

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

FANTASY 5

20 27 34 37 38

DAILY 3

Daytime: 1 4 3

Evening: 4 8 1

DAILY DERBY

1st: 09 Winning Spirit
2nd: 08 Gorgeous George
3rd: 03 Hot Shot
RACE TIME: 1:49.76

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ In Milwaukee in 1997, Gary Arthur Medrow, 53, was charged with 24 counts of impersonating a police officer in connection with his unique obsession. What Medrow does, according to police (who have arrested him various times over the last 30 years for the same thing), is telephone a woman and try to convince her to lift another person in the room and carry her or him a short distance, sometimes telling the woman that he's a police officer and that it's an official request.

TODAY IN HISTORY

ON AUG. 17, 1807, Robert Fulton's North River Steam Boat began heading up New York's Hudson River on its successful round-trip to Albany.

■ In 1863, Federal batteries and ships bombarded Fort Sumter in Charleston harbor during the Civil War.

■ In 1896, a prospecting party discovered gold in Alaska, a finding that touched off the Klondike gold rush.

■ In 1942, during World War II, U.S. Eighth Air Force bombers attacked Rouen, France.

■ In 1942, U.S. Marines led by Lt. Col. Evans E. Carlson raided a Japanese seaplane base on Makin Island.

■ In 1943, the Allied conquest of Sicily was completed as U.S. and British forces entered Messina.

THOUGHT OF THE DAY

"Everyone is necessarily the hero of his own life story."

JOHN BARTH,
AMERICAN AUTHOR.

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Legal fees settled in Playhouse suit

City Hall will receive
\$85K in attorney fees

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — The political sandstorm kicked up in September 2000 over a 4-year-old's backyard playhouse has finally, and seemingly permanently, passed.

Five months after the California Supreme Court declined to hear their appeal, Santa Monica residents David and Beth Levy agreed last week to pay City Hall \$85,000 in lawyer fees. The Levys had claimed foul play

"It certainly has turned out to be a very, very expensive playhouse."

— JOE LAWRENCE
Assistant City Attorney

after city officials deemed their son Jacob's 12-foot-tall playhouse illegal.

According to the terms of the settlement, the Levys are required to pay \$50,000 to City Hall immediately. Another \$35,000 must be paid within six months, or else the total amount of the settlement will

be increased to \$120,000, city officials said.

"We certainly weighed the pros and cons and discussed them with the Levys," said Ken Kutcher, who represented the Levys alongside his law practice partner, Chris Harding. "And we're disappointed with the way the court hearings

went and these proceedings went in the appellate court, and then the lack of the ability to get the supreme court to take the case. At this point, it's probably best for everybody in this case to put this matter behind us.

"We went back and forth about a sum," Kutcher added. "It's a sum that's going to take some effort to get there, but at this point I think it's better for everybody to just move on — the city had demanded more money initially."

Kutcher said the Levys already began fundraising to help pay off the bill, adding there were a handful of local residents supportive of

See PLAYHOUSE, page 5

Santa Monica Place struggles to find its identity

Future of downtown mall
remains uncertain

BY JOHN F. MULLER

Special to the Daily Press

DOWNTOWN — While retailers and shoppers have continued to file out of Santa Monica Place, plans to renovate downtown's shopping behemoth appear to have stalled.

After nearly a year and a half of silence from Macerich Co. — the publicly traded trust that owns the mall — many retailers within the

structure have expressed frustration with an unstable situation that has left them unable to secure new long-term leases, or attract as many shoppers and stores as the Promenade. Last year, shops and restaurants along the Promenade grossed \$2.2 billion in sales, while Santa Monica Place brought in \$1.1 billion, according to City Hall documents.

"The customers come in (to the mall) and they don't see anything new," said Sameer Jooma, whose family owns Gallini in the mall and Giorgio Vasari on the Promenade. "It's such a good

mall, with such high potential to bring in tenants ... But everything is up in the air. Everybody is just waiting. Who knows what will happen."

Jooma said Gallini has been in Santa Monica Place since the mall opened in 1980.

Macerich representatives met with city officials more than two years ago to discuss a plan to open up the shopping mall and connect the city's center of commerce with its center of government, as well as the pier. When economic realities squashed grandiose plans to tear down Santa Monica Place and make it into an outdoor mall that would connect to the Promenade, officials from Macerich began searching for ways to open up the existing mall. They last met with the board of the Bayside District Corp. in the spring of 2003. Funded by the city and downtown business owners, Bayside manages downtown Santa Monica with City Hall.

While Randy Brant, the senior vice president of Macerich, said the company is aiming to begin construction by the end of the year, many city officials expressed considerable doubts about that goal.

RETAILERS CRY FOR SOLID GROUND

Since officials from Macerich met with Bayside, company representatives have been exploring a

See SM PLACE, page 6

Economy on rebound

BY CAROLYN SACKARIASON

Daily Press Staff Writer

If the first quarter of 2004 is any indication, the Santa Monica economy appears to be on an upswing.

Sales tax figures recently released by City Hall show that sales tax receipts for the months of January through March 2004 were up an estimated 7.5 percent over last year, said Steve Stark, city finance director.

The figures should make City Hall officials breathe a sigh of relief. Previously facing a \$4 million budget shortfall for this fiscal year, City Hall financiers planned for a 3.5 percent increase in sales tax revenue for this year. Though the first quarter figures exceeded projections, officials aren't ready to spend the extra money.

"We're pleased that sales tax is up but we certainly don't make adjustments yet," Stark said.

"The local economy appears to be recovering based on recent sales tax revenues and the gradually improving economy at state and national levels," Stark added. "However, uncertainty still exists regarding the overall strength of the economic recovery, reflecting the city's

See SALES TAX, page 6

Kickin' it



John O'Brien/Special to the Daily Press

A couple takes in the scenery at Will Rogers State Park on Saturday during a polo match between Santa Monica and Hollywood. Hollywood beat Santa Monica 10 to 5. Polo is played every weekend at the park through October.



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Settle in tonight, Aquarius

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

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

ARIES (March 21-April 19)
★★★★ To your delight, a financial deal you have been sitting on might finally hatch. You have done more than your share of work to arrive at this point. Another's view helps, even if you might resent it. Do your best to open up past your immediate negative reaction. Tonight: Get errands done.

TAURUS (April 20-May 20)
★★★★ Get into a project with all the enthusiasm possible. Your natural manner of expressing your needs comes out in your ingenuity and responses. A special relationship could be developing into more. Approach an important conversation with care. Tonight: Ever playful.

GEMINI (May 21-June 20)
★★★ Others test your limits, which you might find quite annoying. Toss your energy into a project, and you could possibly hit a home run. A boss is touchy and difficult. Approach a security-related matter carefully. Tonight: Play it low-key.

CANCER (June 21-July 22)
★★★★ You have strong opinions, and you let others know it. You believe you are right. Learn to identify with other points of view. You could get flak from others when you least expect it. Dig into your work. Incorporate new ideas. Tonight: Relax with a friend.

LEO (July 23-Aug. 22)
★★★ Don't even deal with others about money. If possible, don't take a risk. Keep to yourself and don't create any more problems. Stay low-key. In fact, if you can close your door, all the better. You might feel a bit more down than usual. Tonight: Treat another to dinner.

VIRGO (Aug. 23-Sept. 22)
★★★★ You are a pile of energy and ideas that cannot be stopped no matter what. Your ideas hit the bull's-eye right now. Partners and associates could be reactive and cause you to rethink a meeting. Family is touchy. Tonight: What would make you happy?

LIBRA (Sept. 23-Oct. 22)
★★ Establish your boundaries and privacy if possible. You might not want to go to work; you might want to stay home. Understand that others are volatile and moody. Add a new dimension to your work. Tonight: Get some extra sleep.

SCORPIO (Oct. 23-Nov. 21)
★★★★ To achieve the goal you want, you might need to spend more than you desire. The unexpected occurs with risks, creativity and romance. Stay even. You might not be able to identify with others. Focus on your goals. Tonight: Where the crowds are.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ A partner is serious about what he or she wants. In fact, something might be bothering this person on a deep level. You might need to adjust plans to handle a work-related matter. You might grumble, but keep it inside. Tonight: Work as late as necessary.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Make a point of picking up the phone and making some important calls. Gather information as well. A partner cares a lot but doesn't seem to show it. Be easygoing. Detach from those who might be troublesome. Tonight: Try a new restaurant.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ You might feel slow and tired. Ask for help from an associate, and you will be able to clear out work quickly. Make an appointment for a checkup. A friend might let you down, or vice versa. Tonight: Settle in with a favorite person.

PISCES (Feb. 19-March 20)
★★★★ Others expect a lot from you, but you cannot seem to stretch your mind and imagination that far. A boss could throw a tantrum, and you need to be steady and secure in conversations. Be sensitive to others' moods. Tonight: Accept an invitation.

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LOCAL

COMMUNITY BRIEFS

Judge backed by local police

By Daily Press staff

Donna Groman, a former Santa Monica Superior Court Commissioner and candidate for Superior Court Judge on the November ballot, has won the endorsements of several prominent law enforcement officials and organizations.

Groman won the endorsement of the Santa Monica Police Officers' Association last week, and is also supported by Santa Monica Police Department Chief James T. Butts.

Groman has won the support of three countywide law enforcement organizations: LASPA, the Los Angeles Sheriffs' Protective Association; PPOA, the Professional Peace Officers' Association; and the Los Angeles County Probation Officers.

"We are consistently impressed with Commissioner Groman's ability to run an efficient court, respect police officers' time, and make the judicial process work smoothly for all parties involved," said Bob Hernandez, chairman of the Santa Monica Police Officers' Association. "We enthusiastically endorse Donna Groman because she is the best candidate for the job."

Groman's strong support from the law enforcement community reflects her ongoing positive relationship with the deputy sheriffs, bailiffs and police officers she sees in her courtroom every day.

"I'm proud to have broad support of law enforcement officials and organizations from across Los Angeles County," Groman said. "As a Superior Court Judge, I will continue to respect law enforcement officials' time and participation in my courtroom."

Groman is the leading candidate for Superior Court Judge, office #69, on the November ballot. She also has been endorsed by both of Santa Monica's representatives in Sacramento: Assemblywoman Fran Pavley and State Senator Sheila Kuehl.

Banking on successful schools

By Daily Press staff

Wells Fargo has announced that it will bring back its "Team Up for Our Schools" program for a second year to help the Santa Monica-Malibu Unified School District overcome budget challenges.

Through the program, Wells Fargo donated \$2.9 million to more than 1,200 public school districts nationally last year — including more than \$8,500 to support schools in Santa Monica and Malibu.

"Last year's Team Up for Our Schools program proved to be so successful for local education that we are bringing it back again this fall with the hope of building on last year's contribution to local school districts," said Shelley Benson, Wells Fargo LA Coastal Community Banking Market President, who oversees Westside banking stores, among others. "We all know that school revenues and spending per student have not kept up with the need due to budget challenges. As concerned and active members of the local community, we want to continue to do our part to help students, teachers, and schools during these challenging times."

According to the May 26, 2004 National Association of Education's Rankings and Estimates report, the percentage increase in spending per student, for teacher salaries and total revenues fell from the 1999-2000 school year to 2003-2004 projections. Spending per student dropped from 5.8 percent to 3.6 percent; teacher salaries slipped from 3.1 percent to 2 percent and total revenues fell from 6.9 percent to 4.9 percent.

Through its Team Up for Our Schools program, Wells Fargo will donate up to \$30 to the local school district for every new Wells Fargo checking package opened with selected services from Aug. 30 through Oct. 31. A Wells Fargo checking package is a checking account plus three other services including the customer's choice of a savings account, online banking, direct deposit, Wells Fargo Online Bill Pay or a Wells Fargo credit card with the Wells Fargo Enhanced Rewards SM program, among others.

The Team Up for Our Schools program will be available in four Wells Fargo branches in Santa Monica and Malibu, and others throughout Southern California. In addition, Vons and OfficeMax stores in the greater Los Angeles area will partner with Wells Fargo to promote the Team Up for Our Schools program to shoppers.

Nationally, schools and educational programs received nearly \$104 million in support from Wells Fargo in the last five years — nearly \$26 million in 2003 alone.



SURF REPORT

Tuesday will see a mix of building S swell and slightly increased NW wind swell. A -2 low tide at 5 a.m. will keep things a bit on the drained out side early on, with improving conditions at most breaks on the tide push through the late morning.

South Bay spots will stay primarily shadowed from the S swell, but NW wind swell will increase Tuesday through Wednesday, to offer some ankle- to waist-high surf at the better exposed spots.

Northern LA breaks with good exposure to the S swell see waist- to chest-high surf in the morning, with sets up in the shoulder to head high range at best breaks on the tide push. As the S swell peaks late Tuesday and into Wednesday look for the better exposed spots to see surf in the 3-4+5' range, with a few plus sets at stand out breaks.

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

Today the water is:

70°



LOW TIDES

HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	3:42	-0.3	2:53	2.4	10:12	4.1	9:01	6.2
SUNDAY	4:08	-0.4	3:27	2.2	10:34	4.2	9:34	6.2
MONDAY	4:34	-0.3	4:01	2.0	10:57	4.4	10:06	6.0
TUESDAY	4:59	-0.2	4:39	1.9	11:21	4.6	10:40	5.7
WEDNESDAY	5:25	0.1	5:20	1.8	11:47	4.7	11:17	5.3
THURSDAY	5:50	0.5	6:08	1.7	N/A	N/A	12:15	4.9
FRIDAY	6:17	1.0	7:07	1.6	12:00	4.7	12:47	5.0

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The Line

There recently have been several opinion pieces printed in the Daily Press from residents complaining about the increase in jets taking off and landing at Santa Monica Airport. They are concerned about jet fuel emissions, environmental damage, noise and the increased likelihood of a plane crashing into nearby homes.

The letters to the editor were fueled by a guest commentary printed in the Aug. 11 edition by a Santa Monica resident who is heading up a group called "Concerned Residents Against Airport Pollution" that plans to make its con-

cerns an election issue this year for City Council candidates.

So, this week Q-Line wants to know, "Does the increase of jet traffic in Santa Monica concern you? What can local politicians do to solve the problem?"

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

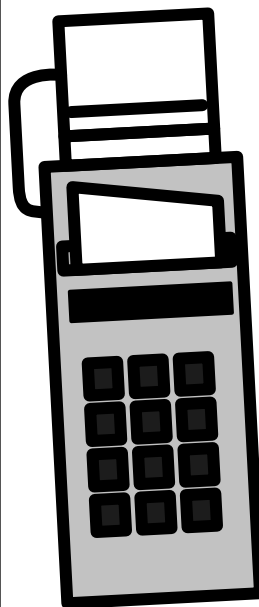
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OPINION

GUEST COMMENTARY BY HANK ROSENFELD

Bush diverts the anger Santa Monicans exhibit during rally

It's a wonderful town where you can ride your bike to a political rally. Last Thursday's demos in Santa Monica played like John Kerry's U-2 anthem: "Beautiful Day." But thank God also for Coffee Bean & Tea Leaf, anchored on the southwest corner of Ocean Park Boulevard and 31st Street.

You see, the president held a fundraiser in our airport of all places, at \$25,000 per plate — plus all the Arnold introductory quips one could handle. His supporters lined the southeast corner while Kerry's crowd was still in the Ocean Park cafe downing turkey dinner for \$5.95. By the time the Code Pinkster gals made the scene, the Bushies had spilled across 31st Street to suddenly occupy two corners. A pre-emptive strike? Counter-demonstrators over-compensating for their long drive in from West Hills, Santa Ana and San Diego.

Soon these two hostile camps stood banner to banner, public address system to button salesman. Could they co-exist? Santa Monica's finest were busy directing traffic and hollering to get back on the curbs. Help was not on the way.

Suddenly, throwing of pamphlets and

finger-jabbing into shoulders — "Don't you touch me, man!" — ensued. Screaming like 1968, the overheated scufflers were separated by organizers into unneutral corners. Jim Lafferty, of the National Lawyers Guild — the group protecting the rights of protesters in NYC during the upcoming convention — explained what was a "permit misunderstanding" between the two teams. The Bushies withdrew to the southeast.

"Kerry is traitor!" the man from Orange County shouted. He was dressed in green combat garb, swaying to Toby Keith on a boombox, waving a flag of the U.S. and a flag of Vietnam. Along the sidewalk stood the host of an Internet show, "CrusadeRadio.com," broadcasting live. "Love Ya Dubya! Love Ya Dubya!" sang four teens from Palos Verdes, their ribbed tanktops each bearing a letter of the fearless leader's name. "Three More Months! Three More Months" shouted "Radical Teen Cheerleaders" from the Kerry side. Angry chants went across and back in almost hip-hop harmony.

The cops made their best stand in the middle island. As security from Santa Monica Business Park tried to force people off "their" grass, someone shouted, "Hey, we're a long way from Central Park Republican rules. Lighten up, wouldja?"

"I don't have the sense that there's a lot of anger," the president was telling Larry King that afternoon on CNN. "I just don't see it." No wonder, taking Centinela to the hangar to pick up a cool \$3 million. But what fury must exist in the fly-over fields of our heartland with this much ire in just our little by-the-bay? Are we turning this corner, Mr. President?

Thursday's early season scrimmage reminded me of the absurd political scenes in Robert Altman's "Nashville." And also of Lebanon in 1976 when Moslems fought Christians in a civil war. Despite the daily brutality, truces were often arranged in the late afternoon. Here, in the middle of the battlefield, Lebanese hash farmers sat both sides down for a little R and R. The description

in Time Magazine read: "Why not? Christians like a smoke. Muslims, too." Militiamen then returned to shoot at each other again. Our local version was the Coffee Bean & TeaLeaf on the corner. In line for double mocha "Xtreme" whatever, protesters stood peaceably, slogans left right outside the door.

My bicycle trip home took me past the recently reshuttered Midnight Special Bookstore. One of their huge windows still declared: "The Passion of the Bush," but there was nothing behind it. Any display of literature or literate food for thought now long gone. Their candidate may be an empty suit, but all those Bush followers sure are full of something, I thought. A campaign veteran over chai latte at the Bean said: "This is always how elections go. Rises and falls in the polls, vicious attacks back and forth. But all that really matters is registering voters and getting them out to vote. It all comes down to the people." OK. But I still think it's a good idea International Monitors are coming this time to observe us.

(Hank Rosenfeld was covering the rally for PublicRadioWeekend.org).

Child molesters have it better than homosexuals



LEGAL NEWS & VIEWS

BY DAVID PISARRA

What interesting times we live in. Mary Kay Letourneau, the grammar school teacher who had sex with one of her students, a boy of 12, was released on Aug. 4 and on Aug. 7 was allowed to have full contact with her victim. On Aug. 12, the New Jersey Governor announced that he is a "gay American" and resigned his position, the same day that the California Supreme Court says that San Francisco Gavin Newsom overstepped his authority and invalidated 4,000 same-sex relationships.

The society we live in will allow Letourneau, the child abuser who spent 7 1/2 years in prison for her crimes, the right to marry.

But Del Martin and Phyllis Lyon, two consenting females, who have been an item for 50 years, are denied the right to marry.

Mary Kay Letourneau is a woman who had a sexual relationship with a 12-year-old boy. She was caught not once, but twice having sex with the underage boy.

She gave birth to two of his children. They are allowed to marry.

Her crimes are so detestable in the eyes of society that she will have to register as a sex offender. Yet she is allowed to marry her victim, simply because he is of the opposite sex than her.

As a culture, we say that pedophilia is so abhorrent that we can isolate you in prison for years. We have so much disgust for the perpetrators, and so much fear of them, that we have Megan's Law, a law specifically designed to allow us to know which of our neighbors are sexual predators. Yet we allow them the right to marry. We allow prisoners, who are still in prison, the right to marry. But not homosexuals.

In law, we occasionally draw what are called bright line rules. They are the few areas in the law that are not open to interpretation. If you drive and have a blood alcohol level over .08 percent you are automatically considered impaired. If you are 37 and have sex with a 12-year-old it is statutory rape, and there is no defense. There may be a marriage in the end, but the fact is you have violated the law.

Human relationships being what they are, and teenagers being as hormonally active as they are, the law makes

allowances for those within certain ages. If a 19-year-old boy has sex with a 17-year-old girl, (or vice versa) technically it is a misdemeanor under California Penal Code Section 261.5, but good luck finding a district attorney who wants to prosecute that case.

In Letourneau's case, she was 34 and the victim was 12. The age gap is shocking, mostly because of the youth of both parties. If she was 64 and he was 42, it might seem odd enough to raise a few eyebrows, but no one would say there wasn't consent.

This really is a cultural issue. For throughout the world, the age of consent is varied. In England for example, the age of consent is 16 and in Canada it is currently 14.

But that is only part of the story. The other part is that as a society we are so homophobic that we will deny the right to marry to couples who have been loyal, dedicated, faithful to each other, and for 50 years have been together. When Del Martin and Phyllis Lyon made history in February they were acknowledging their relationship of five decades.

What the California Supreme Court did on Aug. 12 was to slap every gay person in the face and say, "You, you are not good

enough to be in our society. You are so vile, so hated, that you are beneath even the child molesters and the murderers."

It is that type of institutional contempt that caused Gov. Jim McGreevey to step down this past week. Partly because of a brewing scandal about alleged sexual harassment, and partly because of his coming out. Is it any wonder why, for decades now McGreevey has led an outwardly heterosexual life. His two wives, his child and ostensibly the electorate of the state of New Jersey all thought he was a happily married man. In a society that says it is better to be a child molester than a gay person, is it any wonder why he would deceive so many?

The far right Christian fundamentalists are screaming with all their might that the homosexual lobby is trying to destroy the institution of marriage. But since it is an institution that seems to have no qualifications beyond gender, they even let murderers and child molesters in, I don't think it is the homosexuals who are destroying it.

(David Pizarra is a business development lawyer in the Santa Monica firm of Pizarra & Grist. He welcomes your questions and comments. He can be reached at dpizarra@pizarra.com or (310) 664-9969).



FED UP WITH PICO VIOLENCE? YOUR OPINION MATTERS

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OPINION

Levys will raise money



The legality of this playhouse located in the backyard of a Sunset Park home was what prompted a four-year lawsuit and an \$85,000 settlement to City Hall.

PLAYHOUSE, from page 1

the lawsuit who were expected to contribute. As to the legal work his firm did for the Levys, Kutcher said there would be no bill.

"Our time is just time that we spent on a matter that we thought was important to try and right some wrongs that economics-wise, were difficult to handle," he added.

City Councilman Ken Genser said he was relieved taxpayers will be reimbursed for City Hall's legal fees and called the suit a waste of time.

"I'm very glad," Genser said. "It was a frivolous lawsuit. It was one that didn't need to be filed. I personally called the Levys and said I was supportive of them keeping their playhouse, before they filed their lawsuit ... I think it was a complete waste."

"The filing of this lawsuit by the Levys and their attorneys was a complete waste of taxpayer resources and the appellate court saw right through it, and was very clear in their decision — and I think they should compensate the taxpayer," Genser added.

Genser, who was mayor when the dispute surfaced, was targeted in the suit for contacting City Hall staffers about the legality of the playhouse. The suit contended Genser influenced staffers to deem the playhouse illegal, but Genser said he simply asked staffers to investigate after a neighbor named Tundai Garai complained about the playhouse.

Officials first found the playhouse to be legal, then changed their minds and made it illegal after Genser's involvement. They ultimately reversed course and the Levys were never forced to tear down the backyard structure, which they reportedly had spent \$11,000 to make it conform to the city's code. However, they were told that it wouldn't be recognized as a legal structure but would be allowed to remain standing as a "non-conforming use," their lawsuit contended.

Despite losing, Kutcher said the suit wasn't a complete wasted effort.

"We made, at least, some

progress towards providing protections in the code enforcement," he added. "There's a whole zoning enforcement section in the code that did not exist before and it involves the kind of things that were partially implemented in the hedge matter, where you're supposed to get a letter, then you get a notice that encourages a conference, (and) you have the right to an administrative hearing ... I certainly think that there's some partial successes there. We would like to have done more, but the courts didn't let us. We're glad that progress was made and the Levys feel good about that."

Assistant City Attorney Joe Lawrence, who handled the case for City Hall, had a slightly different read on the four years of litigation. Nine other cities, including Burbank, Cathedral City, Fresno, Hermosa Beach, Newport Beach, Riverside, Sonoma, Torrance and West Hollywood signed onto the lawsuit, apparently out of fear that if the Levys were successful it would muzzle effective government by limiting how city leaders can communicate with staff.

"It's a lawsuit that hopefully teaches a great number of lessons," Lawrence said Monday. "It was an unnecessary dispute from the beginning and now it's over — and that's a very good thing. I'm just glad it's over, it was an unnecessary adventure ..."

"It certainly has turned out to be a very, very expensive playhouse."

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City Hall waiting for Santa Monica Place Mall plans

SM PLACE, from page 1

variety of renovation alternatives that would open up the structure — like removing portions of the mall’s roof and moving the food court to the third floor, Brant said. He said the ultimate goal is to create a seamless flow from the Promenade to the indoor mall.

Brant said it was a business decision to change the mall’s environment. He pointed out that when Macerich bought the mall in 1991— two years after the Promenade’s 1989 makeover — suburban malls were popular across the country. Since 1989, however, Santa Monica Place and many other malls across the country have been falling behind popular outdoor malls.

“The consumer likes the urban feel — the outdoor, street feeling,” he said. “Our challenge is simple but difficult in trying to bring the outdoor, urban feel to a regional mall structure.”

Retailers in the mall have begun to run out of patience, however. Avak Ourishian, the manager of Tic Time on the third floor of Santa Monica Place, said taking out new leases has become a challenge at the mall. They also were unhappy with the occupancy level, which Brant said is below traditional levels, though he would not release actual figures.

“It’s frustrating. There’s a lot less foot

traffic, especially on this third level with all the empty spaces,” Ourishian said. “They always say it’ll be in one, two months, but then it’s nothing.”

“I don’t know who’s to blame — the city or the mall,” he said. “But if I were running this, I’d want to move it a lot faster. The mall is losing a lot of customers.”

While Ourishian said his lease isn’t up for another a year and a half, he said he was not sure whether he would stay in the mall if Macerich would only give him a series of 30-day leases, which it has been offering other mall retailers. Brant said the mall has continued to give out leases, but only those that provide the mall with enough flexibility to move ahead with renovations as necessary.

“It’s every 30 days they have a chance to kick you out,” Ourishian said. “I wouldn’t want that. You have to have something solid.”

UP IN THE AIR

While Macerich has worked jointly with City Hall on the renovations, city officials said they have been waiting for the company to move the ball out of its court by submitting plans. Miriam Mack, the city’s manager of economic development, said she was confident that the pro-

ject would go as Macerich has planned and the mall would be able to continue working as normal.

“The mall continues to be well-patronized,” she said. “There’s a lot of shopping going on there. In the meantime, Macerich is going to have to deal with its tenants. But this is a vital and viable retail area, and people are making the business decisions to stay ... Any renovation causes disruption and people have to work around that, but ultimately the end result is hopefully a better retail environment.”

However, Mack said Macerich would have to go through up to a year of review to get through the planning and environmental scrutiny that would be required, making it impossible for the company to begin work by the end of the year.

Rob Rader, a Bayside board member, said he was doubtful that renovations would begin any time soon, though he fully supported the concept of opening up the mall to create a more vibrant downtown space.

“(Macerich) hasn’t made a big push to do a lot of things — to truly lease (Santa Monica Place) out like you’d expect them to lease out a mall,” he said. “Until they do, you have to wonder. Maybe they can truly afford to keep doing this long holding pattern.”

City Councilman Herb Katz agreed

that it was unlikely that renovations would happen anytime soon.

“There has been no timetable for this,” he said. “They have not come to the city and said, ‘we want to do this,’ so we don’t know. I know that if they’re smart, they’re going to want to wait until after the council election. What’s the point of an approval now if the council’s going to be different in a few months?”

Rader also pointed out that once plans are submitted, the process will likely be long, especially considering the critical nature of the mall’s downtown location and City Hall’s lack of excess money to fund more projects downtown. The estimated \$121 million plan to revamp the area around the civic center, just south of Santa Monica Place, has been put on hold. City Hall is currently working to complete a \$73.9 million renovation of the downtown library and is working on a \$250 million plan to replace parking structures and add nearly 2,000 parking spaces downtown.

“It’s a crucial part of the downtown infrastructure,” Rader said. “It used to be the jewel of the downtown, and now it’s not. It should become a jewel again. The question is what combination of public and private attention is required to make it a jewel again.”

Santa Monica Place holds steady in sales tax revenue

SALES TAXES, from page 1

cautious optimism that the sales taxes will continue to increase at a moderate rate. In addition, there are still serious discussions ongoing in the state legislature to reduce local governments’ ability to generate sales tax revenues that could impact Santa Monica.”

The first quarter sales tax figures compares to a statewide adjusted increase of 6 percent and a countywide adjusted increase of 4.9 percent, city officials said.

In Santa Monica, business along Colorado Avenue was up the most — by 29 percent. The second highest generator was the Third Street Promenade, which had a 23.9 percent increase. The Bayside District, which encompasses most of downtown Santa Monica, came in third with a 22.9 percent increase. Ocean Avenue and Wilshire Boulevard also fared well with a 21.8 increase and 21.7 percent increase, respectively. The increases primarily relate to increased economic activity as well as the opening of new businesses, city officials said.

Business districts that saw decreases over the last year were Pico Boulevard with a 1.2 percent drop and businesses around the Santa Monica Airport, which saw a drop of 1.1 percent.

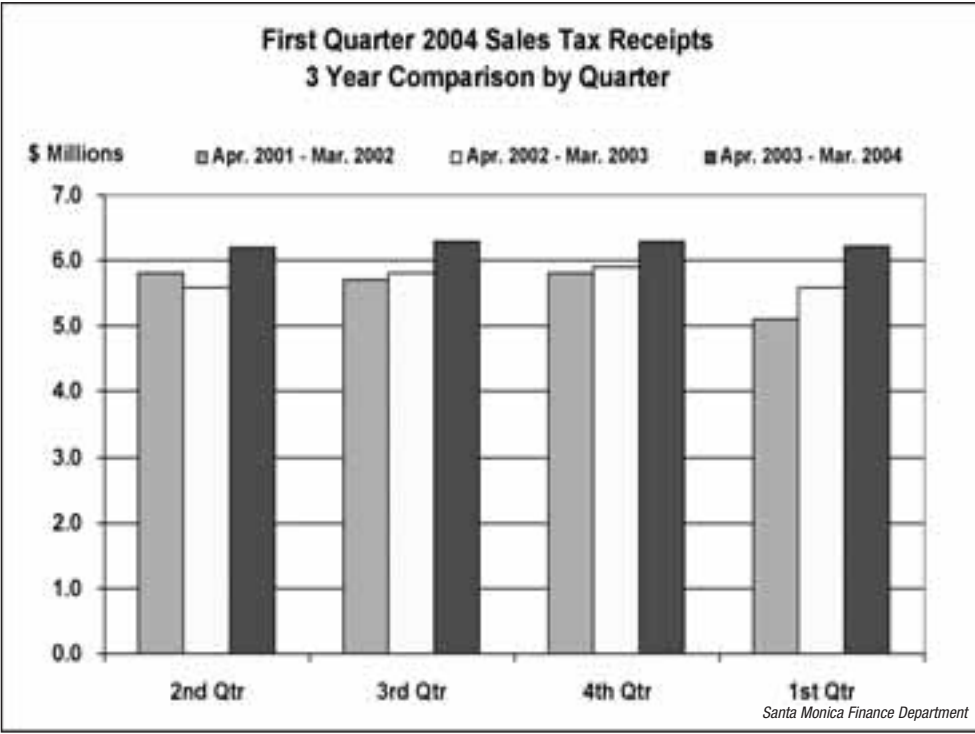
Santa Monica Place, which remains in limbo pending a massive renovation, hasn’t fared as well as it has in the past. Although the mall’s contribution of sales tax revenue to City Hall rose 6 percent this past quarter over the same period from last year, it remains steady from a historical perspective. That’s because when comparing the first quarters of 2002 and 2003, the mall was down 6 percent.

“It’s nearly back to the 2001 level,” Stark said. Santa Monica Place Mall has

experienced a decrease for seven consecutive quarters up until earlier this year, according city documents.

For the first quarter this year, general consumer retail goods in Santa Monica were the strongest business group with significant increases from women’s apparel, 17.2 percent; family apparel, 16.8 percent; and specialty stores, 9.8 percent due to increased demand and new businesses opening within the last four quarters, city officials said.

Restaurant and hotels increased 12.3 percent from the first quarter of 2003, due in large part to new businesses, officials said. New vehicle sales decreased by 1.2 percent from first quarter 2003 and auto leasing decreased 14.8 percent. Service stations increased by 32.8 percent. While some of that increase can be attributed to higher gasoline prices, most relates to the receipt of late payments from the prior quarter.



City of Santa Monica Sales Taxes			
First Quarter 2004 by Major Business Group			
	1Q 2004	1Q 2003	Difference
New Motor Vehicle Dealers	1,143,598	1,161,767	-1.6%
Restaurants Liquor	419,544	385,614	8.8%
Family Apparel	365,943	313,366	16.8%
Specialty Stores	391,156	356,389	9.8%
Auto Lease	276,413	324,495	-14.8%
Fast Food	286,113	257,258	11.2%
Department Stores	171,455	161,787	6.0%
Restaurants Beer & Wine	240,420	204,949	17.3%
Women's Apparel	201,270	171,757	17.2%
Service Stations	246,382	185,550	32.8%
Home Furnishings	129,176	114,991	12.3%
Hotels - Liquor	131,023	111,150	17.9%
Office Equipment	129,461	43,933	194.7%
Subtotal	4,131,954	3,793,006	8.9%
All Other Retail	1,010,338	982,038	2.9%
All Other Outlets	1,034,223	815,536	26.8%
Total All Accounts	6,176,515	5,590,580	10.5%
County/State Pools	630,818	621,411	1.5%
Total	6,807,333	6,211,991	9.6%

City of Santa Monica Sales Taxes			
First Quarter 2004 by Geographical Area			
	1Q 2004	1Q 2003	Difference
Santa Monica Blvd	1,298,190	1,255,159	3.4%
Wilshire Blvd.	785,899	645,546	21.7%
Third Street Promenade	584,651	471,901	23.9%
Colorado Ave.	319,661	247,032	29.4%
Lincoln Blvd.	297,675	281,761	5.6%
Ocean Ave. Hotel District/Pier	313,051	280,213	11.7%
Santa Monica Place	250,177	236,080	6.0%
Broadway St.	242,299	236,757	2.3%
Montana Ave.	229,875	209,187	9.9%
Bayside District	223,643	181,995	22.9%
Pico Blvd.	219,597	222,213	-1.2%
Olympic	183,515	178,335	2.9%
Main St.	172,322	169,037	1.9%
Ocean Park Blvd.	108,859	97,852	11.2%
Airport	92,633	93,638	-1.1%
Subtotal	5,322,047	4,806,706	10.7%
All Other Areas	854,468	783,874	9.0%
Total (Excluding Pools)	6,176,515	5,590,580	10.5%

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STATE



Calif Gold Rush town conisers thoughts of rebuilding after wildfire

BY JIM WASSERMAN

Associated Press Writer

FRENCH GULCH — Residents of this tiny historic mining town turned toward rebuilding Monday as flames that destroyed 22 houses and two commercial buildings continued to burn to the north, devastating more than 9,000 acres of Shasta County.

"Oh, they'll rebuild," said Postmaster Karen Adams, reopening the post office for those who didn't flee from the quick-moving flames.

The Old West-style French Gulch Store with its pickax and shovel logo also reopened, along with a nearby bar and pool, a return to normal of sorts in a picturesque town that lost 22 of its 150 homes and a landmark Oddfellows Hall.

"They're like a family here," Adams said. "Some of these families have been in town for generations."

The town, founded by French miners during California's gold rush in the mid 1800s, produced \$20 million in gold in its early decades, and has since evolved into a quiet enclave of white picket fences, old wooden homes and a hotel on the National Register of Historic Places. Retirees mingle with commuters who travel to jobs in Redding.

"We know everybody in the town. It's a small community," said Judy Britton, 57, a 32-year-resident and secretary at the French Gulch-Whiskeytown School. "We say we have our problems, but we know who and what they are."

On Saturday, two walls of flame blew through town, forcing a hurried, mass evacuation of residents with their goats, cats and dogs, and burning nearly a sixth of its buildings. Residents called it the worst disaster in the town's 155-year history.

By Monday afternoon, the fire had consumed more than 9,010 acres of timber and brush, and firefighters were faced with the challenge of stopping the blaze on land filled with abandoned mine shafts and rattlesnakes. It was only 10 percent contained, although the danger to what remained of French Gulch had passed.

Many residents who fled the fire waited Monday to return to their homes, some of which were reduced to gray ash and twisted metal, the burned plastic seats on

children's swings out back. Roosters and deer roamed among the ruins. Burned-out hulks of several trucks faced Main Street while ash fell like snow. Above the town the sun burned red through thick smoke and burnt gray hillsides testified to more than a half century of unchecked brush growth.

"Too much brush," said Joseph Woll, 50, pointing to the charred house he grew up in. Townspeople said brush reached head high in many places, fueling the fast-burning fire.

"It just swept through on both sides of the canyon," Woll said.

"Thank you, firefighters, God bless you all," read one hand-painted sign in front of a house spared by the flames.

The town, 19 miles west of Redding, still lacked electricity and running water Monday, but many had phone service and others ran generators. Crews from PG&E and SBC were on the scene, putting up new power poles and phone lines as fire trucks raced past headed for mountain ridges above the town.

A PG&E crew foreman, Mark Luis, said power in the central part of French Gulch would be back by the end of the week.

Though residents tried to put on a brave face, many said their little town will never be the same. Many of the burned homes dated to the 1880s. Only six years ago the century-old white-frame St. Rose's Catholic Church burned to the ground, and now the Oddfellows Hall, a centerpiece of downtown, is also gone.

"I think you get out of shock at first and deal with it the best you can and hope other folks have house insurance," said John Felsher, 42, a Redding resident who grew up in French Gulch. His grandmother's house since the 1930s survived the flames.

"We're just lucky it has a composite roof and green grass all around," said Felsher. "We're very lucky."

On Monday, more than 3,600 firefighters were battling seven significant fires totaling 34,000 acres throughout California, including four in Shasta County, and one each in Tuolumne, Tulare and Santa Clara counties, said California Department of Forestry spokeswoman Karen Terrill.



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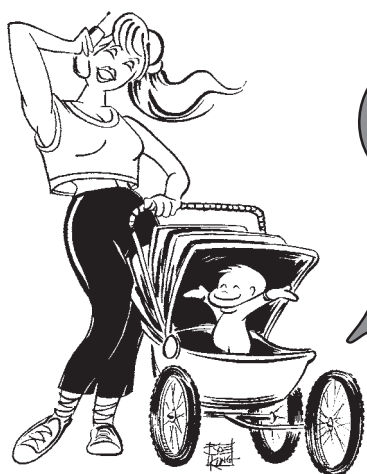
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How Much Is Enough?

By Jean Illsley Clarke Ph.D.

Dorothy reported on a visit from an old friend. She hadn't seen them for years. And she was looking forward to their visit, but it was a disaster. They had brought their 4-year-old son because they couldn't find a babysitter. No surprise. He didn't put down his portable DVD player except to complain. At a restaurant, after being told by both parents that he could not have a soda, he ordered Pepsi.

"I'm sorry, we don't have Pepsi," the waitress replied, listing the sodas available. But only Pepsi would do. Soon Sonny Boy was under the table kicking the table legs and the people's legs, and screaming that he must have Pepsi. The parents looked helplessly at their

hostess and tried to act as if nothing was wrong. But wrong it was. Big time wrong.

Dorothy, startled, asked, "does this happen often?" "All the time," the stressed parents lamented, and we're exhausted. They went on to explain that they buy the boy every toy he asks for, but that it doesn't seem to make any difference.

Parents with good hearts, both working to provide for their beloved child, ended up stressed by the child's behavior. Let's check this incident for overindulgence.

The "Test of Four" says parents' offerings may be overindulgent if the behavior:

1. Interferes with the child's development. (In this situation, Sonny Boy is not learning self-control or to be responsive to other people's needs.)
2. Gives a disproportionate amount of family resources to one or more of the children. (His behavior definitely takes too much of the parents' energy.)
3. Exists to benefit the adult more than the child.

(Possibly the parents' need to provide things have outweighed the child's need for structure.)

4. Potentially harms others, society, or the planet in some way.

(Any harm done? Dorothy has a black and blue bruise on her leg where a flailing foot got her.)

It looks like overindulgence on all four counts.

So, back to the good-hearted parents. There are so many messages urging parents to buy, buy, buy, and still some cultural messages to let children do whatever they want. The problem is that this buying and this over permissiveness doesn't meet children's needs, so they respond with disruptive behavior.

One way to think about it is to consider the SRS triangle.

All children (and adults) need a balance of stimulation, recognition and structure. Children, when they don't get enough of one, will raise their bids for the other two and Sonny Boy did that in a big way. Recognition? Everyone in the restaurant was looking at him. Stimulation? Kicking and screaming are highly stimulating. Structure? Missing. Neither par-

ent carried the child outside and told him how he was expected to behave.

What can good-hearted parents do when a child gets out of control? They can:

n Start by telling the child, "We have been making a mistake with you. From now on, we will be in charge."

n Announce and post with pictures a few rules and enforce them kindly, but firmly.

n Limit TV time to one hour a day. Parents choose the program.

n Catch the child doing something well and respond to it with high energy. "Good job" isn't enough. Describe the behavior and say how much it pleases you. I see you picked the book up off the floor. You are learning to take care of your things. I really like that.

Get help if they need it. Sometimes when our good hearts let a child get far out of control, we need the support of a coach, or a class, or a book or a counselor to help us get ourselves and our child back on track.

Is it worth the effort? Yes. For the parents and for the community, and for the child now and for his adult life.

In the overindulgence studies, adults who had been overindulged as children told us that not growing up with rules made their adult lives difficult. One said, "I wonder if this is why I can't keep a job?"

To participate in a new study on overindulgence and parenting styles log onto our Web site at www.overindulgence.info.

(Jean Illsley Clarke Ph.D., Connie Dawson Ph.D., and David J. Bredehoft Ph.D. are co-authors of "How Much is Enough? Everything You Need to Know to Steer Clear of Overindulgence and Raise Likeable, Responsible, and Respectful Children." Jean can be reached at jiconsults@aol.com. To read more about overindulgence go to www.overindulgence.info).

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SATURDAY and SUNDAY, AUGUST 21st & 22nd, 28th & 29th, SEPT. 4 – 6. AFRICAN MARKETPLACE and CULTURAL FAIRE – 10:00 a.m – 9:00 p.m. Aug. 27th - Children's Village African Festival – 10:00 a.m. – 4:00 p.m. Celebrating African influences around the world in themed villages such as health, fine arts, merchants and sports. Food and musical performances. Children's village features games, petting zoo, drumming and dance demos. For all ages. \$6 adults, \$3 kids. Exposition Park, 710 State St., LA. 323-734-1164

THURSDAYS thru SEPT. 2 – TWILIGHT DANCE SERIES, 7:30 p.m. The Santa Monica Pier's "Twilight Dance Series" is back for its twentieth year.

SUMMER SOUNDS at the HOLLYWOOD BOWL- Last Week! Monday- Friday thru August 20th, 10:00 and 11:15 a.m. shows. This week's program features Korean music and beautiful costumed dancers. Ages 3 – 10. Shows: \$5 per person. After the performance, kids can get creative in the Fine Arts Outdoor Studio - \$3 per child. 2301 Highland Ave., LA, 323-850-2000, www.hollywoodbowl.com

WEDNESDAY, AUGUST 18th – 7:30 – 10:00 p.m. – COUPLES PREGNANCY WORKSHOP with Khfri. Educational and inspiring workshop for pregnancy and labor with informational support, yoga, music and meditation. Ocean Oasis, 1333 Ocean Ave., \$75, register by calling 451-9900.

SATURDAYS thru SEPTEMBER 25th – 1:00 – 1:30 p.m. YMCA NUTRITION, HEALTH and WELLNESS FAMILY SEMINARS Learn how to eat smart and healthy for parents and children. Free! **Santa Monica YMCA**, 1332 6th St., Teen Fitness Center, 3rd floor, 393-2721, ex. 137.

SPECIAL NOTE – Yoga Baby Studio in Venice is operating on a limited schedule for Mommy and Me and pre-natal classes. Call 306-9381 for a current schedule.

TUESDAY

Movies for Moms! "We Don't Live Here Anymore" starring Mark Ruffalo, Laura Dern and Peter Krause. Rated "R." Synopsis: Ordinary

lives, extraordinary emotions. 11:00 a.m., Loews Broadway, 1441 3rd St. Promenade – for Moms and babies newborn – 1 year old. Doors open early for socializing and getting comfortable. www.enjoytheshow.com/reelmoms.

Storytelling Main Library **Toddler Storytime at Reed Park;** 10:00 & 10:30 a.m. thru August 17. For 2 year olds with adult. **Fairview Branch Library** – 2101 Ocean Park Blvd – 310-450-0443.

Cuentos Para Pequenos – 10:00 a.m., six-week series in Spanish for 24 – 36 month olds with adult. Next session dates are Sept. 7 – Oct. 12. **Lap Time** – 11:00 a.m, six-week series for babies 0-24 months, co-sponsored by the SMMUSD Infant & Family Support Programs. Next session dates are Sept. 7 – Oct. 12.

Twilight Story Time -7pm – an ongoing program for 3-5 year olds. **Montana Avenue Branch Library** – 1704 Montana Ave – 310-829-7081. **Family Story Time** – 7:00 p.m., all ages. **Ocean Park Branch Library** – 2601 Main St. – 310-392-3804. **Toddler Storytime**, 10:00 and 10:30. Music, rhymes and stories for 24-36 month olds with adult. Thru Aug. 31. Next session starts Sept. 21, registration required.

Tiny Tuesday Storytime at Storyopolis Themes change weekly; for ages infant to 3. 11:00 a.m. 116 North Robertson, Plaza A, LA. 310-358-2500, www.storyopolis.com

Barnes and Noble at the Grove Storytime for ages 2 – 6. 10:00 a.m. 189 Grove Drive, LA, 323-525-0270

Yoga & Exercise Prenatal Aqua Aerobics at the Santa Monica YMCA 10:00 – 11:00 a.m and 7:30 – 8:30 p.m; Free for members, non-members \$90 for 10 classes. (also Thursday nights 7:30 – 8:30 p.m.) 393-2721. ext. 117 for more info.

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:40 p.m., \$15. Mommy and Me – 1:45 – 3:00 p.m.

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Breastfeeding Group The Pump Station, 2415 Wilshire Blvd., 310-826-5774 - no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

August 17th and 24th - Nature Walk (Children's Nature Institute) Temescal Canyon, 15601 Sunset Blvd., Pacific Palisades, 10:00 a.m. Reservations – 998-1151 or www.childrensnatureinstitute.org

WEDNESDAY

Storytelling The Talking Stick Coffee Lounge – 1630 Ocean Park Blvd., 450-6052 10:30 a.m. Free story time for moms and kids ages 0-4 at this neighborhood coffee shop. **Fairview Branch Library** – 2101 Ocean Park Blvd – 310-450-0443. **Preschool Story Time** – 10:30 a.m.; six-week series for 3-5 year olds with adult.

Next session dates are Sept. 8 – Oct. 13. **Montana Avenue Branch Library** – 1704 Montana Ave – 310-829-7081. **Lap Time** – 10:00 & 10:30 a.m., for children ages 0-2 thru Aug. 25th. **Toddler Story Time** – 11:15 a.m., for 2 year olds thru Aug. 25th. **Ocean Park Branch Library** – 2601 Main St. –392-3804. **Preschool Twilight Story Time** – 7:00 – 7:30 p.m. Parents/children ages 3-5. **Barnes and Noble, Westside Pavilion** – 2 pm – ages 2-5 – 310-475-4144 **Border's, Westwood** – 11am – 310-475-3444. Aug. 25th - Ms. Betsy's Storybook Tree at Delphi Academy - 12:30 – 1:15 p.m., ages 3 – 8, 1610 Broadway, 526-2700.

Yoga & Exercise Yoga Works, 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15

Breastfeeding Group The Pump Station, 2415 Wilshire Blvd., 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

Other Puppetolio – 1:00 p.m., 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

THURSDAY

Storytelling Babystyle, 1324 Montana Avenue, 434-9590 10:30 a.m. Free story time for moms and kids ages 0-4. **Main Library** – Reed Park **Toddler Storytime at Reed Park;** 10:00 a.m.; thru Aug. 19th. For 2 year olds with adult. **Preschool Story Time at Reed Park;** 10:30 a.m.; thru Aug. 19th. For ages 3-5. **Fairview Branch Library** – 2101 Ocean

Park Blvd – 310-450-0443. **Toddler Story Time** – 10:30 a.m; for ages 2 –3. Next session dates are Sept. 9 – Oct. 14. **La Hora Del Cuento** – 7:00 p.m. Spanish stories, songs and rhymes for all ages. **Montana Avenue Branch Library** – 1704 Montana Ave – 310-829-7081. **Toddler Story Time** – 10:15 a.m., for 2 year olds thru 26th. **Preschool Story Time** – 11:15 a.m.; for 3-5 year olds thru Aug. 26th. **Ocean Park Branch Library** – 2601 Main St. – 310-392-3804. **Lap Time** – 9:20 & 10:20 a.m., 6-week series for babies 0-24 months, co-sponsored by SMMUSD Infant & Family Support Program. Next session dates are Sept. 9 – Oct. 14.

Yoga & Exercise Prenatal Aqua Aerobics at the Santa Monica YMCA

7:30 – 8:30 p.m; Free for members, non-members \$90 for 10 classes. (also Tuesdays at 10:00 – 11:00 a.m. and 7:30 – 8:30 p.m.) 393-2721. ext. 117 for more info.

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:40 p.m., \$15. Mommy and Me – 1:45 – 3:00 p.m.

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Breastfeeding Group The Pump Station, 2415 Wilshire Blvd., 310-826-5774 - no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 4-8 months, 1:00 – 2:30 p.m.

Other Twilight Dance Series thru Sept. 2 – free concert on the Santa Monica Pier. 7:30 p.m.

FRIDAY La Leche League of LA/Mar Vista – meets the 2nd Friday of each month at 10:00 a.m. Call 310-390-2529 for info. (next meeting May 14)

CINDERELLA at the Santa Monica Playhouse – Fridays, 6:00 p.m. thru Aug. 20th. The most requested of the SM Playhouse Family Theatre Musicals. \$12 adults, \$10 children 12 and under. 1211 Fourth St., 394-9779 ext. 2 for reservations.

Yoga & Exercise Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:45 p.m., \$15.

Prenatal Breath and Movement – a Continuum Movement and Yoga-based program designed to support women through various sound and movement explorations that celebrate pregnancy and labor as powerful rites of passage. 9:30 – 11:30 a.m. **With Deborah Raoult at the Continuum Studio, 1629 18th St., #7. For more info call 625-3739, www.opensky-movement.com. \$108 for a six-week session.**

SATURDAY

Storytelling Barnes and Noble, 3rd St. Promenade – Kid's Story Time – 10am – 310-260-9110 Barnes and Noble, Westside Pavilion – 10:30am – ages 2-5 – 310-475-4144. **Children's Book World**, 10580 1/2 Pico Blvd, LA - 10:30 a.m., 310-559-B00K. Village Books, 1049 SwarthmoreAve, Pacific Palisades – 10:30 a.m. – 454-4063.

Yoga & Exercise Santa Monica Yoga – Pre- & Post-Natal Yoga, Saturdays – 12:30 – 2:00 p.m. 1640 Ocean Park Blvd, 396-4040, www.santamonica-yoga.com **Mommy Care** – 11870 Santa Monica Blvd. at the Dance Factory, West LA, 394-6711; Pregnancy Exercise – 8:30 – 9:30 a.m.; Post Partum Exercise – 8:30 – 9:30 a.m. (babies welcome, includes baby massage and workout at the end)

Other Snowwhite, a brand new musical for kids of all ages, at the Santa Monica Playhouse Saturdays & Sundays at 12:30 & 3:00 p.m. thru Sept. 26, \$12 adults, \$10 kids ages 12 & under. 394-9779 ext. 1 for reservations, www.santamonica-playhouse.com **Puppetolio** – 1:00 and 3:00pm, 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested **Magicopolis** – 2 and 8 p.m., 1418 4th St., Admission is \$20 for evening, \$15 for matinee. Call 310-451-2241 for info. **Family Fundays at the Will Geer Theatrical Botanicum (also Sundays)** Ages 4 and up, 11:00 a.m., \$8, 1419 N. Topanga Blvd., Topanga Canyon, 310-455-3723.

Precious Prints – Ceramic Heirlooms for a Lifetime. Second Saturday every month at The Pump Station, 1:00 – 4:00 p.m. Contact Kristan Ritchie at 310-802-8013 or visit www.preciousprintsstudios.com for more info.

Breastfeeding Working Mother's Support Group The Pump Station, 2415 Wilshire Blvd. - 10:00 – 11:30 a.m., \$12 fee, led by Ilka

Sternberger, certified lactation educator. Call 826-5774 for more info.

SUNDAY

Snowwhite, a brand new musical for kids of all ages, at the Santa Monica Playhouse Saturdays & Sundays at 12:30 & 3:00 p.m. thru Sept. 26, \$12 adults, \$10 kids ages 12 & under. 394-9779 ext. 1 for reservations, www.santamonica-playhouse.com

Main Street Farmer's Market – 9:30 a.m. – 1:00 p.m., corner of Main St. and Ocean Park Blvd. Pony rides, live music, lots of vendors and great family socializing.

Puppetolio – 1:00 and 3:00pm, 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

Magicopolis – 2 p.m., 1418 4th St., Admission is \$15. Call 310-451-2241 for info.

Family Fundays at the Will Geer Theatrical Botanicum (also Saturdays) Ages 4 and up, 11:00 a.m., \$8, 1419 N. Topanga Blvd., Topanga Canyon, 310-455-3723.

Aug. 22, 10:00 a.m. – Birdwatching for Young Children and Parents Malibu Lagoon St. Beach, 23200 PCH. Special short walk for families. Free! 393-6205.

MONDAY

Storytelling Main Library – Lap Time at Joslyn Park is on break. Check back here for the next session dates.

"Family Connections" is on summer break. Check back here for the fall start-up date.

Ocean Park Branch Library – 2601 Main Street, 310-392-3804.

"Spanish for Little Ones", 11:15 a.m. Next session dates are Sept. 13 – Oct. 18. **Barnes and Noble**, 3rd St. Promenade – Toddler Story Time – 10am – 310-260-9110

Breastfeeding Group The Pump Station, 2415 Wilshire Blvd., 310-826-5774 - no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

Yoga & Exercise Yoga Works, 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15 Yoga Garden, - Restorative yoga for pre/postnatal – 6:30 p.m., 310-450-0133. www.yogagardenstudios.com

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NATIONAL

Entertainment world still wary of Microsoft

BY GARY GENTILE
 AP Business Writer

LOS ANGELES — CinemaNow Inc., the Internet-based movie service, is a rarity in Hollywood — a company that eagerly embraces Microsoft Corp. technology and relies on it exclusively to transmit, protect and display the movies it rents to customers.

Then again, Microsoft is a major investor in the company, which is also owned by independent studio Lions Gate.

The majority of entertainment companies, unsure of Microsoft's motives and wary of its cutthroat tactics in the battle for the computer desktop, have preferred to maintain an arm's-length relationship with the software Goliath.

But these days, studios fear digital piracy more than they fear Microsoft and have slowly begun to make deals to use its software tools, albeit on a non-exclusive basis.

For its part, Microsoft has tried to calm Hollywood's anxiety, revealing a portion of its proprietary code for compressing large media files to a standards-setting group and offering longer-term deals to assuage fears it would hike the price of each new software version.

"They are being subtly aggressive, not like in the PC industry where they used strong-arm tactics," said Michael Wolf, principal analyst at research firm In-Stat.

Microsoft also is starting to see limited success in its efforts to work with Hollywood in the still nascent online

movie market. Last week, Microsoft's MSN Internet division began linking to Blockbuster Inc.'s online rental service. MSN also offers a limited number of pay-per-view movies through CinemaNow.

At a time when studios are seeking to make higher-quality versions of movies and television shows available on everything from computers to cell phones, dealing with Microsoft has become almost unavoidable.

"Microsoft wants to be the sticky stuff in the middle between the studios and all the different platforms consumers will use," said American Technology Research analyst P.J. McNealy. "They have the chance to really enable business models that we have heard about over the past five years."

But at what price?

Microsoft has long dallied with the media business, forming the MSNBC cable network with NBC and launching its own video game console to take advantage of the burgeoning game market.

It formed the online magazine Slate, which it recently said it would sell, and launched a number of other forays, not always successful. Its MSN service still lags America Online and it has closed a number of other ventures, including Mungo Park, an adventure travel Web site.

It has also amassed a huge amount of cash and a reputation as an aggressive and relentless competitor, willing to use its virtual monopoly power in computer oper-

ating systems to crush would-be competitors.

That power made studios highly suspicious when Microsoft came calling in the 1990s seeking to persuade Hollywood to make content available in digital form on computers and home networks.

"There was an assumption that we were out there to screw them," said Kurt Buecheler, a former executive in Microsoft's digital media division whose job included approaching studios for possible deals.

"There were two fears," Buecheler said. "One was that Microsoft could buy the companies. The reality of that was just silly. Microsoft knows how to do technology and software. They don't know how to tell a story."

"Second, they (studios) looked at the PC as a device that was almost the murder weapon of the music industry when, in fact, it wasn't."

Those suspicions still linger, even as Microsoft has struck deals with several studios to protect movies and TV shows from piracy.

Microsoft recently announced a number of licensees for its latest Windows Media digital rights software, dubbed "Janus," including The Walt Disney Co., AOL, Dell Inc., Samsung Electronics Co. and Movielink LLC, an online movie company owned by five of the seven major Hollywood studios. The licensing agreements are not exclusive, though. Movielink, the biggest Internet film provider, also offers films in RealNetworks Inc.'s format.

In July, Microsoft joined a cross-industry effort aimed at protecting content on different networked devices, including a new class of portable media players that are expected to be hot holiday season sellers.

That consortium includes Sony Corp., which promotes its own proprietary technology for viewing entertainment, including the movies and TV shows produced by its studio arm.

Microsoft views these deals as thawing its icy relations with Hollywood and eradicating old stereotypes about Microsoft software being buggy.

Yet Microsoft can't quite shake fears that its real intention is to use its monopoly position to charge Hollywood outrageous fees to access the computer desktop.

In March, the European Union fined Microsoft \$613 million, finding the company guilty of abusing its Windows monopoly to squeeze out rivals in related markets for digital media players. The EU ordered Microsoft to sell a version of Windows without its media player. Microsoft is appealing.

While Hollywood needs tools that compress huge computer files — especially digital files that contain next-generation, high-definition images — small enough to put on a DVD or send over the Internet, studios say they need to encourage competition so they won't be held hostage by one company.

Microsoft says it has learned from its earlier, sometimes heavyhanded, dealings with Hollywood.

The company recently plucked a Hollywood veteran to run a new division to develop relationships with the entertainment and media industries. Blair Westlake, a former chairman of the Universal Television and Networks Group, will be responsible for bridging the gaps between Hollywood, consumer electronics companies and government regulators.

Amir Majidimehr, who runs Microsoft's Windows digital media division, said he understands that Hollywood is wary of ceding any of that power to a technology company like Microsoft. But he adds that recent agreements to work with Disney and Warner Bros. have helped allay Hollywood's fears.

He also notes that Hollywood holds the power in the relationship. He noted that Hollywood as kingmaker crowned the DVD format and MPEG-2 as the favored tool to compress large video files.

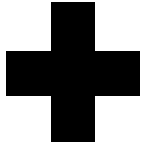
And now, he said, the content creators will lose if they are overcautious while ever-growing broadband Internet connections make swapping a two-hour movie as fast as a two-minute song.

"Our strategy is very simple — we make money selling Windows and we want to sell more copies of it. The way we sell more is to add new applications to it," said Majidimehr.

"What we're trying to do is be very true to our intentions, which is to drive PC sales. We've got to play fair, we've got to play open and frankly, we think we're doing it better than any competitors."

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NATIONAL



Democrats see Nader as a menace on the margins

BY CALVIN WOODWARD

Associated Press Writer

WASHINGTON — He's dropped in polls that gave him one lonely digit to begin with and seen friends peel away — even fall melodramatically to their knees begging him to quit.

Even a little bit of Ralph Nader is too much for Democrats. They are sparing no effort to see him finish this race for the White House as nothing more than a pesky asterisk.

The consumer advocate has qualified for the presidential ballot in fewer than a dozen states and is soldiering on through a battery of deadlines this month in many others, with Democrats or surrogates launching hair-trigger challenges wherever they find an opening.

Polls suggest the battle for the White House has already come down to a struggle over a small proportion of undecided voters, with the rest already sold on either Republican President Bush or Democrat John Kerry. In that circumstance, analysts say, these are not promising times for an independent.

"This is an election that is very important in people's minds — much more so than 2000," said Michael Dimock, research director at the Pew Research Center. "People really think it matters who wins this year, and ... they have very strong feelings about President Bush one way or the other. That dynamic right there is limiting Nader."

Nader has about 2 percent in Pew polls compared with 6 percent earlier, and has performed similarly in other surveys, leaving little chance he can reach the 15 percent threshold to qualify for the fall presidential debates.

"The negative impressions of him are much higher than four years ago," said Karlyn Bowman, who specializes in public opinion at the conservative American Enterprise Institute. She added bluntly, "He has appeared to have worn out his welcome."

Democrats, who think he cost them the last election, still worry he's a menace on the margins.

"The key is keeping his name off the ballot," said Democratic strategist Dane Strother. "If he makes the ballot in one or two or three swing states and siphons 3 or 4 points off Kerry, it's harmful."

"His entire race is an ego trip but he is a reality and he is going to affect the race on the margins."

Democrats shut Nader off the Arizona ballot by uncovering irregularities in his petition signatures and are challenging

tens of thousands of signatures elsewhere, including the battleground states of Pennsylvania and Michigan.

Beyond that, Nader blames intimidation of signature collectors and other Democratic "dirty tricks" for leaving him short of the required number of names in other states, including California. Even so, he's a likely player in swing-state Florida and may win ballot access in a few dozen states without onerous rules.

Nationally, the liberal group United Progressives for Victory, which includes former Nader associates, is dedicated to his campaign's collapse. Damning him with praise, the group says "the best way to support Nader's agenda this year is to oppose his candidacy."

The clatter for him to quit carried into talk-show TV when Nader went on Bill

Maher's HBO program only to have the host and filmmaker Michael Moore — a Nader supporter in 2000 — beg on their knees.

All this piling on doesn't dissuade the ornery activist. "He digs in with his heels," said spokesman Kevin Zeese.

A Reform Party endorsement probably ensures Nader's place on the ballot in Florida, the state that tilted the last election to Bush and one of six states where he is entitled to run as that party's nominee. He has also won a place in the ballot in New Jersey and Nevada.

Zeese contends Nader can still show up on 40-something state ballots. He was on 43 last time, when he won 2.7 percent of the vote.

Despite Nader's protestations that he wants to help drive Bush from office, Republicans are happy to have him

around and have been lending an unsolicited hand. They believe, just as Democrats do, that Nader's support comes mainly from people who would otherwise vote for Kerry.

In Michigan, Republicans turned in most of the 50,000 signatures gathered to support Nader's candidacy. He is also trying to get on the ballot there as the Reform candidate. Democrats are fighting to keep him off there, too, and drew GOP accusations that they outsourced some of their signature-verification work to India.

Absent Nader in 2000, Democrats believe they would have won the presidency by winning Florida, New Hampshire or both. "We didn't pursue it as aggressively as we should have," Strother said, meaning the Nader threat. They're trying to make him as absent as possible now.



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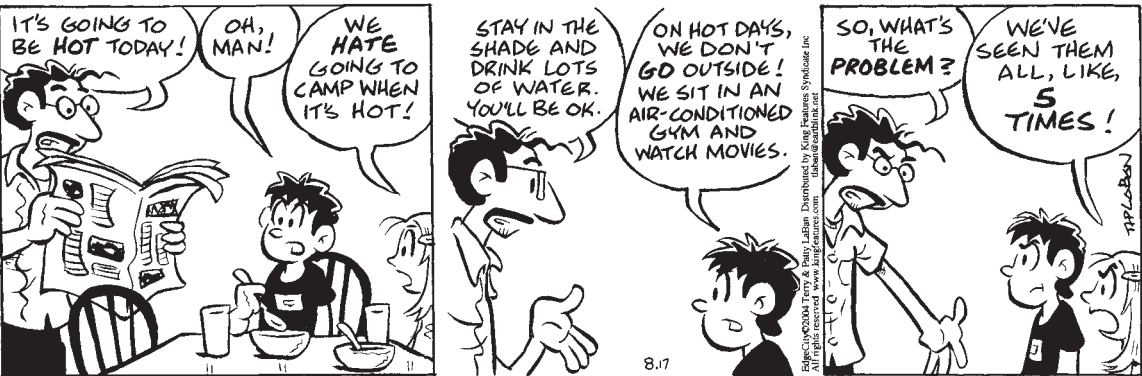


COMICS

The Dinette Set by Julie Larson



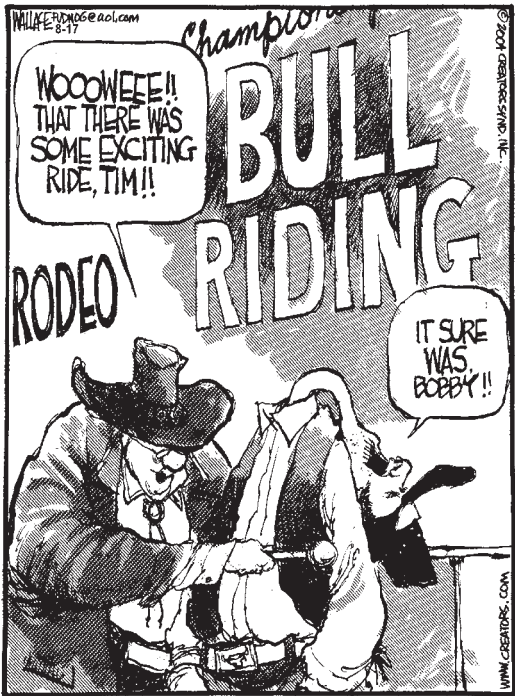
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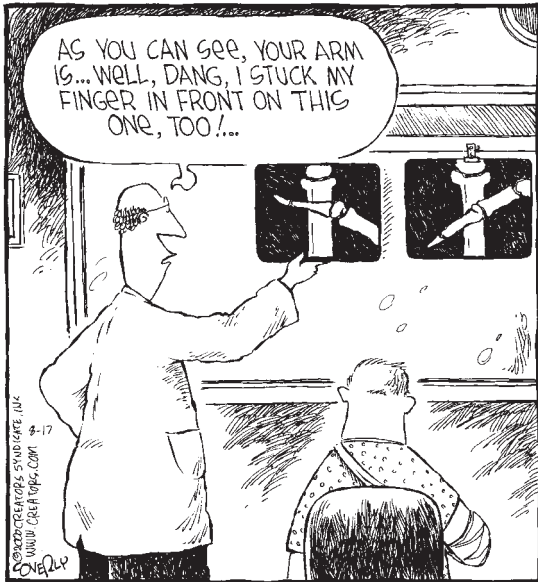
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ACROSS

- 1 Donkey cry
- 7 "Troy" star
- 11 Come in
- 12 Buffalo's lake
- 13 It may be hyphenated
- 15 Church leader
- 16 Horse halter
- 18 Office seekers, in brief
- 21 Zodiac animal
- 22 So far
- 24 Hockey's Bobby
- 25 So far
- 26 Fancy planter
- 27 Muscle connector
- 29 Trampled
- 30 Hunt for
- 31 Trade
- 32 Blender speed
- 34 Alias
- 40 Paint layer
- 41 Stadium event
- 42 Daring
- 43 Whoever

DOWN

- 1 Bad actor
- 2 Historic period
- 3 Mess up

4 Take a job

- 5 Spanish city
- 6 Hoe target
- 7 Tarkington novel
- 8 Lyricist Gershwin
- 9 Director Burton
- 10 Course area
- 14 Train stop
- 16 Telegrams
- 17 Singer Lena
- 19 George W.'s wife
- 20 Razor sharpener

- 21 Parking place
- 22 Decimal base
- 23 Finish
- 25 Daisy Mae's
- 28 Sheriff's helper
- 29 Twice
- 31 Car type

- 33 Singer McEntire
- 34 High card
- 35 Turf
- 36 Droop
- 37 Commotion
- 38 Stag party
- 39 Needle feature

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PEOPLE IN THE NEWS

Courtney Love fidgets while facing the judge

By The Associated Press

BEVERLY HILLS — A trial date has been set for Sept. 30 for Courtney Love, who faces two felony drug charges for illegal possession of painkillers.

Love, 40, remains free on her own recognizance.

The rock singer arrived in court Monday wearing a purple knit top over a black halter and black heels. She fidgeted in her chair during the 10-minute hearing before Superior Court Judge Elden S. Fox.

When he asked whether the trial date was acceptable, Love initially replied, "I don't know." She agreed to the date after consulting with her lawyer and thanked the judge before leaving.

Love could face up to three years and eight months in prison if convicted.

She faces a separate assault felony charge for allegedly attacking a woman with a liquor bottle April 25 at her ex-boyfriend's home in Los Angeles.

In July, she was sentenced to 18 months in a drug rehabilitation program after pleading guilty to being under the influence of a controlled substance, a misdemeanor charge connected to an alleged break-in at the same ex-boyfriend's home last fall.

Police called to her home hours after that arrest allegedly found painkillers there, leading to the felony drug charges.

She also faces charges of assault and reckless endangerment in New York City for allegedly striking a fan with a microphone stand at a nightclub in March.

Love, the widow of Nirvana singer Kurt Cobain, was formerly the lead singer of the band Hole. She had to

delay a concert tour with her new band this year because of her legal problems.

LOS ANGELES — A chatty guy himself, Garry Marshall was surprised when a cool, silent type emerged as the star of his 1970s sitcom, "Happy Days," which begins new life with the DVD release of its first season.

Henry Winkler's biker Fonzie wasn't even included in the opening credits in the first season of "Happy Days," which starred Ron Howard as a 1950s teen. With barely any dialogue early on, the Fonz quickly became the show's most popular character.

"People were telling me it turns out really the big shot is this Fonzie character, who has no lines," director Marshall told The Associated Press in an interview to promote his latest movie, "The Princess Diaries 2: Royal Engagement." "He's like the big weapon we've got here."

Winkler's role quickly expanded so that within a couple of seasons, he was technically the star, though Howard retained top billing.

Also debuting Tuesday on DVD is season one of Marshall's spinoff "Laverne & Shirley," which starred his sister, Penny Marshall, and Cindy Williams.

Marshall created "Happy Days" as an alternative to his work on the live-audience sitcom "The Odd Couple." Early on, "Happy Days" was shot on sets and real locations.

"Happy Days" was my artistic period," Marshall said. "I wanted to make a little film each week, all one-camera shoots like a little film. Pretty! Nice! And they said, 'Too soft, and too expensive.'"

By season three, the show had switched to the live-audience format, which continued through the end of its 11-year run.

NEW YORK — Though she defined toughness in the "Alien" films, Sigourney Weaver wouldn't make a good contestant on reality TV shows such as "Fear Factor."

"Eating cockroaches and stuff wouldn't be my favorite thing," the 54-year-old actress tells People magazine.

"I was trying to kill a flying creature in my bedroom last night. It seemed to sprout more and more legs and arms. It was like a flying daddy longlegs. I didn't know what it was, but I'm glad I didn't have to eat it."

Weaver co-stars in the thriller "The Village," now in theaters.

WHEELING, W.Va. — A documentary filmmaker from Toronto followed the blues to Wheeling to shoot footage for his TV show, "Talkin' Blues."

Mako Funasaka's show, which has appeared on Bravo Canada and will make its American debut on BET Jazz, may soon include footage shot at Wheeling's Blues Fest 2004, which ended Sunday.

For the past four years, Funasaka, an independent producer and director, has been documenting the passion that drives both the blues and its artists.

"I've done over 220 interviews and I feel I've only scratched the surface," he said. "I think the No. 1 lesson is that you have to love what you do. You really don't get into blues for the money."

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