered to perform social service in Santa Monica.

4. Why should the Pico neighborhood, a struggling poor area of Santa Monica already bearing a disproportionate share of the social services and crime in Santa Monica, be further burdened? The director's answer was that because of zoning they are limited in where they can look and the Pico neighborhood's boundaries go all the way to Centinela.

"We'd love to go north of Montana but we're just not allowed to," was the response.

5. I understand that the salaries paid to the administration of the OPCC are quite generous. It's strange that these people set up a foundation to do good work, suck money from the city, then pay themselves handsomely while ruining a struggling neighborhood. Something about that doesn't smell quite right to me. The people running this foundation do not have to endure the vagrants defecating in their alleys or strewing trash all over their neighborhoods as they rummage for aluminum cans.

I feel that the Pico neighborhood is in a delicate balance. It's fragile. It's doing OK but it won't take much to tip the scales. A big project such as OPCC, with a lot of unanswered questions concerning the impact of what they want to do, is too big of a chance to take with an area such as ours. At the very least, they've got to do a massive impact study and look at reality, not what they hope the state will do.

Interestingly enough, the woman who escorted me around to different people gave me her phone number, with a 454 prefix. I asked her if she lived in Santa Monica Canyon because I used to live there and had a 454 number. She said "Oh no, I live much further up." There is something annoying about these well-heeled Palisades-Brentwood types doing their good works at our expense. Don't get me wrong, my idea of hell would be living in the Palisades or North of Montana, but I don't want to live in a skid row either.

Richard Tuttle
Santa Monica

U.S. should practice what it preaches

Editor:

While I agree with Mr. Bernstein, (SMDP, guest commentary, page 6) that the U.S. needs to change its foreign policy, I disagree with his philosophy about what needs to change. The U.S. should not seek to destroy everyone that hates the U.S. and Israel, as Mr. Bernstein espouses. Rather it should promote the protection of rights, especially the ones we take for granted here and abroad. It has been the U.S.'s narrow approach to foreign policy, us versus them, that has gotten us into the most trouble. We need to start realizing that we're all (Palestinian, Israeli, Iranian, Chinese, etc.) in it together whether Mr. Bernstein likes it or not. That means that we need to start protecting people's rights over narrow interests that destroy long-term stability. For an example of what I mean, read "All The Shah's Men." You will realize that the U.S. has not practiced what it has preached especially in Iran, a country that Mr. Bernstein demonizes. Once we start doing that, the world will become a safer place.

Dan Kolhoff
Santa Monica

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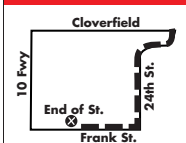
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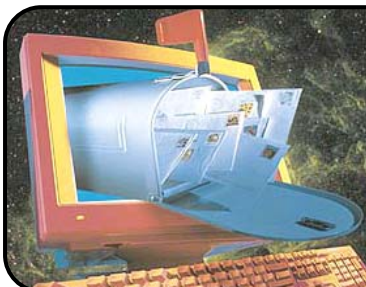
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REAL ESTATE

Things to know about real estate investment trusts



DAYS ON THE MARKET

By Jodi Summers

As of late, one of the strongest aspects of our weak economy has been real estate. Real Estate Investment Trusts (REITs) are corporations that use the pooled money of many investors to buy into mortgages and commercial properties.

REITs offer steady returns and healthy dividends. They are required by law to distribute at least 90 percent of their earnings to shareholders each year. According to statistics, for the past three years, REITs have returned an average of 11.4 percent annually. Want to know more about REITs? Read on.

What is a REIT?

A REIT is a company that buys, develops, manages and sells real estate assets. REITs allow participants to invest in a professionally managed portfolio of real estate properties. REITs are pass-through entities, whose main function is to pass profits on to investors (typically without taxation at the corporate level). REITs are liquid investments, shares are traded on major exchanges, making it easier to buy and sell REIT assets/shares than to buy and sell properties in private markets.

When did REITs begin?

Real Estate Investment Trusts dates back to the 1880s. Back then, investors could avoid double taxation because trusts were not taxed at the corporate level if income was distributed to beneficiaries. This tax advantage was reversed in the 1930s, when passive investments were taxed both at the corporate level and as a part of individual incomes.

In 1960, President Eisenhower signed the Real Estate Investment Trust Tax Provision, which reestablished special tax considerations. The Tax Reform Act of 1986 allowed REITs to manage their properties directly. In 1993, REIT investment barriers to pension funds were eliminated. Today, there are more than 300 publicly traded REITs operating in the United States and their assets total more than \$300 billion. Approximately two-thirds of these trade on the national stock exchanges.

What classifies a REIT?

In order for a corporation to qualify as

a REIT and exist as a pass-through entity free from taxation at the corporate level, it must comply with the following Internal Revenue Code provisions:

- Structured as corporation, business trust, or similar association.
- Managed by a board of directors or trustees.

- Shares need to be fully transferable.

- A minimum of 100 shareholders.

- Pays dividends of at least 90 percent of REITs' taxable income.

- Five or fewer individuals can hold no more than 50 percent of the shares during the last half of each taxable year.

- At least 75 percent of the total investment assets must be in real estate.

- Derive at least 75 percent of gross income from rents or mortgage interest.

- Have no more than 20 percent of its assets consist of stocks in taxable REIT subsidiaries.

What are the different types of REITs?

REITs fall into three broad categories:

Equity REITs: (96.1%). Invest in and own properties. Revenues come principally from their properties' rents.

Mortgage REITs: (1.6%). Loan money for real estate mortgages to owners or purchase existing mortgages or mortgage-backed securities. Their revenues are generated primarily by the interest earned on these loans.

Hybrid REITs: (2.3%). Combine the investment strategies of Equity REITs and Mortgage REITs.

REITs may focus their investments geographically (by region, state, or metropolitan area), or in property types (such as retail properties, industrial facilities, office buildings, apartments or healthcare facilities).

How do you invest in a REIT?

The majority of REIT shares can be purchased on the major stock exchanges and orders can be placed through stockbrokers.

What are the benefits of REITs?

The long-term performance of an individual REIT is determined by the value of its real estate assets. Historically, REITs possess low, relative volatility and provide some degree of inflation protection.

(For more information, check out <http://www.reitnet.com>. If you have local real estate questions, e-mail them to Jodi Summers at jodis@boardwalkrealty.com, or call at (310) 309-4219 and we will do our best to serve your property needs.)

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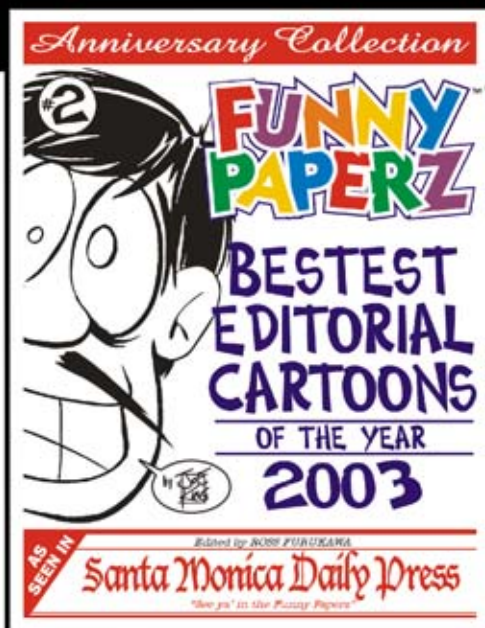
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LOCAL



City braces for civil suits

LIABILITY, from page 1

"This is a whole different thing," he said. "This is a thing where you look for deep pockets. You never know where these things are going to go."

Moutrie said the city has never had a problem with safety in the 22-year history of the outdoor market, which is held on Arizona Avenue between Second and Fourth streets. She also said that erecting barriers to protect pedestrians from motorists at outdoor events is extremely uncommon.

Nonetheless, Moutrie said the city is often pursued for recovery after car accidents because the city is responsible for the roadways.

Santa Monica employs dozens of lawyers and has an entire department dedicated to investigating the average of 600 claims filed against the city each year. About 150 end up as lawsuits. On any given year, the city pays out between \$1 million to \$1.5 million in settlements.

Santa Monica, along with other cities like Anaheim and Palo Alto, have pooled their resources together to purchase one large insurance policy, called the Joint Powers Authority fund.

The risk sharing program includes 10 other California cities and is designed to protect municipalities against potentially huge losses. Any claim over \$1 million is paid by the fund, with coverage up to \$20 million.

Local attorneys already have been retained by victims and their families.

They are considering pursuing City Hall as well as General Motors, the manufacturer of Weller's 1992 Buick LeSabre.

Legal experts said pinning liability on those deeper-pocketed entities will be a crucial point in any pending lawsuit because the assets of Weller, a retired wholesale grocer, are not likely to cover the extent of the damages.

In order to find the city liable, attorneys must prove that a "dangerous condition of public property" existed and that City Hall either knew or should have known about it.

Robert Myers, the Santa Monica City Attorney from 1981 to 1992, said it is highly unlikely City Hall would be held accountable in court for the accident.

He pointed to a civil lawsuit brought against the city in the late 1980s by a woman who lost her arms in a car accident after she drove through a red light. While the city had hoped to settle the lawsuit because it feared jurors would be sympathetic to the woman, the two sides failed to strike a deal.

The jury ended up finding in favor of the city.

While Myers said there is no parallel to the market crash, he suggested the city not settle any claim or lawsuit.

"This was a tragedy," he said. "People lost their lives. There should be a way for us as a society to provide some relief. But it's not through lawsuits against the city of Santa Monica."

Accused agent remains free

SPY, from page 1

at his Ocean Park home, located at 909 Grant St. He posted \$400,000 bail in April. Genego said the case, if a plea bargain is not reached, is likely to go before jurors this winter.

Genego made four motions Monday afternoon, also arguing that Yai was improperly targeted by federal officials, who then failed to establish that Yai knew he was required by law to register as an agent.

U.S. District Judge George King denied all the motions and ruled in favor of the U.S. Attorney's Office, which is prosecuting the case.

"He was not singled out," said Thom Mrozek, a spokesman for the U.S. Attorney's Office, adding that Yai also was not coerced during his interrogation.

In the criminal complaint, Yai is accused of operating within the United States at the direction and control of North Korean officials.

The FBI began operating counterintelligence and covert physical searches on Yai in 1995. Investigators bugged his downtown LA office and allegedly intercepted communications between Yai and

North Korean officials, which were often loaded with code words, according to a 76-page affidavit written by FBI special agent James Chang.

Though the information was mostly public through newspapers and the Internet, North Korean government officials allegedly instructed Yai in 1998 to obtain classified information, according to the affidavit.

The North Korean government paid Yai to identify and recruit other agents to meet with North Korean officials abroad, authorities allege.

Some of the agents recruited by Yai planned to get jobs in the U.S. government, according to the affidavit. One agent was pursuing a job as a clerk in the California District Attorney's office and another agent was looking for work in Washington D.C., where she could be close to politicians, authorities allege.

Genego said the case has nothing to do with spying for North Korea.

"No one is saying that his conduct was illegal," he said Tuesday. "The question here is whether or not he had a legal obligation to (notify U.S. officials)."

Ex-Raider wants bail reduction

ARSON, from page 1

hundred dollars each.

The relationship between the two fell apart earlier this year when Smith demanded a duplicate check for some of his items that were sold, claiming he had lost the first check, Nelson said.

When Smith tried to cash both checks and the bank notified Nelson, she stopped payment on the second one. She never heard from Smith again.

Less than two weeks later, Simply

Sofas burned down. Nelson said she had no idea Smith was a suspect until a few days before he was arrested.

Smith, a first-round draft pick from the University of Arizona in 1990, played for the LA/Oakland Raiders from 1991 to 1997. During his pro career, Smith amassed 178 tackles and 58 sacks. The team moved from Los Angeles to Oakland in 1995.

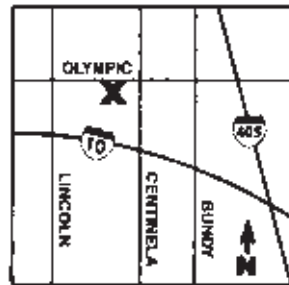
The case is being heard by Los Angeles Superior Court Judge William Ryan at the Airport Courthouse by LAX.

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STATE

Davis' stiff style may cause problems at polls

By The Associated Press

SACRAMENTO — Millions of Californians have elected Gov. Gray Davis to statewide office five times, including twice as governor, but they probably don't even know that his real name is Joe or where he lives when he isn't in Sacramento.

Joseph Graham "Gray" Davis has shaped California policy for almost 30 years, but he remains an enigma to voters even as he faces an unprecedented recall election on Oct. 7.

That mystery, created by his detached style and often rigid personality, helps explain why the 60-year-old New York City native could be the nation's first governor to be recalled in 82 years.

"I don't know anyone who says they know him well," said Larry Berg, founding director of the Jesse Unruh Institute of Politics at the University of Southern California. He met Davis more than 25 years ago when Davis was Gov. Jerry Brown's chief of staff.

Even political allies, particularly the legislators who deal with him daily, say that while they share many goals they have no real relationship with Davis.

Davis has said he's no "rock star" as governor, just someone who would "get the job done."

But that ability to get the job done was in doubt to the more than 1.3 million voters whose petition signatures put the recall on the ballot.

Analysts say many of Davis' problems were caused by forces beyond his control, including the power crisis of 2000-2001, the recession and the implosion of the state's high-tech industry. All combined to create the nation's largest state budget deficit, which could reach \$38.2 billion by next July.

Those troubles, his critics said, demand the bold leadership that Davis lacks.

Even the leadership gap could have been overcome, colleagues say, if Davis had built stronger ties to Democratic leaders. His failure to do that leaves him with a small and rather ambivalent group of defenders.

Davis had the energy to build those relationships, associates said. But he had different priorities, such as fund-raising. He brought in more than \$78 million to spend on his re-election campaign last year.

He's known as a micro manager, often quibbling over wording deep in a press release, and a fitness fanatic. Each day, he rises to work out on a treadmill or stationary bike and he eats the same midday meal of a turkey sandwich, without mayonnaise, and steamed broccoli.

He developed that personal discipline after a difficult childhood, Davis says. His late father, an advertising salesman, was an alcoholic and eventually left his mother for another woman.

After serving in the Army during the Vietnam war, winning a Bronze Star, and graduating from Stanford University and Columbia Law School, he lost a bid for

the 1974 Democratic nomination for state treasurer and then joined Brown's staff.

When Brown, California's "Governor Moonbeam," left office in 1982 Davis was elected to a state Assembly seat from the Beverly Hills area; he still keeps a 1,000-square-foot condo in nearby West Hollywood. After two terms, he was elected state controller for two terms and then lieutenant governor.

All the while, however, "voters have never been enthusiastic about him," said Bruce Cain, a professor of political science at the University of California, Berkeley.

"Throughout his political career (Davis) hasn't built relationships outside of those he has with his contributors. He doesn't reach out."

— **SHERRY BEBITCH JEFFE**
University of Southern California,
political scientist

Instead, Davis has benefited from running against weak candidates, in many cases conservative Republicans whose politics were out of step with most Californians.

Few believed he could win when he ran for governor in 1998, but then Sen. Dianne Feinstein decided not to run. Davis' two Democratic rivals spent millions attacking each other while Davis sailed past them to the nomination. That November, Davis beat Attorney General Dan Lungren, a conservative Republican, with 58 percent of the vote.

But Davis has made his own luck, too. When Los Angeles Mayor Richard Riordan, a moderate Republican, ran for governor last year, Davis bought TV ads during the primary that attacked Riordan on abortion and crime. Those attacks rattled Riordan and conservative businessman Bill Simon won the nomination, only to lose to Davis last November.

Despite the successes, Davis has rarely ignited voter passion, said Sherry Bebitch Jaffe, a University of Southern California political scientist.

"He doesn't feel our pain the way Bill Clinton did," she said. "Throughout his political career he hasn't built relationships outside of those he has with his contributors. He doesn't reach out."

That doesn't mean he deserves the blame placed on him now, said Antonio Villaraigosa, Assembly speaker during Davis' first term and now a member of the Los Angeles City Council.

"There were a lot of factors at work," Villaraigosa said. "When you are governor you get the credit when things are going right, and the blame in bad times."

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STATE

Voters have history of showing politicians who's boss

BY MICHELLE LOCKE

Associated Press Writer

BERKELEY — The election to recall Gov. Gray Davis gives California's voters a chance to do what they like best: govern.

With the state's "do your own thing" philosophy and an initiative-and-recall system open to anyone determined enough and reasonably well-funded, California's electoral process is practically designed to help the disgruntled get even and let the voters lay down the law to the lawmakers.

"The reason we erupt is because we can," says Harry Pachon, president of the Tomas Rivera Policy Institute, a think tank specializing in Hispanic issues.

With Davis facing a recall election Oct. 7, some are beginning to wonder whether California suffers from an excess of democracy.

Californians got the keys to the political liquor cabinet in 1911 when the Legislature, under the direction of reformist Gov. Hiram Johnson, amended the state constitution to allow initiatives and referendums as well as recalls.

The changes, which included granting women the right to vote in state and local elections, were part of a wave of Progressive Era legislation enacted nationwide in response to political and corporate corruption.

The citizen-government phenomenon really took off in 1978 with Proposition 13, which set limits on property taxes and

"I don't think he's the strongest governor we've ever had. But it's the legislators, not the governor."

— **KIM BIRNBAUM**
Teacher

touched off citizen tax revolts around the country. Later, California voters imposed limits on how long politicians could stay in office.

In the 1990s, a slew of voter mandates followed, including Proposition 209, which dismantled most state affirmative action programs, and Proposition 36, which reduced prison sentences for drug offenders.

In some cases, the voters did not get their way. Proposition 187, a GOP-backed 1994 measure that denied health care and other services to illegal immigrants, passed handily — unintentionally mobilizing the Hispanic vote in California. But it was ruled unconstitutional.

Proposition 225, the 1996 measure legalizing medical marijuana, set up a series of "who's the boss" confrontations with federal law enforcement.

Davis, a Democrat, finds himself blamed for the state's \$38 billion deficit and accused of dithering during the energy crisis. The contest in October will be the nation's first gubernatorial recall election since the governor of North Dakota

was removed in 1921.

"Schools are bad, the economy is bad, and taxes may go up. How much more can we take?" says Oscar Ruiz, a construction worker from East Los Angeles. "Davis is just part of the problem, but he is the one who has to answer to the public."

Others cut Davis some slack. Kim Birnbaum, a Democrat and teacher in Clovis, thinks the recall is "a big waste of taxpayers' money."

"I don't think he's the strongest governor we've ever had," she says. "But it's the legislators, not the governor," who should be blamed.

Susan Rasky, who teaches journalism at the University of California at Berkeley and follows politics, sees a dovetailing of two trends in California: California voters' independent streak, and the rise of a political class that has mastered the latest campaign techniques.

To get a recall on the ballot, California requires signatures from just 12 percent of the total number of voters in the previous gubernatorial election — in this case, 897,158. Recall organizers do not have to

specify a reason for wanting to remove an elected official.

From there, all it takes to get onto the recall ballot as a candidate for governor is 65 signatures and a \$3,500 filing fee.

So far, would-be candidates include the owner of the Cigarettes Cheaper chain, who wants to overturn the state's tobacco tax, and a motorcycle biker who wants to legalize pet ferrets.

If a majority votes "yes" on the recall, the next governor of California will be the one who gets the most votes from among what might be a huge number of little-known renegades and gadflies.

"I think people are just not informed about what's involved in a recall election. They don't realize how much it's going to cost the state in a time when we're already in a deficit," says Enrique Lopez, a Green Party member and artist in Fresno. "And now, almost anyone can become our next governor with very few votes. That's not a good thing."

How the recall will turn out is impossible to predict.

Davis is counting on support from Democrats, who outnumber Republicans 45.5 percent to 36 percent and control every statewide elective office. But voters have shown a willingness to cross party lines.

"You ask a Californian, 'What are you?' they'll say Aquarius," Rasky jokes. "It isn't the first thing that comes to peoples' minds in this state — to identify with a political party."

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Compiled by Natalia Aivazova

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28 Days Later R — 11:15, 1:55, 4:35, 7:20, 10:00

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Seabiscuit PG-13 — 11:30, 3:00, 6:15, 9:30, also

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Bad Boys II R 11:20, 12:15, 2:55, 3:45, 6:45, 7:20,

10:10, 10:45

How to Deal PG-13 — 1:50, 2:15, 4:45, 7:40, 10:20

Finding Nemo G — 11:40, 2:00, 4:35, 7:10, 9:40

Lara Croft Tomb Raider: The Cradle of Life PG-13 —

11:30, 12:50, 2:20, 4:00, 5:15, 7:00, 8:10, 10:00, 11:00

Spy Kids 3D: Game Over PG — 11:00, 1:10, 3:25,

5:40, 8:00, 10:05

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Buffalo Soldiers R — 10:30, 1:15, 4:10, 7:05, 9:30

Legally Blonde 2: Red, White & Blue PG-1 —

11:35, 2:15, 5:00, 7:45, 10:30

Charlie's Angels: Full Throttle PG-13 — 11:30, 4:20,

9:15,

Johnny English PG — 11:15, 1:45, 4:30, 7:10, 9:40,

The League of Extraordinary Gentlemen PG-13 —

11:35, 2:15, 5:00, 7:45, 10:30,

Pirates of the Caribbean PG-13 — 11:45, 12:20, 3:15,

3:45, 6:45, 7:15, 10:05, 10:35

If you know of an upcoming event which may be included in the calendar please send the information to calendar@smdp.com or fax it to (310) 576 9913



WORLD BRIEFLY

Rebels have taken over city in Liberia

By The Associated Press

MONROVIA, Liberia — Rebels have captured Liberia's second-largest city filled with refugees, depriving President Charles Taylor of his last significant port outside the besieged capital.

Monday's quick victory at Buchanan, 50 miles southeast of the Monrovia, came as other insurgents pressed their 9-day-old siege of the capital, in fighting that has killed hundreds.

The rebels also hold the capital's port, and with it food and vital aid for the desperate city of more than 1.3 million and its surrounding refugee camps.

Taylor, a former warlord behind 14 years of nearly constant conflict in once-prosperous Liberia, is holed up in his seaside mansion in Monrovia.

As the insurgents pressed their advantage on the two fronts, deliberations on a peace mission for the West African nation showed no sign of progress on Monday.

People flee West Glacier National Park

By The Associated Press

WEST GLACIER, Mont. — Hundreds of people began leaving their homes Monday night as a wildfire threatened to choke off the main escape route from West Glacier and the surrounding area, fire officials said.

The fire, burning in and around Glacier National Park, made a dangerous run during the early evening, burning toward U.S. Highway 2, the primary route in and out of the area.

People were leaving West Glacier and numerous tourist havens outside the park. The National Park Service head-

quarters also was being evacuated, and officials began setting backfires to try to slow the fire's advance.

The smoke plume from the 9,300-acre blaze could be seen from miles, said fire information officer Tom Kempton.

Flathead County Sheriff Jim Dupont said the evacuation order affected more than 400 area homes and businesses.

Helicopters were visible from West Glacier dropping incendiary devices to ignite backfires. Fire officials were hoping the burnout would consume fuel in the wildfire's path.

Investigators still have not determined how the wildfire began.

It was one of three major blazes in and around the park that had blackened 44,500 acres.

Banks pays millions to settle Enron link

By The Associated Press

NEW YORK — Banking titans J.P. Morgan Chase and Citigroup are paying nearly \$300 million to settle charges they helped Enron commit its massive fraud, and the examiner in the energy giant's bankruptcy said four other banks may also have had a role.

The Securities and Exchange Commission says J.P. Morgan Chase and Citigroup — two of the largest banks in the nation — helped Enron create complex transactions to make its financial picture seem rosy, while knowing all along that it was riddled with debt.

Under deals announced Monday, J.P. Morgan will pay \$135 million to the SEC and Citigroup will pay \$101 million. All of that money will eventually be used to pay back the victims of Enron's spectacular fraud, the SEC said.

Also Monday, the court-appointed examiner in Enron's bankruptcy said he found evidence that four other banks that did finance deals with Enron knew of the company's financial machinations. Still, all allowed the deals to proceed, Atlanta attorney Neal Batson said in his third report to the U.S. Bankruptcy Court in Manhattan.

Batson examined the roles of Barclays PLC, Canadian Imperial Bank of Commerce, Deutsche Bank AG and Merrill Lynch. Messages left for the four additional banks were not returned late Monday.

Bush's economic team goes on roadtrip

By The Associated Press

MILWAUKEE — President Bush, facing unemployment at a nine-year high and polls showing increasing doubts over his handling of the economy, dispatched his economic team on a "Jobs and Growth" bus tour to tout the benefits of his tax cuts.

Treasury Secretary John Snow, Commerce Secretary Don Evans and Labor Secretary Elaine Chao were scheduled to spend Tuesday and Wednesday touring Wisconsin and Minnesota, two states the president narrowly lost in the 2000 election, highlighting various aspects of the \$330 billion tax cut package that Bush pushed through Congress earlier this year to stimulate a sluggish economy.

The Cabinet tour follows the president's own visits last week to promote his economic program in Pennsylvania and Michigan, two other states where Bush suffered losses in 2000 that he is hoping to reverse next year.

All the attention highlights the administration's concerns that Bush could be vulnerable to Democratic charges that his three successive tax cuts, totaling more than \$1.8 trillion through 2011, have driven the budget deficit to record levels while doing little to help the economy.

Bush and the Cabinet officials insist that the economy is poised for a significant rebound in growth.

American troops capture Saddam Hussein's bodyguard

BY D'ARCY DORAN

Associated Press Writer

TIKRIT, Iraq — American soldiers overpowered and arrested a bodyguard who rarely left Saddam Hussein's side Tuesday and said they obtained documents and information that could help them close in on the former dictator. An audiotape attributed to the deposed Iraqi leader declared his sons martyrs.

Also Tuesday, Iraq's Governing Council, the 25-member body set up by the U.S.-led coalition to run Iraq as an interim administration, elected a nine-member presidency. The council's statement Tuesday in Baghdad gave no details on how the presidency would function.

In the audiotape aired on the Dubai-based Al-Arabiya satellite station, a voice that resembled Saddam's lauded his sons, Oday and Qusai, who were killed July 22 in a firefight with U.S. soldiers in the northern city of Mosul.

"Even if Saddam Hussein had 100 children other than Oday and Qusai, Saddam Hussein would offer their lives in the same way," the voice said. "Thank God for what he destined for us, and honored us with their martyrdom for his sake."

Some Iraqis had doubted the bodies were those of Saddam's sons, accusing the United States of staging the shootout to demoralize Saddam's supporters. The United States released photographs of the sons and let journalists see their bodies in an attempt to convince Iraqis they were really dead.

The raid in Tikrit captured Adnan Abdullah Abid al-Musslit, who as "one of Saddam's lifelong bodyguards" was believed to have detailed knowledge of the former president's hiding places, said Lt. Col. Steve Russell. He said documents

taken from the home and information obtained from the men would be useful in the hunt for Saddam.

"Every photo and every document connects the dots," said Russell, commander of the 4th Infantry Division's 22nd Infantry Regiment.

The stocky bodyguard struggled to break free as soldiers arrested him, and they had to wrestle him to the ground and drag him down the stairs, Russell said.

"Were we surprised? He's a bodyguard. That's why we went in with our steely knives and oily guns," Russell said. "If everything else had failed and we just got that one guy, we would be happy."

But the series of pre-dawn raids in the heart of the Saddam's hometown nabbed 12 people, including Daher Ziana, the former head of security in Tikrit, and Rafa Idham Ibrahim al-Hassan, a leader of the Saddam Fedayeen militia.

The raids began at 4 a.m. when soldiers fired three shotgun blasts into the locks of the house where bodyguard al-Musslit was living with his family.

Moments later, an Associated Press reporter watched as soldiers pulled al-Musslit from the house, bleeding and barefoot. Soldiers stripped him to his underwear, searching for weapons, and dragged him into an Army Humvee.

A medic examined the right side of his forehead, where blood seeped through the wide tan cloth that was wrapped over his eyes as a blindfold.

Al-Musslit had retired from his job as one of Saddam's most trusted bodyguards, but the former Iraqi leader called him back into service before the war started, Russell said, citing intelligence gathered from Tikrit residents.

About a block away, soldiers stormed a

house where Ziana was living, emerging from one the house's ornate arched entrances with four men with their hands tied behind their back. One of the men was identified as Ziana, Saddam's security chief in Tikrit.

Soldiers cut white sheets from the home into strips to make blindfolds for the men, who sat under guard in the front yard.

Six women, some clutching the hands of small children, wailed as soldiers threw photographs and documents into the driveway. A large portrait of Saddam lay alongside a picture of Ziana in uniform. One album featured a photo of women posing with Kalashnikov rifles.

Among the documents was something called a "Saddam Privilege Card," Russell said.

Nearby, soldiers pulled al-Hassan from another house, Russell said. Al-Hassan was believed to be a Brigadier General and a leader of the Fedayeen militia, which is suspected in the mounting attacks on U.S. troops.

The men were taken to an Army detention facility in Tikrit where they will be interrogated, Russell said.

The 22nd Infantry said it came within 24 hours of catching Saddam's new security chief — and possibly the dictator himself — at a farm in eastern Tikrit on Sunday. It also assisted Task Force 20, the special operations force hunting Saddam, in a Thursday raid that netted up to 10 of the dictator's suspected bodyguards in al-Uja, the Tikrit suburb where Saddam was born.

It began hunting al-Musslit after a raid on a farm belonging to Saddam's cousin Barzan Abd al-Ghafur Sulayman Majid al-Tikriti — 11th on the U.S. list of Iraq's 55 most-wanted — where they found several photos of al-Musslit at Saddam's side,

Russell said.

Bradley fighting vehicles were attacked late last week around the corner from the house where al-Musslit was staying. Russell and his driver, Spc. Cody Hofer, became locked in a close-quarter shootout with al-Musslit's nephew and three other men, Russell said. The four Iraqis were killed in the fight.

In the following days, soldiers stepped up surveillance on the area and gathered the information that led to the raids.

On Monday, soldiers in Tikrit found a huge stash of anti-tank mines and gunpowder they said was enough for a month of attacks on U.S. forces.

"Forty mines could have caused a lot of problems for U.S. forces here in Tikrit," said Maj. Bryan Luke, 37, of Mobile, Ala.

Between Tikrit and Baghdad, guerrillas floated a bomb on a palm log down the Djala River, a Tigris tributary, and detonated it under an old bridge linking Tikrit to the city of Baqouba.

In Baghdad, meanwhile, the Governing Council elected a nine-member presidency.

The U.S. administrator for Iraq, L. Paul Bremer, had said when the council was announced on July 13 that its first order of business would be to elect a president, but members have been unable to agree on a single leader.

The Governing Council has the right to appoint Cabinet ministers and formulate economic policies and is charged with producing a process to write a new constitution that would pave the way for a general election.

Like the larger Governing Council, the presidency has a slight Shiite Muslim majority, with two Sunni Muslims and two Kurdish leaders represented.

SPORTS

SPORTS BRIEFS

By The Associated Press

BASEBALL

■ **CINCINNATI** — General manager Jim Bowden and manager Bob Boone were fired by the Cincinnati Reds, who failed to live up to expectations in a new ballpark. Bench coach Ray Knight ran the Reds in their 6-5, 10-inning win over Philadelphia, and Triple-A Louisville manager Dave Miley will run the Reds on an interim basis for the rest of the season.

The Reds also fired hitting coach Tom Robson and third base coach Tim Foli, who were brought in by Boone. The Reds are last in the NL in pitching and have the worst defense in the majors.

FOOTBALL

■ **COLUMBUS, Ohio** — Korey Stringer's widow sued the NFL in U.S. District Court, filing a suit that says the league fosters a "deadly culture" of abusive exercise that contributed to the death of the Minnesota Vikings' lineman.

Stringer died of heat stroke during training camp in 2001.

The suit seeks unspecified financial damages and asks the court to stop the NFL from forcing players to practice and play in high heat and humidity. It says NFL coaches, trainers and doctors subject players to potentially fatal conditions by forcing them to participate in practices while wearing improper clothing for such conditions.

Stringer, a 335-pound Pro Bowl lineman who played at Ohio State, collapsed July 31, 2001. His body temperature was 108.8 degrees when he arrived at a hospital. He died 15 hours later.

The lawsuit names the NFL, sports equipment maker Riddell Inc. of Elyria, and Dr. John Lombardo, a Columbus sports physician who the lawsuit says is a member of the NFL safety and injury panel and advises the NFL on health issues. Lombardo is the head of the NFL's drug program.

GOLF

■ **RANCHO SANTA FE, Calif.** — Phil Mickelson and Sergio Garcia, both winners this year in tournaments that count, stole the spotlight from the world's best two players by beating Tiger Woods and Ernie Els, 3 and 1, in the "Battle at the Bridges."

It was the fifth version of Monday Night Golf, the made-for-TV exhibition designed to bring golf to prime time. This one featured the best golf and the least amount of fun.

COLLEGE BASKETBALL

■ **COLUMBUS, Ohio** — A federal judge's ruling overturned an NCAA rule prohibiting Division I basketball teams from playing in more than two exempt tournaments in a four-year period.

U.S. District Judge Edmund Sargus Jr. said the NCAA's restrictions violated federal antitrust laws, and he granted a group of tournament promoters and organizers a permanent injunction.

By limiting which teams could play in such tournaments — known as exempt events — the NCAA was creating a "substantial anticompetitive effect," said the plaintiffs' attorney, Bill Markovits.

Markovits said the judge's ruling does not prevent an appeal.

Spokesman Jeff Howard said the NCAA will review the ruling before making any decisions.

OLYMPICS

■ **DENVER** — Three Paralympic athletes filed a federal discrimination lawsuit against the U.S. Olympic Committee, saying the organization gives better benefits to Olympic athletes and violates disabilities law.

Wheelchair athletes Scot Hollonbeck of Atlanta, Tony Iniguez of Aurora, Ill., and Jacob Heivel of Bothell, Wash., say the USOC should be giving Paralympians the same health insurance, grants, living expense stipends and opportunities as Olympians.

HOCKEY

■ **COLUMBUS, Ohio** — Trevor Ettinger, a forward in the Columbus Blue Jackets' organization, was found dead in Canada.

Ettinger, 23, died on Saturday the Syracuse Crunch, Columbus' AHL affiliate, announced on its Web site.

The team didn't add any details about Ettinger's death, and Doug MacLean, Columbus' coach and general manager, said he wasn't sure how Ettinger died.

The Halifax Chronicle-Herald reported that Ettinger was found dead at his mother's house in Upper Kennetcook, Nova Scotia. Police told the newspaper there was no foul play and they will not pursue the case further.

■ **VANCOUVER** — Swedish twins Daniel and Henrik Sedin signed new contracts with the Vancouver Canucks.

Daniel, a left wing, had 14 goals and 17 assists last season. He has 43 goals and 54 assists in 233 career games for Vancouver.



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- Fragrant wood
- Wear down
- Shabby joints
- Fish eggs
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PEOPLE IN THE NEWS

Rapper charged with using profanity during concert

By The Associated Press

■ **MONTEGO BAY, Jamaica** — Jamaican rapper Sean Paul has been charged with using profanity during a performance at Montego Bay's Reggae Sumfest last week.

Paul's performance Thursday night was laced with expletives, police commander Newton Amos said Monday. Authorities served him with a summons under a law prohibiting people from using profanity in public.

He's scheduled to appear in court Wednesday in Montego Bay, police said. Paul was not immediately available for comment.

The rapper, whose hits "Get Busy" and "Like Glue" are in the top 20 of the Billboard singles chart, was served with the summons shortly after he left the stage, police said. The maximum fine is \$20 or community service.

■ **LOS ANGELES** — Acute hip discomfort has forced music legend Ray Charles to postpone upcoming concert dates, his publicist said.

Charles, 72, has had cartilage problems around the joint and was diagnosed and undergoing treatment in Los Angeles, spokesman Jerry Digney said Monday.

The singer, who was 7 when he lost his sight, has won 13 Grammy Awards, including a Lifetime Achievement Award. He also was one of the original inductees to the Rock and Roll Hall of Fame in 1986.

The postponements affect 14 concerts starting with a scheduled appearance Wednesday in Worcester, Mass., Digney said. Charles expects to resume his national tour with late summer and fall concert dates beginning Aug. 22 at Harrah's Casino in Escondido.

■ **LOS ANGELES** — Oscar-nominated actress Diane Lane has sued a movie production company for about \$2.7 million, alleging it failed to finance a film she was slated to star in or sign up Bruce Willis as her co-star.

In the lawsuit filed Monday in Superior Court, Lane alleges that Intermedia Film Equities USA agreed to pay

her \$3.5 million regardless of whether the movie entitled "Me Again" was made — a provision known in the film industry as "pay or play."

Lane, 38, claims Intermedia made three payments to her in June, totaling some \$833,000, but has failed to pay any more, leaving a balance of about \$2.7 million.

Calls placed to Intermedia after business hours Monday weren't immediately returned.

According to Lane's lawsuit, Intermedia couldn't raise enough money to finance the film and negotiate a buyout with Willis after it realized it couldn't afford to pay him enough to make the movie.

She alleges Intermedia initially tried to reassign the film and her contract to another studio, but eventually agreed to pay her off.

Lane, who was nominated for best actress at this year's Academy Awards for playing an adulterous housewife in "Unfaithful," is seeking attorneys' fees and other court costs as well as the balance due on her contract.

■ **LOS ANGELES** — Vanessa Williams liked the idea of joining the NBC drama "Boomtown" even though it means being away from her New York-based children while shooting the show in Los Angeles.

Williams has signed on to appear as Detective Katherine Pierce in 10 of the season's first 13 episodes of the sophomore series that airs Fridays this fall.

"It's a time in my life where I think that I have the flexibility to fly back and forth and try to balance the kids in New York, flying back there for them and working hard out here," she told the Television Critics Association last week.

"My nanny's been with me for 13 years. She went to high school with me. She's an extended part of my family. My parents still live back in New York. So it's a constant juggle, but that's my life."

Williams, 40, has three children from her first marriage. She has a young daughter with her second husband, Rick Fox of the Los Angeles Lakers, and he has a

son from a previous relationship.

Fox, 33, is busy with his own acting career. He plays the love interest of Gloria Reuben in the Lifetime series "1-800-Missing" debuting Aug. 2.

Williams' movie credits include "Shaft," "Eraser" and "Soul Food."

■ **JERUSALEM** — Beginning a five-day trip to Israel to study advances in spinal treatment, former "Superman" actor Christopher Reeve appealed for urgent research to help victims of injuries and illness.

Israel is a major center for stem cell study, which is championed by Reeve as offering hope for people with spinal cord injuries. The 50-year-old actor was paralyzed from the neck down in a riding accident in 1995.

"It's important that scientists realize the sense of urgency, that every day counts for patients," Reeve told Israeli Foreign Minister Silvan Shalom on Monday.

He urged scientists not to be deterred by the size of the challenge of rehabilitating badly injured people. "There have been many times when things were thought to be impossible, and now it's routine," he said, noting test-tube babies, heart transplants and walks on the moon.

Shalom said that Israeli scientists are working on solutions. "We hope together to bring them new hope and a better future," he said.

Many scientists believe stem cells from human embryos could be used to treat a vast array of conditions, from spinal injury to diabetes and Parkinson's disease.

U.S. federal law strictly limits stem cell research and Reeve has criticized the government's stance. In April, he said social and religious conservatives "have had undue influence on the critical debate."

During his trip, Reeve will meet injured Israelis, including Elad Wassa, a 25-year-old Ethiopian immigrant paralyzed from the chest down in a Palestinian suicide bombing in May 2002. Reeve has corresponded with Wassa.

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310.451-1588

**SAVE
\$8,500**



2003 VIN# 3CA88055
F-150
MSRP.....\$19,710
Dealer Discount...\$5,000
Factory Rebate...\$3,000
Ford Credit Rebate...\$500

Net Cost
\$11,210
1 at this price