

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

37, 32, 28, 31, 15

DAILY 3

Afternoon picks: 7, 2, 7

Evening picks: 7, 9, 2

DAILY DERBY

1st Place: 2, Lucky Star

2nd Place: 12, Lucky Charms

3rd Place: 8, Gorgeous George

Race Time: 1:47.74



NEWS OF THE WEIRD

by Chuck Shepard

■ Three teenagers with paintball guns terrorized kids on a playground until they fired into the wrong group of kids, one of whom returned fire with a real gun, wounding two paintballers (Pittsburgh).

■ An expert in workplace violence for the Hawaii state government was allegedly roughed up by his supervisor in a policy dispute (Honolulu).

■ The government of India's West Bengal state began distributing copies of the venerable Kama Sutra sex guide to teach prostitutes creative ways to give pleasure to clients without AIDS-risky penetrative sex.



QUOTE OF THE DAY

"What do people mean when they say the computer went down on them?"

— Marilyn Pittman

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Not forgotten ...



John Wood/Daily Press
About 75 people gather at center court on the Third Street Promenade on Thursday for a candlelight vigil to remember the thousands of victims who died in the Sept. 11, 2001 terrorist attacks.



Homeless feeding law to be enforced

Lawsuit still pending

BY JOHN WOOD
Daily Press Staff Writer

Almost one year after it was passed, a law designed to stop homeless feedings in Santa Monica parks is being enforced for the first time, officials said Thursday.

A judge last month dismissed a lawsuit that challenged the law's constitutionality.

"The ordinance was upheld and so we'll go forward with the enforcement," City Attorney Marsha Moutrie said.

But Carol Sobel, the lawyer representing the non-profit group contesting City Hall, filed an appeal to the judge's ruling Thursday. Sobel, who says the ordinance is a violation of First Amendment rights, said it's no surprise that Los Angeles Superior Court Judge Manuel Real ruled the way he did and she is confident his finding will be overturned.

"This judge is the worst judge in the district. He doesn't care

what the law is," Sobel said. "He is the most reversed judge in the district, so I had no expectation of anything else."

"I don't know how they're going to enforce this, frankly. They're going to be hard pressed to start prosecuting them."

— CAROL SOBEL
Attorney,
Food Not Bombs

The controversial ordinance, which has been embraced by local businesses and has drawn fire from charities, was passed by the City Council in October in response to the large groups of people that regularly receive free food from

See LAW, page 6

Bubba Gump restaurant ready for construction

Plans for 326-seat restaurant and bar tweaked by City Council

BY JOHN WOOD
Daily Press Staff Writer

A new, three-story Bubba Gump Shrimp restaurant is slated to open on the Santa Monica Pier next summer, where the 50-year-old Boathouse restaurant building now stands.

Developers for the movie-themed chain outlet, which has been in the works since September of 1998, asked city officials on Tuesday to ease construction regulations and increase the amount of alcohol they can sell.

The City Council granted their requests in exchange for a few design changes. Demolition is set for the next two months. Developers say the six-month construction process will begin as soon as they get the required permits.

"We're more excited about this project than any other that we've been involved in recent years," said Bubba Gump CEO and president Scott Barnett, adding that Santa Monica's \$4-million-plus Bubba Gump will be the 14th nationwide. "We are not out of the woods yet. We still have to get out of building and safety."

The new, 9,000-square-foot restaurant will offer two floors of outdoor seating, 314 restaurant seats and a bar. Architect Howard Lakes described the building as a "neo-Italian waterfront design," in line with what pier officials encourage.

Bubba Gump is expected to pay City Hall \$10,417 in base rent a month, plus \$1,889 annually for common maintenance and 2.5 percent of the restaurant's food, beverage and retail gross sales. The city owns the pier and its buildings.

Barnett Tuesday asked the City Council to relax some guidelines governing the project.

Barnett said that putting a sound

blanket and plywood around the construction site, as City Hall had mandated, would be too expensive and not provide a great benefit to neighboring businesses on the pier. Instead, Barnett offered to construct a chain-link fence with plywood on the front of the site.

And, in an unprecedented move, Barnett offered to compensate the other pier vendors for lost business during the estimated three-week pile-driving process.

City officials appeared surprised and pleased by the suggestion but didn't discuss it at length.

Asked if City Hall would hold him to his offer, Barnett said, "I'm not really certain how it ended, but I meant what I said ... If it really is an issue for (the vendors), maybe we can help them move their carts further away or in some way make this amenable to them."

Barnett also said it was unfair

See BUBBA GUMP, page 6

Boathouse's \$50M suit sinks

BY CAROLYN SACKARIASON
Daily Press Staff Writer

The owner of a local restaurant kicked off the Santa Monica Pier to make way for a chain eatery has dropped her \$50 million lawsuit against City Hall.

Boathouse owner Naia Sheffield in 2001 sued both City Hall and the Pier Restoration Corp., claiming

her restaurant was unfairly evicted from the pier to make way for Bubba Gump Shrimp.

After countless hours and thousands of dollars spent, Sheffield realized earlier this year that it was too expensive to fight City Hall.

"They exhausted all of my money," she said, referring

See BOATHOUSE, page 5

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★★-So-so ★-Difficult

HAPPY BIRTHDAY for Friday, September 12, 2003:

Your ability to get past obstacles will mark your year. An older relative or friend often could serve as a muse, inspiring greater creativity and productivity. Your home life develops to a higher priority than in past years. Relating closely also becomes important. If you are single, someone quite special will knock on your door. You start a new 11-year luck cycle, which could also be marked by a significant relationship. If attached, the two of you forge together toward a stronger bond. Relate to your sweetie more often on a one-on-one level. The more open you are, the more successful your tie will be. ARIES cares.

ARIES (March 21-April 19)

★★★★ A domestic matter could set you back, but once more, that strong intellectual ability to think outside of the box comes through for you. Read between the lines and find the right answer. A drive helps clear your mind and refreshes your thinking. Tonight: Finally time to do what you want.

TAURUS (April 20-May 20)

★★★★ What someone says could hurt your feelings or force you in a new direction. Could it be that you are overly sensitive or pushing the line? Be honest with yourself. Take some time alone to do some heavy thinking. Tonight: You need time away from it all.

GEMINI (May 21-June 20)

★★★★ A financial matter forces you to do some thinking and evaluating. Have you been kidding yourself about the net results of some overindulgence? A partner does what he or she can to make you smile. Schedule time with your friends. Tonight: Find a party or throw one yourself.

CANCER (June 21-July 22)

★★★★ Take charge. You need to rethink a professional or personal matter that could be weighing on you. Your work could be a primary issue. You might need to revamp your thinking or head in a new direction. Tap into a respected friend's opinions. Tonight: Could be a late night.

LEO (July 23-Aug. 22)

★★★★ A low-level depression might be getting the best of you. Be honest about what is going on within yourself. Take a broad look at this situation. You might try a different way of dealing with this issue. A relationship helps recharge your spirit. Tonight: Read between the lines.

VIRGO (Aug. 23-Sept. 22)

★★★★ A friend might disappoint you, but not a loved one. Learning whom you can count on could make a huge difference in how you feel. Be sensitive to an older relative or boss who has great ideas. Look at possibilities together. Tonight: Join a friend.

LIBRA (Sept. 23-Oct. 22)

★★★★ You might want to defer to others, especially as it appears you cannot do anything right now. Pull back and allow others to reveal their cards. As a result, you could understand why you suddenly might feel a bit off. Ask and question. Tonight: Just don't be alone.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Information that comes forward could force you to work longer and harder than you might really want to. An expenditure could help you streamline your present obligations. You might feel like you want to handle this project on your own. Tonight: As late as you need to work.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Emphasize the creative process, especially as someone might say "no" to a request. Ingenuity helps you cut through the issue and find solutions. Allow yourself to be more playful with and open to a child or loved one. Tonight: Add a touch of flirtation.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ You might want to build a better understanding with a key associate but get mixed on the way. Share more of your deep feelings with a loved one or dear friend. Seriously listen to and evaluate another perspective. Tonight: Head on home.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Return calls. Clear your desk. Do what is necessary to complete your work. You will want to breeze out of the office and into the weekend without a last-minute snafu. If you are tired, simply say so. Your friends will pitch in. They want you with them! Tonight: Do the Friday-night thing.

PISCES (Feb. 19-March 20)

★★★★ A loved one or child could be a big disappointment. As a result, you might want to take a break. A walk at lunchtime could help you gain a fresh perspective. Throw yourself into work, and you'll feel better. Tonight: Go shopping.

Santa Monica Daily Press

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1427 Third Street Promenade, Ste. #202 • Santa Monica, CA 90401 • www.smdp.com

PUBLISHER

Ross Furukawa ross@smdp.com

EDITOR

Carolyn Sackariason sack@smdp.com

STAFF WRITER

John Wood wood@smdp.com

ADVERTISING SALES MANAGER

Rob Piubeni rob@smdp.com

ADVERTISING ACCOUNT EXECUTIVE

Steve Averill steve@smdp.com

PRODUCTION MANAGER

Del Pastrana del@smdp.com

PRODUCTION ASSISTANT

Alejandro Cantarero alex@smdp.com

ADMINISTRATIVE TRAFFIC MANAGER

Elise De Ford elise@smdp.com

CLASSIFIED REPRESENTATIVE

Mitch Troy mitch@smdp.com

CIRCULATION MANAGER

Robert Deamicis Rob@smdp.com

CIRCULATION

Keith Wyatt keith@smdp.com

SPECIAL PROJECTS

Dave Danforth dave@smdp.com

MASCOT

Maya Furukawa maya@smdp.com

LOCAL



Rooftop work



John Wood/Daily Press
A crane lifts roofing supplies to the top of the clocktower building in downtown Santa Monica on Thursday. The \$60,000 roofing job for the classic building is expected to take two weeks and will begin next week.



The new WSW will start to build this afternoon setting up some very inconsistent waist-chest high surf for the best spots.

OUTLOOK: The new WSW will hold through the weekend. These little waves look like they'll make the weekend fun.

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

Today the water is:

69°

Sunrise: 6:28 a.m.
Sunset: 7:37 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	1:32	-0.4	12:59	2.7	8:21	4.2	7:02	6.1
SUNDAY	2:16	-0.6	1:50	2.3	8:52	4.5	7:52	6.3
MONDAY	2:54	-0.7	2:33	1.9	9:21	4.7	8:36	6.3
TUESDAY	3:27	-0.6	3:12	1.6	9:48	4.9	9:15	6.2
WEDNESDAY	3:56	-0.3	3:49	1.3	12:13	5.0	9:51	6.0
THURSDAY	4:23	0.0	4:24	1.2	10:37	5.1	10:27	5.6
FRIDAY	4:48	0.5	5:01	1.1	11:01	5.2	11:02	5.1

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Suspected burglar caught

By Daily Press staff

Police arrested a man for burglary Wednesday after he was found allegedly hiding inside in a posh Santa Monica home after the owner heard noises while she was sleeping.

Antonio M. Martinez, 25, of Los Angeles, was arrested by Santa Monica Police, who responded to a residential burglary call at 4:15 a.m. in the 300 block of Ninth Street. SMPD police officer Sickles and his K-9 partner, Buddy, searched the home and found Martinez, who had several pieces of jewelry on him. SMPD was able to match the jewelry to

missing pieces taken from homes in Beverly Hills and Los Angeles.

SMPD detectives are working with police in surrounding jurisdictions to determine if Martinez is connected to other residential burglaries.

Martinez was taken to Santa Monica Jail and his bail has been set at \$50,000.

The District Attorney's Office on Thursday filed one count of residential burglary, one count of receiving stolen property and probation violation against Martinez.

Anyone with information regarding the incident is encouraged to call SMPD detective Bambrick at (310) 458-8932.

'California Grown' zone today

By Daily Press staff

Santa Monicans will be given the opportunity to experience a grape stomp, troll for salmon and learn why avocados aren't just for guacamole.

The first-ever "California Grown" Zone brings the farm to the beach on Sept. 12-14. This free, hands-on event provides Southern California residents with opportunities to connect to agriculture in unexpected ways, including an authentic grape stomp, soothing avocado spa treatments, simulated salmon fishing, artistic cheese

carving demonstrations, creative garlic braiding and a chicken clucking contest.

Nearly 200 local students from McKinley Elementary and Grant Elementary in Santa Monica, and 6th Avenue Elementary in Los Angeles, are scheduled to attend the event this morning as part of their educational focus on California and agriculture.

The event will take place at the Santa Monica Pier today from 10 a.m. to 4 p.m., as well as Saturday and Sunday, from 2 p.m. to 8 p.m. Participants should meet at 200 Santa Monica Pier.

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OPINION

LETTERS

Homeless columnist's suggestion flawed

Editor:

In his Sept. 8 column, (SMDP, page 4), Charles Springer called on landlords to offer "rent control prices," in order to house the homeless. He cites 16,000 vacancies on Westside Rentals as proof there is a "glut."

What Springer kindly omits is that rent control is responsible for high market rents and units remaining vacant. Because rent control still applies, any landlord who asks less than market is locking himself into a long-term unilateral contract, from which there is no escape. Thanks, but no thanks.

John Imhoff III
Santa Monica

Keep the 10 commandments in church

Editor:

In response to E. Singer's letter (SMDP, Sept. 11, page 4). To answer your "intriguing" question. The secular public doesn't necessarily find the 10 commandments so offensive. What is offensive is people like you who want to shove it in everyone's faces. Put your 5,000-pound graven images in your church, not in public buildings and they won't offend the rational, secular public.

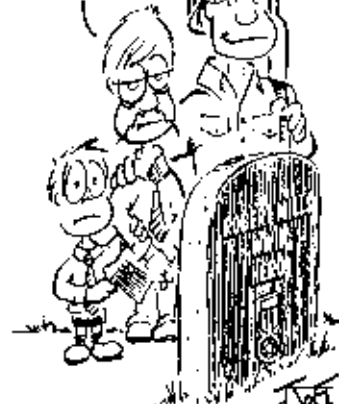
Jeff Bender
Santa Monica

FUNNY PAPERZ

DADDY IS IT TRUE WHEN THE
TOWERS ARE REBUILT-
IT WILL NUTHIN'
TOOK PLACE?



I SURE
HOPE NOT.

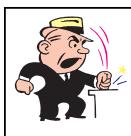


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The good, bad and ugly this month is Santa Monica

MY
WRITE

By Bill Bauer

THE GOOD

July 16 was Santa Monica's Sept. 11. Ten people were killed and scores more were injured when an out-of-control automobile careened through a crowded downtown farmers market.

It was a day of terrible tragedy and of pulling together. Many diverse members of the community are still working hand-in-hand to provide help to victims, their families, vendors, witnesses, public servants and others.

There is much to be done especially for the victims — some of whom are elderly and still have many long, hard months of recuperation ahead. Unimaginable and unexpected costs occur when disaster strikes. To meet those needs, the Santa Monica Chamber of Commerce established the Santa Monica Farmers Market Victims Assistance Fund. To date, more than \$150,000 has been raised and the chamber has dispersed \$90,000 to cover transportation costs, medical bills, funeral expense, rehabilitation, travel and housing

expenses for victims and their families.

The chamber is still accepting donations and your help is needed. Checks should be made out to "Santa Monica Farmers Market Victims Assistance Fund" and mailed to P.O. Box 51943, Los Angeles, Calif., 90051-6243.

Donations also can be made by credit card at www.smchamber.com.

Donations are tax deductible and because the chamber is absorbing all costs, 100 percent of your donations go directly to victims and their families.

It's time to open up that wallet and do some good.

THE BAD

Jalonnice Carter was a young, 19-year-old Pico neighborhood resident who seemed to be on the way up. Despite the "lure of the street," he was going to school and working two jobs.

But somehow Jalonnice incurred the wrath of a young neighbor and a couple of his pals. Although police have not revealed the exact circumstances that led to Jalonnice's murder last week near 20th Street and Delaware Avenue, it's unfathomable to imagine a transgression so bad that it drove one young man to shoot him in the back.

The usual grandstanders are blaming

police, lack of jobs and lack of city commitment to the troubled neighborhood youth.

Sure, we could have a cop on every corner, 24/7, to make sure some of us don't tear each other apart.

Yeah, the city could provide jobs and "more opportunities for inner-city youth," but does anyone really believe that will stop this kind of senseless violence?

A life is snuffed out in a fit of pique by someone who has no respect for humanity or life.

What kind of social and family environment or peer influences are at work where one youth could hate another enough to execute him in cold blood?

What kind of homes do these killers with guns come from? Where is their church? How about guidance? And, what kind of society is so powerless that it allows this kind of heinous, cowardly behavior to continue virtually unabated?

THE UGLY

The roots on the mature Ficus trees on Yale Street between Wilshire Boulevard and Montana Avenue are pushing up sidewalks and posing a risk to pedestrians.

The city proposes to totally removing some 30 trees because root pruning is not a viable way to prevent them from uplifting walkways. Denuding the street of its gor-

geous leaf canopy is the wrong thing to do.

A couple of years ago the city removed dozens of trees on 23rd Street between Pico and Ocean Park boulevards. What was left was a residential street without trees — a street that's still bare and uninviting. To do the same on Yale would be a grave mistake.

How about removing a couple of Ficus trees and replacing them a few at a time over 15 or 20 years, thus allowing new trees to grow while preserving some canopy and shade? In the meantime, just repair the damn sidewalks.

One neighbor suggested widening parkways to accommodate Ficus roots and to slow down the increased traffic now traversing Yale to avoid the new traffic roundabout at Washington Avenue and 26th Street.

What? Extra vehicular traffic on residential college streets bypassing 26th Street? That wasn't supposed to happen.

Oh, well. You can bet the city will just put in more speed bumps, narrow the roads, add curb extensions and bottle up the traffic even more after cutting down the Ficus trees — leaving the whole neighborhood uninviting, ugly AND congested.

(Bill Bauer is a longtime Santa Monica resident and a freelance writer).

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

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LOCAL



Lawsuit has cost city and restaurant owner thousands

BOATHOUSE, from page 1

questions to her attorney, Kelly Bixby. "I'm not supposed to talk about it."

Bixby couldn't be reached for comment.

Deputy City Attorney Tony Serritella said Sheffield had offered to withdraw the lawsuit if City Hall would drop its claims for attorney fees amounting close to \$29,000 and back rent of \$38,000.

Santa Monica Superior Court Judge Diana Wheatley in 2002 ordered Sheffield to pay the fees and rent. But Sheffield appealed to Los Angeles Superior Court before recently dropping the appeal.

The suit alleged that the city and the PRC, which handles leases on the pier, reneged on a 25-year lease Sheffield negotiated in 1993. The Boathouse, a 50-year-old restaurant on the pier, closed its doors permanently in April of 2002, after Los Angeles County Sheriff's deputies changed the locks on Sheffield's family restaurant as part of a court-ordered eviction levied by City Hall.

The city, which owns the pier, canceled its month-to-month lease with the Boathouse in July 2001 to make way for movie-themed chain restaurant Bubba Gump Shrimp, which is expected to open next year.

Sheffield claims she was forced to enter into the monthly lease in 1998 to keep possession of the restaurant. But John Gilchrist, the PRC's executive director in 1993, had offered Sheffield a 20-year lease with an option to renew for another 10 years, the suit claims.

For five years, Sheffield was assured that the delays were bureaucratic red tape by the PRC, but the terms of the longer, negotiated lease would be honored.

It wasn't until June of 1998 that Sheffield was informed by the PRC that it was looking for other businesses to lease the space. It said the Boathouse would be included in that selection process.

The PRC solicited bids from other restaurants — a process from which Sheffield claims she was bypassed. Sheffield persisted, proposing a \$2 million renovation of the restaurant which would have had a theme of the famous Route 66 transnational highway. The highway once ended at the pier.

But the PRC frowned upon other aspects of Sheffield's theme — specifically the historical perspective of the American Indian motorcycle, similar to what is on display at the Guggenheim Museum today.

So the lease went to Bubba Gump. Its 25-year lease with the city was supposed to begin on Oct. 1, 2001. Bubba Gump originally planned to open its restaurant last spring, but city officials blame Sheffield and the Boathouse for delaying those plans.

"They held up the whole finalization of turning possession over to Bubba Gump close to a year or more," Serritella said. "It was a lot of legal maneuvering to get the city in the proper posture for possession."

Sheffield originally filed the suit in fed-



File photo

Boathouse owner Naia Sheffield pictured during the restaurant's eviction.

eral court, claiming her civil rights were violated. She also claimed that City Hall had broken its promise — breach of contract. A judge tossed out the civil rights argument but allowed the breach of contract case to stand. The suit then moved to Superior Court, where it became an eviction case pitting City Hall against the Boathouse. But the court hearing such evictions has a \$25,000 monetary claim limit.

Serritella estimates that attorney fees were closer to \$50,000 but City Hall only sought half of that amount so the case wouldn't be delayed by moving to another court which could hear claims for over \$25,000.

He added that City Hall lost much more than the cost of attorney fees and back rent. The PRC had to hire its own attorney and pay higher insurance premiums, he said, adding that City Hall is out several months of rent it could have had if Bubba Gump had moved in on time.

It now appears after hundreds of hours spent on the case — the file is close to five feet thick — both sides decided to cut their losses.

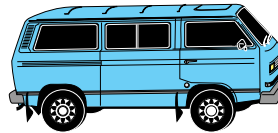
"The city of course is pleased that the Boathouse litigation has finally been resolved and Bubba Gump is in possession of the property and going forward with their plans," Serritella said.

The PRC has been criticized by many, including former Mayor Mike Feinstein, for engaging in behind-the-scenes political maneuvering for years. A controversial series of non-decisions by which the city refused to honor its own mandate to change the membership of the PRC may have led to the Boathouse's demise.

The selection of Bubba Gump Shrimp seemed to contradict the PRC's own leasing guidelines, which give preference to pier tenants that are locally-owned businesses. The guidelines indicate that chain restaurants aren't preferred.

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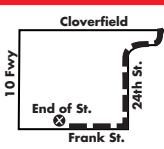
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LOCAL

Feeding law challenged in court of appeals

LAW, from page 1

charity groups at Palisades Park and in front of City Hall. It requires organizers obtain permits from the Los Angeles County Health Department and City Hall for gatherings of more than 150 people, and gives police the ability to break up and cite distributors if they lack the proper permits.

Homeless rights activists say the law steps on the constitutional rights of charities and other organizations by giving City Hall unilateral power to block feedings in public parks. Santa Monica Food Not Bombs, a non-profit organization, challenged the ordinance in a federal lawsuit in January.

Despite that the case was dismissed by Judge Real, Sobel said City Hall will have a difficult time enforcing the ordinance.

"Every time we filled out papers and said, 'This law is vague and unconstitutional,' they went and changed their regulations," Sobel said. "I don't know how they're going to enforce this, frankly. They're going to be hard pressed to start prosecuting."

Sobel expects the preliminary injunction, which she filed Thursday, will move quickly through the courts and be heard in a few months.

Santa Monica Police Department Lt. Frank Fabrega said police were given the go-ahead to enforce the ordinance about a week ago but haven't yet issued violations. Both Moutrie and Fabrega said City Hall will soon make a statement clearing up how it plans to enforce the anti-feeding law.

In the meantime, the charities haven't stopped handing out free food to the homeless. Gail Gustafson, homeless coordinator for the Vineyard Christian Fellowship Westside, said she just recently sent in paperwork to the county for a permit. Gustafson, who distributes sack lunches each Sunday to homeless people at Christine Emerson Reed Park, located at Lincoln and Wilshire boulevards, does not need a permit from City Hall because she typically only serves about 80 people.

"We're going to get a permit," she said Thursday, adding she has never been approached by police officers in the three years she has been distributing food. "If we don't get the permit we're going to see about moving it to an inside venue."

City Hall and county officials spearheaded an extensive outreach in the spring to educate the food distributors about the new ordinance. Moutrie said it's highly unlikely that any of the people who give away food will ever be sentenced to the maximum sentence for the misdemeanor, which is six months in jail and \$2,700 in fines. She said it's more likely that police will simply use the law to break up the mass feedings.

The ordinance is one of two passed by the council last October in response to complaints that the city had become a magnet for homeless people who panhandle and urinate in public. The other ordinance makes it illegal to sleep in front of business doorways downtown between 11 p.m. and 7 a.m.



Rendering courtesy

An architect's rendering of what Bubba Gump Shrimp restaurant will look like.

Alcohol sales at Bubba Gump Shrimp capped at 30 percent

BUBBA GUMP, from page 1

for City Hall to forbid construction crews from crossing the bike path after 9 a.m. Instead, he asked that workers be allowed to cross the bike path up to five times a day for no more than five minutes at a time.

Finally, Barnett asked that his alcohol sales be allowed to account for as much as 35 percent of his total sales, as opposed to the 25 percent the Planning Commission approved. Though 35 percent is common in Santa Monica, Bubba Gump was originally limited because City Hall said it wanted a family-oriented establishment and not a nightclub.

For most restaurants, alcohol sales make more money than food service.

City Council members made concessions on all three counts, setting the alcohol limit at 30 percent, limiting the bike path crossings to two minutes and accepting Barnett's suggestion for a chain-link fence.

In return, they asked for a few changes of their own, to which Barnett agreed.

Under the new plans, a public posting area for notices will be located on the corner of the building. Also, the height of the building's elevator shaft tower will be cut two feet.

Finally, the developers agreed to make the elevator accessible to the public at the beach level. Under the original plan, the elevator only could be entered on the beach level through the restaurant.



LOCAL □ STATE



Cameron Diaz trial begins today in Santa Monica

By The Associated Press

The trial involving actress Cameron Diaz and a photographer who allegedly tried to extort \$3.3 million from her with pictures taken before she was famous begins today at the Santa Monica Courthouse.

Diaz sued John Rutter in civil court to keep the photographs from being published. The case will be heard by Santa Monica Superior Court Judge Alan B. Haber.

Superior Court Judge Ann Jones on Wednesday said Rutter, a resident of Los Angeles, must remain jailed in place of \$250,000 bail.

Rutter, 41, faces felony counts of attempted extortion, attempted grand theft, perjury and forgery. Last month, Rutter was denied release on his own recognizance and a court commissioner ordered him to stay away from the 31-year-old actress.

The photographs taken around 1992 are being held in a safe deposit box. Diaz's

lawyers have declined to describe the photos and are asking for an injunction to keep them from being made public.

Rutter has said he contacted Diaz's attorneys on June 23 to offer them first right of refusal for the photos before trying to sell them to media outlets. Soon afterward, he said, authorities raided his apartment and seized the photos. He was arrested Aug. 12.

A publicist for Diaz has said the actress didn't sign a photo release at the private modeling session, and a release that Rutter produced is a forgery.

Rutter's mother, Mary Rutter, said after the hearing that her son was "not trying to hurt Cameron Diaz. Somehow, we have to see justice done."

Diaz, co-star of the "Charlie's Angels" movies, "Gangs of New York" and "There's Something About Mary," is listed in the 2004 Guinness Book of World Records as Hollywood's highest paid actress with earnings of \$42.2 million in 2001.

CALIFORNIA BRIEFS

Pot, coke and weapons seized

By The Associated Press

LOS ANGELES — The alleged ringleader of an operation smuggling drugs from Mexico to Southern California was arrested and 1,200 pounds of marijuana, one pound of cocaine and weapons were seized during raids in Pico Rivera, Perris and Riverside.

Antonio Tello, 51, of Mexico was arrested Wednesday and he was booked at the Bell Police Department for investigation of a variety of drug allegations that could lead to 20 years in state prison, said Loraine Brown, interim special agent-in-charge of U.S. Immigration and Customs Enforcement.

From Los Angeles, large amounts of cocaine and marijuana were shipped to Las Vegas and Chicago, investigators said.

ICE, the primary investigative arm of the Department of Homeland Security, and officers of the Regional Narcotics Suppression Program participated in the arrests. The regional program is an Orange County multi-agency task force that targets high-level drug trafficking and money laundering.

"We are committed to working closely with our law enforcement partners at all levels to combat drug trafficking. But pooling our expertise and our resources, we succeeded in dismantling an organization that posed a serious threat to our community's welfare and public safety."

Five others were arrested during the raids culminating a two-month investigation into the alleged drug smuggling operation, Brown said. During the investigation, Brown said, more than 80 pounds of cocaine and 440 pounds of marijuana were seized.

One of two recovered weapons and a large quantity of chemical cutting agent were discovered inside a floor safe, investigators said.

\$65 million courthouse complete

By The Associated Press

OXNARD — The long-awaited Ventura County juvenile justice center, a \$65 million complex proposed eight years ago, opens this month on a 45-acre former strawberry field.

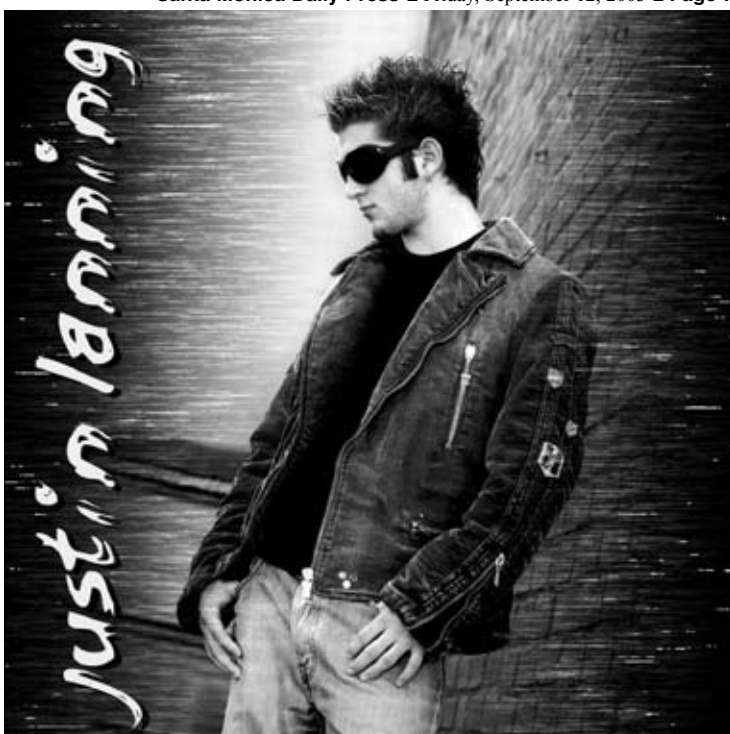
It will house up to 420 offenders and centralize services now scattered around the county. It also replaces a half-century-old juvenile hall.

"The existing juvenile hall was inadequate both in capacity and in design," said former Juvenile Court Judge Steven Z. Perren, who participates in Friday's dedication. "The building, frankly, is falling down and it is not a place where children should be sent."

"So there was a pressing need to have something that was designed to deal with children and perhaps, hopefully, make them better kids."

County Supervisors Kathy Long and Judy Mikels, who along with Perren went to Sacramento to push for the \$40 million state grant, said the new complex will provide a level of dignity and safety that the former facility lacked.

The new juvenile hall is divided into two-story, 15-cell units attached to a classroom, common area and small exercise yard. Boys and girls will be housed separately.



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Entertainment

What's playing

By Dan Dunn

DICKIE ROBERTS: FORMER CHILD STAR
Has a lot in common with star David Spade's filmography: It shows early promise, but quickly degenerates into an unfunny mess.

THIRTEEN
Nabbed the top director's prize at the 2003 Sundance Film Festival, and deservedly so. This is one of the most compelling films of the year.

JEEPERS CREEPERS 2
Relies on far too many stale clichés. The result is a film that is as lifeless as, well, most of the cast is by film's end.

AMERICAN SPLENDOR
Based on the cult-classic comic book series of the same name, the film is funny and sad and disheveled and, most of all, it's us. In his first go as a leading man, Paul Giamatti just flat-out nails it.

STEP INTO LIQUID
Whether you're a SoCal beach bum or a mainlander who doesn't know a point break from a coffee break, you'll likely enjoy this exciting, beautifully crafted love letter to surfing.

THE MEDALLION
The only thing missing from all the new, well-appointed multiplexes are barf bags for use in case of unexpected turbulence or films such as "The Medallion."

OPEN RANGE
Boasts enough eye-popping scenery and well-choreographed gun battles to make it one of the better westerns in recent memory.

THE MAGDALENE SISTERS
Powerful and thought-provoking tale of three young women imprisoned inside a convent in 1960s Ireland.

FREDDY VS. JASON
For fans of the series, both of which lost their luster roundabout their sixteenth or seventeenth installment, the film is likely to be the ultimate letdown.

S.W.A.T.
With a compelling story, strong characters and a plethora of gritty action sequences, the film is a vast improvement over the mediocre television series that spawned it.

FREAKY FRIDAY
This remake strides to be a little more inventive than the 1977 original, and with the help of Jamie Lee Curtis and Lindsay Lohan succeeds to a large degree.

AMERICAN WEDDING
Doesn't succeed like its predecessors, but it's a serviceable send-off to one of the more likable film franchises of the past decade.

SEABISCUIT
A nice film that makes the heart swell with patriotic pride and nostalgia, while the head marvels at the depth and complexity of some truly wonderful performances.

SPY KIDS 3-D: GAME OVER
A muddled special effects spectacle that invites you to play along with the game, and hopes you forget that you actually paid to see a movie.

PIRATES OF THE CARIBBEAN
Without a doubt the best big screen adaptation of a theme park ride ever, this film goes a long way toward redeeming Disney for the sin that was "The Country Bears" movie.

No con in the making of 'Matchstick Men'



BY DAN DUNN

Special to the Daily Press

Profitable as it appears to have been for the folks in Tinseltown, the just-completed summer movie season was, from a film buff's standpoint, an unmitigated bust. Thankfully, school is back in session, because with "Matchstick Men," an evocatively honest look at the dishonest lives of two con men, director Ridley Scott delivers a laudable lesson in first-rate filmmaking. And with their solid performances, Nicolas Cage and Sam Rockwell serve notice that Oscar season has arrived.

Roy (Cage) is an obsessive-compulsive, chain-smoking agoraphobe and small-time hustler who, along with his canny, impetuous protégé, Frank (Rockwell), makes a modest living bilking dupes with a bogus sweepstakes scam. But Roy's neuroses are threatening his criminal productivity, so at Frank's behest he seeks help from a shrink (Bruce Altman). The therapy sessions ultimately lead Roy to an unsettling revelation: the existence of a 14-year-old daughter named Angela (Alison Lohman).

Father and newfound daughter meet, and before long Angela moves in and turns Roy's compulsively ordered inner sanctum inside out. Hardly an expert on parenthood, Roy connects with Angela in the only way he knows how — by teaching her the family business. The girl's a natural, and despite some early misgivings, he begins to embrace the flim-flam foundation upon which his relationship with Angela is built. While Roy indulges his paternal instincts, Frank masterminds an elaborate sting involving a shady businessman (Bruce McGill). When last-minute complications threaten to spoil the big-money con, Roy is forced to enlist Angela's help in order to pull it off. And then, of course, the real problems begin.

As good or better than its formidable forebears, "Paper Moon"



and "The Grifters," this is a con-man film that succeeds by relegating the con to the background. Scott may be best known for action-driven epics such as "Gladiator" and "Black Hawk Down," but as he proved with "Thelma & Louise," he's got a knack for developing fascinating character sketches. And, boy, does he ever get the most out of his cast. Cage is as good as he's been in a long time, and Rockwell delivers on the promise he showed in "Confessions of a Dangerous Mind." Lohman, who shined in "White Oleander," joins Evan Rachel Wood ("Thirteen") at the top of the list of the brightest young actresses in Hollywood.

(Rated PG-13 for thematic elements, violence, some sexual content and language. Running time: 116 minutes)

Behind the scenes with Sam Rockwell

BY DAN DUNN

Special to the Daily Press

George Clooney calls him one of the best actors in Hollywood. He's an absolute scene stealer in the hit movies "Charlie's Angels," "The Green Mile" and "Galaxy Quest." And his portrayal of "Gong Show" creator Chuck Barris in the critically-acclaimed "Confessions of a Dangerous Mind" was flat-out brilliant. So why isn't Sam Rockwell a household name like, say, his pal Clooney?

"I think you've got to star in movies that make a lot of money to get on that list," is how Rockwell explained his inexplicable anonymity during a recent press junket. Well, if that's the case, Rockwell may soon be joining the A-list. The versatile actor's latest film, "Matchstick Men," is considered an Oscar contender and teams him with two of the biggest names in Hollywood — Nicolas Cage and director Ridley Scott.

QUESTION: Are you ready for your close-up?

SAM ROCKWELL: I don't know about that yet. You'll have to check back with me in a few weeks.

Q: You play a slick con artist in "Matchstick Men." What did you do to prepare for the role?

SR: I didn't do a lot of preparation for this, actually, but I did talk to a cop who has arrested some of these con artists. He gave me a videotape of an ex-con artist re-enacting some of those phone scams. It was very obnoxious — I mean, his tone of voice was like that of a gameshow host. I thought,



"Man, do people really buy this s---."

Q: Was working with Nicolas Cage an adventure? He's got a reputation for being a bit of a loose cannon.

SR: Nic's really well prepared. He knows his lines, shows up on time — he does not mess around. He was loose, though. He likes to play, to color outside the lines. And he wants other actors to bring it. He's not a linear person. It's his willingness to be a bit off-balance, I think, that makes him such a special actor.

Q: Did you "bring it" to the "Matchstick Men" set?

SR: I try to bring it every time. But Nic welcomes that, whereas some actors might be threatened. He wants that. And any good actor really wants that.

Q: Your co-star, Alison Lohman, said that between takes the two of you did a lot of dancing. Can you really cut a rug?

SR: Can I dance? Have you seen "Charlie's Angels," man? (laughs) I'm not a trained dancer, but I can dance. I like to dance — been doing it since I was a teenager. I can groove, though. I can shake a tailfeather.

Q: Miramax is re-releasing "Confessions of a Dangerous Mind," a really well-made film that surprisingly generated very little heat at the box office. What do you think audiences missed the first time around?

SR: Well, they missed the movie. They didn't go see it. (Miramax head) Harvey Weinstein really likes that film, so he's responsible for the re-release. It didn't make a lot of money, but I maintain that "Confessions" is an arthouse film. They tried to sell it in a commercial way, but it's not a commercial movie. George Clooney didn't get enough credit for what he did with that movie. Whether you like it or not, it's crafty.

Q: You've got a nice balance of big and small movies on your resume. What differences do you, as an actor, notice most between making big studio pictures and independent films?

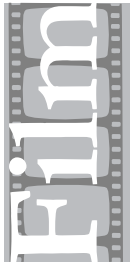
SR: You just have more time on a studio film. People seem more relaxed because they have more money. Independent films are quicker, and in some ways that's good creatively. But at the end of the day, it's the same process creatively. Either way, what I do for a living is a lot of fun.

ENTERTAINMENT



The good, bad, ugly of 'Once Upon A Time In Mexico'

BY DAN DUNN
Special to the Daily Press



Robert Rodriguez, the indefatigable multi-tasker who wrote, directed, edited, shot and scored "Once Upon A Time In Mexico" reportedly commenced principal photography, having neglected to complete one very important element of pre-production: The script. So he winged it. And it shows. While there is no shortage of entertaining, eye-popping pyrotechnics and hyper-kinetic fight sequences, what this film, the final chapter in Rodriguez's "El Mariachi" trilogy, is sorely lacking is a sense of clarity.

Antonio Banderas is back as the heroic gunmen known only as "El," and he's as gloomy and dangerous as ever. As we learn in a series of flashbacks, El's beautiful wife (Salma Hayek) and young daughter were executed sometime between the previous film, "Desperado," and this one by a ruthless general. Enter a corrupt CIA agent named Sands (Johnny Depp, hitting yet another one out of the park) who enlists the vengeful El to kill the general and thwart a coup d'état orchestrated by the country's



biggest drug lord, Barilla (Willem Dafoe). Rodriguez crams in Ruben Blades as an ex-FBI agent with a vendetta, Eva Mendez as a crooked narcotics cop, Mickey Rourke as a dog-loving fugitive working for Barilla, Enrique Iglesias as El's protégé, and Cheech Marin as Sands' yarn-spinning snitch — a dizzying array of characters and subplots that doesn't seem to serve much purpose other than to confuse the hell out of us.

In a nod to the spaghetti westerns, Rodriguez pays homage to, let's break it down by giving you the skinny on ...

THE GOOD: Depp, who is making it look too easy these days. He stole the show in "Pirates of The Caribbean," and he does it again here with a performance that is equally sinister and hilarious. Also, "Once Upon A Time In Mexico" looks terrific, thanks to Rodriguez' visual virtuosity and a state-of-the-art high-definition digital camera that captures all the fireworks at 24 frames per second.

THE BAD: Willem Dafoe is seriously miscast as the leader of the murderous cartel. Not only does he come across as extremely non-threatening — he's wearing more makeup than a French hooker — I haven't seen a good actor botch a foreign accent this badly since Harrison Ford in "K-19: The Widowmaker" (runners up: Nicolas Cage in "Captain Corelli's Mandolin" and Kevin Costner in anything). Iglesias should stick to singing.

THE UGLY: The body count here rivals that of the summer's biggest bloodfest: "Bad Boys 2." We pass the gore saturation point midway through the film, and after that, all the blood and guts is simply stultifying.

(Rated R for strong violence, and for language.
Running time: 98 minutes)

ART BRIEFS



Frank Gehry to speak

By Daily Press staff

Renowned architect Frank Gehry will speak at the Venice studio of artist Charles Arnoldi this evening.

Gehry is expected to talk about the role of museums and modern architecture. Reservations are required and the event is being held for donors who give at least \$5,000 to the Santa Monica Museum of Art.

The evening also celebrates the establishment of the Innovation Fund, which was anchored by \$2 million in gifts from the Good Works Foundation and the Annenberg Foundation. Michael's of Santa Monica will provide cocktails and hors d'oeuvres.

From Sept. 13 to Nov. 15 the museum will host Parrot Talk: A Retrospective of Works by Kim MacConnel. And on Saturday, Sept. 12, from 3 p.m. to 5 p.m., there will be a panel discussion, NYPD Plaid: A Gathering of Renowned P&D Artists.

Also from Sept. 13 to Nov. 15, the Project Room of the museum will present Grow Room, a site-specific installation by Virgil Marti. This is the first solo West Coast exhibition for the artist.

The Santa Monica Museum of Art is open Thursday through Saturday from 11 a.m. to 6 p.m., closed Sunday, Monday and holidays. For more information call (310) 586-6488 or visit www.smmaoa.org.

Venice Arts receives \$12,000 grant

By Daily Press staff

The National Endowment for the Arts has awarded Venice Arts: In Neighborhoods a \$12,000 grant to expand its "ArtPartner" photography and digital arts programs.

The workshops are for low-income youth and include lessons in black-and-white photography, digital design and imaging, and integrating fine and digital arts. They will last for one year and culminate with an exhibition of youth work.

Youth from the Mar Vista Gardens, a low-income housing project, and the Neighborhood Youth Association's Venice Learning Center will participate in the programs.

Venice Arts, located at 610 California Ave. in Venice, brings together artists with low-income young people to help nurture their creativity, imagination and talent. Core programs include digital arts, literary arts, performing arts and photography.

For more information call (310) 578-1745.

Local chefs serving up food for cancer

By Daily Press staff

Some of Santa Monica's top chefs will be cooking up their specialties at Sur La Table next month in an effort to raise money for the fight against cancer.

The event in Santa Monica will be on Oct. 12 and will feature chef Josiah Citrin from Mélisse restaurant; Mary Sue Milliken, Susan Feniger and Jamie Covarrubias from Border Grill; Raphael Lunetta from JiRaffé and Sherry Yard from Spago Beverly Hills.

Sur La Table, a national kitchenware company that has a store at 301 Wilshire Boulevard, is partnering with KitchenAid® and Bon Appétit to host events across the country to help raise funds for the Susan G. Komen Breast Cancer Foundation.

To observe National Breast Cancer Awareness Month throughout October, Sur La Table stores will hold two-hour fundraising events called "America's Chefs Cook for the Cure."

The parties will include an opportunity to meet local chefs and sample signature fare from their restaurants. Guests also will enjoy fine selections from Wente Vineyards and a tea and marmalade tasting bar from the Republic of Tea.

Cookbooks written by participating chefs will be available to buy and attendees can have their books



signed by the chef. (Cookbooks must be purchased at Sur La Table and accompanied by a receipt.) The event will take place between 6 p.m. to 8 p.m. Tickets for each event are \$25, with 100 percent of the proceeds from ticket sales benefiting the Susan G. Komen Breast Cancer Foundation.

To purchase tickets or obtain information, call (888) 478-7900 or visit www.cookfortheure.com

Consumer purchases during October also can help support the cause. Sur La Table stores will feature products that will generate donations to the Susan G. Komen Breast Cancer Foundation. As part of "Cook for the Cure," KitchenAid will donate \$50 to the foundation on sales of certain items. Through their "Sip for the Cure," program, Republic of Tea also will support the foundation by donating money on certain sales.



Attention wine lovers:

Maybe you've been to a restaurant and had an awesome wine but you either can't remember what it was, or you figured you'd never be able to afford it. Red wines come in many variations, varietals and prices. With all of the varietals, you can find an amazing wine for under \$20 — yes even Cabernet Sauvignon and Bordeaux.

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that concept and applies it to today's vast selection of wines from around the world. And yes, some of them are French.

WINE PICK OF THE WEEK:

Domaine de L'Hortus "Grand Cuvee" Pic St. Loup

The rocky soils north of Montpellier produce some of the most exciting wines from Languedoc-Roussillon. The nose has aromas of licorice and cloves. High altitudes and cool nights combine to allow an earthy concentration of black fruits to be driven by supple tannins. Domaine L'Hortus "Grand Cuvee" from Pic St. Loup is an awesome little wine at \$15.99.

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STATE

Arab-Americans, Jews hope for Mideast peace

BY LAURA WIDES
Associated Press Writer

LOS ANGELES — Arab-Americans and Jews in California, reeling from the collapse of the latest peace efforts, agreed on two things Wednesday — they see no sign of an end to the conflict and they refuse to give up hope.

"When I hear about it, I get sick to my stomach. I get a headache," said Michael Engelman, 46, the owner of Doheny Kosher butcher shop in Los Angeles.

"I don't see any hope for peace, not for a long time," he said. "But my mother and sister are there. What do you do? We have to cope. We have to put it in God's hands."

Asem Abusir, 40, a computer consultant from Long Beach, who emigrated from Palestine said he also is frustrated but still has hope for peace between Israelis and Palestinians.

"The problem is it has been going on for 40 or 50 years," Abusir said. "I guess maybe generation after generation, they pass their feelings and emotions to each other. That's why it gets worse and worse."

He said the United States needs to take a more active role in the negotiations.

"Everybody is hoping and relying on the United States to stop it," he said. "The sad thing is our administration is saying they want to stop it but they are not doing it."

The latest cycle of killings comes after the resignation this week of Palestinian Prime Minister Mahmoud Abbas. On Tuesday two suicide bombings killed 14 Israelis and wounded dozens more. Israel retaliated Wednesday, bombing the home of a Hamas leader and killing his eldest son and a bodyguard. Hamas now says it will add Israeli high-rises and homes to its bombing campaign.

Arab-Americans interviewed Wednesday disavowed the suicide bombings, but they insisted that the attacks cannot be isolated from the violence and harsh living conditions Palestinians face daily in the Gaza Strip and West Bank.

Amal Alkalla, whose family fled Palestine in 1948, was also discouraged with the recent resignation of the Palestinian prime minister and subsequent violence this week.

The 36-year-old mother of two said she saw no chance for peace as long as Israeli Prime Minister Ariel Sharon and Palestinian leader Yasser Arafat remain in power.

"Peace can be accomplished you just have to have the right parties at the table," she said.

Within the Jewish community, responses to the collapse of negotiations were varied. As they sat drinking coffee at a West Los Angeles Starbucks, Tammi Weinstein, 41, and her childhood friend Debbie Ullman, 46, argued about the conflict.

"As a Jew who lived in Israel, I have mixed emotions," said Weinstein, who owns a clothing shop in a mostly Orthodox section of the city.

Weinstein said she grew up hearing only the Jewish perspective.

"I wasn't able until recently, but I'm trying to see more of the Palestinian side," she said. "I don't see what other choice we have."

She said she hoped the new parliament speaker, Ahmed Qureia, would be able to take a stronger stand in negotiations than his predecessor who lacked a political base.

Ullman was more skeptical. "I want to believe in my heart that there's a solution, but my mind says there's always going to be fanatics," she said.

Some in both communities believe only an international peacekeeping force will end the violence.

"If God forbid either side committed violence, they would have to worry about hitting the international forces," said real estate salesman David Brenman, 74, as he ate breakfast at the kosher Elat Bakery in Los Angeles.

Sarah Eltantawi, spokeswoman for the Muslim Public Affairs Council, agreed.

"We need to bring in international peacekeepers to separate the Israelis and Palestinians," she said.

Eltantawi said she saw little hint of resuscitation of the "Road Map," even with the selection of a new Palestinian prime minister.

But she said she was on her way to a Jewish-Muslim dialogue in Los Angeles.

"I think we've been through this before, and we know there is no solution except to talk to each other and persevere," she said.

Valley landfill should be expanded, officials say

By The Associated Press

LOS ANGELES — The Sunshine Canyon Landfill in the north San Fernando Valley should be allowed to expand, as long as operators meet strict health and environmental standards, a new report said.

The Los Angeles Regional Water Quality Control Board asked for the report last month after 35 residents near the Granada Hills dump expressed concerns about incidences of cancer within their own and neighbors' families.

The board's staff had recommended approval of regulations governing construction, operation and maintenance of a proposed 450-acre landfill expansion. But the board delayed action until a staff report on cancer-causing pollutants.

The report was presented during a hearing Thursday.

It also asked for information about surface and groundwater contamination, wetlands and oak tree removal and trash reduction at the planned facility, operated by Browning-Ferris Inc.

"The members of the regional board have been presented with the staff report and other informational documents," water board executive officer Dennis Dickerson said. "And, as they normally do, (they) will review the information presented to them, hear testimony, deliberate and render a decision based upon the information before them."

STATE



Top official says Imperial threatens state's water pact

BY SETH HETTENA
Associated Press Writer

SAN DIEGO — A top official at the Interior Department told reporters Thursday that the Imperial Valley, California's biggest user of the Colorado River, was jeopardizing a peace treaty between four Southern California water agencies attempting to secure the region's water future.

However, officials with Imperial's water board expressed surprise at the remarks by Assistant Interior Secretary Bennett Raley, and observers suggested he was trying to bully the region into accepting his wording of a few sentences in the complex deal.

"We're back to square one on some important issues," Raley told reporters. "Issues that we'd thought were resolved with that negotiating team are no longer acceptable."

The dust-up comes as the California Legislature gave final approval Thursday to a package of legislation that clears the way for the complex deal. The bills now head to the desk of Gov. Gray Davis, who must sign them within the next 30 days.

The deal would restore California's privileges to take additional Colorado River water, which were taken away because the state failed to meet a Dec. 31 deadline to reach agreement. It also would ease concerns that Southern California would have to look to the north to meet its water needs.

Raley declined to go into the precise source of the dispute with Imperial, except to say it involved the beneficial use of water, a key concept of western water law that maintains that the West's most embattled resource must be put to good use and cannot be wasted.

In July, the Bureau of Reclamation determined that farmers in the Imperial Valley are wasting water on their desert fields and should lose hundreds of thousands of gallons from their Colorado River allotment next year. The 400 or so farmers in California's southeastern corner use about 70 percent of the state's share.

A portion of the complex Colorado water-sharing deal involves beneficial use. The broader agreement is aimed at easing California's overdependence on the Colorado River so other thirsty Western states can claim their full share.

Officials with Interior and Imperial say they have agreed in principle on how to resolve the beneficial use issue, but remain hung up over wording.

"It appears to be a matter of, let's call it wordsmithing," said Bruce Kuhn, a member of Imperial's water board involved in the negotiations. "I don't believe for one second that these issues can't be resolved."

Kuhn also apologized if he left Raley with the impression that it had agreed to his wording, saying he thought he had made it clear that there were some issues still left unresolved. He said he had spoken with Raley Wednesday and offered to meet with him.

"We're as close as we've ever been."

— BRUCE KUHN
Member,
Imperial's water board

"We're as close as we've ever been," he said.

The four water agencies must ratify the agreement by Oct. 12, something they have repeatedly failed to do in the past.

Disagreement between the agencies led to California's failure to sign the deal by the Dec. 31 deadline set by the Interior Department last year. In response, Interior Secretary Gale Norton punished the state by cutting the state's draw from the river this year by 15 percent. The state, and specifically Metropolitan, would be able to draw the additional water until 2016 if a deal is approved.

Davis led weeks of talks to bring the players back to the table and brought the four agencies to the brink of a deal on several occasions.

Only two weeks ago, however, hopes for an agreement seemed dim. The Metropolitan Water District of Southern California, the state's largest urban water agency, was blamed for holding up the water deal.

San Diego, Imperial and the Coachella Valley Water District said they would part ways with Metropolitan and reach an agreement among themselves. But Raley told them the idea wouldn't fly, leading to the latest agreement, which involved Metropolitan.

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Racial hatred led to death

By The Associated Press

SANTA ANA — A 22-year-old man was convicted of murdering an Asian teenage neighbor out of racial hatred.

Superior Court Judge Kazuharu Makino ruled Wednesday in a non-jury trial that Christopher Hearn Laguna Hills was guilty of murdering Kenneth Chiu, 17, and the special enhancements of lying in wait and targeting the victim because of his ethnicity.

The second phase of trial to determine whether Hearn was legally sane at the time of the killing begins Monday. Hearn faces a possible sentence of life in prison without parole.

There was no comment from defense attorney Lisa Kopelman or Deputy District Attorney Carolyn Carlisle-Raines.

Hearn stabbed Chiu about midnight July 30, 2001, as Chiu returned home from a date. Chiu identified Hearn as the attacker before he died.

Investigators conducted a videotaped sign-language interview of Hearn, who is deaf and cannot speak, in which Hearn said he stabbed Chiu and that he hated Asians and other ethnic minorities.

The defense wanted the videotape thrown out because the sign-language interpreter wasn't court-certified and investigators allegedly failed to properly advise Hearn of his Miranda rights. Makino ruled against the defense motion Monday.



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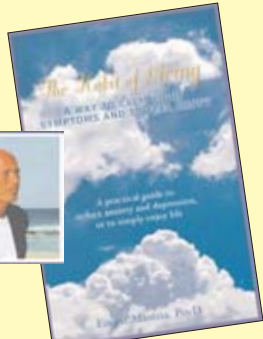


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NATIONAL

Less citations, more medical treatment at Burning Man

BY SCOTT SONNER
Associated Press Staff Writer

RENO, Nev. — The latest numbers are in from this year's annual Burning Man festival in the Black Rock Desert: Scrapes and bruises were up, but scrapes with the law were down.

More than 30,000 people camped in the middle of the desert 90 miles north of Reno in late August to build and then destroy a temporary city built around a religious icon — an 80-foot temple topped by the stylized figure of a man.

Bureau of Land Management law officers issued 177 citations overall at the weeklong, counterculture event through Labor Day — a 25 percent reduction from a year ago, BLM officials said.

"Overall, the event ran smoothly again this year," said David Cooper, manager of the Black Rock Desert-High Canyon Emigrant Trails National Conservation Area.

The five arrests by BLM agents equaled the five last year despite the fact a record 30,586 people attended the festival, about a 5 percent increase from 2002.

The 102 drug-related citations also were down 25 percent from last year, BLM spokesman Jamie Thompson said Thursday.

"As far as arrests go, I think there is a lot of repeat visitation to this thing," Thompson told The Associated Press. "I think people really understand now that drug use is not going to be tolerated so I think they are less likely to violate laws than they may have been earlier."

He said he does not believe there has been any easing up on enforcement of laws over the years.

In addition to BLM arrests, the Pershing County sheriff's office made five

arrests, three for sex acts in public, one for trespass and one for failure to appear on a warrant from the Nevada Highway Patrol.

BLM officials noted five people were injured in two small plane crashes and one woman was killed in an accident involving an "art car," but said those numbers should be kept in perspective.

"The medical treatment numbers made some sense to me because of the weather conditions."

— JAMIE THOMPSON
BLM spokesman

"It is a tragedy we all feel deeply," said Terry Reed, BLM field manager in Winnemucca. "But it is also important to remember that similar events occur during a week's time in any group of 30,000 people."

The biggest statistical increase came in the number of patient visits reported by the Regional Emergency Medical Services Authority. That number was up nearly 50 percent to 2,011. The majority of those, 577, were for dehydration, sunburn, cracked skin and blisters.

The second most common problems were cuts and scrapes — about 400 of those. Next came about 200 extremity causes involving bruising or muscle strain.

"The medical treatment numbers made some sense to me because of the weather conditions," Thompson said. "There were a lot more heat-related problems because of dryness and dust. I think people ran into each other more on bicycles and other things in the bad visibility."

Couple accused of robberies returned to Arizona, Colorado

By The Associated Press

PHOENIX — A couple suspected in a series of armed bank robberies around the West were extradited Thursday to Arizona and Colorado to face charges.

Craig Michael Pritchert and Nova Ester Guthrie were initially brought to Atlanta after being deported from South Africa, where federal authorities say they had been living since 2000.

Pritchert was brought to Arizona and Guthrie to Colorado, each to face the first of a series of charges, said Carl Caulk, supervisory deputy with the U.S. Marshals Service.

Guthrie and Pritchert, who is a former Arizona State University baseball player, are suspected of armed robberies in Arizona, Colorado, Montana, New Mexico, Texas and Oregon in the 1990s.

Pritchert is accused of entering the banks with a semiautomatic handgun and using duct tape, cheap handcuffs or plastic ties to bind bank employees. Guthrie drove the getaway car, authorities said.

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NATIONAL



9-11 anniversary marked by names read of the lost

BY ERIN MCCLAM
Associated Press Writer

NEW YORK — The voices of children marked the profound horror and grief of Sept. 11, joining in song at ground zero Thursday and reading the names of 2,792 loved ones who died there exactly two years ago.

Two hundred children and young adults, each of whom lost a relative in the most devastating terrorist assault in U.S. history, approached the microphones in pairs and began reading the names as hundreds of victims' relatives listened. Many in the crowd hugged one another and prayed.

"I love you, Daddy. I miss you a lot. Richard Anthony Aceto," Christina Marie Aceto, 12, said as she read her father's name aloud.

Two bagpipers and a drummer opened the ceremony, marching onto the site of the World Trade Center with an American flag that once flew over its ruins. A children's choir sang The Star-Spangled Banner.

Minutes later, the anniversary ceremony at ground zero paused for a moment of silence — the first of four commemorating the times when each jetliner crashed into a tower and when each skyscraper collapsed.

"We come here to honor those that we lost, and to remember this day with sorrow," said Mayor Michael Bloomberg.

Across the nation, bells tolled, firefighters stood at attention, and in many places, moments with no words at all were held for the second anniversary of the terrorist assault that killed more than 3,000 people.

On the White House lawn, President Bush bowed his head in silence at 8:46 a.m., the moment that the first terrorist-hijacked plane struck the World Trade Center.

He left the lawn without speaking, but earlier, he described his thoughts after a morning church service.

"We remember the lives lost," Bush said. "We remember the heroic deeds. We remember the compassion, the decency of our fellow citizens on that terrible day."

"We pray for the husbands and wives, the moms and dads and the sons and daughters and loved ones ... we pray for strength and wisdom."

Secretary of Defense Donald H. Rumsfeld presided over a somber ceremony at the Pentagon and attended a wreath-laying ceremony at nearby Arlington National Cemetery. Solicitor General Ted Olson, whose wife, Barbara, died in the attack, told Justice Department employees that an unrelenting fight against terrorism is the best way to honor the memory of those who perished.

"Their suffering and deaths must fuel our dedication to stamp out this cancer," Olson said.

In rural Pennsylvania, church bells began tolling solemnly shortly after 10 a.m., marking the moment hijacked Flight 93 crashed in a field near Shanksville as passengers tried to fight off their hijackers. The plane was believed to be headed to the nation's capital.

In New York, families began arriving at the World Trade Center site well before the ceremony, many wearing ribbons of white or black, symbolizing mourning, or yellow, for hope. They carried flowers — daisies, petunias and roses to leave on the bedrock during the ceremony.

The footprint of the trade center's north

tower was outlined by a 4-foot fence draped with banners bearing drawings and messages painted by children of the victims.

One was a simple red heart with the inscription: "To my Dad, Steve Chucknick. Your in my heart forever. Love always, your son Steven."

As the children carried out the solemn, careful task of reading the names of the victims, in breaks, Bloomberg and other dignitaries read poems and inspirational quotations.

"Think not of the empty chair, but the people who filled those chairs."

— JIM Ogonowski
Victim's brother

The readings took 2 1/2 hours, and two trumpeters blew taps in a sad postscript.

Some of the victims' family members knelt to touch the trade center's bedrock during the ceremony, and a few scooped up handfuls of dirt. As the names were read, some held cell phones up so others unable to attend could hear.

"I know I'm very proud of my children," said Lynn Morris, whose husband, Seth Allan Morris, died Sept. 11, 2001, and whose two children, 11-year-old Madilynn and 9-year-old Kyle, were reading names. "It's amazing the strength that they have developed over the years."

A silent vigil began Wednesday night in New York at St. Paul's Chapel, once in the shadow of the trade center.

"There's no getting over it; there's just getting through it," said the Rev. Julie Taylor, 33.

At sunrise, about 200 people sat quietly at an ecumenical service at a small park not far from ground zero that included a violinist, readings of poems and songs by a children's choir.

"I was hoping to get a couple minutes to face up to all the emotions of the day and to continue the process of trying to adjust," said Nathaniel Hupert, 37, a public health researcher.

At sunset, over the site where the World Trade Center once stood, two light beams pointing skyward were to be switched on, evoking the image of the twin towers in a reprise of a popular monthlong memorial unveiled in March 2002.

Elsewhere in the nation, reminders of life, death and peace commemorated the day.

Twisted steel taken from the ruins and shipped to other states for memorials was at the center of ceremonies from North Dakota to Florida to a New Mexico church that uses two trade center beams as part of its bell tower.

In Toledo, Ohio, the mayor's wife people began reading the names of the victims, expected to take a series of people several hours. Afterward, white doves were to be released. At Boston's Logan International Airport, where two of the hijacked planes took off, there was a moment of silence to remember the victims.

"Think not of the empty chair, but the people who filled those chairs," said Jim Ogonowski, whose pilot brother, John, was killed when his hijacked plane hit the World Trade Center. He spoke outside the Massachusetts Statehouse.

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WORLD BRIEFLY

Swedish leader dies after being stabbed

By The Associated Press

STOCKHOLM, Sweden — Popular Foreign Minister Anna Lindh died Thursday after being stabbed repeatedly while shopping in an exclusive department store, leaving Sweden's government numb and an upcoming euro referendum in doubt.

Prime Minister Goeran Persson said Lindh, 46, died early in the morning, after more than 10 hours of surgery.

Police said they didn't believe the attack was politically motivated, but it stirred memories of the unsolved murder of Prime Minister Olof Palme, who was killed while walking home from a downtown movie theater with his wife in 1986.

They were searching for a man wearing a camouflage jacket who fled the store after the attack on Wednesday.

The death shocked the nation of 8.9 million, which has long prided itself on the accessibility of its politicians. Like many officials, Lindh didn't use a bodyguard.

The attack cast a pall over the country's upcoming referendum to decide whether to adopt Europe's common currency, and campaigning on the euro was postponed for at least a day. It wasn't known if Sunday's referendum vote would be delayed.

bin Laden seen walking amongst flowers

By The Associated Press

BEIRUT, Lebanon — Intelligence analysts were looking for clues to Osama bin Laden's whereabouts in a new videotape that shows him in Afghan garb, walking past wildflowers and tufts of green grass on a rocky mountainside.

Afghan officials said Thursday the tape reinforced

their belief that bin Laden is hiding across the border in Pakistan, and said it was calculated to boost the morale of al-Qaida militants on the second anniversary of the Sept. 11 attacks.

The footage was broadcast Wednesday by Al-Jazeera television and is the first new video of bin Laden in nearly two years.

In it, the al-Qaida leader is accompanied by his chief deputy, Ayman al-Zawahri.

The landscape resembles the border region between Afghanistan and Pakistan, where U.S. officials believe bin Laden is hiding out.

In an eight-minute audiotape accompanying the video footage, a speaker identified as bin Laden praises the "great damage to the enemy" on Sept. 11. On a second tape, a voice said to be that of al-Zawahri threatens more attacks on Americans.

Al-Jazeera said the tapes were produced in late April or early May, but it did not say how or when it obtained them. Intelligence experts in Washington were reviewing the tapes, officials in Washington said.

Indiana governor in critical condition

By The Associated Press

INDIANAPOLIS — As Gov. Frank O'Bannon lay in critical condition following a stroke, the state Supreme Court formally transferred power Wednesday to Indiana's lieutenant governor.

Legislative leaders filed a petition to transfer power after receiving a written statement from O'Bannon's doctor and invoked a process spelled out in the state constitution for officially handing power to Lt. Gov. Joe Kernan.

"We are making historical precedent here today. We wanted to make sure, absolutely sure, the family was in

agreement. The doctors were in agreement," said Democratic House Speaker Patrick Bauer, who joined with Republican Sen. President Pro Tem Robert Garton to file the petition.

Doctors said O'Bannon, 73, had emerged from a drug-induced coma, but was under sedation and showed some "small but significant improvements." He remained in critical condition.

"At this early going, making long-term prognostications is really, really difficult," Dr. Hunt Batjer said.

The governor's wife, Judy, issued a statement saying she was comfortable with the formalized power transfer.

Howard Dean under fire

By The Associated Press

WASHINGTON — Democratic presidential candidate Howard Dean is coming under attack from House Democratic Leader Nancy Pelosi and several of her colleagues for his remarks on Israel.

"This is not a time to be sending mixed messages," Dean's critics said in a letter circulated Wednesday by Rep. Howard Berman, D-Calif., and signed by Pelosi and more than two dozen other Democratic House members who are supporting other candidates. "On the contrary, in these difficult times we must reaffirm our unyielding commitment to Israel's survival and raise our voices against all forms of terrorism and incitement."

Dean said last week at a rally in New Mexico that an "enormous number" of Israeli settlements must be removed to make progress in the Israeli-Palestinian conflict. "It's not our place to take sides," he said.

Pelosi, Berman — who is Jewish — and several others who signed the letter are supporting Rep. Dick Gephardt's presidential candidacy, while others back Sen. John Kerry of Massachusetts.

New York Rep. Jerrold Nadler, a Dean supporter who is Jewish, said he was comfortable with Dean's position, although he said Dean initially used some language that could concern some pro-Israelis. But Nadler said Dean's clarifications since then should have cleared that up.

Israel's security cabinet decides in principle to expel Arafat

BY KARIN LAUB

Associated Press Writer

JERUSALEM — Yasser Arafat "is a complete obstacle" to peace and will be removed, the Israeli government said Thursday. The Israeli security Cabinet, however, put off action on expelling the 74-year-old Palestinian leader.

The Israeli government statement said "recent days' events have proven again that Yasser Arafat is a complete obstacle to any process of reconciliation."

"Israel will act to remove this obstacle in the manner, at the time, and in the ways that will be decided on separately," the statement said.

The decision was an apparent effort to balance growing public and political pressure for a dramatic move with a desire to avoid a confrontation with the United States, which opposes expulsion.

"The Israeli government knows our position on Arafat; our position has not changed," U.S. Embassy spokesman Paul Patin said.

The decision also gives the incoming Palestinian prime minister, Ahmed Qureia, some time to take steps to cool the violence that has swept the region in recent weeks.

But Qureia said the decision "will have grave consequences, not just on the Palestinian areas, but on the entire region."

"This is a destructive decision for all the efforts that are being exerted to restore quiet and stability and peace in the region," he said. "We call upon all wise people in the world to stop this crazy decision."

Qureia added that expelling Arafat would be a choice that "will explode in the entire area" and block his efforts to form a new government and "impose law and order."

Palestinian national security adviser Jibril Rajoub, an Arafat loyalist, said expelling the leader will only threaten stability.

"This foolish action will bring tragedy upon the Israelis. I warn against such a foolish action."

Prime Minister Ariel Sharon has not made his view public.

Previously, Israeli TV reported that eight of the 11 members of the security Cabinet favored expulsion and two opposed it.

Arafat said earlier from his West Bank compound in Ramallah: "No one can kick me out."

On Sunday, Secretary of State Colin Powell said sending Arafat into exile was not a good idea because it would "put him on the world stage as opposed to the stage he is currently occupying."

The Israeli military had begun making preparations for Arafat's possible expulsion in the near future and was waiting for a security Cabinet decision, a security official said on condition of anonymity.

Overnight, witnesses said, Israeli troops took over two buildings — the Palestinian Culture Ministry and an uninhabited structure — near Arafat's headquarters as apparent lookouts.

Israeli Foreign Minister Silvan Shalom said earlier a majority in the security Cabinet favored expulsion but did not give a breakdown. Sharon might not put the idea to a vote because the United States was not expected to approve it.

Sharon has vetoed the idea before because of Washington's disapproval.

"We are in a situation in which (U.S.) approval for this, in case we asked for it, would be almost impossible to obtain," Shalom told Israel Army Radio. "I think there are some situations in which we

have to make decisions ... that are completely cut off from outside influence."

Israeli Defense Minister Shaul Mofaz was quoted as telling two people in his inner circle that expelling Arafat was the least Israel should do, and that killing the Palestinian leader should be considered.

The Yediot Achronot newspaper did not provide quotations from Mofaz. The idea of killing Arafat was not on the security Cabinet's agenda, a security official said on condition of anonymity.

Egyptian President Hosni Mubarak, in Rome, warned Israel against expelling Arafat, saying it would lead to terrorism and unknown grave repercussions.

Former Prime Minister Shimon Peres, head of the moderate opposition Labor Party, said Thursday expelling Arafat would be a "great mistake."

The ministers also were expected to weigh other responses to Tuesday's twin bombings that killed 15 Israelis. One would tighten Arafat's isolation at his West Bank headquarters by keeping out visitors and cutting off phones; another is to reoccupy the Gaza Strip, where the Hamas leadership is based.

In a first response to the bombings, Israel stepped up its campaign against Hamas, dropping a half-ton bomb on the home of senior Hamas official Mahmoud Zahar on Wednesday. Zahar survived, but his eldest son and a bodyguard were killed.

Hamas' military wing threatened to widen its bombing campaign and target Israeli homes and high-rises. Israeli security forces were on high alert Thursday, particularly in Jerusalem, and police checkpoints caused massive traffic jams.

Arafat said Thursday he remained committed to the U.S.-backed "road map" peace plan and asked the international

community to "quickly, quickly move to protect the peace."

In the West Bank, Qureia decided Thursday to form a full government, rather than the emergency Cabinet of eight ministers he had initially envisioned.

Qureia made the decision after a stormy meeting of PLO officials, leaders of the ruling Fatah party and legislators, many of whom opposed the idea of a crisis Cabinet.

The decision meant the formation of the government would take more time than expected. Qureia initially had hoped to present his crisis Cabinet to parliament for approval as early as Thursday.

The Palestinian leadership also decided to form a national security council, headed by Arafat, to oversee all branches of the security forces. The council would technically satisfy a demand by Israel and the United States that control over security be under one authority. However, Israeli government spokesman Zalman Shoval said the step meant nothing as long as Arafat was involved in security decisions.

Qureia, selected by Arafat to replace Prime Minister Mahmoud Abbas, initially wavered on whether to take the job, insisting he first get U.S. guarantees that Israel would meet its obligations in the road map plan, which envisions a Palestinian state by 2005.

However, in the wake of Tuesday's Hamas bombings, Qureia was urged by U.S. officials to move quickly to form a Cabinet, Palestinian sources said. Qureia was given to understand that the Palestinians would be in a better position to forestall major Israeli reprisals if they quickly replaced Abbas, who resigned Saturday after four months of wrangling over control of the security forces.

NATIONAL



President's deficit stance fueling new GOP concerns

BY TOM RAUM
Associated Press Writer

WASHINGTON — The increasingly complex and expensive U.S. role in Iraq is drawing predictable fire from Democrats. But it also is unnerving fiscal conservatives uneasy about the mounting costs and a looming half-trillion-dollar deficit.

Bush is expected to get from Congress most of the \$87 billion in new funds he requested for Iraq and Afghanistan, though not without a political price. He is coming under increasing pressure from even members of his own party to suggest ways to offset the rising war costs.

Some conservatives want Bush to forgo a \$400 billion-plus Medicare prescription drug plan, even though the president last week reaffirmed his strong support for it. Democrats want him to scale back tax cuts.

Bush's perceived complacency toward the soaring deficit is setting off a mini-rebellion among otherwise loyal members of the political right who advocate smaller government.

"It's very clear that the one source of contention between Bush and conservatives now is the inability by the White House to show any fiscal discipline," said Stephen Moore, president of the anti-tax, supply-side Club for Growth.

"And he can't blame Congress for the spending orgy when he has signed every spending bill," said Moore, otherwise a staunch Bush supporter.

For sure, the president remains extremely popular among conservatives. They applaud his handling of the fight against terrorism. They appreciate his strong posi-

tions against abortion and same-sex marriages. They are grateful for his three consecutive big tax cuts.

Still, new strains are becoming evident.

"If he doesn't come out with a bold plan to cut spending, to at least put the deficit on a downward glide path, then he will be handing the Democrats a golden opportunity to call him fiscally irresponsible."

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"If he doesn't come out with a bold plan to cut spending, to at least put the deficit on a downward glide path, then he will be handing the Democrats a golden opportunity to call him fiscally irresponsible," said Chris Edwards, director of fiscal policy for the libertarian Cato Institute.

Bush has been telling audiences, "We need to have spending discipline in Washington, D.C." But as he preaches belt-tightening, he is pushing for large increases in defense spending, permanent tax cuts, the prescription drug plan and billions more for education, AIDS prevention and farm aid.

Seen as tough and resolute on foreign policy, Bush has trouble saying no on domestic spending, some fiscal con-

servatives suggest.

"I think he needs to find something to veto — and soon," said Bruce Bartlett, an economist with the conservative-leaning Center for Policy Analysis and an adviser to the first President Bush. Spending passed by the GOP-led Congress and condoned by Bush "is very dismaying to conservatives," Bartlett said.

Bush has not vetoed a single bill.

Grover Norquist, president of the conservative Americans for Tax Reform and a close Bush ally, said that given the bare one-vote GOP majority in the Senate, "the veto becomes a very weak weapon."

Norquist said both the tax cut movement and the Bush White House "realize that there is a spending problem and that we have to get our arms around it."

With presidential politics heating up, neither party seems eager to make tough spending choices.

Just last week, in fact, the House voted to give both the military and civilian federal workers a 4.1 percent pay raise, rejecting an administration proposal for smaller increases for civilians. The House also voted to boost lawmakers' own salaries by 2.2 percent, to \$158,000 a year.

Bush wants to hold the line on nonmilitary spending at a 2 percent increase.

But the sheer size of spending on Iraq, the terrorism fight and homeland security — without major offsetting cuts — suggests the deficit will keep rising any way.

The nonpartisan Congressional Budget Office forecast a deficit of \$480 billion next year and a river of red ink through most of the next decade. And that was before Bush outlined his new \$87 billion request.

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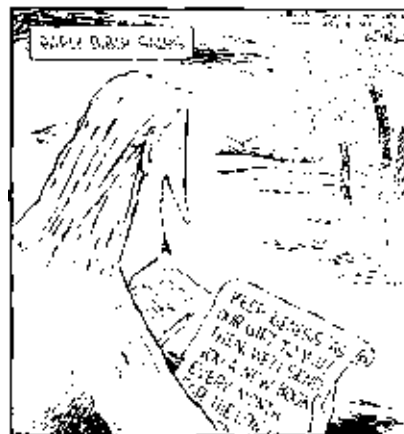
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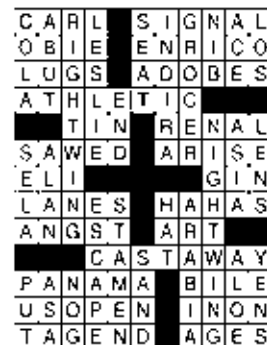
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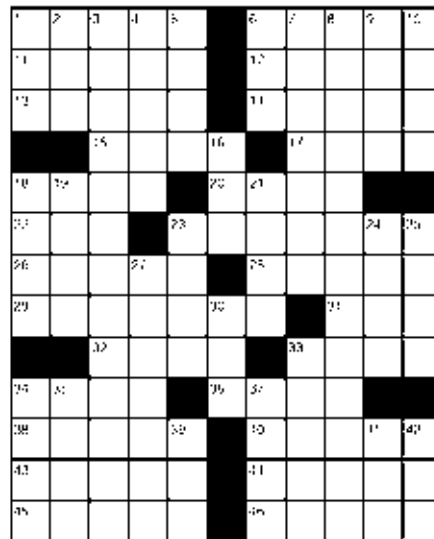
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GARAGE SALE 9/13 Saturday 8am-2pm 1115 Yale Street many miscellaneous household items.

Yard Sales

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'Long Island Lolita' has finally found her man

By The Associated Press

■ **GARDEN CITY, N.Y.** — Amy Fisher, whose shooting of her lover's wife when she was 17 earned her the tabloid nickname "Long Island Lolita," has tied the knot.

Fisher, who became a newspaper columnist last year, was married this week, according to her paper, the Long Island Press.

The paper's statement Wednesday didn't reveal whom the 29-year-old Fisher married or when and where the ceremony took place, saying all will be told in her next column, to appear in the weekly's Sept. 18 edition.

Fisher was released in 1999 after serving seven years in prison for shooting the wife of her lover, Joey Buttafuoco, in the face on the front porch of the couple's home.

"I felt just like the world felt, that I was one of those lost girls who was destined for a life of tragedy and despair," the statement quoted Fisher as saying. "But my life is coming together, and I'm so thrilled. This is the happy ending."

Buttafuoco, who pleaded guilty to one count of statutory rape, served six months in jail. He and his wife of 26 years, Mary Jo Buttafuoco, later moved to California so he could pursue an acting career. She filed for divorce earlier this year.

■ **EAST RUTHERFORD, N.J.** — It's a big payday for The Boss.

The 10 sold-out shows for Bruce Springsteen and the E Street Band at Giants Stadium this summer will bring his production company more than \$36 million, according to the New Jersey Sports & Exposition Authority, which operates the stadium.

The authority on Wednesday approved a payment of \$25.5 million for the first seven shows to Springsteen's Thrill Hill Productions Inc. The authority is to make payment next month for the final three shows in August, pushing the total to \$36.4 million.

"Not bad for a summer of work," authority President George Zoffinger told The Star-Ledger of Newark.

Springsteen was guaranteed \$1.7 million for each concert and a percentage of concessions, about 13 percent of all money collected.

The band concludes its 2002-03 world tour at New York's Shea Stadium on Oct. 1 and 3. More than 3 million tickets have been sold for 119 concerts in 82 cities around the world. The tour began last August at Giants Stadium, according to the group.

■ **LOS ANGELES** — A judge has dismissed part of a lawsuit against Sean Penn that accused the actor of extortion.

Superior Court Judge Irving S. Feffer on Tuesday dismissed some claims by movie producer Steve Bing that Penn tried to extort \$10 million.

Bing has alleged the actor threatened

to embarrass him by saying a political disagreement kept them from making a movie together.

The two filed competing lawsuits in February over the breakup of their plans to make a film called "Why Men Shouldn't Marry."

Penn's lawsuit claims his questioning of U.S. moves toward war against Iraq prompted Bing to renege on a \$10 million "play or pay" oral agreement they'd reached.

Bing's lawsuit denies there was a deal to pay Penn \$10 million whether or not the movie was filmed. He sought \$15 million from the actor.

Bing's attorney, Martin Singer, said the judge left intact some of "the most important claims," including Bing's claim that he never had a "pay or play" contract with Penn and that the actor ignored repeated phone calls to resolve the matter.

Penn's representatives called Feffer's ruling a "victory" and "a decisive win."

■ **INDIANAPOLIS** — A music licensing agency that represents singers such as Sheryl Crow and Dolly Parton has filed a federal copyright lawsuit that could silence karaoke nights in central Indiana.

In a lawsuit filed this week in U.S. District Court in Indianapolis, Broadcast Music Inc. alleges an eastside bar violated copyright laws by hosting karaoke and live music shows without paying licensing fees to use popular songs.

New York-based BMI is a performance rights organization that collects license fees on behalf of songwriters when their music is played on radio, television, the Internet, or is performed publicly.

The lawsuit claims that Parrotheads Bar and Grill failed to pay licensing fees for using songs such as "God Bless the USA" and "Old Time Rock and Roll."

Parrotheads would likely have to pay annual license fees of about \$1,000, said Jerry Bailey, a spokesman for BMI.

Besides the bar, the lawsuit names former owner Gary S. Neumann and Triple L. Inc. as defendants.

Neumann was out of town, his wife said Wednesday when The Associated Press called seeking comment. There was no number for Triple L. Inc. in Indianapolis listings. The phone at Parrotheads rang unanswered.

The lawsuit lists as plaintiffs a trust for the late Sonny Bono, songwriters and several publishing companies.

Scores of nightclubs and restaurants in Indianapolis play music without paying licensing fees, and the lawsuit could lead some to reconsider karaoke and live music shows, The Indianapolis Star reported.

"Everyone will be watching to see how this turns out," said disc jockey Justin Posav of GTI Sounds in Noblesville. "Many of them view BMI like the police."