



Santa Monica Daily Press

PLEADING THE FIRST
SEE PAGE 3

Since 2001: A news odyssey

THE LET'S GO BRUINS ISSUE

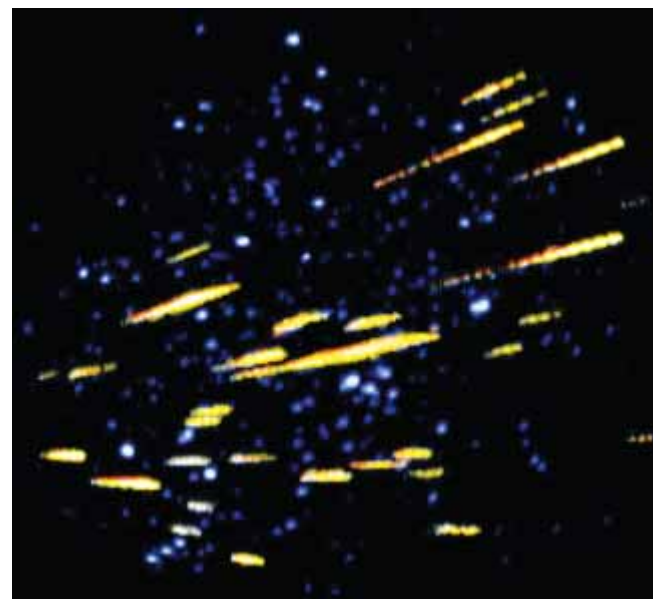


Photo courtesy of NASA

SUPER STARS: The night sky will erupt in lights tonight as the Aurigid meteor shower sprays across the night sky. The early morning

The sky is falling

Tonight's rare meteor shower has roots dating back to 4 A.D.

BY GERRY SHIH | Special to the Daily Press

UNDER THE NIGHT SKY The old girlfriend, world peace or marble bathtubs filled with Benjamins?

Wistful exes, conscientious dreamers or just plain greedy Santa Monicans will have several dozen chances to make a wish tonight, as the Aurigid meteor shower sprays shooting stars across the night sky.

Shortly after 4 a.m. (Saturday morning), nocturnal denizens of the western United States, Canada and Mexico should be able to witness one of the most spectacular meteor showers in years.

According to the latest calculations from the NASA Jet

Propulsion Laboratory, the mysterious Comet Keiss passed by the sun around 4 A.D. — not 83 B.C., as previous reports indicated — and left countless chunks of debris in its wake. As the Earth crosses paths tonight with that trail of debris, the 1,600-year-old bits of frozen comet jetsam will burn as they collide with the Earth's atmosphere, creating visible streaks of light.

The meteoroids will approach Earth from the northeastern part of the sky that is occupied by the charioteer constellation, Auriga. Since Keiss is a "long period" comet, by definition it does not come close to the sun for thousands of years and, therefore, keeps a pristine crust. Consequently, the meteors that do break off of the crust of the Comet Keiss may be formed by billions of years of cosmic ray exposure and may emit a unique blue-green light as it burns in our atmosphere on Saturday morning.

SEE METEORS PAGE 13

EDUCATION



WAITING IN LINE

Dilapidated school looks for a windfall

STORY BY MELODY HANATANI PAGE 14

Fabian Lewkowicz fabianl@smdp.com

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Calendar

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FRIDAY, AUGUST 31, 2007

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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS

Back to School Children's Safety Workshop

2539 Lincoln Blvd., Venice, 5 p.m. — 6 p.m.
Tamzen's Creative Arts Academy is holding a safety skills workshop for children as they return to school. Fee is \$20. For more information, call (310) 203-1330.

'All Aboard the U.S.S. Friendship'

1211 Fourth St., 7:30 p.m.
A musical murder mystery on the high seas, as cast and audience ferret out the culprits from a host of finalists in the "National Devil's-Food-Cake-Mix Devil's Island Treasure Hunt." Tickets are \$20. Reservations are necessary. Call (310) 394-9779, ext. 2, or visit www.santamonicaplayhouse.com.

'Bathroom Talk'

1404 Third Street Promenade, 7:30 p.m. — 9 p.m.
The Promenade Playhouse presents "Bathroom Talk," an improv sketch comedy about the unusual things that occur in the ladies room at a nightclub. Tickets are \$12 at the door. For more information, call Laura at (310) 430-8828.

Rodeo days

225 26th St., 10 a.m. — 6 p.m.
The Brentwood Country mart presents rodeo-themed events through Aug. 31. Events include meeting Cowboy Bill, a mechanical bull and more. So grab those spurs and saddle up. For more information, visit www.brentwoodcountrymart.com.

Saturday, Sept. 1, 2007

Grand opening of Three Dog Bakery

The new Three Dog Bakery in Santa Monica is calling all dogs to its grand opening — owners on leash welcome. For more information, visit www.threedogsantamonica.com or call (310) 260-9604.

Santa Monica Downtown walking tour

1436 Second St., 10 a.m. — 2 p.m.
In two hours and six blocks, this docent-guided tour explores more than 130 years of Santa Monica history. Tours depart every Saturday from Hostelling International. Tickets are \$10 for the general public; \$5 for Conservancy members. For more information or to make a reservation, call (310) 496-3146 or visit www.smconservancy.org.

6th Annual Kickin' Cancer!

San Vicente Boulevard & Darlington Avenue, Brentwood, 7 a.m. — 11 a.m.
Kickin' Cancer! is a family-friendly event to raise funds and awareness for the early detection and prevention of women's cancers. Event highlights include T-shirt giveaways, a Kiddie Fun Run, raffle prizes, entertainment and more. For a complete list of fundraising prizes, sponsor links, event information and more, visit www.kickincancer.com.

Forever young at the Forever Cemetery

6000 Santa Monica Blvd., Hollywood, 7 p.m.
Cinespia presents the feel-good "Whatever Happened to Baby Jane," starring Bette Davis and Joan Crawford, at the Hollywood Forever Cemetery. \$10 donation tickets available at the gate. For more information, visit www.cemeteryscreenings.com.

Puppetolio

1255 Second St., 1 p.m. & 3 p.m.
Puppetolio is a musical revue featuring marionettes and ventriloquism. Shows are always followed by a chance to visit the museum collection and ask questions. All seats are \$7.50. For more information, visit www.PUPPETMAGIC.com or call (310) 656-0483.

'Rancho Monterey'

2612 Main St., 11 a.m. — 4 p.m.
The California Heritage Museum's current exhibition showcases Monterey and rancho-style furniture, California ceramics and tile, Mexican ceramics and pottery, tourist-ware and costuming, and fine arts by artists including Phil Paradise, Victor Clyde Forsythe and Hernando Villa. General admission is \$5, students and seniors are \$3, and children 12 and under get in free.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.

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CORRECTION:

It should have been reported that certain operations of Robert Sakamoto's pharmacy ("Neighborhood pharmacy finally closes," Aug. 28) will be moving to the Santa Monica Medical Plaza Pharmacy at 1260 15th Street.

Rash of car burglaries hit Westside

BY KEVIN HERRERA
Daily Press Staff Writer

CITYWIDE Just because you lock it up doesn't mean your most prized possessions are protected.

Los Angeles police officers are warning drivers on the Westside to not leave anything valuable in their cars after noticing a recent spike in the number of auto burglaries.

The LAPD says thieves are targeting parked cars both on the street and in parking garages. So far this month, suspects have struck 184 times on the Westside, swiping everything from clothes and purses to stereos and laptops.

"Historically, this has always been an issue within our division," said Christopher Ragsdale, a senior lead officer for the LAPD's West Los Angeles Division. "There are a lot of high profile vehicles here, and overall, this is a safe community, so it's easy to be complacent. You think it's OK to leave things in the car, but in reality, it's not."

"We do have predators coming into the division looking for easy targets."

Thieves typically work fast, taking just a few seconds to smash a window and grab a backpack or GPS system and run. Thieves don't need to see an iPod or GPS system to know one is in the car, Ragsdale said. A charger or dashboard holder are enough of a tip-off.

Most of the thefts have occurred in the evening and early morning hours between 10 p.m. and 5 a.m., according to police.

ALL'S QUIET ON THE WEST COAST FRONT

While the LAPD is on high alert, Santa Monica police reported that auto burglaries are actually down in the city in comparison to last year. From January 2006 to August 2006, there were 587 auto burglaries. During that same period this year, there have been 502, said SMPD Lt. Alex Padilla.

So far this month, there have been 58 thefts — a 16-percent drop compared to August 2006.

Padilla credited increased enforcement and community awareness as the two main reasons for the drop-off.

"Hopefully, it is the result of increased education, providing the public information about not leaving valuables in your

SEE BURGLARIES PAGE 15



Kevin Herrera kevinh@smdp.com

SPEAK UP: Kids from Venice del Play, a summer camp, take part in activist Arthur Stevens' 'The People's Voice' on Wednesday at Santa Monica Beach. Mirroring the famous 'Speakers' Corner' in London's Hyde Park, the event was a public forum for people to speak their minds.

Not holding their peace

BY KEVIN HERRERA
Daily Press Staff Writer

SM BEACH Speak for yourself.

That's the advice of activist Arthur Stevens, who, on Wednesday, launched "The People's Voice" — a public forum intended to mirror the famous "Speakers' Corner" in London's Hyde Park, complete with a microphone and a soap box for people to stand on as they express themselves any way they want.

"My concern is that two-thirds of the world's population doesn't have the pro-

tection of free speech," said Stevens, a financial advisor and insurance salesman who had an epiphany a decade ago and has been working to promote peace and prosperity ever since.

"Free speech is under attack around the world and right here in America," Stevens added. "The foundation of democracy is crumbling."

In countries such as China, North Korea and Venezuela, those who speak out against the government are silenced. Some are arrested and jailed, others tortured and killed for doing what many Americans

take for granted, Stevens said.

Just this week, Russian authorities arrested 10 men in connection with the murder of famed journalist Anna Politkovskaya last year. Government officials said the murder was carried out on behalf of outsiders bent on discrediting the Kremlin, though the reporter's editors dismissed the government's assertion about motive as "political PR." Politkovskaya was a harsh critic of the Kremlin.

In New York City, the Committee to Protect Journalists released last month a list

SEE FREE SPEECH PAGE 15



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LETTERS TO THE EDITOR

Put a cork in the flow of fluoride
Editor:

In a statement released recently, over 600 professionals are urging Congress to stop water fluoridation until Congressional hearings are conducted (“Fluoride becomes standard,” Aug. 23). They cite new scientific evidence that fluoridation – long promoted to fight tooth decay – is ineffective and has serious health risks. Signers include a Nobel Prize winner, three members of the prestigious 2006 National Research Council (NRC) panel that reported on fluoride’s toxicology, two officers in a union representing professionals at EPA headquarters, the president of the International Society of Doctors for the Environment, and hundreds of medical, dental, academic, scientific and environmental professionals, worldwide.

It’s time to stop the flow of fluoride into our water.

Linda Milo
Santa Monica

Peace article seemed slanted
Editor:

I love the Daily Press and consider it a real community asset, especially the coverage of the always interesting and often ridiculous Santa Monica politics.

I appreciate your generally non-partisan tone. However, I was disappointed by your extremely one-sided Aug. 27 article, “Promoting peace in the Middle East.” Isn’t it obvious that there are multiple points of view on the divisive issue of how to “promote peace” in the Israeli-Palestinian conflict? This article should have been presented as opinion.

Barbara M. Bennett
Santa Monica

Bush hides behind terrorism
Editor:

Which of these statements is true?

President Bush’s actions and policies in Iraq played a part in creating the disaster we now find ourselves in.

Bush and the Republican-led Congress waged a preemptive war on a country that had not attacked us (and posed little threat), thus creating a breeding ground for terrorists where none had previously existed.

Expanding terrorism can be traced to specific causes. In the last five and a half years, the United States has invaded and occupied two Muslim countries.

Unilateral military efforts will not put an end to Islamic extremism; they only make the problem worse.

Instead of a military surge in Iraq, we should be addressing the root causes of extremism. Delivering vital services and promoting human rights will do more good than bombs and bullets.

Bush and his Republican supporters saying that “we’re fighting them there so we don’t have to here” is utter nonsense.

The Bush White House has continued to use fear of terrorism since 9/11 to justify its war in Iraq.

Ron Lowe
Santa Monica



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Laughing Matters

Jack Neworth

Send comments to editor@smdp.com

Cohesion isn’t the Dems’ forte

WILL ROGERS DIED IN A PLANE CRASH more than 70 years ago, but the cowboy-humorist is still one of Santa Monica’s most beloved citizens. Our beaches bear his name, as does a scenic state park off Sunset Boulevard. After these endless Democratic presidential debates, I’m reminded of Rogers’ quote: “I’m not a member of any organized political party. I’m a Democrat.”

Rogers also said, “I never met a man I didn’t like.” Of course, he never met George W. Bush.

For Democrats (and even some conservatives), the Bush years have been a never-ending nightmare. Here’s a partial list of disasters and scandals: Katrina, “heckuva job,” Mark Foley, Sen. David Vitters, Ted Haggard, Jeff Gannon (male prostitute turned right-wing reporter), Harriet Miers and Alberto Gonzales, who wrote the torture memo, described the Geneva Convention as “quaint” and, in testifying before the Senate said, “I can’t recall” 64 times.

Take a deep breath; there’s more: Guantanamo (Bay), Walter Reed, Abu-Ghraib, water boarding, Sen. Larry Craig, Scooter Libby, secret prisons, Dubai ports, illegal spying and “mission accomplished.” (“Quagmire accomplished,” is more like it.) Currently in prison are Abramoff, Cunningham, Ney and Savavian, with others likely to follow.

Last week, Bush compared the war in Iraq to Vietnam, after previously saying there was no comparison. Flip-flop anyone? (Tony Snow compared Iraq to Korea, where we’ve been 55 years.) When Bush referred to the “lessons of Vietnam,” I thought he was going to say, “Make sure your father gets you into a reserve unit that stays in the States.” But enough Bush bashing. Yes, he’s basically broken us: The budget with record deficits, the military with an unwinnable war and the good will of our allies, but it’s the Democrats who are breaking my heart.

When the Democrats swept the House and Senate in 2006, it was a clear message from the people to stand up to Bush. But they have done very little standing and a lot of rolling over, most notably on the war. Why? Some say they don’t want to appear weak on terrorism. Others say it’s playing prevent defense until the 2008 elections. There’s an old football joke about the prevent defense — it prevents you from winning.

It appears Hillary is the favorite to win the nomination, which is probably the first time Karl Rove and Bill Clinton have ever agreed on anything. Rove wants Hillary to be the candidate so badly that he’s attacking her so the Democratic base will rally around her. Personally, I favor John Edwards. If he, or even Joe Biden, were the nominee, the Dems would probably win easily. But with Hillary and her 47 percent negative ratings, it’ll be a struggle.

In anticipation of a Hillary candidacy, the Swift Boaters must be licking their chops or, more accurately, getting the mud

ready to sling. Don’t get me wrong. Hillary is smart, capable and strong. I just don’t think she’s electable. I fear if she’s the Democratic nominee, it’ll wind up snatching defeat from the jaws of victory. That will leave me with one thought: It’s my party and I’ll cry if I want to.

Actually, I’m naively holding out hope that Gore will run. (Al, not Leslie.) Gore was right on the war, right on the environment and he won in 2000. (Before you call me a whiner, imagine Gore’s brother was the governor, and Gore’s campaign manager was the secretary of state who counted the votes in the very state that swung the election!) Bush’s alleged victory was a perfect storm, including the butterfly ballot. Even Pat Buchanan admitted those votes in Miami were never intended for him. One more vote on the Supreme Court and what a different world it would be!

ALBERTO GONZALES, WHO WROTE THE TORTURE MEMO, DESCRIBED THE GENEVA CONVENTION AS “QUAINT” AND, IN TESTIFYING BEFORE THE SENATE SAID, “I CAN’T RECALL” 64 TIMES.

There’s even a precedent for Gore “coming back.” In 1960, many felt Richard Nixon was cheated out of the presidency at the hands of Mayor Daley, Joe Kennedy and the Mafia. Nixon waited two terms and eventually won the prize. Of course, that didn’t work out too well, what with seven more years of Vietnam and a little thing called Watergate.

My frustration with the Dems is best exemplified by my ordering an “Impeach Cheney” baseball cap from a progressive Web site. I was excited when I took it out of the package. It looked great with big blue and white letters: “Impeach Cheney.” Then, to my dismay, I noticed after the words there was a small question mark! It was as if the hat were saying to the world, “Sorry, I didn’t really mean it.” I e-mailed the Web site, but naturally, they didn’t agree.

When Will Rogers died, the outpouring of national grief was said to be the greatest since the death of Lincoln. But Rogers’ wit remains: “Democrats never agree on anything, that’s why they’re Democrats. If they agreed with each other, they’d be Republicans.”

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Guest Commentary

Lee Hamilton

Send comments to editor@smdp.com

Good judgment often mistaken for smarts

ALL OVER THE COUNTRY, POLITICAL candidates, consultants, reporters, campaign volunteers and politically active citizens are pondering a single question: What do voters want in a candidate? Will voters be motivated in next year's elections by issues, personalities or some intangible mix of qualities in the candidates they're considering?

Every voter makes up his or her mind differently, of course, but my suspicion has always been that most voters weigh a mix of considerations; the true "single-issue voter" is rare. To be sure, they want to know candidates' stance on the issues they care about — how they articulate them and what they consider are most important. They also want to get a sense of the candidates' overall vision and where they want to take us as a nation, how they see the role of the federal government at home and whether they propose a muscular or more restrained foreign policy.

They look for less tangible things as well, qualities that would make them comfortable with a candidate. Voters generally want a sense that a candidate knows why he or she is running for office — and in particular, that it has to do with a desire to accomplish goals or to improve the common good, rather than simply to slake some personal ambition.

Voters also want to feel good about a candidate's values, intelligence and sensitivity to their concerns. This is why candidates who are masters of statistics and dense policy arguments sometimes leave voters cold, while candidates who can present a compelling "story" attract attention and support.

Over the years, poll after poll has suggested that voters put "integrity" and personal honesty at the top of their requirements in a candidate. My sense is that other concerns come higher. If voters like what a politician stands for or find some deeper personal connection, they can forgive a lot: Witness the re-election of Richard Nixon in 1972 or the high poll numbers Bill Clinton enjoyed despite questions about his personal conduct.

One such consideration, generally dismissed by pundits but clearly embraced by voters, is simple likability. Americans want to feel at ease with the person they're voting for. And while they won't admit it, at least not to pollsters, they take physical attractiveness into account, as a string of hand-

some presidents in the television age — John F. Kennedy, Ronald Reagan, both Bushes, Bill Clinton — suggests.

But I have always thought that perhaps the most important trait in a political leader is invisible, or at least difficult to discern ahead of time: Sound judgment. It often gets confused for intelligence, but intelligent people can misjudge affairs if they're led astray by ideology, dogmatic thinking, or even good intentions.

On the other hand, you can often tell if candidates lack good judgment: If they are unable to be wary of their own passions, inclined to dismiss other views, unsuspecting of the information they receive, or unwilling to admit that their views might be wrong, then it's a good bet they will mishandle people, events and the difficult situations that confront our nation regularly.

A great deal is at stake in this regard. Historians note, for instance, that while George Washington was neither a good speaker nor a scintillating intellect, he possessed very good judgment about people and events. The course of our nation's history would surely have been different had he been otherwise.

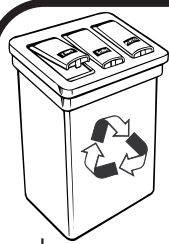
Good political judgment calls for a keen sense of what will work and what won't in a given set of circumstances, and what the best means might be to achieve policy goals — in essence, it requires that leaders see the world as it is, not as they would like it to be. It demands great insight into others: Who is competent and who is not, who will speak the truth to them and who will not, whom to believe and whom not to believe, who will persevere and who will fold.

It demands equally keen insight into complex situations and events, and an ability to discern possibilities for progress that others might miss.

Finally, it requires a keen sense of what can be accomplished given the personalities and events in play: When to compromise, when to yield, and when to stand firm.

It is probably expecting too much that voters will be able to see all this as they go about choosing whom to vote for. But we can certainly hope they will try.

LEE HAMILTON is Director of the Center on Congress at Indiana University and was a member of the U.S. House of Representatives for 34 years.



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Floored by fluoride?

Water officials recently decided to mix fluoride into the area's water supply touching off debate regarding the mineral's potential for causing health problems.

So this week's Q-Line question asks:

Where do you stand on the water fluoridation issue?

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NOTICE OF PUBLIC HEARING TO BE HELD BY THE SANTA MONICA ZONING ADMINISTRATOR ON APPLICATIONS FOR VARIANCES

TIME: 10:30 a.m., Tuesday, September 11, 2007

LOCATION: Council Chambers, Room 213, Santa Monica City Hall, 1685 Main Street, Santa Monica



A Public Hearing will be held by the Zoning Administrator of the City of Santa Monica at the above noted time and place in regard to the following requests:

SUBJECT OF HEARING:

Fence Wall Hedge Modification 07-0002, 2134 La Mesa Drive. The applicant is requesting approval of a modification from the height limits set forth in Santa Monica Municipal Code (SMMC) Section 9.04.10.02.080 to allow a 7-foot hedge within the front yard of an existing single-family residence located in the R-1 (Single Family Residential) zoning district. The maximum permissible height for a fence, wall or hedge is 3-feet, six-inches in the frontyard setback area. The proposed hedge is approximately 120-feet long and runs the length of the front property line. Ordinance No. 2219 (CCS) Section 2(f) permits modifications to fence, wall and hedge heights within the frontyard setback area subject to approval of the Zoning Administrator. [Planner: Travis Page] **Applicant: Barbara Engel. Property Owner: Vida Yaghmai.** [Continued from August 14, 2007.]

Variance 07-011, 3218 Arizona Avenue. The applicant requests the following modifications to the R2 Multiple Family Residential District development standards: [1] Permit a zero rear yard setback in-lieu of a 15-foot rear yard setback for an existing un-permitted 52 square foot first floor addition; [2] Permit a zero rear yard and 1.75-foot side yard setback in lieu of a 15-foot rear yard and 4-foot side yard setback for an un-permitted addition to an existing one-car garage that was illegally converted to a bedroom. The applicant also requests that the illegally converted garage be permitted to continue as a bedroom and allow the driveway to serve as a parking space within the front half of the parcel. Pursuant to SMMC Section 9.04.20.10.030(d)(1), the applicant may request a variance to allow the modification of yard setbacks on parcels having a depth of 90-feet or less or width of 39-feet or less. The subject property has a depth of 40-feet and a width of 39-feet. SMMC Section 9.04.20.10.030(b) permits the modification of off-street parking requirements. The proposed project and variance requests have been modified from that originally heard and continued by the Zoning Administrator on August 14, 2007. [Planner: Dennis Banks] **Applicant/Property Owner: Joy Drezek.**

Variance 07-012 & Fence, Wall, Hedge Modification 07-003; 2636 5th Street, Unit A. The applicant requests the following modifications to the OP2 Multiple Family Residential District development standards for construction of a new 1,477 sq. ft. single family dwelling: [1] Permit a four-foot front yard setback in lieu of a required 15-foot front yard setback; [2] Permit a proposed eave along the front elevation to project within 3-feet of the front property line; [3] Permit a four-foot rear yard setback in lieu of a required 15-foot rear yard setback; [4] Permit a seven-foot side yard setback along the north sideyard in lieu of a required eight-foot sideyard setback for the dining room portion of the proposed dwelling on the first floor; [5] Permit a four-foot sideyard setback along the north sideyard for the second floor portion of the proposed dwelling above the dining room where a six-foot sideyard setback is required; [6] Permit a four-foot sideyard setback along the south sideyard in lieu of the eight-foot sideyard setback required for the living room portion of the proposed dwelling on the first floor; [7] Permit a four-foot sideyard setback along the south sideyard in-lieu of the six-foot sideyard setback required for the second floor portion of the proposed dwelling above the living room; [8] Permit 55% parcel coverage on a 1,481 square foot parcel in lieu of the maximum 50% permitted; [9] Permit a 11.5-foot by 18-foot single car garage where the standard is a 18-foot by 20-foot two-car garage for a new single family dwelling; and [10] Permit a 6-foot to 8-foot wall within the required 15-foot front yard setback area where a maximum of 42-inches is permitted. Pursuant to SMMC Section 9.04.20.10.030(d)(1), the applicant may request a variance to allow the modification of yard setbacks and parcel coverage on parcels having a depth of ninety feet or less or width of thirty-nine feet or less. The subject property has a depth of forty feet and a width of thirty-seven feet. In addition, SMMC Section 9.04.20.10.030(a) allows the modification of the number and dimensions of automobile parking spaces and Interim Ordinance No. 2219 (CCS), Section 2(f) permits modifications to fence and wall heights in the frontyard setback area subject to approval by the Zoning Administrator. [Planner: Gina Szilak] **APPLICANT: Howard Lichtman. PROPERTY OWNER: Nelsa And Albert Barajas.**

Variance 07-013, 915 Centinela Avenue. The applicant requests the following modifications to the R1 Single Family Residential District development standards: [1] Permit the partial enclosure of a front entryway on a legal nonconforming third (street level) story with a 12.67-foot frontyard setback in lieu of the required 15-foot frontyard setback; [2] Permit an open stairway to encroach eight feet into the required 15-foot frontyard setback area; [3] Permit three pillars to encroach 10.75 feet into the required 15-foot frontyard setback area; and [4] To allow a five-foot five inch increase in height of a legal nonconforming third story where the roof encroaches 10.67 feet into the required 15-foot frontyard setback area. Pursuant to SMMC Section 9.04.20.10.030(d)(3), the applicant may request a variance to allow the modification of yard setbacks on parcels with a twelve and one-half-foot grade differential or more. The subject property has an approximate 34-foot grade differential. SMMC Section 9.04.20.10.030(k)(1) allows an additional story which would otherwise not be permitted for an existing residential structure provided the existing structure has a finished first floor level that is more than three feet above average natural grade or theoretical grade. The subject property has a finished first floor level that was constructed five feet above average natural grade. [Planner: Travis Page] **Applicant/Property Owner: Shawn Kuhne & Laura Jamet.**

Any person may comment at the Public Hearing, or by writing a letter to the City Planning Division, Room 212, P.O. Box 2220, Santa Monica, CA 90407-2220. Plans are available for public review at the City Planning Division. For more information, please contact the City Planning Division at (310) 458-8341. Pursuant to California Government Code Section 64009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing. The meeting facility is accessible. If you have any disabilities related request, contact at (310) 458-8341 or TTY (310) 458-8696 at least three (3) days prior to the meeting. Santa Monica “Big Blue” Bus Lines #1, #2, #3, #4, #7 and #8 serve the City Hall.

*Esto es un aviso sobre una audiencia publica para revisar aplicaciones proponiendo desarrollo en Santa Monica. Esto puede ser de interes para usted. Si desea mas informacion, favor de llamar a Carmen Gutierrez en la Division de Planificacion al numero (310) 458-8341.

CRIME WATCH
BY DAILY PRESS STAFF



A pane-ful escape goes south

Crime Watch is a weekly series culled from reports provided by the Santa Monica Police Department. These are arrests only. All parties are innocent until proven guilty in a court of law.

SATURDAY, AUG. 25, AT MIDNIGHT

Santa Monica Police officers in the 1600 block of Franklin Street noticed a man jumping out of an apartment window. Officers detained the suspect and made contact with those living in the apartment, who said they had just been awakened by the sound of someone rummaging through their apartment. The residents told police that they peeked out of their bedroom to see a figure in a guest bedroom with a flashlight. The suspect must have seen the residents looking at him and he panicked and jumped out of the window, leaving behind a gym bag filled with items, including an iPod charger and a Canon camera valued at more than \$300, police said. The suspect was arrested for burglary. He was identified as James Ingram, 46, from Venice. No bail was set because he was on parole. Police said the suspect entered the residence through an open window and reminded residents to keep their windows locked.

SUNDAY, AUG. 19, AT 2:40 A.M.

Officers responded to the 1550 beach parking lot after receiving a report about a group of male subjects who were fighting or running through the area. When officers arrived, the men were gone, however, officers did see some fresh graffiti that had been painted on a back wall of Bubba Gump Shrimp Co. and on the parking lot asphalt. Officers detained a subject in the area who had fresh paint on his fingers. The suspect gave his alias, which was the same name painted on the wall, police said. He was arrested for vandalism. He was identified as Enrique Valencia, 20, from Los Angeles. His bail was set at \$20,000.

SUNDAY, AUG. 19, AT 7:20 A.M.

Officers responded to the 600 block of Wilshire Boulevard –7-11 – regarding a report of a strong-arm robbery that had just occurred. When officers arrived, they detained a suspect in the convenience store’s parking lot. Officers then made contact with store employees, who said the suspect walked into the store and grabbed several items off the shelves and then tried to walk out without paying for the items. A store employee confronted the suspect, who then tried to punch him in the face, but missed, police said. The suspect then ran off. Officers identified the suspect as Billy DeWayne Palmer, 48, a transient. His bail was set at \$50,000.

THURSDAY, AUG. 23, AT 12:05 P.M.

Officers in the 1000 block of Wilshire Boulevard were looking for jaywalkers when they noticed a man crossing the street illegally. Officers made contact with the man. Who was on probation. As part of his probation, officers conducted a search and found a glass pipe commonly used to smoke crack cocaine. The man was arrested for possession of drug paraphernalia. The suspect was identified as Adrian Hector Chavira, 31, a transient. His bail was set at \$10,000.

THURSDAY, AUG. 23, AT 6:40 P.M.

Undercover officers looking for narcotics activity spotted several suspects walk up to a vehicle and then quickly walk away. Officers recognized the occupants of the vehicle from prior contacts and conducted a search, at which time they discovered one of the occupants had a glass pipe commonly used to smoke crack cocaine. Officers arrested the suspect for possession of drug paraphernalia. She was identified as Lisa McNeil, 43. No bail information was available for this arrest.

Staff Writer KEVIN HERRERA compiled these reports.



Who would have thought? William Purvis did in 1897. The Fountain Pen, developed by William Purvis, is just one of the many life-changing innovations that came from the mind of an African American. We must do all we can to support minority education today, so we don't miss out on the next big idea tomorrow. To find out more about African American innovators and to support the United Negro College Fund, visit us at uncf.org or call 1-800-332-UNCF. A mind is a terrible thing to waste.

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Photo courtesy

CURE ME: Gov. Arnold Schwarzenegger is scrambling to save his \$12 billion-a-year plan to make medical insurance mandatory. The governor has threatened to veto the Democrats' proposal.

Butting heads over state health care

Showdown expected for competing state health care proposals

BY LAURA KURTZMAN
Associated Press Writer

SACRAMENTO The prognosis for universal health care in California is grim this year, and experts say a failure could set back similar efforts nationwide for years to come.

Unions, doctors and other powerful interests are arrayed against Gov. Arnold Schwarzenegger's \$12 billion-a-year plan to make medical insurance mandatory.

He has threatened to veto the Democrats' less ambitious alternative and take his plan to the ballot instead.

A showdown could come as early as Thursday, when the Democrats plan to put Schwarzenegger's proposal to a vote in the state Assembly. The aim is to show how little support it has.

With the campaign for the White House under way, what happens in the nation's most populous state could have especially wide repercussions.

"If we fail, it will have the effect of a wet blanket on health reform nationally," said Robert Ross, president of the California Endowment, a foundation devoted to health care. "I think the presidential candidates will all look with a very watchful eye at what happens in California."

Following the lead of Massachusetts, which passed universal health care last year, Schwarzenegger announced his own plan in January to provide everyone in California with insurance. As many as 6.7 million people in California, or 18.5 percent of the population, are uninsured.

The Republican governor's plan would impose new fees on doctors, hospitals and employers.

The uninsured would be required to buy coverage, though the poorest would be subsidized.

The governor says his plan is fair because it would spread the burden.

But doctors are fighting it, as are unions, because they say it asks too much of the

working poor.

Hospitals, most of which would get more funding, have stayed on the sidelines.

The governor's own party has offered him no help. GOP leaders skewered the tax increases, making it highly unlikely the plan will receive the bipartisan support it needs to pass. A two-thirds vote is required.

The Democrats, who control both houses of the Legislature, crafted an alternative written in such a way that it needs only a simple majority.

It would require employers to spend at least 7.5 percent of payroll on health care or pay that amount into a state-run pool.

That is almost double what Schwarzenegger has proposed, and he has warned he will veto it.

IF WE FAIL, IT WILL HAVE THE EFFECT OF A WET BLANKET ON HEALTH REFORM NATIONALLY."

Robert Ross
president of the California Endowment

"The governor and the Legislature are inches apart, but neither side wants to give that final inch," said Larry Levitt, a vice president with the Kaiser Family Foundation.

Success in California could be crucial to Democrat John Edwards' presidential hopes. The former North Carolina senator's plan for nationwide health care is a compromise between Schwarzenegger's and the Democrats'.

"What the experience in California shows is it's very hard to do," Levitt said.

The governor never found a legislative sponsor for his plan until Assembly Speaker Fabian Núñez, D-Los Angeles, decided to introduce it this week to show it will not pass.

Instead, the governor held public forums to exhort people to take responsibility for their health and make sure they have insurance.

But support for his ideas has slipped as the debate has bogged down.

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Premature burn a party for haters

BY MARCUS WOHLSEN
Associated Press Writer



Photo courtesy

THAT'S HOT: The Burning Man's signature effigy (pictured above) was prematurely set on fire four days ahead of schedule.

SAN FRANCISCO After Burning Man's signature effigy went up in flames four days ahead of schedule, festival-goers vowed to come together to rebuild the 40-foot icon by Saturday's planned climax.

But not everyone was disappointed by Tuesday's premature incineration.

The alleged torching of the wood-and-neon figure by a San Francisco performance artist has cast light on the disillusionment of many in the city who believe the annual celebration of radical self-expression has lost touch with its spontaneous, subversive roots long ago.

"People have been trying to set that thing on fire for years," said Hugh D'Andrade, a San Francisco artist who attended the festival for many years. "This is not a new phenomenon."

Organizers trace the first Burning Man back to a 1986 party on a San Francisco beach where Larry Harvey, who still heads the festival, set ablaze a crude 8-foot wooden figure.

Since then, the event has evolved into a weeklong gathering of nearly 40,000 people who descend on the northern Nevada's Black Rock Desert around Labor Day every year for a massive display of countercultural creativity.

In San Francisco especially, Burning Man has emerged as a kind of underground high holiday as legions of so-called Burners devote the rest of the year to choreographing fire dances, decorating art cars and building elaborate interactive sculptures.

The event has become such a mainstay of the city's cultural calendar that Burner parents in 2005 unsuccessfully urged the San Francisco school board to postpone the first day of school so their children could attend.

But the rise in Burning Man's popularity has also brought a backlash.

In the immediate aftermath of this week's unscheduled burn, gleeful expressions of approval for the alleged prank rained down on blogs and Internet forums.

Some comments came from conservative posters ready to mock anything carrying a hint of hippiedom.

But many originated from self-described former attendees complaining that Burning Man has been spoiled by crowds of "yuppies" and "frat boys" mostly interested in doing drugs and ogling naked participants.

Steven Black, a 40-something librarian at the University of California, Berkeley, has attended Burning Man 11 times. But even though he had a ticket this year, he said, he didn't go.

"What has happened here is giving pause for a degree of introspection and reflection on what it means to burn this Man that is perhaps long overdue," Black said.

According to Black, Burning Man's huge crowds have attracted heavy law enforcement attention to an event that was originally meant to be an exultation, leaving him feeling "less secure and less free" than if he had just stayed home.

Paul Addis, 35, of San Francisco, posted \$25,632 bond and was released from the Pershing County, Nev., jail Tuesday after being arrested on suspicion of arson, illegal possession of fireworks, destruction of property and resisting a public officer, according to the sheriff's department.

Addis, known on the city's art scene for playing gonzo journalist Hunter S. Thompson on stage, has apparently had long-standing gripes against Burning Man.

In a letter published in a local alternative newspaper in 2002, a person using the same name complained about the imposition of rules he felt were spoiling the event.

"Those rules and judgments, such as what art is permitted in B(lack) R(ock) C(ity) and radical free expression's outer limits," he wrote, "are determined in line with what will make the most money for B(urning) M(an) and generate the fewest potential controversies in the media."

Only one question for jurors: Did Spector commit murder?

BY LINDA DEUTSCH
AP Special Correspondent

LOS ANGELES Jurors in Phil Spector's murder trial will have only one question to decide in their deliberations: Is he guilty or innocent of second-degree murder?

Superior Court Judge Larry Paul Fidler

told attorneys Wednesday he pondered whether there could be "lesser included offenses," which might allow the jury to consider voluntary or involuntary manslaughter rather than murder.

"I don't see it," he concluded.

Both the prosecution and defense agreed that the legal definitions of lesser crimes do not fit this case. Deputy District Attorney

Alan Jackson said he wanted to be assured that he would not be "sandbagged" by any defense attorney telling jurors in final arguments that there might be a lesser crime involved.

"I would never allow that," said Fidler, who added, "The only verdict form they will get is second-degree murder."

Given the limited issue, the judge said, "The instructions won't take very long to read."

Attorneys are set to present closing arguments Sept. 5-6 and the case is to be submitted to jurors for deliberations on Sept. 7.

Defense attorney Dennis Riordan, who argued the law on jury instructions, told the judge: "I'm sure we can all agree this is a case about who fired the gun."

The prosecution is seeking a second-degree murder conviction under the theory

of "implied malice," which requires the taking of an extreme risk that could lead to death and a callous disregard for human life. The penalty for second-degree murder is 15 years to life in prison and a convict has to serve 85 percent of the base term before becoming eligible for a parole hearing.

The standards for the lesser offenses would have been different. Involuntary manslaughter, for example, would require a finding of negligence.

There is no allegation in the Spector case of the premeditation or intent required for first-degree murder.

Spector, 67, is charged with murdering actress Lana Clarkson in his Alhambra mansion on Feb. 3, 2003, a few hours after she met the record producer at her job as a nightclub hostess and went home with him.

CITY OF SANTA MONICA NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that the City of Santa Monica invites sealed bids for the:

City Hall Jail Tenant Improvement Project Procurement of a New Elevator System – SP2072

Bids shall be delivered to the City of Santa Monica, Office of the City Clerk, Room 102, 1685 Main Street, Santa Monica, California, not later than 2:30 p.m. on September 17, 2007, to be publicly opened and read aloud after 3:00 p.m. on said date in City Hall. Each Bid shall be in accordance with the Contract Documents.

Suggested Site Visit – September 7, 2007, 9:00 a.m.

ENGINEER'S ESTIMATE: \$80,000
CONTRACT CALENDAR DAYS: 9 Months
LIQUIDATED DAMAGES: \$1,200 PER DAY
COMPENSABLE DELAY: \$500 PER DAY



Contract Documents may be obtained at the Office of the City Engineer or by mail for an additional mailing charge (check or money order payable to the City of Santa Monica). Cost of the documents shall be \$25.00. Additional mailing charge shall be \$10.00. Contract Documents may also be examined in City Hall, at the Civil Engineering and Architecture counter, phone number (310) 458-8721. Additional information may be obtained on the City's website at www.santa-monica.org/engineering. The Contractor is required to have a Class C-11 license at the time of bid submission.

Pursuant to Public Contracts Code Section 22300, the Contractor shall be permitted to substitute securities for any monies withheld by the City to ensure performance under this Contract.

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Study: Death might be a matter of race

BY JULIANA BARBASSA
Associated Press Writer

SAN FRANCISCO With an average life expectancy of 68.9 years, black men in California fall behind all other groups — whites, Hispanics and Asians, male or female, a new poll indicates.

Improving access to health care among Americans over the past decades has not erased disparities among racial and ethnic groups in California, where numbers mirror poll numbers on a national scale, said Helen Lee, main researcher of the report released Wednesday by the Public Policy Institute of California.

The study pools death certificate data from the state's Department of Health Services and from the 2000 U.S. Census to specify not only the differences in average life spans of various groups, but also to analyze which diseases or injuries explain those gaps.

This understanding can help further the state's and the nation's long-term goal of reducing these disparities, as outlined by the U.S. Department of Health and Human Service's "Healthy People 2010" report.

The contrast between groups is stark, as described in Lee's "Death in the Golden State" report.

At birth, a black man can expect to live 6.9 years less than a white man. The disparity exists among women as well, with black women dying on average at 75, five years earlier than white women, the report said.

Asians and Hispanics, on the other hand, can on average count on living longer than whites, with Asian women having the longest life spans — an average of 85.2 years.

"There is this gap in mortality that we consistently see," said Lee. "But to understand why have to look at what they're dying of."

Some trends hold true for all groups, such as the leading causes of death and the longer life spans of those with higher education, the study found. There are some illnesses that account for most deaths across ethnicity and gender: heart disease, cancers, and strokes.

"The leading killers are similar across groups," she said. "If you target the risk factors for those conditions, and there are a lot of factors including family history, diet and exercise, that might lead to improvements for all groups."

Another similarity the survey found across racial groups is the improvement made in life expectancy by education. Those with less than a high school degree had twice the age-adjusted death rates of those with a high school degree or more, Lee said.

Homicide was the sixth leading killer among black men, and the seventh for Hispanic men. For white men, it was the 14th, and Asians, the 20th.

Hispanic men, who report the highest binge drinking rates in the state, had liver disease and cirrhosis as the fifth leading cause of death, although those ranked much lower for other ethnic groups.

STATE BRIEFS

LAKE ARROWHEAD

Couple arrested after tot ingests Ecstasy

A nurse and her firefighter boyfriend were arrested after the woman's 2-year-old daughter ingested the couple's Ecstasy and went into a hallucinogenic fit.

Shannon K. Leasure, 30, and Mark A. Rumble, 46, vacationing at the lake from Reno, Nev., were booked for investigation of child endangerment and remained in custody with bail set at \$500,000 each.

"You just would not expect that from people who are at that station in life," said Sgt. Richard Ells of the San Bernardino County Sheriff's Department.

Leasure brought the party drug along on their vacation to the San Bernardino Mountains, investigators said. It wasn't clear where the Ecstasy was stored, how the girl got into it or how much she swallowed, Ells said.

After ingesting the drug, the girl suffered hallucinations and seizures. Firefighters were called to the vacation home and the girl was taken to Mountains Community Hospital, then airlifted to Loma Linda University Medical Center.

The girl's condition wasn't life threatening, the sergeant said.

Ecstasy is a mildly psychedelic derivative of amphetamine. Ingestion of the drug can cause increased body temperature, seizures from increased central nervous system activity, and muscle damage, when a lack of fluids causes muscles to break down, San Bernardino County Health Officer Margaret M. Beed said.

In extreme cases, Ecstasy use can lead to kidney failure and cardiac arrhythmia, Beed said.

ASSOCIATED PRESS

SANTA ANA

Trucker faces manslaughter charges after rig kills kids

A trucker whose big-rig slammed into the rear of a minivan stopped in heavy freeway traffic, killing three kids, was charged with criminal negligence manslaughter.

Jorge Miguel Romero, 37, of Apple Valley was charged Wednesday with three misdemeanor counts of vehicular manslaughter. He will be arraigned Sept. 13 and, if convicted, faces up to three years in jail.

Kyle Cable, 5, Emma Cable, 4, and Katie Cable, 2, were killed May 4 when the tractor-trailer rig slammed into the back of the family minivan on Interstate 5 in Mission Viejo. The minivan was stopped in the slow lane of traffic. The trucker was traveling an estimated 70 mph.

Lori Coble, 30, who was driving the minivan, and her mother, Cynthia Meastri, 60, were injured. Prosecutors said Romero was inattentive and didn't maintain proper distance from traffic stopped ahead of him.

"This is a case of simple negligence resulting in the death of three people," Cable family attorney Jeffrey Robinson said. "If it were gross negligence or wanton disregard, the district attorney would have filed a felony."

"The facts show that the driver was guilty of some inattention, that in this case proved tragic. It is well known even reasonable drivers engage in inattention. When you couple an inattentive big-rig driver with an unsafe road condition, you have a recipe for disaster."

AP

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NOTICE OF PUBLIC HEARING BEFORE THE CITY OF SANTA MONICA LANDMARKS COMMISSION

SUBJECT: Public hearings will be held by the Landmarks Commission on the following applications:

Palisades Park (200 – 1500 blks Ocean Avenue), LC-06LM-009, Zoning: DP (Designated Parks) District. The City Landmarks Commission will be conducting a continued public hearing to consider Landmark Designation Application 06LM-009 for Palisades Park to determine whether the park should be designated as a City Landmark. The Landmarks Commission will make a decision regarding designation based on whether the application, research and public testimony presented show that the property meets one or more of the required criteria for landmark designation. Applicant: City of Santa Monica Landmarks Commission. Owner: City of Santa Monica.

927-929 Lincoln Boulevard, LC-07LM-004, Zoning: R2 (Low Density Multiple Residential) District. The City Landmarks Commission will be conducting a public hearing to consider Landmark Designation Application 07LM-004 for 927-929 Lincoln Boulevard to determine whether the residential property should, in whole or part, be designated as a City Landmark. The Landmarks Commission will make a decision regarding designation based on whether the application, research and public testimony presented show that the property meets one or more of the required criteria for landmark designation. Applicant: City of Santa Monica Landmarks Commission. Owner: Mr. Ali Sharifi.

415 Pacific Coast Highway (Palisades Beach Road), LC-07CA-008, Zoning: RVC (Residential-Visitor Commercial) District and Beach Overlay District. The City Landmarks Commission will be conducting a public hearing to consider Certificate of Appropriateness 07CA-008 for the approval of North House and swimming pool area light fixtures associated with the rehabilitation and adaptive reuse of the former Marion Davies Estate at 415 Pacific Coast Highway, a designated City Landmark. The Landmarks Commission will determine whether the proposed project is appropriate and architecturally compatible for this property. Applicant: City of Santa Monica. Owner: California State Department of Parks and Recreation.

When: Monday, September 10, 2007 at 7:00 pm

Where: City Council Chambers, City Hall, Room 213
1685 Main Street, Santa Monica



Questions/Comments

The City of Santa Monica encourages public comment on this and other projects. You or your representative, or any other persons may comment on the application at the Public Hearing, or by writing a letter addressed to Roxanne Tanemori, Associate Planner, City Planning Division, 1685 Main Street, Room 212, Santa Monica, California, 90401-3295. Or, you may contact Ms. Tanemori by phone at (310) 458-8341 or by email at roxanne.tanemori@smgov.net.

More Information

The meeting facility is wheelchair accessible. If you have any disability-related accommodation requests, please contact (310) 458-8341 or TTY (310) 458-8696 at least three days prior to the event. All written materials are available in alternate format upon request. Santa Monica Bus Lines 1, 2, 3 and 7 serve City Hall. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the Challenge may be limited only to those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

Espanol

Este es un aviso de una audiencia publica para considerar la designación de una propiedad en la ciudad como un monumento histórico. Para mas información, favor de llamar a Carmen Gutierrez en la División de Planificación al número (310) 458-8341.

Report: Va. Tech could have saved lives

BY KRISTEN GELINEAU
Associated Press Writer

RICHMOND, Va. Virginia Tech officials could have saved lives if they had quickly warned the campus that two students had been shot to death and a killer was on the loose, a panel that investigated the attacks said Thursday.

Instead, it took administrators more than two hours to get out an e-mail warning students and staff to be cautious. The shooter had time to leave the dormitory where the first two victims were killed, mail a letter, and then enter a classroom building, chain the doors shut and kill 31 more people, including himself.

Even before the killings, the university had failed to properly care for the mentally troubled student gunman, Seung-Hui Cho, the panel found.

One victim's mother on Thursday urged Gov. Timothy M. Kaine to "show some leadership" and fire the university's president and campus police chief for their lack of action during the April 16 attack. Others demanded accountability for errors that were made.

Kaine told The Associated Press the school's officials had suffered enough without losing their jobs.

"This is not something where the university officials, faculty, administrators have just been very blithe. There has been deep grieving about this, and it's torn the campus up," Kaine said. "If I thought firings would be the way to do that, then that would be what I would focus on."

Kaine said he wanted to focus instead on fixing the problem. After formally accepting the report, he said parents of troubled children who are starting college should alert university officials, and those officials should "pick up the phone and

call the parent" if they become aware of unusual behavior.

"The information needs to flow both ways," the governor said.

An eight-member panel appointed by Kaine spent four months investigating the worst mass shooting in modern U.S. history and issued its report late Wednesday.

"Warning the students, faculty and staff might have made a difference," the panel. "So the earlier and clearer the warning, the more chance an individual had of surviving."

The first victims were shot shortly after 7 a.m. It wasn't until 9:26 a.m. that the school sent an e-mail to students and faculty warning: "Shooting on campus. The university community is urged to be cautious and are asked to contact Virginia Tech Police if you observe anything suspicious or with information on the case." Cho opened fire inside Norris Hall about 20 minutes later.

Search rescue efforts continue for six trapped Utah miners

BY BROCK VERGAKIS
Associated Press Writer

SALT LAKE CITY A seventh hole drilled more than a quarter-mile deep entered the Crandall Canyon mine before dawn Thursday, clearing the way for a robotic camera to search for any sign of six trapped miners, officials said.

Crews were tapping the drill steel to see if anyone would respond to noise and also testing the air for oxygen content, said Rich Kulczewski, a spokesman for the federal Mine Safety and Health Administration.

He had no results. It was not immediately known when the camera would be low-

ered through the hole, which is nearly 9 inches in diameter and 1,856 feet long.

Meanwhile, the U.S. Labor Department said an independent review will be conducted of MSHA's handling of the Utah mine disaster. Separately, MSHA announced its own investigation, led by the man who was in charge of the review of the Sago mine tragedy in West Virginia, where 12 people died in January 2006.

Richard Gates, an MSHA district manager in Alabama, has been with the agency for 19 years.

"MSHA's investigation will fully examine all available evidence to find the cause of the ground failure at Crandall Canyon mine and any violations of safety and health standards," MSHA chief Richard

Stickler said in a statement.

Six miners have been trapped more than 1,500 feet below ground since Aug. 6.

It is not known if they are dead or alive.

Three rescuers trying to tunnel to the men died during another collapse Aug. 16.

Stickler said the investigation at Crandall Canyon would involve people who have no ties to MSHA's Western district, which oversees safety at the mine, 120 miles south of Salt Lake City.

They include Timothy Watkins, assistant district manager in Kentucky who has ventilation and retreat mining experience; Gary Smith, a supervisor in Pennsylvania who has roof-control expertise; and Joseph O'Donnell who is based in MSHA's district

office in Alabama.

Hours after Stickler's announcement, Labor Secretary Elaine Chao said an independent team of mine-safety experts will review MSHA's handling of the Crandall Canyon mine accident.

The review will look at MSHA's actions before the collapse and during the subsequent rescue operations. The agency is an arm of the Labor Department.

Leading that review will be Joseph Pavlovich of Gray, Ky., a former MSHA district manager and expert on mine rescue, and Earnest Teaster Jr. of King George, Va., a former MSHA administrator for coal-mine safety. Each has been in charge of three post-accident internal reviews.

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Murder case heads to Feds

Immigrant murder trial could be headed to U.S. federal court

BY ARTHUR H. ROTSTEIN
Associated Press Writer

TUCSON, Ariz. A U.S. Border Patrol agent charged in state court with second-degree murder for an illegal immigrant's shooting death is asking to have his case shifted to federal court, and prosecutors aren't objecting.

Attorneys for agent Nicholas Corbett filed notice in U.S. District Court in Tucson asking that the federal courts take jurisdiction over the case. They then filed a notice in Cochise County Superior Court this week removing the case to federal court.

Cochise County Attorney Ed Rheinheimer said Thursday the petition "comes as no surprise and we don't see any grounds to oppose it. We'll just let it run its course."

Sean Chapman, one of Corbett's lawyers, said he could not comment because of the pending motion before a federal court.

Corbett's lawyers claim in the federal filing that his actions were necessary and proper to perform his duties as a federal law enforcement agent. As such, he is immune from state prosecution under the U.S. Constitution, they assert.

The petition, called a notice of removal, has been assigned to U.S. District Judge David Bury. Rheinheimer said he anticipates that the federal court will notify the Cochise

County Superior Court that it is assuming jurisdiction if he doesn't oppose the move.

Rheinheimer called the move "pretty typical" when a federal officer is charged with a state crime for an on-duty action.

Gerald Till, a Cochise County prosecutor who has handled Corbett's case so far, will try the case in U.S. District Court and ask for assistance of a federal prosecutor, Rheinheimer said. A trial would use federal court rules but the state criminal code.

A Dec. 18 trial date had been set in Cochise County court but likely will be meaningless with the transfer to federal court, Rheinheimer said.

Corbett pleaded not guilty at his Aug. 20 arraignment to second-degree murder, manslaughter and negligent homicide charges in connection with the death of Francisco Javier Dominguez Rivera, 22, of Puebla, Mexico.

The shooting occurred Jan. 12 as Corbett was patrolling the border near Naco, in southeast Arizona.

Corbett, 41, told a supervisor he had shot Dominguez Rivera after the man threatened him with a rock. Witnesses, however, said Corbett shot him without provocation.

After a lengthy investigation that included autopsy and forensic reports that reportedly contradicted Corbett's account of the events, Rheinheimer's office charged him with first-degree murder, second-degree murder, manslaughter and negligent homicide.

At an Aug. 6 preliminary hearing, a county judge dismissed the first-degree murder charge but ruled there was enough evidence to proceed to trial on the remaining three charges.

Walter Nash, a prominent Tucson criminal defense lawyer, said it's extremely common to see such a motion filed when federal law enforcement officers face trial in state courts.

"I can't remember a case where that issue has not been raised, immunity and the business of transferring it to a federal court," he said.

Since the issue involves interpretation of federal law, attorneys feel that federal courts deal with it more frequently and offer a better forum to debate it, Nash said.

In addition, if there are really strong

emotions in a smaller community concerning the case, the lawyers will want to get a more diverse jury pool by moving the case to a larger city, he said.

"You always run into an issue when having a small jury pool of not getting enough diversity. I think lawyers think when they get a much larger pool that it's easier for them to find people without a predisposition about the case."

✉ **WHAT DO YOU THINK?**

■ Send letters to editor@smdp.com

Drunk dad busted by cops for letting young son drive

By The Associated Press

FAIRBANKS, Alaska A father who was too drunk to drive had his 11-year-old son get behind the wheel of his pickup and drive them home, authorities said.

Police stopped the boy late Tuesday after he was seen driving the 1992 Chevy truck the wrong way on a one-way street.

The boy's father, Frank Neff, 35, of Fairbanks, was too drunk to drive and had told the child to drive them home, police said.

“MY FRIEND SAID, MAN, DO YOU KNOW WHAT HE IS GOING TO DO? HE’S GOING TO HAVE HIS LITTLE SON DRIVE THE TRUCK.”

Ron Schumann
witness

Neff pleaded no contest to charges of reckless endangerment and contributing to the delinquency of a minor in connection with the incident. He was ordered to spend 15 days in jail and to take parenting classes. The boy wasn't charged.

"When you've got your 11-year-old son who is driving you around who is unlicensed,

that creates a hazard not only for the child but for the public," said prosecutor Joe Dallaire.

The incident took place after Neff had been drinking beer and shots with a friend in an apartment at a downtown building, police said.

"He was really drunk," said Ron Schumann, who saw Neff in the hallway of the building, which has stores and apartments.

Schumann and a friend left the building as the same time as the father and son.

"My friend said, man, do you know what he is going to do? He's going to have his little son drive the truck," Schumann said.

They then followed the pickup with the child driver.

"He was going over the curbs," Schumann said. "He didn't know how to drive."

The boy then turned onto a one-way street.

"We called the police," Schumann said. "We just wanted to get him stopped right away so that he wouldn't go any further."

The boy passed the Fairbanks Police Department, where surveillance cameras reportedly caught him on tape, before officers stopped him, according to court records.

The officer saw Neff lean over and place a seat belt over the boy, the prosecutor said.

Neff told authorities that he had been teaching his son how to drive since the child was 8 years old.

Neff registered 0.193 — more than twice the legal limit — on a preliminary chemical breath test, so a DUI charge would have been likely had Neff been caught driving, Dallaire said.

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**NOTICE OF A PUBLIC HEARING
BEFORE THE SANTA MONICA PLANNING COMMISSION**

SUBJECT: A Public Hearing will be held by the Planning Commission on the following:

The Planning Commission will conduct a public hearing to discuss general policy matters and issues pertaining to the City's ongoing effort to prepare new Land Use and Circulation Elements of the City's General Plan. Regular policy discussion meetings are scheduled on the first Wednesday of each month. Discussion topics are set in advance of the meeting are available at City Hall and online at www.santa-monica.org.

WHEN: Wednesday, September 5, 2007 at 7:00 p.m.

WHERE: Council Chambers, City Hall
1685 Main Street
Santa Monica, California

HOW TO COMMENT
The City of Santa Monica encourages public comment. You may comment at the Planning Commission public hearing, or by writing a letter or e-mail. Information received prior to the hearing will be given to the Planning Commission at the meeting.

MORE INFORMATION
If you want additional information about this project or wish to review the project, please contact Jonathan Lait, AICP, Principal Planner (310) 458-8341. The Zoning Ordinance is available at the Planning Counter during business hours or available on the City's web site at www.santa-monica.org. The meeting facility is wheelchair accessible. If you have any disability-related accommodation request, please contact (310) 458-8341, or TTY Number: (310) 458-8696 at least five (5) business days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, and #8 serve City Hall. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

Help Us Shape the Future! Be part of the effort to create new Land Use and Circulation Elements, and a new Zoning Ordinance. Help shape a twenty year vision and improve the way we get around Santa Monica.
<http://www.shapethefuture2025.net> (Land Use Element)
<http://motion.santa-monica.org> (Circulation Element)



A DAY IN THE Life

A weekly slice of life culled from one of Santa Monica's seven neighborhoods, "A Day in the Life" turns the focus on the everyday and thrusts the oftentimes overlooked into the spotlight.

N O R T H O F M O N T A N A

W E D N E S D A Y , A U G . 2 9 , 2 0 0 7



Photos and text by Christine Chang

GRASS IS GREENER NORTH OF MONTANA: (Clockwise, from above) As Johnny 'Rose Man' Roach waters the rose garden at Palisades Park, a woman walking her dog asks Roach to spray her pooch, 'I get that a lot,' Roach said; parking on Montana Avenue near Ocean Avenue requires knowledge in sign language; Signal Technician Jeff Newman fixes a signal light at San Vicente Boulevard and Seventh Street, one of 180 signalized intersections in the city; two women get their workout in on 'The Stairs' at Adelaide Drive, one dousing herself in water to fight the heat. It was 72 degrees in Santa Monica that day.





THE SUN ALSO SETS

The sun sets over the Santa Monica Mountains on Wednesday, creating a picturesque summer scene. The sun is expected to set at 7:21 p.m. tonight.

Fabian Lewkowicz fabianl@smdp.com

Meteors streak the sky

FROM METEORS PAGE 1

As could be expected when dealing with astronomical dimensions and mind-boggling models, scientists have disagreed about what we may see tonight, leaving some room for error in their calculations, since some models for predicting meteor showers are not yet fully developed.

“Almost anything could happen, from a fizzle to a beautiful meteor shower,” said NASA astronomer Bill Cooke.

In 1994, when Earth last encountered this debris stream, veteran Southern California meteor watchers Bob Lunsford and George Zay reported bright blue-green meteors in a vivid but short-lived shower. Another observer spotted this same stream in 1986.

Robert Lozano, vice president of the 50-member-strong Santa Monica Amateur Astronomy Club, said he and his colleagues weren’t taking any chances.

“You have to go,” he said. “It could be a big dud, but hey, what if it’s spectacular and you miss it? You’ll kill yourself.”

Lozano, a bodysurfing and diving aficionado, sympathized with the researchers’ unenviable job of trying to predict something that is near impossible to pin down.

“It’s like judging the waves, they’re like surfers trying to catch the big surf, but you don’t know what might happen,” Lozano said, trying to find a Santa Monican analogy.

Peter Jennisen, a meteor astronomer at the Bay Area-based SETI Institute, said that watchers this weekend can expect meteors falling at a rate of 200 meteors per hour for a 10-minute peak period around 4:36 a.m., and then 100 meteors per hour for another 25 minutes.

He added that it is best to observe the shower at a location where there is less smog and the moon is not directly visible, because the moonlight can reduce the contrast of the bright meteors against the dark sky.

“It’s much better view from somewhere above the city smog because smog scatters the moonlight and makes the sky brighter,” he said. “But it’s not impossible. Just make sure that the moon itself is blocked by a building or tree when you look.”

Lozano and his club are taking it one step

further. He blamed Santa Monica’s “inefficient” street lighting setups for creating light pollution, and suggested that serious viewers head to Mount Pinos near Frazier Park, a good two-hour drive north of Santa Monica.

While the shower is merely another beautiful spectacle or a chance to make a wish for most Santa Monicans, astronomers will be seizing the opportunity to reinforce some shaky models and confirm hypotheses. Jennisen will lead a team of 24 researchers on two Gulfstream jets to take pictures and videos of the meteors at 45,000 feet. The team will point everything from regular consumer-grade digital cameras to observatory-grade equipment and night-vision lenses out the cabin windows to collect as much data as possible.

“Only in the last 10 years has it become possible to make predictions for unusual meteor showers like this one,” he said. “We’re trying to confirm that the shower has returned, and measure when it peaks and how bright the meteors are going to be. All the information we collect on Saturday morning can confirm that we did the modeling correct.”

Jennisen said that this is the very first meteor shower from a long-period comet ever predicted. Because models from NASA, SETI and CalTech have shown that the Earth’s orbit will not intersect again with this meteor stream until far past 2100, astronomers have also encouraged ordinary watchers to participate in the research by taking pictures and homemade videos and submitting them.

“Chances are that one of you, not us, will catch the brightest Aurigid out there,” he said. “Who’s going to have the picture with the brightest meteor in it? That’s a great thing to try to do with your digital camera.”

As only three people have seen this meteor stream in recent times, potentially anybody could be the fourth living person to witness an Aurigid meteor. Factor in the unique properties of the meteor and its significance in astronomy, and each of us has the chance to grab a chunk of history.

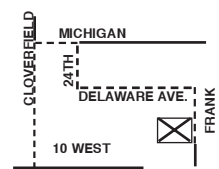
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✉ **WHAT DO YOU THINK?**

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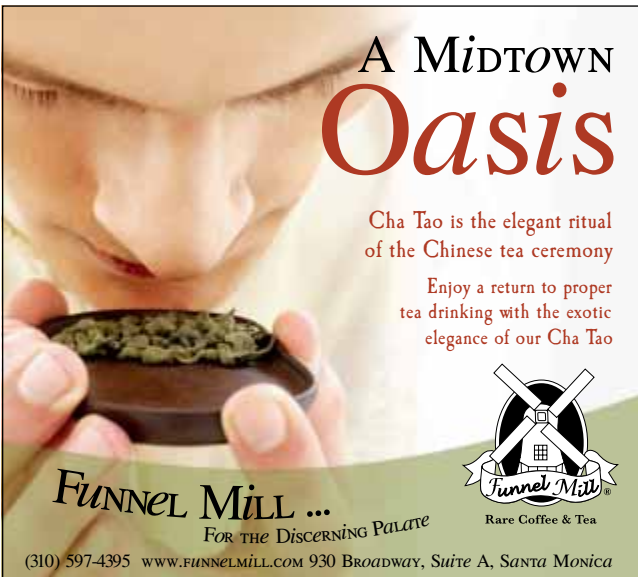
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**City of Santa Monica
Ordinance Number 2237 (CCS)
(City Council Series)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA MONICA SETTING THE 2007/08 TAX RATE FOR
THE LIBRARY GENERAL OBLIGATION BONDS

The following is a summary of Ordinance Number 2237
(CCS) ("the Ordinance") prepared by the Office of the City
Attorney:

The Ordinance sets the Fiscal Year 2007/08 tax rate for
City of Santa Monica general obligation refunding bonds
as follows: for Series 1998 - Main Library Improvement
Project - the tax rate is \$.003316 per \$100.00 of
assessed value; and for Series 2002 - Library
Improvements Project - the tax rate is \$.009809 per
\$100.00 of assessed value.

The Ordinance was adopted on August 14, 2008 and was
effective upon adoption.

The full text of the Ordinance is available upon request
from the office of the City Clerk, located at 1685 Main
Street, Room 102, Santa Monica; phone (310) 458-
8211.



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Try translating this: Edison needs help

BY MELODY HANATANI | Daily Press Staff Writer

PICO NEIGHBORHOOD One of the few dual language immersion schools in Los Angeles County, the Edison Language Academy has long been celebrated for its diversity in both the makeup of its population and curriculum offerings, producing students fluent in both English and Spanish. But masking the program is a less than picture-perfect exterior, with cracks in the dilapidated facilities and general wear-and-tear taking its toll.

That could all change with the K-5 school slated to receive an entirely new school building under the draft of the Facilities Master Plan, a comprehensive outline of the Santa Monica-Malibu School District's future over the next 20 years.

As the master plan is assessed for environmental impacts, district officials continue to discuss the order in which its schools receive a piece of a \$268 million pie, appropriated under Measure BB, passed by voters last year.

Last week, a consultant presented a rough timeline for construction projects at Malibu and Santa Monica high schools, which could begin as early as next year. Similar projections for Edison have yet to be determined.

"It's premature to talk about construction schedule going forward with the EIR process and as the board evaluates the projects," said Tom Tomeoni, program manager for Parsons 3D/I.

A GLANCE AT EDISON

Located at 2425 Kansas Ave., between Stewart Street and Cloverfield Boulevard, Edison Language Academy was constructed in the 1950s and designated as a language school more than 20 years ago, according to Principal Lori Orum.

Approximately 420 students are enrolled for the 2007-08 school year — up from 390 last year, despite projections that overall enrollment in the district would continue to decline due to a moratorium being placed on the acceptance on new non-Santa Monica and Malibu residents.

More than half of the students that attend Edison are Santa Monica residents, the remainder of which mostly live in the Los Angeles Unified School District.

The school is a dual language academy, meaning the students — who enter speaking either English or Spanish — take courses in both languages throughout their six years at Edison. The goal is to achieve proficiency in reading, writing and speaking through immersion, producing students that are bilingual by the time they graduate from high school.

"I would say by the time our kids are done with high school, most of them are impressive," Orum said on Tuesday.

The school curriculum utilizes a 90/10 model — meaning that 90 percent of instruction in kindergarten and first grade are taught in Spanish and the remainder in English. The presence of English in the classroom slides up by 10 percent every year until it reaches 50/50 in the fifth grade.

"We're in such an English language-dominated society that in order to root the Spanish and have a chance of taking off, we really front-load it and that's for everybody," Orum said.

Once the students leave Edison, they continue on in the district's Spanish immersion academy at John Adams Middle School and Santa Monica High School.

Lisa Proft enrolled her son Matthew in Edison, believing Spanish as a second language would be a necessity to have an edge in an increasingly competitive world.

Matthew will be starting the third grade next week, and after a few years at Edison, he can speak conversational Spanish with a fluent speaker his own age, Proft said.

"It's no longer good to have a high school diploma, you have to have a college degree and even to get into college, you need an interesting background," said Proft, whose resides in the Grant Elementary School neighborhood. "Hopefully, this will give him what he needs to get into a good college and succeed."

The proficiency levels of students — both Spanish- and English-speaking — varies immediately following their years at Edison, mainly because they do live in an English-dominated society. For some students, Edison is the only place where they speak Spanish on a regular basis. The English-speaking students usually require more structure

with grammar, though their accents are up to par.

On the other hand, Spanish students can typically speak English with ease, but struggle with reading and writing at grade level.

"The truth about immersion is it's both a language class and content class," Orum said. "It's social studies and Spanish, it's math and Spanish."

LEVELING THE PLAYING FIELD

What sets Edison apart from other SMMUSD schools is the fact that more than half of its campus is comprised of portable buildings.

The campus is a collection of mismatched buildings added over the years, seemingly plotted in random locations, Orum said.

The original school contains a dozen classrooms. There are about 20 classrooms total in the school.

The layout of the school seems awkward and inefficient, the fields and playgrounds spread on the north and east sides of the campus, exposed to the 10 freeway. The buildings are clustered to the south and west sides of the school, surrounding courtyards and gardens planted by the parents to hide the proliferating cracks and chipped paint.

Edison is the only school in the district without an exercise track because its field is sloped.

Many of the issues involve the portable units, which are clustered closer to the east side of the campus. Animals pry off the ventilation screens on the bottom of the units, crawling underneath and dying, oozing an unpleasant stench. The wooden ramps leading to the portable units are chipping, as is the paint.

"Keeping up with the wear-and-tear of wood is challenging," Orum said.

The parents have raised money and volunteered their own labor to beautify the school, recently completing the new butterfly courtyard in the kindergarten area, painting bungalows a sky blue and affixing large wooden butterflies to the classrooms.

"It was way too grim of a place for kinder," Orum said.

Last summer, parents raised more than \$85,000 to redo the largest courtyard on campus, adding greenery and commissioning an artist to paint a mural on the buildings.

Under the Facilities Master Plan, it would cost approximately \$22.9 million to demolish the current school and erect a new one in its place. The layout of the school would be reconfigured to swap the buildings and the playing fields, the former with its back to Virginia Avenue, easing concerns of children playing in the exhaust of freeway traffic.

Parents said they were surprised, some even upset, when they initially heard the proposal earlier this year, considering they had just dropped thousands of dollars on two courtyard projects.

"We all chose this school in spite of the facility," said Grace Phillips, whose son and daughter attend Edison. "We came here when the school looked terrible. There's never a sense of entitlement in needing a new school."

During a workshop when the proposals were presented, at least one parent spoke out against spending so much taxpayer money on Edison since many of its students are non-district residents.

Some parents are concerned that Edison might get slighted when it comes time to appropriate Measure BB funding.

"My concern is we know we have a pot of money, what's going to be done first?" Proft said. "Because we all know who gets in there first gets a project."

One possible change in store for the future of Edison is to transform it into a K-8 school, establishing more continuity for its own students and taking population pressure off John Adams Middle School.

School board president Kathy Wisnicki said Edison is in the greatest need of all the schools because it is comprised of mainly portable classrooms.

"Edison would be one of the priorities that would happen pretty quickly," Wisnicki said. "It's not going to be built next year ... it's going to take a while to get through all of the necessary requirements that we have to do whenever we're doing any kind of building of a school site."

melodyh@smdp.com



Fabian Lewkowicz fabianl@smdp.com
JACKED: Four tires and a stereo were snatched from a Dodge Magnum while parked overnight at the 1000 block of 14th Street on Jan. 18. The car was discovered sitting on cinder blocks. Santa Monica Police report that burglaries are actually down in the city while up on the Westside.

Car burglary spike

FROM BURGLARIES PAGE 3

car in plain site,” Padilla said. “It’s the community reporting on suspicious persons they see.”
“Just the other day we made an arrest of a car burglar because a neighbor saw him breaking into a car and called police.”
Law enforcement officials said the best advice they could give drivers is to not leave any valuables in their cars. Drivers should also keep a clean car, meaning, do not leave any types of bags, purses, sun-

glasses or chargers out where someone walking by could see them. This only tempts thieves, who have no problem smashing a window just to see if there’s anything inside a backpack or case.
If one has a car cover or an alarm, use it, police suggest.
“We have to continue to stay vigilant,” Padilla said. “If you don’t stay vigilant and continue to report these crimes, (the level of auto burglaries) will go back to where it was.”
kevinh@smdp.com

Santa Monicans can sound off

FROM FREE SPEECH PAGE 3

of the 10 worst countries for journalists. The ranking of shame was based on how much press freedom had deteriorated during the last five years.
The CPJ ranked Ethiopia as the worst because the number of journalists in jail climbed from two to 18. The report noted eight newspapers were shut down in 2006, the government blocked news Web sites and two foreign reporters were expelled. The nine other worst countries were Gambia, Russia, Democratic Republic of Congo, Cuba, Pakistan, Egypt, Azerbaijan, Morocco and Thailand.
“The city of Santa Monica is famous for people speaking their minds,” Stevens said, explaining why he chose a patch of grass near the beach, just off Ocean Park Boulevard, as the home for The People’s Voice. “This is a great location with a beautiful view ... Santa Monica just felt right.”
Stevens said he was inspired by the Speakers’ Corner in London, where some of the most influential figures in world history have gathered, including Karl Marx, Frederick Engels and Lenin. Just like the famous gathering spot, The People’s Voice has no entry requirements, no rules of intellectual formality and no class restrictions.
Unlike the Speakers’ Corner, Stevens’ event failed to attract a large crowd. Perhaps it was bad advertising or poor scheduling (the event was held at 10 a.m. on a weekday), but only a handful of people showed up to speak.
However, children from a local summer camp were playing nearby and decided to join in the fun, bringing their teachers along with them. Most of the kids talked about

what they wanted to be when they grow up.
“I want to be a fireman,” one young blonde boy said with a shy smile before he jumped off the box and ran back to his friends.
Stevens beamed at the sight.
“This is what it’s all about,” he said as he watched the children laugh and giggle when their friends took the mic. “It’s important to start early and teach the younger generation about the importance of free speech. This is great.”
Kids weren’t the only one’s who joined in unexpectedly. Two men who were walking nearby were drawn in by Stevens’ words.
Jeff Keller, who took the mic to talk about the media’s focus on celebrities, said he believes The Peoples’ Voice is needed in today’s society in which free speech has been stifled by the federal government in the wake of 9/11, as well as the monopolization of the media.
“Expressing yourself in America isn’t what it used to be,” Keller said while standing on a soap box. “We need to pay attention to our economic growth. The U.S. dollar isn’t what it used to be. We need to wake up.”
“We are in jeopardy of losing the most important war and that’s the economic war.”
Stevens said he is looking at hosting the event on Sundays in the near future. He wants to keep it at the beach and believes, one day soon, the grass will be covered with more than a hundred people wanting desperately to express themselves.
kevinh@smdp.com

ON THE NET
■ The People’s Voice
thepeoplesvoicesantamonica.blogspot.com



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City of Santa Monica Ordinance Number 2236 (CCS) (City Council Series)

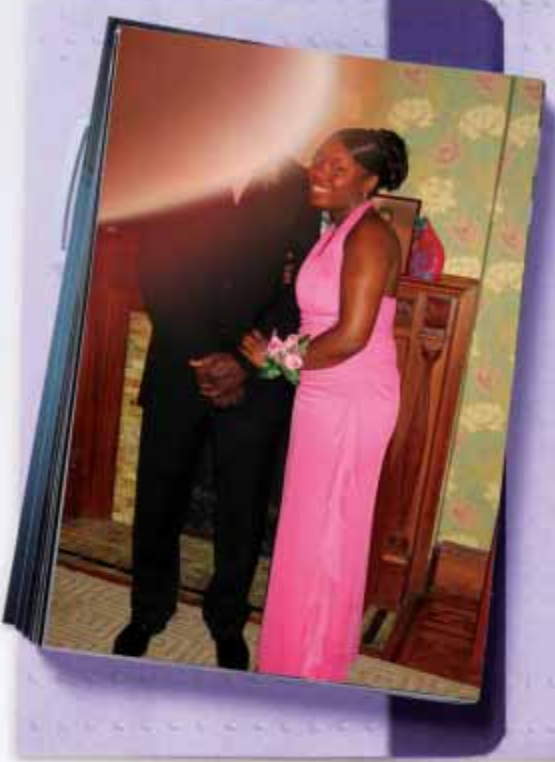
AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA TO EXTEND THE CURRENT INTERIM ORDINANCES MODIFYING FENCE, WALL AND HEDGE STANDARDS, GRANDPARENTING EXISTING NONCONFORMING HEDGES, FENCES AND WALLS, AND ESTABLISHING ADMINISTRATIVE AND DISCRETIONARY HEIGHT MODIFICATION PROCEDURES; TO CLARIFY THE CRITERIA FOR ASSESSING OBJECTIONS TO NONCONFORMING FENCES, WALLS, AND HEDGES; TO REQUIRE ALL LEGAL NONCONFORMING FENCES, WALLS, AND HEDGES TO BE REGISTERED, TO REQUIRE THE MAINTENANCE OF HEDGES; AND SPECIFYING A SELF-HELP REMEDY FOR OVERHANGING HEDGES

The following is a summary of Ordinance Number 2236 (CCS)(“the Ordinance”) prepared by the Office of the City Attorney:

The Ordinance extends and modifies interim standards for the height and other aspects of fences, walls and hedges. It also clarifies the criteria for evaluating pending appeals relating to fences, walls and hedges exceeding height limits and the rights of adjacent owners to remove portions of hedges that encroach upon their property.

The Ordinance was adopted on August 14, 2008 and will become effective 30 days after its adoption.

The full text of the Ordinance is available upon request from the office of the city Clerk, located at 1685 Main Street, Room 102, Santa Monica; phone (310) 458-8211.



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She's mine! Whitney Houston and Bobby Brown battle over daughter

BOBBY BROWN claims in a lawsuit that Whitney Houston has kept him from seeing their teenage daughter.

"I have not seen or spoken to my daughter since early June and I have no prospect of speaking to her anytime soon due to Whitney's actions," Brown declared in Orange County Superior Court filings released last week.

Brown has been trying to overturn a judge's default judgment to nullify the couple's marriage and grant Houston sole custody of 14-year-old Bobbi Kristina.

During a court hearing in April, Houston testified that Brown was "unreliable" and that she didn't need spousal or child support.

Brown disputes her claim, saying he's been

involved in their daughter's life and was her primary caretaker when the couple lived in Atlanta.

When Houston moved to Orange County to undergo drug rehabilitation, Brown said he paid about \$10,000 for his wife and daughter to stay at a posh hotel.

"At the same time, I basically lived out of my car," Brown said.

In other court filings obtained by the syndicated

entertainment TV show "Extra," Houston disputes that she is keeping Brown and their daughter apart and says she "would like him to be involved" in Bobbi Kristina's life.

"Frankly, I needed to be divorced from him so that I could get my life back on track," the singer said.

Houston, 44, and Brown, 38, wed in 1992, when she was at the height of her fame as a

Grammy-winning superstar known for hits such as "I Will Always Love You."

Brown, a former member of New Edition, gained solo fame with singles such as "Don't Be Cruel" and "My Prerogative."

During their 14-year marriage, Brown was arrested for drugs and alcohol, and Houston twice entered drug rehab programs.

ASSOCIATED PRESS

CONCERT-GOER FILES LAWSUIT

A woman has filed a lawsuit alleging she was trampled by a frenzied crowd after a large amount of cash was thrown into the crowd during a concert by rapper **LIL' WAYNE** at Morgan State University last October.

Tyrique Layne was a 17-year-old freshman at Morgan State when she attended the show.

According to the lawsuit, someone – either Lil' Wayne or members of his entourage – threw money into the crowd during the rapper's performance, a stunt known as "making it rain." AP

Photo of Princess Di to raise cash for Peru

Mario Testino will auction a signed photo of **PRINCESS DIANA** to raise money for victims of the recent earthquake in his homeland of Peru.

His photo, which shows a smiling Diana wearing a black dress, first appeared in Vanity Fair magazine in 1997.

The image was used on invitations to the recent Wembley Stadium concert organized by Prince Harry and Prince William to honor their mother's memory.

Diana died in a Paris car crash on Aug. 31, 1997. A

memorial service was to be held in London on Friday to mark the 10th anniversary of her death.

"I have decided to auction an image of Diana to help the people in Peru because, for me, Diana went out of her way to help people," the fashion photographer said Wednesday.

The auction will be held Nov. 20 in London by Phillips de Pury & Co. Proceeds will go to the Save the Children charity.

AP



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

Mosey on home, Capricorn

Happy Birthday!

This year, make it your job to work more often with others individually. You might focus on one partnership exclusively. This new attention could make a big difference in the feelings between you and others. A relationship that might have been remote in the past could become quite close this year. If you are single, you could land in a significant relationship before you know it. If you are attached, you will want to create a concrete expression of your love. **ARIES** loves your attention.



Born Today
Actor Richard Gere (1949)
Black Panther activist Eldridge Cleaver (1935)
Pro wrestler Jeff Hardy (1977)

Jacqueline Bigar is on the Internet at <http://www.jacquelinebigar.com>
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ARIES (March 21-April 19)

★★★★★ The time might have arrived to manifest a long-term dream. Ask yourself what is stopping you. You might be surprised by a past reason or excuse that no longer holds water. Tonight: What would put a smile on your face? Do just that.

TAURUS (April 20-May 20)

★★ Take your time making a personal decision. Though you might seek out advice from many different sources, ultimately the decision is yours. . You might be surprised by how a matter resolves itself. Tonight: Get a good night's sleep.

GEMINI (May 21-June 20)

★★★★★ Don't stop; continue on a predetermined path. You will like what goes on. Express your caring not only through actions but also through words. Your creativity surges. Suddenly the adventuresome Twin emerges. Tonight: Go for what you honestly want.

CANCER (June 21-July 22)

★★★★ You might want to rethink a decision that takes you to a new place. Know that the responsibility is on your shoulders. A partner's imagination is triggered by a conversation. Tonight: Start exercising, if you haven't already.

LEO (July 23-Aug. 22)

★★★★★ Take in a new perspective by letting go of some pre-conceived ideas. You suddenly feel as if a door has opened. Others will respond imaginatively to you as a result. Make sure you don't put someone on a pedestal. Tonight: Try a new place.

VIRGO (Aug. 23-Sept. 22)

★★★★★ A partner might be unusually responsive. Make a point of creating special time for this person. Allow yourself to flow with the moment. You might be revising your ideas about a certain domestic situation. Tonight: Togetherness works.

LIBRA (Sept. 23-Oct. 22)

★★★★★ Others have often lent you a sensitive ear. Now you have the opportunity to return the favor. You might be daydreaming about a situation or person. Be sure that you are grounded in your perspective, or you could be disappointed. Tonight: Say "yes."

SCORPIO (Oct. 23-Nov. 21)

★★★ Focus on getting the job done. Your mind could be drifting to a personal matter. Think in terms of making positive changes that will enhance your financial security. Know when to say "no" to spending. Tonight: Relax with the moment.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Your very playful side emerges when speaking with a child or loved one. Certainly you are seeing people in their best light. You might know what someone is going to say before he or she actually verbalizes it. Tonight: Do only what appeals to you.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Basics count and will make a difference in a hot situation. Right now you can calm down others and perhaps chill out a problem. You might have a hunch about money. Be sure you can afford to be wrong. Tonight: Mosey on home.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Speak your mind openly, and you'll make a difference. A loved one, child or potential romance might make a downright assertive action. You seem to know what is going to happen before it happens. Tonight: Speak your mind.

PISCES (Feb. 19-March 20)

★★★ Investigate what is at the bottom of a money problem. You might be making the situation far more difficult than it is. Try to have an important conversation with a family member or a trusted friend. Tonight: At home.

MOVIEGUIDE

AERO THEATRE
1328 Montana Avenue
(310) 395-4990

Ziggy Stardust and the Spiders From Mars (PG)
7:30

AMC LOEWS BROADWAY 4
1441 3rd Street
(310) 458-1506

Balls of Fury (PG-13)
11:50am, 2:05, 4:25, 7:10, 9:45
Bourne Ultimatum, The (PG-13)
1:15, 4:05, 6:55
Harry Potter and the Order of the Phoenix (PG-13)
1:40, 9:55
Illegal Tender (R)
9:30
Ratatouille (G)
11:15am, 1:50, 4:30, 7:05
Resurrecting the Champ (PG-13)
11:20am, 4:45, 7:35, 10:05

AMC 7 SANTA MONICA
1310 3rd Street
(310) 289-4262

The Bourne Ultimatum (PG)
11:05am, 1:50, 4:40, 7:35, 10:30
Death Sentence (R)
11:35am, 2:20, 5:00, 7:55, 10:40
Hairspray (PG)
11:15am, 1:55, 4:35, 7:20, 10:00
Mr. Bean's Holiday (G)
11:00am, 1:15, 3:30, 5:45, 8:05, 10:25
The Simpsons Movie (PG-13)
11:25am, 1:45, 4:20, 7:00, 9:30
Stardust (PG-13)
11:10am, 2:05, 4:55, 7:45, 10:35
War (R)
11:45am, 2:15, 4:45, 7:30, 10:05

LANDMARK NUWILSHIRE
1314 Wilshire Blvd
(310) 281-8223

Death at a Funeral (R)
12:30, 2:45, 5:00, 7:30, 10:00
Right at Your Door (R)
1:00, 4:00, 7:00, 9:45

LAEMMLE'S MONICA
FOURPLEX
1332 2nd Street
(310) 394-9741

The 11th Hour (PG)
12:15, 2:45, 5:10, 7:40, 10:00
2 Days in Paris (Deux jours a Paris) (R)
12:00, 2:30, 5:00, 7:30, 9:55
Becoming Jane (PG)
1:45, 4:30, 7:10
Delirious (NR)
9:45
Self-Medicating (R)
1:30, 4:15, 7:00, 9:40

MANN'S CRITERION THEATRE
1313 3rd Street
(310) 395-1599

Halloween (R)
12:00, 2:30, 5:00, 7:30, 10:00, 12:30am
The Invasion (PG-13)
12:30, 11:00
Ladron que Roba a Ladron (PG-13)
12:10, 2:40, 5:10, 7:40, 10:30
Nanny Diaries, The (PG-13)
11:50am, 2:20, 4:50, 7:20, 10:10
Rush Hour 3 (PG-13)
12:40, 3:00, 5:20, 7:50, 10:20
Superbad (R)
1:10, 2:50, 4:10, 5:30, 7:10, 8:10, 9:50, 12:20am

Janric Classic Sudoku

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

Difficulty
SILVER

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

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GETTING STARTED

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

SOLUTIONS TO YESTERDAY'S PUZZLE

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

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Bus: 310-696-0555
Monday-Friday 8:30am-5pm

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Girls and Sports



The Meaning of Lila



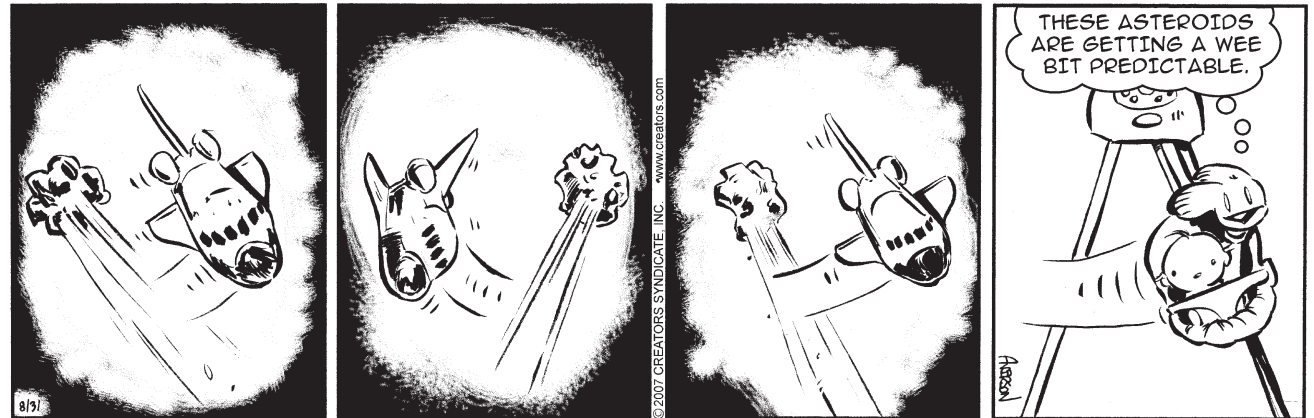
The Other Coast



Garfield



Dog eat Doug



The Dinette Set by Julie Larson



Strange Brew By John Deering



Speed Bump By Dave Coverly



MYSTERY PHOTO
The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to editor@smdp.com.

CROSSWORD
By THOMAS JOSEPH

- ACROSS**
- 1 Lacks direction
 - 6 Derby winner's prize
 - 11 Blue hue
 - 12 Minor no more
 - 13 Tibetan monks
 - 14 Animated
 - 15 Hack-berry, e.g.
 - 16 Numerical prefix
 - 18 Crony
 - 19 Take in
 - 20 Crony
 - 21 Jargon suffix
 - 22 John Clayton's alias
 - 24 Urge on
 - 25 Sawbuck
 - 27 Aspirin target
 - 29 Understand
 - 32 Loafer part
 - 33 Sleepy's pal
 - 34 Bit of history
 - 35 Man-mouse link
 - 36 Bible boat
 - 37 Assist
 - 38 Truck part
- DOWN**
- 40 Stage
 - 42 Like radon
 - 43 Singer — Marie
 - 44 Gives a hoot
 - 45 Kinds

P	A	S	T	E		S	W	E	P	T
E	V	E	R	Y		C	A	N	O	E
R	E	T	I	E		A	L	D	E	N
			D	O	W	E	L	L		
A	B	E		A	Y	E		S	A	M
D	I	S	U	S	E		A	E	R	O
I	R	I	S	H	S	E	T	T	E	R
E	D	G	E		O	N	E	T	W	O
U	S	N		A	R	T		H	E	N
				P	I	E	R	C	E	
F	A	R	E	S		A	L	O	U	D
I	D	E	A	L		P	A	R	S	E
N	O	B	L	E		S	P	Y	O	N

Yesterday's answer

- 8 Regional shows
- 9 Texas city
- 10 Gave a coif
- 17 Seeks, as office
- 23 Last letter
- 24 Cooking need
- 26 Cartons
- 27 Like some clocks
- 28 Sun halo
- 30 Fix one's bearings
- 31 Coarse-spun cotton
- 33 Pub game
- 39 Mine material
- 41 Recent: Pref.

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1	2	3	4	5		6	7	8	9	10
11						12				
13						14				
15					16	17			18	
19					20				21	
22			23				24			
		25				26				
27	28				29				30	31
32				33				34		
35				36				37		
38			39			40	41			
42						43				
44						45				

DAILY LOTTERY

MEGA MILLIONS 37 40 48 53 56
Meganumber: 44
Jackpot: \$325M

Super LOTTO 17 18 19 31 33
Meganumber: 16
Jackpot: \$93M

Fantasy 5 15 19 29 30 33

DAILY 3 MIDDAY: 2 5 4
EVENING: 5 9 0

DAILY DERRY 1st: 11 Money Bags
2nd: 10 Solid Gold
3rd: 06 Whirl Win
RACE TIME: 1.41.98

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ **Compelling Explanations:** (1) Cheveon Ford, 21, was arrested in Pensacola, Fla., in July and charged with making false 911 calls; according to authorities, Ford's only explanation was that he had no more minutes on his phone and knew that 911 calls were free. (2) In Rochester, N.Y., in June, Eric Kennedy, 38, was sentenced to 12 years in prison for molesting an underage girl over a three-year period, which he partly attributed to his poor eyesight, in that at times he might have mistaken the girl for her mother, with whom he was living.

■ **Ironies:** Florida state Rep. Bob Allen was a co-sponsor earlier in 2007 of legislation to increase the penalty for "public lewdness and indecent exposure," such as trolling for sex partners in public restrooms (upping the crime from a misdemeanor to a felony). The bill did not pass, which was lucky for Rep. Allen, who was arrested in July in a men's room in Titusville when undercover officers said he entered and exited three times in the space of a few minutes, peered over a restroom stall and offered oral sex for \$20.

TODAY IN HISTORY

1920 First news radio program broadcast in Detroit, Michigan.

1943 The USS Harmon, the first U.S. Navy ship to be named for a black person, is commissioned.

1948 Actor Robert Mitchum was arrested in a Hollywood drug raid. He would later be found guilty of criminal conspiracy to possess marijuana and was sentenced to 60 days in prison.

1963 Walter Cronkite began his stint as anchor of the "CBS Evening News."

1968 Garfield Sobers becomes the first cricketer to hit 6 sixes in one over.

1986 Aeromexico Flight 498 collides with a Piper PA-28 over Cerritos, California, killing 67 in the air and 15 on the ground.

1997 Diana, Princess of Wales, dies in a car crash in Paris.

1999 A LAPA Boeing 737-200 crashes during takeoff from Jorge Newbury Airport in Buenos Aires, killing 65, including 2 on the ground.

2005 A stampede on Al-Aimma bridge in Baghdad kills 1,199 people.

WORD UP!

supernal \soo-PUR-nuhl\, *adjective*: 1. Being in or coming from the heavens or a higher place or region. 2. Relating or belonging to things above; celestial; heavenly. 3. Lofty; of surpassing excellence.

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--	---	--	---	--	--

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Please fax resume to: 310-516-7422

COUNTER HELP/BAKERS needed!
Newly opened Grateful Bread Bakery, on Montana Avenue & 15th Street in Santa Monica. Immediate part time & full time openings. Apply in person or call Ty at the bakery (310)394-7178. www.gratefulbread.org. gratefulbread2@gmail.com

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HOSPITALITY management company seeking a part time Office Assistant to assist the HR Director. Must have a mature attitude and understand concept of Human Resources. Lots of filing and knowledge of Word/Excel for input tasks. Interviewing in Burbank, job location in WLA. \$11/hr. Call Personnel at (310) 453-4289 Barrington Staffing

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OCEAN House, an elegant assisted living community, is looking for an ideal candidate with a positive attitude to provide housekeeping services for our elderly residents. Prior hotel or senior living community experience a plus. Job duties include daily cleaning of apartments and common areas. The position is part-time. Meal plan is available as well. Please come by and fill out an application at 2107 Ocean Ave. SM, 90405.

IMMEDIATE POSITIONS available in the Environmental Services Department. Looking for part time housekeepers/floor techs. Hospital Experience preferred. Call (310)829-8431 for interview.

LIGHT OFFICE Work; P/T A.M.'s 10-15 hrs/wk. fax info 310-319-1335 or colin@drpaoletti.com.

LOOKING FOR A GREAT PART TIME JOB?

A leading Market Research Company is looking for Hosts/Hostesses for its Los Angeles Focus Group facilities located in Santa Monica. Must have previous experience in Hospitality, Hosting, Hotel or Wait Staff or in Market Research or related field. Interested applicants must be computer literate, responsible and flexible, well spoken and have previous experience with direct client interaction both in person and on the telephone. Job responsibilities include greeting clients, meal serving/clearing, audio & video recording as well as basic office and reception duties. Please email with "CSR Position" in subject line for consideration to mnorris@focuspointglobal.com.

TOW TRUCK drivers needed. Towing company is hiring drivers, will train. Must be able to pass drug and alcohol test with clean driving records. 2200 Centinela, Los Angeles, Cross st. Olympic. Please contact (310)923-8888

MOVE-IN COORDINATOR
Ocean House, an upscale retirement community, is looking for an ideal can-

Employment

didate to work part time as a Move-In Coordinator. Job duties include assisting new residents moving in with all required paperwork, making sure apartments are ready, giving tours of the community and assisting as necessary with the sales and marketing efforts. This position is part time, 3 days per week. Prior experience in an assisted living facility is a plus. If you are interested, please come by and fill out an application at 2107 Ocean Ave., SM, 90405 or fax a resume to (310) 314-7356.

MUSIC AIRPLAY CAMPAIGN SALES POTENTIAL \$80,000 P/T. (310)998-8305 XT 83

SANTA MONICA Nissan as an immediate opening for a Warranty Administrator in the service department. We pay top \$ based on experience. Nissan/Automotive experience preferred but not mandatory. We're looking for a team player with strong administrative skills, who's well organized and self-motivated. Please contact Todd Maroot, Service Director for Santa Monica Nissan. 310-998-2222 ext 182.

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For Sale

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SANTA MONICA Condo. 1301 Franklin unit 11. 2+1 stove, fridge, microwave, tile floors, dish washer hardwood floors. Laundry. Intercom entry. Gated, shared garage parking. No pets. \$2350 (310)578-7512 jkwproperties.com

For Rent

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Studio/ 1BD/BA Carpet, Pool spa, Gated Grt loc \$975//MO
2bd/2Ba Carpet, Fan, F/P, D/W, Gym , Pool, Cat ok \$1650/MO
We have others From \$650.00 310-276-0881
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WLA LARGE 3+2, has three patios, view, and gardens, gated entry, on top of hill, private driveway. 3 park. \$2650/mo. (310)390-4610

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6%

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APR 7.25%

6**

3 YEAR/1 ARM

APR 7.275%

5.75**

1 YEAR/1 ARM

APR 7.35%

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6 MO./6 MO. ARM

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1 MO./1 MO. ARM

APR 8.25%

1.25**

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Notices

NOTICE OF TRUSTEE'S SALE TS No. 07-19877 Doc ID #0001146149452005N Title Order No. 07-8-070106 Investor/Insurer No. 1700434220 APN No. 4284-026-026 YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 10/27/2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER." Notice is hereby given that RECONTRUST COMPANY, N.A., as duly appointed trustee pursuant to the Deed of Trust executed by CATALINA PERINISCO, AND VITTORIO VIOTTI, WIFE AND HUSBAND AS JOINT TENANTS, dated 10/27/2005 and recorded 11/03/05, as Instrument No. 05 2662849, in Book , Page), of Official Records in the office of the County Recorder of Los Angeles County, State of California, will sell on 09/06/2007 at 10:30AM, AT THE WEST SIDE OF THE LOS ANGELES COUNTY COURTHOUSE, DIRECTLY FACING NORWALK BLVD., 12720 NORWALK BLVD., NORWALK, CA at public auction, to the highest bidder for cash or check as described below, payable in full at time of sale, all right, title, and interest conveyed to and now held by it under said Deed of Trust, in the property situated in said County and State and as more fully described in the above referenced Deed of Trust. The street address and other common designation, if any, of the real property described above is purported to be: 2525 14TH ST APT 3, SANTA MONICA, CA, 904052636. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. The total amount of the unpaid balance with interest thereon of the obligation secured by the property to be sold plus reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$366,650.08. It is possible that at the time of sale the opening bid may be less than the total indebtedness due. In addition to cash, the Trustee will accept cashier's checks drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank

Notices

specified in Section 5102 of the Financial Code and authorized to do business in this state. Said sale will be made, in an "AS IS" condition, but without covenant or warranty, express or implied, regarding title, possession or encumbrances, to satisfy the indebtedness secured by said Deed of Trust, advances thereunder, with interest as provided, and the unpaid principal of the Note secured by said Deed of Trust with interest thereon as provided in said Note, plus fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. DATED: 08/17/2007 RECONTRUST COMPANY, N.A. 1757 TAPO CANYON ROAD, SVW-88 SIMI VALLEY, CA 93063 Phone: (800) 281 8219, Sale Information (805) 578-6618 RECONTRUST COMPANY, N.A. is a debt collector attempting to collect a debt. Any information obtained will be used for that purpose. ASAP# 884882 08/17/2007, 08/24/2007, 08/31/2007

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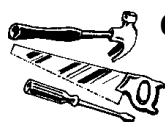
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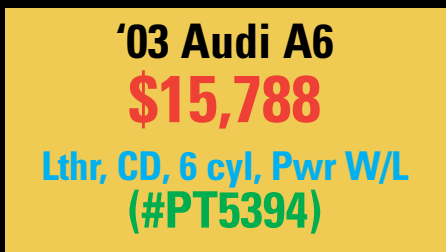
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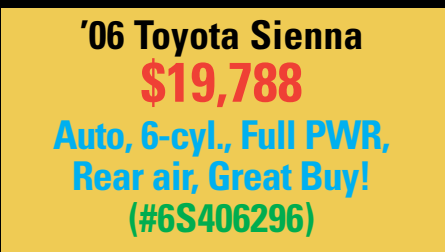
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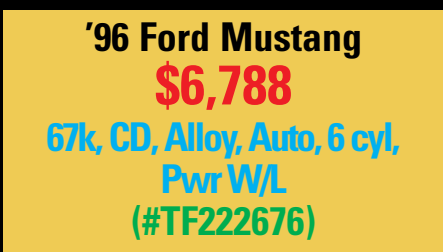
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