

Santa Monica Daily Press

A newspaper with issues

THIS WEEK IS NATIONAL FARM ANIMALS AWARENESS WEEK

DAILY LOTTERY

2 19 44 45 56
Meganumber: 43
Jackpot: \$12M

3 22 24 32 39
Meganumber: 22
Jackpot: \$20M

3 7 20 28 29

MIDDAY: 0 6 8
EVENING: 9 5 1

1st: 09 Winning Spirit
2nd: 02 Lucky Star
3rd: 03 Hot Shot
RACE TIME: 1:43.58

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

NEWS OF THE WEIRD

BY CHUCK SHEPARD

Joshua Shores, 34, a Subway restaurant employee in North Platte, Neb., who was allegedly caught on surveillance video pocketing the \$502 he was supposed to drop into the restaurant's safe, tried to tell police and a judge in August not to worry, that he is not a thief but an undercover CIA operative and that the agency would reimburse the money. (He had lost his CIA badge, he said, which is why he was working at the Subway, waiting for the agency to send him a new one.)

TODAY IN HISTORY

Today is the 265th day of 2006. There are 100 days left in the year. Rosh Hashanah, the Jewish New Year (5767), begins at sunset.

1776 Nathan Hale was hanged as a spy by the British during the Revolutionary War.
1789 Congress authorized the office of Postmaster-General.

QUOTE OF THE DAY

"If power corrupts, weakness in the seat of power, with its constant necessity of deals and bribes and compromising arrangements, corrupts even more."

BARBARA TUCHMAN
AMERICAN HISTORIAN

INDEX

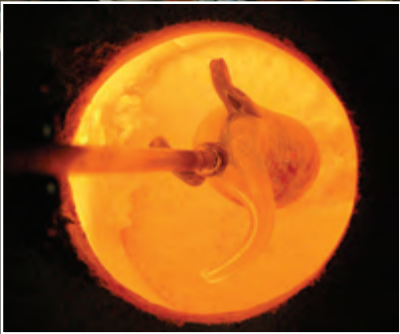
Horoscopes	
You're hot stuff, Gemini	2
Surf Report	
Water temperature: 66°	3
Opinion	
Bush's detainee blunder	4
Crime Watch	
Flasher caught	6
State	
CA farms at source of E. coli	7
National	
Arizona's plan to nab smugglers	8
International	
Claims of peaceful nuclear program	16
MOVIE TIMES	
Catch a flick!	17
Comics	
Yak it up, yakmeister	18
Classifieds	
Ad space odyssey	19-23



All fired up

Art student Nick Jones, 24, works on his 'Snaggle-tooth Dragon' during professor Don Hartman's glass blowing class at Santa Monica College on Thursday. (Inset) The art piece is taken into extreme temperatures.

Fabian Lewkowicz/Daily Press



STATE

Police target drivers using hand-held phones

By The Associated Press

SIMI VALLEY, Calif. — Although it's still legal for motorists to gab on a cellular telephone, police are targeting distracted drivers talking on hand-held cell phones near city schools.

The Police Department issued a warning back-to-school safety advisory early this month to motorists using hand-held cell phones near campuses.

"People talking on cell phones have their attention diverted. That is a fact," traffic Lt. Roy Jones said. "I see reports, and they show cell phones are a major contributing factor to accidents.

"We don't like people driving improperly around our schools."

Gov. Arnold Schwarzenegger signed legislation Sept. 15 banning the use of hand-held cell phones by drivers starting July 2008.

Jones acknowledged officers cannot legally force drivers to refrain from using cell phones. Until the California law takes effect, police cannot pull over drivers for using cell phones or even give them a warning.

"We're not saying it's illegal," Jones said. "We're saying we prefer if they don't do it. Can we ticket for it? No. Can we see someone on a cell phone who's weaving around and pull them over? Yes."



Dog tired

John Laroche, 53, uses his 10-year-old shepherd mix, Spike, as a pillow while taking a nap at Santa Monica's Muscle Beach.

Fabian Lewkowicz/Daily Press

Car control conclusions reached in Weller case

BY JESSICA ROBERTS
Special to the Daily Press

DOWNTOWN LA — Jurors heard expert testimony Thursday that the movements of George Russell Weller's car would have required driver control, and that there was no evidence of "hard braking" as the 86-year-old drove through the Farmer's Market three years ago, killing 10 people and severely injuring dozens more.

The lead investigator for the California Highway Patrol testified that Weller must have moved his steering wheel so he was able to drive from one side of the street to the other, supporting the prosecution's claim that the elderly driver had control of the car.

Lead CHP Multidisciplinary Accident Investigative Team (MAIT) investigator Richard Wong said the "crown" or hump in the middle of Arizona Avenue would have prevented the car from moving across the middle of the street without any driver influence.

Wong testified for several hours about the conclusions the team's investigation came to regarding the crash, which occurred on July 16, 2003. Wong called it "the worst scene I had seen in 17 years with the CHP."

Weller is charged with 10 counts of vehicular manslaughter with gross negligence, a charge his defense lawyers are trying to fight by showing he lost control of his car.

Deputy District Attorney Ann Ambrose asked Wong about each car movement indicated in MAIT diagrams and witness depictions, in which the vehicle crossed from the north to south side of the street and back. Wong answered each time that active steering input from the driver would be required to force the car to go from side to side.

Each segment of the car's trip from the intersection of Fourth to Second streets along Arizona Avenue was carefully depicted on the diagram, with 10 "areas of impact"

See **WELLER TRIAL**, page 13

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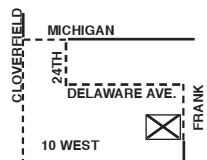
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You're hot stuff, Gemini

Santa Monica Daily Press

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

★★★★★DYNAMIC ★★★★★ POSITIVE ★★★ AVERAGE ★★SO-SO ★DIFFICULT



ARIES (March 21-April 19)

★★★★ You might sense a change in the wind, though you might not be sure how it will manifest. Honor your energy levels. Sometimes you push yourself way too hard. Don't make a needless mistake because you are tired. Tonight: Early to bed.

TAURUS (April 20-May 20)

★★★★ Though you might feel flat out of ideas, you will replenish your thinking and creativity given time. A special person might be entering your life soon who could serve as a muse. Be open to possibilities. Nothing is impossible. Tonight: Let off steam.

GEMINI (May 21-June 20)

★★★★★ Sometimes you see life differently from those in your immediate world. Events in the near future will open your eyes to why a certain someone thinks the way he or she does or makes certain choices. Let your energy guide your plans. Tonight: You're hot stuff.

CANCER (June 21-July 22)

★★★★ Sometimes the less said the better. You could be far more overworked and exhausted than you realize. Understand where others are coming from. Give up judging so much, and you will feel better as well. Tonight: Listen to the woes of a family member.

LEO (July 23-Aug. 22)

★★★★ What you realize, though you might not like knowing, is that nothing stays the same. You do have more control over your finances and interpersonal relationships than you might believe. Stop and think rather than have a knee-jerk reaction. Tonight: Dinner out.

VIRGO (Aug. 23-Sept. 22)

★★★★ You might be ready for some big changes, whether you realize this fact or not. You do need to think before you make a major decision. You also need some time, as situations can and will change radically. Tonight: Talk up a storm.

LIBRA (Sept. 23-Oct. 22)

★★★ If you feel uncomfortable with a situation, just say so. Not everything is as it seems. Your point of view is different from many. Let time and events play out. Avoid all major decisions for the next few days. Tonight: Nap and then decide. Keep it light!

SCORPIO (Oct. 23-Nov. 21)

★★★★★ You might be a bit put off by someone in your immediate circle. He or she might be acting unusually strange. Give this person the benefit of the doubt. You really don't know what is going on or where you are heading. Tonight: Play it low-key.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might not understand what is going on around you, though you will have to bend with the circumstances. You might not always have the "right" or only idea. Situations will change quickly during the next few weeks. Tonight: In tune with your friends.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ How you see a situation could change radically because of dealing with someone in charge or a higher-up. You don't always need to understand what is going on around you. In fact, a more easygoing approach will work. Tonight: As you wish.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Others reveal much more of themselves than in the past. You need to understand what is happening, although answers will not be immediately forthcoming. Think positively about the possibilities you would like to make into probabilities. Tonight: The offbeat choice works.

PISCES (Feb. 19-March 20)

★★★★ Work with others as best as you can. You could be overly tired and exhausted. Do understand your reactions, but also know that you don't need to react to them. In fact, process your feelings rather than act on them. Tonight: Out with a special pal.

BORN TODAY Baseball coach Tommy Lasorda (1927), musician Nick Cave (1957), musician Joan Jett (1958)

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COMMUNITY BRIEFS

Cosmetics for k9 connection

By Daily Press staff



Caption reads: (Left to right) First row: k9 volunteers Jessica Anisman with Sierra, Junko Elwell with Rolo, Sara Halpert with Dixie, Mary Beth Macaluso with Rusty. Second row: k9 volunteers Desiree Boyd and Jessica Skiff, k9 project operations manager Glen Zipper, Kiehl's store manager Tammy Smalls, and k9 co-director Katherine Beattie at Kiehl's Pet Adoption.

K9 connection regularly holds two-hour adoption outreach training classes for volunteers who will then walk the individual abandoned rescue dogs to public places and parks to find someone willing to give the pets a new home.

"I've been doing it for eight months," said volunteer Mary Beth Macaluso, who has two shelter dogs. "I walk the dogs along Main Street. They are so happy to get out and about."

Adoption outreach is an adjunct of k9 connection's more comprehensive three-week program for at-risk 12- to-16-year-old youth in local schools, training homeless shelter dogs in basic obedience and teaching the troubled teenagers to apply the same lessons they teach the dogs to their own lives. For more information call (310) 264-5424 or visit www.k9connection.org.

K9 connection is one of OPCC's (formerly Ocean Park Community Center's) 10 social service programs on eight sites in Santa Monica, including Access Drop-In Center, Campion Mental Health Center, Daybreak Center & Shelter, Night Light, SAMOSHEL, Safe Haven, Sojourn Battered Women's Center, Swashlock and Turning Point Transitional Housing, aiding more than 10,000 homeless and low-income men, women, at-risk teens and children each year toward self-sufficiency. For more information call (310) 264-6646 or visit www.opcc.net.



'Stella by Day' is by Mary Pillot

Alumni photos in show at SMC

By Daily Press staff

If a picture speaks a thousand words, then Santa Monica College alumni can get an eyeful this weekend.

Alumni of SMC can view their former classmates' photography at the SMC Faculty/Alumni Photography Show from Sept. 23 through Oct. 21. An opening gallery reception will be held on Saturday, Sept. 23 from 6 p.m. to 8 p.m.

The Santa Monica College Photography Gallery is located on the second floor of Drescher Hall at 1900 Pico Blvd.

The gallery is open from 10 a.m. to 3 p.m. and 5 p.m. to 7 p.m. Monday through Friday.

For additional information, call (310) 434-4289.

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SURF REPORT

SURF CONDITIONS

WATER TEMP: 66°

SWELL FORECAST (5-7 FT)

Friday the 22nd the SW will likely decline a bit with chest high + surf.

LONG RANGE SYNOPSIS

FRIDAY SEES WAVES, WINDS...

SOME SW TO LAST INTO WEEKEND...

SOUTHERN HEMI SW 25TH THROUGH 27TH...

SOUTH SWELL DUE ON THE 28TH...

TRACKING POSSIBLE TYPHOON SWELL FOR 30TH...

TIDE FORECAST FOR TODAY IN SANTA MONICA

09-22 03:00 AM	09-22 09:00 AM	09-22 04:00 PM	09-22 10:00 PM
8 ft	7 ft	6 ft	5 ft
7 ft	6 ft	5 ft	4 ft
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The QLine

PROUDLY BROUGHT TO YOU BY

Tourism and city officials spent last week at the beach racking their brains trying to figure out just what makes Santa Monica so special. As part of creating a "brand," they were asking themselves how they can improve the "beach experience" for visitors. City leaders know that our coastline is one of SM's greatest assets and by not bringing it to its fullest potential, Santa Monica is missing out. So this week, Q-Line wants to know, "What do you think are the best things about the beach and what can be improved upon?" Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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EDITORIAL



Someone over at City Hall remembered his or her parent's lesson that if something doesn't belong to you, you should give it back.

That's doing the right thing right.

And so it goes over at City Hall, where officials announced this week that they will refund about \$950,000 to people who paid too much in parking fines. It was discovered recently by City Hall's finance department that it was sitting on the extra cash, which accumulated in the form of overpayments by people who either paid their fines twice, or their spouses did.

As far we know, this is the first time City Hall has gone out of its way to give money back to parking scofflaws. Specifically, it was Eva Uren, acting revenue manager who works in City Hall's treasury department, that noticed the discrepancy when doing a check of the city's financial systems. She brought it to City Manager Lamont Ewell's attention and collectively city staff chose to do the right thing. That is not coincidental since City Hall last month launched its new customer service initiative "We Do The Right Thing Right."

It might sound corny but the action behind it has substance. Ask any of the 18,000 people who will get a check from City Hall in the next few months. Those who think they may be eligible for a refund are motorists who received a ticket in the last three years and might have paid a citation more than once, or erroneously paid a higher fine. Fill out a verification form online at www.smgov.net or call (800) 214-1526.



If city officials really want to do the right thing, they'll approve a proposal to build a children's play area at Palisades Park. The idea, first suggested by parents who live near the north end of the park, was expected to be discussed Thursday night by the Santa Monica Parks and Recreation Commission.

The area being considered for a small scale play area could be anywhere north of Idaho Avenue to the city's northern most border where the park ends.

It is remarkable that with dozens of parks in Santa Monica, most of which have children's play areas, Palisades Park — the city oldest and arguably most scenic — doesn't have a dedicated spot for kids. And considering the fact that it is one of only a few areas in the city more than a mile from a play area, a special place for kids is necessary in Palisades Park.

City officials have done preliminary research that indicates that the area being considered has experienced an increase in births over the last five years — another good reason.

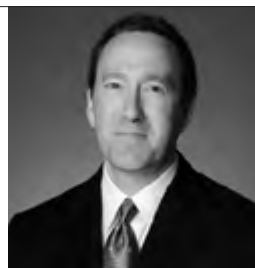
Thousands of parents and caregivers deprive themselves of spectacular views of the Pacific Ocean and inspiration every time they take their kids to a public space other than Palisades Park. Kids deserve the chance to frolic with a backdrop of a sunset and wave lapping the shores.

It's a perfect location not only because that area of the park is less congested than the south end, but it also is free of vagrants for the most part. It may well be the most vagrant-free park, at least north of Wilshire Boulevard. What's more, there is not one registered sexual offender who lives within a half mile of the north end of Palisades Park, which cannot be said for every other park in Santa Monica, according to the Department of Justice. What a concept it would be for parents to feel safe bringing their children to a playground in Santa Monica.

The Parks and Recreation Commission is expected to forward its recommendation to the City Council for final consideration. We urge people to support a children's play area in Palisades Park. Let's put our money to good use.

Bush's strategic blunder on torture

THE SOAP BOX BY BENNET KELLEY



You need not know anything about the Geneva Convention or international law to understand the current debate over President Bush's proposal to weaken protections for U.S. held detainees. The president's current hard line position — that the fate of the CIA interrogation program is in jeopardy since current law is too vague — was not derived from any legal treatise but from Karl Rove's campaign playbook and the proposal is more about defining the debate for the mid-term election than about clarifying the Geneva Convention.

Rewind to summer 2002. Before hitting the campaign trail, President Bush dropped his opposition to the creation of the Department of Homeland Security and immediately adopted another hard line position — threatening to veto any bill that did not strip many union and civil service protections for department employees. Bush's position created an impasse with democrats, which he used successfully to define and attack the democrats as being "more interested in special interests in Washington and not interested in the security of the American people."

The president's current hard line once again relies on the politics of "fear and smear" to reduce the debate to a false argument that democrats are more concerned about protecting terrorists than the American people. This time, however, the president miscalculated as not only is defending torture after Abu Ghraib anything but the moral equivalent of the homeland security debate but this time his opponents include prominent members of his own party.

The issue itself is not complex. Under the 1949 Geneva Convention prisoners may not be subject to cruel, inhuman, humiliating or degrading treatment or punishment and violations may be prosecuted as war crimes under U.S. law. On Dec. 30, 2005, President Bush clearly stated that it was against U.S. policy to use "cruel, inhuman or degrading treatment" when he reluctantly signed the Detainee Treatment Act applying Geneva Convention protections to detainees.

Nine months later and weeks before the mid-term election, President Bush now contends that this very same language is "so vague that it's impossible" for personnel to participate in the program without fear of liability. The administration proposal waters down Geneva Convention protections to only prohibit acts causing severe suffering, thereby

allowing many practices currently prohibited, while also covering their tails by applying this standard retroactively to escape prosecution for abuses at Abu Ghraib and Guantanamo.

Bush's arguments are contradicted by the Army Field Manual and CIA training manual, as both manuals stressed that "torture ... is a poor technique that yields unreliable results (and) may damage subsequent collection efforts." The Army manual especially warns that "(r)evelations of use of torture by U.S. personnel will bring discredit upon the U.S. and its armed forces while undermining ... support for the war effort" and placing American prisoners "at a greater risk of abuse."

The Army manual also did not have any trouble with vagueness, providing examples of prohibited practices that include practices that the Bush administration endorses such as sleep deprivation and position torture, and offering a simple test — do not engage in any activity that you believe may be against U.S. or international law if perpetrated on American troops.

President Bush wants Americans to believe that no other president has waged war against evil regimes or confronted this issue before. The reality is, however, that in each of the greatest challenges of American history, our leaders have to chosen to follow the course of the founding fathers who, as historian David Fischer notes, believed that they had to beat the British "in a way that was consistent with the values ... and principles of their cause" despite atrocities committed by King George's troops.

That is why Washington directed his troops to "(t)reat (British prisoners) with humanity" and Lincoln instituted a written code of conduct for the Union Army prohibiting "the intentional infliction of any suffering, or disgrace." That also is why the United States has followed the same standards in every war prior to the current conflict. The wisdom of those standards is confirmed by history which, as reported in a recent Army War College journal, clearly demonstrates that the use torture is always "a major strategic blunder ... (especially) in counterterrorism and counterinsurgency warfare (where) the moral component of the fight is strategically decisive."

Senator John McCain (R-Ariz.) correctly recognizes that this issue "has nothing to do with al Qaeda, (but) it has everything to do with America." The irony of Bush's miscalculation in adopting the methods of King George over the principles of the founding fathers is that it reveals to the country that the administration that piously claimed to represent "American values" has no idea what those values are.

(Bennet Kelley is the former national co-chair of the Democratic National Committee's young professional arm, publisher of BushLies.net and a Santa Monica lawyer. Reach him at bennet@bennetkelley.com.)

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Beating around the Bush after Sept. 11



It's been 11 days since all the retrospectives of 9/11. On its Web site, CNN showed 9/11 footage from the moment the first plane struck the WTC as though it were live. I wonder how many stoners thought, "Dude, I didn't even know the towers were rebuilt, and now they're down again?" ABC ran "Path to 9/11," a \$40 million mini-series which seems to blame Clinton, among others, and it ran commercial free. How patriotic, or, is it possible they got the money from another source? Nah.

President Bush got into the act with a primetime speech on 9/11. It would have cut into Monday Night Football, except it's on ESPN now. I was on the boardwalk exercising Oscar, but I listened on my bike radio. Oscar seemed more interested in sniffing lampposts than Bush's speech. Smart dog, that Oscar.

The speech started out as a touching tribute to 9/11. But at the four-minute mark, or Oscar's 10th lamppost, it turned into a pre-November stump speech. Bush conflated 9/11 and Iraq like a mantra, and even mentioned bin Laden's name three times. Surprise, surprise, when he does his poll numbers go up, but so do bin Laden's when he mentions Bush. Go figure. Lately it's reported Bush tells friends he identifies with Lincoln as both waged unpopular wars. But Lincoln's nickname was "Honest Abe." "Honest George" doesn't quite have the same ring.

In the past 11 days I haven't been thinking about 9/11 as much as I have about 9/12. Following the horrific tragedy there was actually unity in the country. We were all in it together. Everyone was kind. It was stunning. I remember trying to squeeze onto the Santa Monica Freeway and other drivers politely letting me cut in. Today for that maneuver, I might make Fox News, "Road rage homicide, film at 11." I was at Albertson's and had 13 items in the 10-item express checkout and nobody objected. The entire country mourned with the victims' families. Today Ann Coulter says of the 9/11 widows, "These broads are millionaires enjoying their husbands' deaths." That's the team spirit, Ann.

And on 9/12 there were demonstrations in Paris, Berlin and Moscow. All over the world people gathered to offer sympathy, holding signs, "We're Americans, too." Try traveling today with an American flag on your jacket. You might as well have a bull's-

eye. We haven't been this hated in the world since 1958 when Vice President Nixon was getting stoned in South America — stoned, as in rocks being thrown at him. Although Nixon, of all people, might have benefited from being the other kind of stoned.

I found myself thinking back to 1980. Candidate Ronald Reagan, in a debate with President Carter, asked the country if we were better off than we were four years ago. He said if we were not, it was time for a change. I thought about these past five years and applied the Reagan test.

The economy? Bush inherited a record surplus and now we have a record deficit — Iraq's \$8 billion a month alone. The deficit is so bad a child born today owes \$40,000 before his first burp. Actually that could cause a burp. The environment? Bush thinks global warming is just a theory. Security? The 9/11 commission report card was an overall D+, with lots of F's. With a report card like that I couldn't have gone home. The price of gas? In Clinton's last year a gallon of gas was \$1.39. We'd kill for that price now. Actually, we are, but not for that price.

Katrina? While a portion of the country was drowning, Bush was at an Arizona fundraiser, playing air guitar and eating John McCain's birthday cake. No drowning there. Education? Our test score rankings in the world can't get much lower, or, with two more years, maybe it can. Health Care? We have 40 million uninsured, a disgrace for an industrialized power but on the bright side, Haliburton's first quarter profits have never been better.

Iraq war mistakes? WMD's, greeted as liberators, oil revenue pays for the reconstruction, Sadaam-al Qaeda connection, and Rummy's quote: "I'm not sure we aren't creatin' more terrorists than we are killing." With that record, a baseball manager would get fired. So would a 7-11 manager. But to be fair and balanced like Fox News, there has to be something good in the last five years. Did I mention Albertson's raised the express line from 10 to 15 items?

As 9/11 this year was turning into 9/12, I was listening to the radio. Being interviewed about the prospects of peace in the world was Arun Ghandi, Mahatma's grandson. He mentioned that when Matt Lauer asked Bush how well he sleeps, "Like a log" was the answer. After Gettysburg I can't imagine Lincoln "slept like a log."

But maybe Ghandi got it wrong. And maybe I'm wrong about Bush — though I wish one day he could learn to pronounce "nuclear." The truth is I'm not 100 percent certain about most things in life. But one I am: Be sure Oscar takes a poop before you start on the bike path.

(Jack Neworth can be reached at Jackneworth@yahoo.com.)



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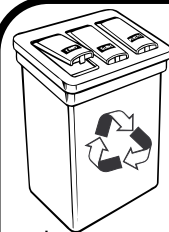
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CRIME WATCH

BY DAILY PRESS STAFF

Ocean not the only thing making waves

On Saturday, Sept. 16 at 11 a.m., Santa Monica Police officers responded to the 1700 block of Ocean Front Walk regarding a report of a man flashing passerbys on the bike path. When officers arrived, they spoke with a woman who said that she was riding her bike with friends when the man exposed his genitals to her and others. Officers located the suspect nearby and he was arrested and transported to the Santa Monica Jail where he was booked for indecent exposure. He was identified as Mathew Lee Dauberman, 35, a transient. His bail was set at \$10,000.

On Saturday, Sept. 16 at 6:15 p.m., officers on routine patrol stopped a vehicle for a minor traffic violation and discovered the occupants had cocaine in their possession. The two were arrested and booked for possession of a controlled substance. They were identified as James Kevin Bishop, 59, of Los Angeles, and Linda Akiko Inai, 37 of Culver City. No bail was set for either because of a probation violation.

On Saturday, Sept. 16 at 8 p.m., officers responded to the 1200 block of the Third Street Promenade — the Apple Store — regarding a report of petty theft. When officers arrived, they spoke with store security who said a man walked into the store, grabbed an \$80 radio and left without paying. He was confronted by security and detained until police arrived. Officers took the man into custody for shoplifting. He was identified as Pedro Ruiz, 33, from Van Nuys. His bail was set at \$10,000.

On Friday, Sept. 15 at 10:50 p.m., officers stopped a vehicle in the 2900 block of Fourth Street. Officers sensed something suspicious and searched the car, locating a loaded firearm. One suspect was arrested for carrying a concealed weapon. He was identified as Armando Thomas, 25, from Los Angeles. No bail was set.

On Friday, Sept. 15 at 4:30 a.m., officers responded to a residence in the 100 block of Ozone Street regarding a domestic disturbance. During an investigation at the home, officers discovered a powdery substance that was later determined to be cocaine. One of the occupants, Raymond Mickshaw, 44, of Santa Monica, was arrested for possession of a narcotic. His bail was set at \$10,000.

On Friday, Sept. 15 at 1:36 p.m., officers responded to the 2300 block of Main Street — the Urth Cafe — regarding a complaint of an intoxicated man causing havoc. When officers arrived, they contacted the cafe employees who said a suspect entered the business and attempted to take \$12 from a tip jar. When he was confronted, he attacked one of the employees and ran outside the cafe. Police were able to locate the suspect nearby and he was arrested for attempted robbery, assault and battery and public intoxication. He was identified as Martin Schmidt, 33, of Santa Monica. His bail was set at \$50,000.

On Thursday, Sept. 14 at 12:34 a.m., officers in the 1500 block of Ocean Avenue detained a man who was riding his bike on the sidewalk in violation of the municipal code. The suspect also had another bike in his arms. Upon further investigation, police discovered the bike was stolen. The suspect was arrested for possession of stolen property. He was identified as Lachyrrro Lewis, 30 a transient. His bail was set at \$20,000.

On Monday, Sept. 11 at 1:48 p.m. officers responded to the 300 block of Colorado Avenue — Sears — regarding a report of petty theft. When officers arrived, they spoke with a security guard who said a man walked into the store and walked out with a bottle of cologne valued at \$37.50. He failed to pay for the item. The suspect was detained until police arrived. He was booked for burglary due to the fact that he admitted to entering the store with the intent of stealing something, police said. He was identified as Juan Fernandez, 37, a transient. His bail was set at \$20,000.

On Monday, Sept. 11 at 2:45 a.m., officers responded to the 1200 block of Third Street — Restoration Hardware — regarding a report of a man throwing rocks through storefront windows. When officers arrived they spoke with witnesses who said they saw a man smashing windows to several businesses on the Promenade. The suspect was detained and arrested for vandalism. The suspect was identified as Jamshid Afshar, 48, of Santa Monica. His bail was set at \$20,000. Six business were vandalized, Police said. No items were taken from any location.

(This police report was compiled by Staff Writer Kevin Herrera.)

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Focus on California farms in hunt for E. coli

BY KASIE HUNT

Associated Press Writer

WASHINGTON — Health authorities hunting the source of a nationwide E. coli outbreak are focusing on nine California farms after discovering what could be a crucial clue: an opened bag of spinach left in the refrigerator of someone sickened by the bacteria.

The bag of tainted Dole baby spinach is the "smoking gun" that has allowed investigators to zero in on three counties in California's greater Salinas Valley, said Dr. Mark Horton, the state public health officer. Authorities also were checking processing plants, Horton said.

Officials said consumers still shouldn't eat bagged spinach, even as they closed in on the source of the bacteria as likely somewhere in Monterey, San Benito or Santa Clara counties.

The bag of fresh spinach that tested positive for E. coli was found in New Mexico, and other bags recovered elsewhere in the country also were being tested.

"It's certainly premature to say only this bag is going to test positive," said Dr. David Acheson of the Food and Drug

Administration's Center for Food Safety and Applied Nutrition. "There are others in the works."

New Mexico Department of Health officials confirmed the tainted bag of spinach was found after a person who ate some of the leafy greens became one of 146 people in 23 states sickened by the outbreak. One person has died.

The spinach tested positive for the same strain of E. coli linked to the outbreak, Acheson said. Dole is one of the brands of spinach recalled Friday by Natural Selection Foods LLC of San Juan Bautista, Calif.

The tainted greens came from one of the farms that supplies spinach to Natural Selection, said Samantha Cabaluna, spokeswoman for Natural Selection.

Government and industry officials were working on how to allow spinach grown elsewhere back on the market, Acheson said.

New Jersey Democratic Sens. Robert Menendez and Frank R. Lautenberg urged the FDA to assure the public spinach grown in their state was safe.

"As the nation's fourth-largest spinach producer, spinach farming is a multimillion-dollar industry for the Garden State,"

Menendez said. "That is why we are imploring the FDA to move quickly in identifying the source of the infected spinach."

Investigators began visiting farms in the Salinas Valley on Tuesday, seeking signs of past flooding or cases in which contaminated surface areas had come into contact with crops. They also were looking for potential sources of bacteria inside packing plants.

California produces 74 percent of the nation's fresh spinach crop. The Salinas Valley accounts for roughly three-quarters of the state's share, and it has been the focus of the investigation. The area has links to both Natural Selection Foods and a second company that also recalled fresh spinach products, River Ranch Fresh Foods of Salinas.

A third company, RLB Food Distributors of West Caldwell, N.J., has recalled Balducci's and FreshPro brand spinach products distributed to East Coast states because some of the spinach could have come from Natural Selection Foods.

Arizona and Colorado on Wednesday joined the list of states reporting E. coli cases. The others are California, Connecticut, Idaho, Illinois, Indiana, Kentucky, Maine, Michigan, Minnesota,

ON THE NET

FDA E. coli information:

<http://www.fda.gov/oc/opacom/hottopics/spinach.htm>

Nebraska, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Utah, Virginia, Washington, Wisconsin and Wyoming. Wisconsin has reported the most cases, as well as the lone death.

Among those sickened, 71 percent were women. Among those victims who could provide a date, they reported falling sick between Aug. 19 and Sept. 5, according to the Centers for Disease Control and Prevention.

New Mexico's public health laboratory isolated E. coli from the bag of opened spinach and then completed "DNA fingerprinting" tests late Tuesday. State and federal officials then matched it to the strain of the bacteria — E. coli O157:H7 — implicated in the outbreak.

(Associated Press writers Lisa Leff in San Juan Bautista, Calif., Paul Elias in San Francisco and Andrew Bridges in Washington contributed to this report.)

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Arizona broadens efforts to snag smugglers' loot

BY PAUL DAVENPORT

Associated Press Writer

PHOENIX — Arizona authorities are moving to broaden their efforts to seize money transmissions intended for smugglers of drugs and people.

According to court papers filed by Western Union Financial Services Inc., the attorney general is asking a state judge to allow authorities to seize large cash transmissions sent to 26 specific locations in the Mexican state of Sonora, even if the money is sent directly to Mexico from a state other than Arizona.

Arizona already has a program to seize wire transmissions of money allegedly related to smuggling and sent to or from Arizona, but the proposed expansion would also cover transfers of \$500 or more of cash sent from 28 U.S. states to specified places in Sonora, attorneys for Englewood, Colo.-based Western Union said in a complaint filed in U.S. District Court.

Authorities say wire transmissions of money are used to move cash being paid to smugglers of people and drugs and that seizing the money is a deterrent to those crimes.

Western Union's lawyers argued that the state's plan for broadened seizures would damage the company's business by scaring off customers and violate constitutional protections for interstate and international commerce, but Judge Stephen M. McNamee on Wednesday denied Western Union's request for a temporary restraining order.

Assistant Attorney General Cameron H. Holmes, chief counsel of the office's financial remedies section, told McNamee that the seizures are based on a reliable screening process, subject to state court supervision and legal because the money that would be seized was tied to smuggling activities in Arizona.

Senators predict quick, easy confirmation for parks nominee

BY MARY CLARE JALONICK

Associated Press Writer

WASHINGTON — Mary A. Bomar, President Bush's nominee to head the National Park Service, appeared headed for a quick confirmation as senators praised the British native Thursday for her professionalism and history with the agency.

Bomar, who has served as the Park Service's Northeast regional director since 2005, offered few opinions on current Park Service policy or the agency's budget problems at her Senate confirmation hearing. Bomar said she would help the agency "search for creative ways of working within our means."

If confirmed, Bomar will replace Fran Mainella, who announced this summer that she would step down for family reasons.

Senate Energy and Natural Resources Chairman Pete Domenici, R-N.M., and Wyoming Sen. Craig Thomas, the Republican chairman of the subcommittee on national parks, predicted that most senators will support her nomination.

"This will move fast," Domenici said after the hearing.

Bomar was born and raised in England and became a U.S. citizen in 1977. She has worked in numerous parks, serving as acting superintendent at Rocky Mountain National

ON THE NET

Arizona attorney general:

<http://www.azag.gov/>

Western Union:

<http://www.westernunion.com>

"Everything they do is centered in Phoenix," said Holmes. "All that matters is that we have an Arizona crime and Western Union has the power to direct that money to us."

Western Union attorney Francis J. Burke Jr. argued that people in other states and countries should not have to deal with Arizona authorities to win release of seized wire transfers. "The only way they get it back is to be interrogated by a detective in Arizona," he said.

Holmes said people trying to claim money subject to possible seizure are questioned by detectives but given the benefit of the doubt. Of those that went to court, "we have never lost any of these cases," he said.

Outside the courtroom, Holmes declined to discuss the status of the seizure warrant request pending in Maricopa County Superior Court. However, Burke said a warrant could be served on Western Union within a matter of days.

Earlier this week, a Superior Court judge ruled that Western Union had to obey a subpoena to provide the attorney general with data on wire transactions to recipients in Sonora. Western Union had disputed whether the office had jurisdiction to issue the subpoena.

Separately, Western Union last month reached a \$3 million settlement with the Arizona Department of Financial Institutions on allegations that some of the company's outlets in Arizona failed to comply with state reporting laws intended to help combat money laundering and illegal immigration.

Park and as the first superintendent at the Oklahoma City National Memorial, among other jobs.

The Bush administration's handling of the national parks has drawn persistent critics. But the agency has recently retreated from some of its most controversial plans.

Officials this year rejected a management proposal that critics said would have expanded the use of snowmobiles and all-terrain vehicles on federal land. Instead, Mainella later signed a policy emphasizing that conservation is the parks' first responsibility.

But other issues remain. Bomar would take over the Park Service as the agency struggles with a yearslong backlog of maintenance and rehabilitation projects.

Bomar declined to elaborate on her personal views on a number of subjects, including snowmobiles and the maintenance backlog. She said she planned to "stay the course" and continue to look at the backlog.

"You have done a very good job of not answering the questions," Domenici teased during the hearing, adding that she appeared to understand the agency has serious issues to confront.

Oregon Sen. Ron Wyden, a Democrat, pressed Bomar on recent ethics issues at the Interior Department.

Quick Yucca opening wanted

By Associated Press

LAS VEGAS — An industry lobbying group has unveiled a plan in Washington to speed the opening of the Yucca Mountain nuclear waste repository in Nevada.

Draft legislation by the Nuclear Energy Institute would allow interim storage of spent radioactive waste at the site and provide millions of dollars to Nevada if the state drops opposition to the project.

Copies of the proposed bill were distributed Wednesday to industry officials and to select Capitol Hill staff members who handle energy issues.

The idea was rejected by Nevada officials who said Nevada was not interested in compensation for accepting nuclear waste.

"We've said no before. We haven't changed our mind," said state nuclear projects director Bob Loux, who called the proposal a last-gasp attempt to move a stalled project forward. "We're not interested at any price."

Rep. Shelley Berkley, D-Nev., called the proposal "an amazing nuclear industry wish list of everything up to and including the kitchen sink," while Rep. Jon Porter, R-Nev., said he thought the pro-repository trade group was "feeling desperate."

With Congress unlikely to pass a Yucca Mountain bill during the remainder of this year's session, a Nuclear Energy Institute official said the trade group was staking out a position for when lawmakers return in January for the final two years of President Bush's term.

"The president has been a strong friend of nuclear, and we would certainly like to see legislation advance under his administration," Michael Bauser, NEI associate general counsel, told the Las Vegas Review-Journal.

Bauser said the proposed bill "represents an overview of what we see as the more important issues" facing the repository 90 miles northwest of Las Vegas.

The NEI proposal would pay Nevada \$25 million a year during planning and construction of an interim storage site while the Energy Department works through delays in opening a permanent repository. Payments would increase to \$50 million while the temporary storage site was open.

Among other provisions, the Nuclear Energy Institute proposal also would set a 10,000-year compliance period for radiation safety at the site, reversing a 2004 federal court ruling that ordered the Environmental Protection Agency to set a 1 million year safety standard.

House passes broader bills to crack down on border security

BY JIM ABRAMS

Associated Press Writer

WASHINGTON — Republicans took a new crack at old border-security legislation Thursday as the House approved pre-election bills on deporting gang members, imprisoning tunnelers and empowering local police to arrest illegal immigrants.

With no prospects this year for passing broader immigration changes favored by the Senate, House GOP leaders said taking action to seal the border was a matter of urgency.

"We're running out of time in this Congress," said Judiciary Committee Chairman James Sensenbrenner, R-Wis. "The American people say border security first."

But Sensenbrenner's Republican counterpart in the Senate, Arlen Specter of Pennsylvania, said, "I don't see how we can deal with the immigration issue on a piecemeal basis." There would be no motivation for the House to negotiate on the issue "if we take care of all of their priorities and none of the Senate's," he said.

The House passed legislation last December that concentrated on border security and enforcement of laws banning employment of undocumented workers. The Senate in May passed a broader bill, generally endorsed by President Bush, that included provisions for a guest worker program and ways for the nation's estimated 12 million illegal immigrants to work toward legal status and eventual citizenship.

The three border security bills the House took up Thursday were in large part already included in the bill passed last December.

House leaders said one plan was to try to attach the bills to Homeland Security spending legislation that Congress must clear before the end of the session, an approach that Specter, also a senior member of the Senate Appropriations Committee, appeared to dismiss.

The Senate was debating legislation passed by the House last week that would approve construction of a 700-mile fence stretching across one-third of the U.S.-Mexico border.

Democrats said Thursday's votes were an attempt to cover up the failure to pass more

comprehensive immigration changes.

"It's political gamesmanship that forecasts an election" less than two months away, said Rep. John Conyers of Michigan, top Democrat on the Judiciary Committee.

Congressional Democratic leaders, seeking to capitalize on Hispanic opposition to the get-tough policy on illegal immigrants, on Thursday unveiled plans to enact immigration changes and improve education and health care for Hispanic families.

"For too long this do-nothing Republican Congress has ignored, and in some cases worsened, the critical challenges facing Latinos," said Senate Democratic leader Harry Reid.

The three House bills would:

- Impose prison terms of up to 20 years for those who knowingly construct or finance an unauthorized tunnel under a U.S. border. People who permit the construction of such a tunnel could face 10 years in prison. Sensenbrenner said 50 tunnels, used to smuggle narcotics and illegal immigrants, have been discovered along the Mexican border since 1990, and 36 in the last five years. It passed 422-0.

- Allow the Department of Homeland Security to hold illegal immigrants detained for crimes or as threats to national security beyond the current limit of six months, and set up expedited procedures for deporting these people. The bill also would make it easier to detain and deport illegal immigrants found to be part of criminal street gangs. It passed 328-95.

The National Immigration Forum opposed the provision, saying it "gives the attorney general the ability to designate any group as a gang and then punish an individual for belonging to that group, regardless of whether the individual committed a crime."

- Reaffirm the authority of state and local law enforcement to arrest, detain and transfer to federal custody illegal immigrants. It would ask the Justice Department to increase the number of attorneys prosecuting immigrant smuggling cases. It also would close loopholes that have led to "catch and release" policies in which illegal immigrants, mainly non-Mexicans, are released because they cannot be immediately deported. It passed 277-140.

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Atlantis glides to a safe landing after mission

BY MIKE SCHNEIDER

Associated Press Writer

CAPE CANAVERAL, Fla. — Space shuttle Atlantis and its six astronauts glided to a safe landing in darkness early Thursday, ending a mission to the international space station whose smooth success was briefly upstaged by the high drama caused by mysterious floating debris.

"Glad to be back. It was a great team effort so I think assembly is off to a good start," said commander Brent Jett immediately after touchdown at Kennedy Space Center at 6:21 a.m. EDT.

The landing was a day later than planned because NASA ordered up more inspections of the spacecraft's delicate skin to make sure it was safe to come home. The fear was that one of the mysterious objects might have hit

the shuttle.

"We've seen a new standard in NASA vigilance," said shuttle program manager Wayne Hale.

After numerous cameras above and below, some of them maneuvered robotically by the shuttle astronauts, NASA proclaimed the spacecraft damage-free.

The unplanned drama threatened to overshadow what had been a nearly flawless mission filled with strenuous spacewalks and rigorous robotics work that placed the international space station back on a path to completion after a 3 1/2-year hiatus.

NASA officials said their best guess was that the most worrisome object was a plastic filler placed in between thermal tiles which protect the shuttle from blasting heat. Four other pieces of debris, including a possible garbage bag, floated near the shuttle over the next day.

Atlantis' return avoided a near traffic jam at the space station, as a Russian Soyuz spacecraft arrived at the space station less than two days after Atlantis had departed.

It was the 21st landing in darkness of 114 successful landings.

The Atlantis mission was the first of 15 tightly scheduled flights needed to finish constructing the half-built space lab by 2010.

The shuttle delivered a 17 1/2-ton truss addition with two massive solar arrays that opened like gleaming golden wings. The solar panels will eventually provide a quarter of the station's power when it is finished in 2010.

In three highly choreographed spacewalks, astronauts hooked up cables, removed bolts and opened up a radiator over the solar arrays. NASA had described the 11-day schedule as one of the busiest and most challenging ever for a shuttle crew.

"We're back in the assembly business," said Hale. "We achieved a new record in assembling a new component in a minimum number of spacewalks."

NASA and its international partners of Russia, Europe, Canada and Japan must finish building the space station before the U.S. space agency ends the shuttle program in 2010 with plans to return to the moon in a new vehicle. The massive, 25-year-old shuttles are the only spaceships large enough to haul construction parts to the space lab.

The next shuttle flight in the construction sequence is set for December.

Before Atlantis' mission, the space station hadn't been expanded since late 2002. The Columbia disaster in 2003 grounded the

three remaining shuttles for two years, and NASA devoted another year trying to figure out how to keep insulation foam from falling off the space shuttle's external tank.

The Atlantis astronauts started work right away upon arriving at the space station last week. The massive \$372 million addition was handed from one giant robotic arm to another — from the shuttle to the space station.

Astronauts Joe Tanner and Heidemarie Stefanyshyn-Piper served as cosmic electricians and carried out two of the mission's three challenging spacewalks. Dan Burbank and Steve MacLean of the Canadian Space Agency performed the other. Both teams lost a few bolts.

The mission was bookended by delays. At first, it seemed as if Atlantis never would get off the ground.

The launch was scrubbed four times in two weeks because of a launch pad lightning bolt, Tropical Storm Ernesto and problems with the electrical system and a fuel gauge.

With all the postponements, NASA negotiated with the Russians to squeeze out one last chance in its launch window. The Russians were worried the trip would interfere with their Soyuz trip to the space station with a paying customer, Iranian-born space tourist Anousheh Ansari, a Dallas businesswoman. The Soyuz lifted off Monday, just hours after Atlantis had undocked from the space station.

Less than 24 hours after Atlantis undocked, an oxygen generator on the space station overheated and spilled a toxic irritant, forcing the three-man crew to don masks and gloves in the first emergency ever declared aboard the 8-year-old orbiting outpost.

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Two companies going after Utah tar sands

BY PAUL FOY

AP Business Writer

SALT LAKE CITY — When Jim Runquist's company starts digging tar sands near Vernal, Utah, next week, it will end up with sand that's worth more than the heavy oil it produces.

"It's not worth it if you compare us to Canada," Runquist, chief executive for Temple Mountain Energy Inc., said at a conference Thursday at the University of Utah.

He was referring to northern Alberta's vast, superior deposits of tar sands, which make Utah's fragmented, leaner deposits look like a poor cousin.

Utah's tar sands are barely worth recovering with today's technology, two professors at the conference said.

Milind Deo, professor of chemical engineering, said oil prices would have to stay well above \$60 a barrel to make Utah's tar sands worth developing. Crude oil was trading for \$61.17 a barrel Thursday on the New York Mercantile Exchange.

Alberta's wet, scoopable tar sands make for easy separation of oil and sands with a hot-water treatment, while Utah's dry tar sands are bonded to hard sandstone in scattered, mostly underground deposits, Deo and other experts said.

"It requires some effort to mine," said James F. Kohler, solid-minerals chief for the U.S. Bureau of Land Management in Utah.

The "fine-grained, cemented sandstone" contains a tar-like bitumen that is so thick it may never prove economical, said Jan D. Miller, a professor of metallurgical engineering at University of Utah.

Runquist said Temple Mountain Energy will dig up tar sands on 256 acres of land, 6 miles south of Vernal, because it can produce things of value — asphalt, cement and a hard, abrasive sand used for fracturing deep petroleum wells.

Robert Trent, vice president for Temple Mountain Energy, said thick oil coming from the tar sands will be a "byproduct" of lesser value than the sand.

In an interview, Runquist hastened to add that the bitumen could become more valuable if crude prices soar higher.

"We decided not to go with oil shale," said Larry Clynch, president and chief operating officer of Temple Mountain Energy. "That's too difficult and takes too much money."

The richer, larger reserves of oil shale in Utah and Colorado also are the focus of development.

Oil Shale Exploration Co., backed by Twin Pines Coal Co. of Alabama, is seeking federal approval to reopen the White River

oil-shale mine near Vernal. It was abandoned by three major oil companies in 1985 when falling crude prices made shale oil uneconomical.

At least one other company sees some value in the tar sands around Vernal.

Earth Energy Resources Inc., of Alberta, Canada, said it plans to set up a portable plant on 6,000 state-owned acres east of

Vernal using an environmentally friendly solvent to coax bitumen from Utah's tar sands.

The company produced 25 barrels of oil in a demonstration project last fall. D. Glen Snarr, Earth Energy's president and chief financial officer, said that's more than anybody has ever produced from Utah's tar sands.

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NOTICE OF COMPLETION & PUBLIC NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR A HOTEL AT 1327-1337 OCEAN AVENUE

OFFICIAL NOTICE is hereby given on the completion and availability of a Draft Environmental Impact Report (DEIR) on the following project proposed for a Development Agreement :

PROJECT LOCATION: 1327-1337 OCEAN AVE. SANTA MONICA , CALIFORNIA 90401

DESCRIPTION OF PROJECT: The proposed project involves construction of a 75-room hotel with a rooftop pool, terrace and garden, subterranean parking, and a restaurant with outdoor dining. Additionally, two on-site City landmark buildings at 1333 and 1337 Ocean Avenue would be renovated, and would be incorporated into the overall project design. The components would be arranged around a publicly-accessible plaza. The total floor area for the proposed project would consist of approximately 42,032 square feet. The height of the proposed project is 45 feet to the top of the roof with some architectural projections up to 55 feet. The proposed project includes relocation of the Victorian House located at 1333 Ocean Avenue to the 1327 Ocean Avenue parcel. The Victorian House would remain on site during all construction activities. Most of the Spanish Colonial Revival building located at 1337 Ocean Avenue will be retained except for an 816 square foot portion of the rear which will be demolished to accommodate the connection with the contemporary lobby that links this building to the new hotel room structure. The proposed project would involve the demolition of three buildings that are currently used for commercial purposes. These include a two-story building located at the northeastern corner of the project site, another two-story building located along 1st Court Alley on the eastern edge of the project site, and a third, one-story building that is currently sited in the southeast corner of the project site.

The Draft Environmental Impact Report for on this project is available for your review and comment. This document examines impacts of the proposed project on the City's environment.

Impact areas analyzed in the Environmental Impact Report are: Aesthetics Shade /Shadow, Air Quality, Noise, Transportation/Traffic, Cultural Resources, Land Use, Neighborhood Effects, Construction Effects, and Utilities. Significant and potentially significant impacts have been identified in the areas of Cultural Resources, and Transportation /Traffic* (* indicates impact cannot be mitigated)

HOW TO COMMENT ON THE DRAFT EIR/EA: The City of Santa Monica encourages public comment on this and other projects. A copy of the document is available for your review in the following locations:

- City Planning Counter, Room 111, 1685 Main Street, Santa Monica, CA 90401
- City Clerk, Room 102, 1685 Main Street, Santa Monica, CA 90401
- Santa Monica Public Library, 601 Santa Monica Blvd., Santa Monica, CA 90401

If you have comments about the DEIR, you should forward them to Sarah Lejeune, AICP, Senior Planner, so that they can be considered.

COMMENT PERIOD: Friday September 22, 2006 through Monday November 6, 2006

DUE DATE FOR COMMENTS: Monday, November 6, 2006 (5:00 p.m.)

WHERE TO SEND COMMENTS: City Planning Division, 1685 Main Street, Room 212, Santa Monica, CA 90401-3295. Attention: Sarah Lejeune, AICP, Senior Planner. Telephone: (310) 458-8341. E-mail: sarah.lejeune@SMGOV.net

MORE INFORMATION: Following the completion of the Final EIR, additional notice will be given as to the scheduling a public hearings before the Planning Commission and City Council to certify the EIR, review the project for approval of a development agreement.



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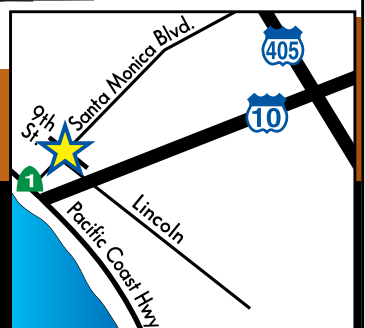
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Aqua teens

A group of teenagers from the Westside Aquatics Center Swim Team train at Santa Monica Beach. They swam north along the coast for 1,000 meters and ran back on the sand.

Fabian Lewkowicz/Daily Press

Car impact areas shed light

WELLER TRIAL, from page 1

marked. Between impacts four and five, for example, Wong testified that the car's behavior shows evidence of driver input. At the fourth impact point, five pedestrians were struck, and at the fifth, a 3-year-old girl was killed.

On cross-examination, defense attorney Mark Borenstein asked Wong about other segments of the car's journey — when it did travel in a straight line on one side of the road. Wong agreed that those portions indicated "little or no driver input." He also agreed that other factors may have affected the movement of the car, although he insisted that impact with structures is likely to cause a car to change direction, while impact with people does not. Weller's vehicle never hit other parked cars or buildings.

Of the 10 separate impacts documented by accident investigators, all them involved pedestrians. But it wasn't until the fourth area of impact that Weller began hitting tables, booths and canopies.

Although accident investigators were unable to determine the speed of the car due to its changing acceleration and other objects interfering in the path of flying debris and bodies, Wong was able to draw some conclusions about Weller's speed based on the damage to his vehicle.

He said Weller was traveling between five and 10 miles per hour when his Buick collided with a Mercedes Benz before driving through the market at the intersection of Fourth Street and Arizona Avenue.

Wong also said that the damage to the car's windshield indicated that it must have been traveling at least 25 miles per hour when victims' heads made contact with the glass. When bodies are thrown over a car's roof, Wong said, con-

trolled tests have shown vehicles must be traveling at an average speed of 37 miles per hour.

Bodies were thrown as far as 60 feet from where they had been standing when the car hit them, Wong testified.

Wong said there was no evidence — such as skid marks — that Weller ever applied the brakes hard, and that he came to a stop only because of the drag from a shopping cart, trash can and a woman he had run over.

Ambrose asked Wong whether he had looked through the windshield of Weller's car when he arrived at the scene. Defense attorneys had questioned previous witnesses of the crash about the condition of the windshield, possibly trying to show Weller was unable to see where he was going.

"Could you see people through the windshield?" Ambrose asked Wong.

"Yes," he replied.

Wong also testified that Weller did not appear to have been injured by the deployment of the airbag. The effect of the airbag on Weller's control of the car is a key point for the defense. Wong said an airbag only remains filled for a "fraction of a second."

Another important defense claim is that Weller suffered a moment of "pedal error," a claim Ambrose tried to weaken by asking Wong about the positions of the pedals. The brake pedal is about two inches higher than the accelerator and two inches apart, Wong said.

"Mainly so you won't accidentally step on the wrong one," he testified.

Testimony resumes today in what is expected to be a six-week trial against the longtime Santa Monica resident, who is now 89 years old and has been given permission to not attend the court proceedings due to his declining health.

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States seek “limited selected lethal removal” of some sea lions

BY JOSEPH B. FRAZIER
Associated Press Writer

PORTLAND, Ore. — C404, the crafty California sea lion who has flummoxed engineers and fishery specialists at the Columbia River’s Bonneville Dam for years, might want to get his affairs in order.

With the guts and gall of a burglar, C404 has earned a measure of fame by routinely navigating his way around sea lion exclusion devices and into the dam’s fish ladder where tasty, migrating salmon flop their way up the stair-like structure on their way to spawning grounds.

His name reflects the brand fishery officials gave him for identification, and since

2003, he has been showing up almost on a timetable for the spring chinook run.

California sea lions such as C404 are protected by law.

But now Oregon and Washington are drafting a proposal for their “limited selected lethal removal” in the Columbia River to ease pressure on the spring chinook salmon run.

The proposal could be ready for the federal government next month, said Charles Corralino, who heads the conservation and recovery program for the Oregon Department of Fish and Wildlife.

While nobody has specifically named C404, the program is targeting repeat offenders, and he’s the poster child.

Corralino said the states are working with the U.S. Army Corps of Engineers and the Columbia River tribes.

A salmon fisherman said the sea lions are affecting both salmon and sturgeon and need to go, but an official of the Humane Society of the United States said removal would only make it look like something is being done while ignoring the more serious issues.

It could be two to four years before federal approval is given.

“It is a conservation issue,” Corralino said Thursday. “Sea lions and salmon have lived in harmony since the rocks cooled.”

When the Marine Mammal Protection Act was passed in 1972, there were about

50,000 California sea lions. There are about 300,000 today, he said, implying the protection act may have worked too well.

“It has gotten out of balance,” he said.

California sea lions are not listed as endangered or threatened but are protected. One segment of Steller sea lion, which also is in the Columbia, is listed as endangered.

Corralino said there is serious concern for the health of the spring chinook run.

Guy Norman, regional director for southwest Washington for the state Department of Fish and Wildlife, said some sea lions would be killed. But, he said, “We hope to minimize that and focus on those who most contribute to the problem” and also those who don’t respond to nonlethal deterrents.

Santa Monica Daily Press

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HOURS SUN-THU 11:30am-10pm FRI-SAT 11:30am-11pm



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HOURS MON-SUN 11:30am-10pm



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(310)829-1933

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HOURS THU-SUN 8pm-Close



3221 Pico Blvd.
(310)453-9113

At Violet restaurant the atmosphere is casual, comfortable, and, like its cuisine, is uncluttered. Chef Jared Simons’ flavorful small plate fare has something to suit everyone, from light eaters to those with a taste for a more robust fare. Unique selection of new and old world wines by the bottle, glass or flight as well as an impressive list of domestic & imported artisan beers.

HOURS LUNCH: TUE-FRI 11:30AM-2PM DINNER: TUE-FRI 6PM-10PM & SAT & SUN 5:30PM-10PM



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HOURS MON-FRI 12pm-2:30pm DINNER 5:30pm



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HOURS SUN-SAT 11am - Midnight

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SANTA MONICA ART PALETTE

MAKING ARTS AND CULTURE COME ALIVE IN SANTA MONICA

This week the Palette devotes a special edition to “the kids in the knickerbockers,” as Professor Harold Hill from “The Music Man” would call them. And like the Professor, we don’t want them peekin’ in the pool hall windows after school, so we bring you the extra-special, truly spectacular, Palette Kid’s Edition, chock full of art and culture for toddlers to teens. School’s back in session so the weekdays are pretty full but we’ve got a host of activities here for you and your family this weekend. And keep in mind, most of these events are ongoing so keep this list handy for the next time you have munchkins to entertain.



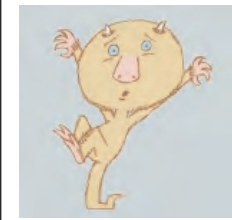
Wake Up With the Waves
Start your day off on Saturday by packing up the kids and heading on down to the Santa Monica Pier where award-winning entertainer Lou Stratten and her friends Skunkooney and Sir Fretterick entertain children with their songs and stories about family, diversity and respect for the environment.

9 a.m. to 11 a.m.
Sept. 23
Lou Stratten, stories and music
Santa Monica Pier, west end



Whisper of the Heart
Every Picture Tells a Story is offering free tickets to a screening of master animator Hayao Miyazaki’s rarest feature-length production, “Whisper of the Heart.” This wondrous anime film adaptation of the manga book tells a story of a two young book lovers who find love in an old curiosity shop. The film will be followed by a discussion hosted by animation historian Charles Solomon. For a free pair of tickets for the film, contact Every Picture Tells A Story by e-mail or phone or just drop by. The tickets will be available for pickup at 2 p.m. on Saturday.

web@everypicture.com
(310) 451-2700
1311-C Montana Ave.



Mo Willems Exhibition
Stop by early to pick up your tickets at Every Picture Tells A Story so you and the kids can get a look at their current exhibition featuring limited edition giclee prints of best selling author and illustrator Mo Willems. Not only is Willems the creator of Leonardo the Terrible Monster and the Caldecott Honor Book, Don’t Let the Pigeon Drive the Bus, he also has earned six Emmy Awards as a scriptwriter and filmmaker for PBS’ Sesame Street. The exhibition is great fun for all ages.

Every Picture Tells A Story
(310) 451-2700
1311-C Montana Ave.



All The World’s A Stage
Every kid in town will enjoy meeting the wild and extraordinary characters living in the fantasy world of Hamelot — populated exclusively with characters created by Shakespeare. This madcap musical comes complete with fairies, romance, mistaken identity, and a healthy dose of humor. Children love participating in the play along with the Santa Monica Playhouse cast members ensuring that all’s well that ends well. It’s a terrific way to introduce your kids to Shakespeare and an afternoon of quality time they’ll never forget.

Saturdays and Sundays at 3 p.m.
Through Sept. 24
Santa Monica Playhouse
1211 Fourth St.
(310) 394-9779, ext. 2



Puppetolio!
Puppetolio is one of Santa Monica’s most delightful treasures. With performances every weekend at the Santa Monica Puppetry Center, it’s a wonderful way to expose your kids to a ancient art form. Puppeteer Steve Meltzer’s passion for puppetry is positively infectious and his one-man/many puppets show is a terrific family activity.

The Puppetry Center
Saturdays and Sundays:
1 p.m. and 3 p.m.
1255 Second St.
(310) 656-0483
smpuppets@aol.com



If you would like to subscribe to the Santa Monica Arts Palette via e-mail, please send a blank e-mail with the word “Subscribe” in the subject line to artpalette.mailbox@smgov.net

ENTERTAINMENT BRIEFS

A rhyme-filled evening

By Daily Press staff

Multiple poets will recite verses in church — but not from the bible.
On Saturday, Sept. 23 at 7 p.m., the Church in Ocean Park will host poets Gerald Locklin, Michael C. Ford, John Harris, Patricia Cherin and francEyE at 235 Hill St. Admission is a suggested donation of \$5 to \$15. However, no one will be turned away for lack of funds. For more information contact Fred Whitlock at (310) 578-6030.

Testing the limits of love

By Daily Press staff

The limits of love are examined in Robert Manning Jr.’s newest screenplay, “Unconditional.”
Playwrights 6, the critically acclaimed and only playwright-managed theater company in LA, is presenting a staged reading of “Unconditional” on Friday, Sept. 29.
Manning’s love story will be presented at 7 p.m. at Theatre/Theater, 5041 W. Pico Blvd., Los Angeles. The reading is free and open to the public. A reception with food and refreshments will follow.
This is the third in Playwrights 6’s 2006 staged reading series, dubbed “Play Night with the PlayWright.” The fourth and fifth readings in the series will be held in October and November at the Powerhouse Theatre in Santa Monica.
“Unconditional” tells the story of Mack, an irresponsible corporate “suit” in pursuit of his soul, and Simone, his free-spirited neighbor. The two meet in a casual crossing of paths and engage in a love affair to end all others. However, life proves challenging when love is unconditional.

A recent graduate of the University of Washington’s Master’s of Fine Arts Program in theater, Manning is an actor/writer and member of Playwrights 6.
Some of his recent acting credits include the television shows “South of Nowhere,” “Criminal Minds,” “NCIS,” “Over There” and “NUMB3RS.” His writing credits include the independent short films “Five,” “Life” and “Study Session.” He and his business partner, Scott Fernstrom, are owners of the independent production company Alpha and Omega Productions, Inc.
For information call (323) 860-6625.

Fall brings eclectic concerts to SMC

By Daily Press staff

Jazz, guitar, orchestral and bebop musical styles are brought in performance to Santa Monica College in October.
The October concerts are all held in the SMC Concert Hall, 1900 Pico Blvd.
The lineup is as follows:
■ Sunday, Oct. 8 at 4 p.m. — SMC Symphony Orchestra. Under the baton of James Smith, the orchestra’s performance will feature Howard Hanson’s “Romantic Symphony.” Tickets are \$10
■ Tuesday, Oct. 10 at 11:15 a.m. — Matthew Elgart Classical Guitar Recital. A performance that will include the works of Bach, Satie and Ponce. Admission is free.
■ Sunday, Oct. 15 at 4 p.m. — SMC Jazz Band. Under the direction of conductor Keith Fiddmont, the band will perform big band and modern jazz pieces. Renowned guest artists frequently perform with the ensemble. Tickets are \$10.
■ Friday, Oct. 20 at 7 p.m. — Jon Mayer Quartet. Mayer, a playful bebop pianist, brings his quartet to the SMC stage. Tickets are \$10.
■ Sunday, Oct. 22 at 4 p.m. — SMC Concert Band. Under the direction of conductor Kevin McKeown, the ensemble performs traditional and contemporary music written specifically for the concert band. Tickets are \$10.
■ Thursday, Oct. 26 at 11:15 a.m. — SMC Jazz Band Vocalists with Jon Mayer. Keith Fiddmont will direct the show. Admission is free.
For information and tickets call (310) 434-3000 or (310) 434-4323.

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Santa Monica Daily Press

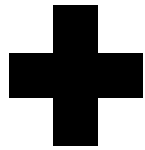
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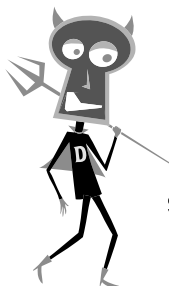
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joey16:	16, male, Hackensack, NJ
robbieW:	38, male, Daytona, FL
b-ball_tommy:	15, male, Pocatello, ID
tu_tu:	16, female, Burlington, VT
duffme:	44, male, Minneapolis, MN
QTpie:	30, male, Chicago, IL
ty1989:	15, female, Naperville, IL
harrys_grl:	12, female, Appleton, MN
slugger20:	17, male, Jackson, MS
qtrback21:	26, male, Brooklyn, NY
suzie14:	14, female, Portland, OR
hiphopper:	13, female, Plano, TX
paperboy:	41, male, Beaverton, OR

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Iranian president insists his nuclear program is peaceful

BY SCHEHEREZADE FARAMARZI

Associated Press Writer

UNITED NATIONS — Iranian President Mahmoud Ahmadinejad insisted Thursday that Tehran's nuclear program is peaceful and said he is "at a loss" about what more he can do to provide guarantees.

Ahmadinejad said his country has not hidden anything and was working within the framework of the Nuclear Non-Proliferation Treaty.

"The bottom line is we do not need a bomb," he said at a news conference on the sidelines of the U.N. General Assembly.

With world leaders gathered at the United Nations, the United States had hoped to move decisively this week toward political and economic sanctions against Iran after it missed an Aug. 31 deadline from the U.N. Security Council to halt uranium enrichment. The enrichment process can be used to make electricity or nuclear weapons.

The Iranian president's remarks drew the most attention on a day that saw Saudi Arabia's foreign minister say there is new momentum for reviving the Middle East peace process, and former President Bill Clinton repudiate Venezuelan President Hugo Chavez for his personal insults of President Bush.

The Saudi official, Prince Saud al-Faisal, said there is a new "very significant" consensus among Arab countries for restarting the stalled peace process.

"We have found for the first time probably a consensus that is very significant about the need for restarting the peace process," al-Faisal told The Associated Press.

He said the Arab League foreign ministers would meet later Thursday, but their idea is to take "stock of the past failures that prevented peace from happening and urging a new look and approach to the peace process."

He said the Arab countries wish for a restarted peace process that would "concentrate on the important issues, rather than the process itself. In other words, the final status negotiations, the border, Jerusalem, Palestinian rights and so on."

Those nations are hoping to revive efforts to end the Arab-Israel conflict during a Security Council ministerial meeting Thursday. The meeting comes a day after the architects of the "road map" to peace also reaffirmed their commitment to the plan.

Leaders of the so-called Quartet — the United Nations, the United States, the European Union and Russia — met Wednesday and issued a statement stressing the need for "a credible political process" to make progress toward the goal of two peaceful, democratic states, Israel and Palestine, living

side by side.

Wednesday's spotlight was Chavez's address to the General Assembly, in which he called Bush "the devil."

His fiery, theatrical address drew sharp criticism from Clinton.

"Hugo Chavez said something that was wrong yesterday, unbecoming a head of state," the former president told NBC's "Today" show Thursday. "All that name-calling is undignified and not helpful, and it's not true."

After the speech, Chavez reached out to an audience of Americans, saying he sees himself as a friend of the United States. He spoke to hundreds of New Yorkers who filled a college hall Wednesday night, saying he hopes Americans choose an "intelligent president" in the future.

"I'm not an enemy of the United States. I'm a friend of the United States ... the people of the United States," Chavez said during his speech to an audience including union organizers and professors. "They're two very different things — you the people of the United States, and the government that's installed there."

He drew a standing ovation when he said Bush committed genocide during the war in Iraq.

"The president of the United States should go before an international tribunal," Chavez said as applause filled the hall at The Cooper Union for the Advancement of Science and Art. He compared the Bush administration's actions to those of the Nazis.

With his bitter and theatrical address to the U.N. earlier Wednesday, the leftist leader, long at odds with Washington, appeared to be making one of his boldest moves yet to coalesce international opposition to the Bush administration. Chavez began Wednesday's speech noting that Bush spoke from the same podium a day earlier.

"The devil came here," Chavez said. "Right here. Right here. And it smells of sulfur still today, this table that I am now standing in front of."

He then made the sign of the cross, brought his hands together as if praying and looked up to the ceiling.

Chavez's words drew tentative giggles at times from the audience, but also some applause.

The main U.S. seat in the United Nations was empty as Chavez spoke, although U.S. Ambassador John Bolton said a "junior note-taker" was present, as is customary "when governments like that speak."

Secretary of State Condoleezza Rice said Chavez's remarks in the United Nations were "not becoming for a head of state."

"I am not going to dignify a comment by the Venezuelan president to the president of the United States," Rice told reporters.

Turkish court acquits leading novelist of charges of 'insulting Turkishness'

BY BENJAMIN HARVEY

Associated Press Writer

ISTANBUL, Turkey — One of Turkey's leading authors was acquitted Thursday of "insulting Turkishness" in a novel that touched on the mass killings of Armenians during the final years of the Ottoman Empire.

The panel of judges said there was no evidence to support the charge against Elif Shafak, a University of Arizona assistant professor who gave birth to a daughter Saturday and did not attend her trial.

"We want a country where people are not interrogated because of their novels," said Muge Sokmen, Shafak's publisher. "Her acquittal gives happiness; it is relieving. As the public, we need to be more tolerant to the thoughts of others."

Shafak was charged over the words uttered by fictional Armenian characters in her novel "The Bastard of Istanbul." In the book, an Armenian character refers to "Turkish butchers."

Turkey's mass expulsion of Armenians during World War I — which Armenians say was part of a genocide that claimed 1.5 million lives — is a dark chapter rarely discussed in Turkey or taught in its schools.

The court, which opened Shafak's trial earlier Thursday, concluded in a 1 1/2-hour session that there was insufficient evidence to suggest that she committed a crime. If convicted, she could have faced three years in prison.

The European Union has warned Turkey that putting writers and journalists on trial for their speech could hamper its efforts to join the bloc.

Riot police contained angry nationalist protesters who briefly scuffled with another group outside the court room after the ruling.

Some 25 nationalist protesters were holding an EU flag adorned with a Nazi swastika in the middle and a slogan that read: "EU fascism." The protesters were also holding several Turkish flags.

Shafak is on a one-year leave from her teaching post in the University of Arizona's Department of Near Eastern Studies. Her book was released in Turkey on March 8 and has sold more than 50,000 copies.

A Turkish court dropped charges last year against Orhan Pamuk, one of the country's most famous novelists, who faced trial on charges of insulting Turkishness for commenting on the killings of Armenians. The charges were dropped for technical reasons amid intense international pressure.

Gere's 'Break' Gere hopes film inspires

RICHARD GERE said he hopes his new film, "Spring Break in Bosnia," will raise questions about why those wanted for the Balkans' worst wartime atrocities remain at large.

The movie, directed by Richard Shepard, is being shot in Bosnia and Croatia. It tells the story of a pair of journalists (Gere and Terrence Howard) searching for a war crimes sus-

pect. Although fictional, the character bears a close resemblance to one of the Balkans' last top suspects, former Bosnian Serb leader Radovan Karadzic.

Shepard won't reveal who will play the role of the hunted war criminal, a character he said is meant to symbolize all war criminals at large throughout the world.

Karadzic and his wartime military chief, Gen. Ratko Mladic, have been on the run since their indictments by the U.N. war crimes tribunal for the former Yugoslavia at the end of Bosnia's devastating civil war more than a decade ago.

"We literally talk about this in the film. It's a question that is asked a lot: 'Why aren't these guys found?'" Gere, 57, told

reporters in Sarajevo on Wednesday.

Shepard said he also hopes the movie "is asking a bigger question, which is why are there war criminals throughout the world who the world said they want to catch and yet they don't."

"Osama bin Laden is the most wanted war criminal in the world with the largest bounty on

his head and some may question if people have a true interest to catch him," Shepard said.

Karadzic is believed to be hiding in Bosnia or Montenegro. He and Mladic are accused of ordering the massacre of up to 8,000 Muslim men and boys in Srebrenica in 1995 — the worst carnage in Europe since World War II.

ASSOCIATED PRESS

Art based suit is a thorn in Rose's side

An art broker has filed a lawsuit against **AXL ROSE**, claiming the rocker backed out of a deal to pay \$2.36 million for an Andy Warhol portrait of John Lennon.

Acquire d'Arte, in a lawsuit filed Sept. 11 in Los Angeles Superior Court, said it negotiated with a New York art gallery

and was able to lower the price of the artwork from \$2.65 million to \$2.36 million for Rose.

But after agreeing to buy the portrait, the Guns N' Roses frontman paid only \$1.21 million, according to the lawsuit. Rose's manager and attorney told the broker the 44-year-old

rocker would not pay the remaining balance because he didn't have enough money and "the painting was not worth the price he had agreed to pay," the lawsuit stated.

Rose's lawyer, Howard Weitzman, said some of the deal's terms and conditions may

have been misrepresented to his client.

"It's my opinion that Axl Rose is the victim of some fraud or misrepresentation here," Weitzman said Wednesday.

Acquire d'Arte was seeking \$1.15 million in damages.

AP

Greece grants permission for 'Ruins' use

GREECE has granted rare permission for a U.S. movie to be shot on the ancient Acropolis and other historic landmarks.

"My Life in Ruins," a comedy featuring Nia Vardalos, will be the second feature film to be allowed to shoot scenes on the Acropolis, Culture Ministry Secretary-General Christos

Zachopoulos said Wednesday.

The first was Francis Ford Coppola's "Life Without Zoe," a segment of the 1989 movie "New York Stories."

"This film has a quality team, and has secured a broad distribution network," Zachopoulos told state-run NET television. "It will go to the ends of the earth,

and will be an advertisement for Greek culture."

Vardalos, who starred in the 2002 hit movie "My Big Fat Greek Wedding," will play a guide who escorts tourists to historic sites, media reports said.

Filming is expected to start next month.

The Acropolis hill, famous for

its 5th-century B.C. marble temples, is Greece's most popular ancient site and draws around a million visitors annually.

Vardalos, 44, also starred in the 2003 TV sitcom "My Big Fat Greek Life" and the 2004 film "Connie and Carla," also starring Toni Collette.

AP

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES: SEPTEMBER 9-10, 2006

AERO THEATRE
1328 Montana Avenue
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Friday
American Graffiti 7:30
Saturday
Whisper of the Heart 3:00
Ferris Bueller's Day Off, The Breakfast Club 7:30
Sunday
The Story of the Fox (Le Roman De Renard) 3:00
400 Blows, Small Change 6:30

AMC LOEWS BROADWAY 4
1441 3rd Street
(310) 458-6232

The Black Dahlia (R)
1:00, 1:45, 3:45, 4:30, 7:00, 7:45, 9:45, 10:30
Confetti (R)
1:30, 4:15, 7:10, 10:00
Hollywoodland (R)
1:15, 4:05, 7:25, 10:15

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

The Covenant (PG-13)
11:50am, 2:40, 5:10, 7:30, 10:20
Crank (R)
11:25am, 2:00, 4:25, 7:00, 9:20, 11:25
Everyone's Hero (G)
11:55am, 2:20, 4:40, 7:10, 9:30
Gridiron Gang (PG-13)
11:30am, 1:40, 2:30, 4:30, 5:30, 8:30, 11:30
Invincible (PG)
11:20am, 1:50, 4:20, 7:20, 10:00
The Last Kiss (R)
11:45am, 2:10, 4:50, 7:50, 10:30
The Protector (R)
11:35am, 7:40, 9:45

LANDMARK NUWILSHIRE
1314 Wilshire Blvd
(310) 281-8228

The Illusionist (PG-13)
1:00, 4:15, 7:00, 9:50
The Science of Sleep (R)
11:15am, 1:45, 4:30, 7:20, 10:00

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

The Embrace Darshan (L'etreinte) (NR)
1:00, 3:15, 5:30, 7:50, 10:15
Half Nelson (R)
11:30am, 2:05, 4:40, 7:20, 9:55
Little Miss Sunshine (R)
12:00, 2:30, 5:05, 7:40, 10:10
Short Film (NR)
11:00am, 11:20am
Special Screening: (NR)
1:10am, 12:00
The U.S. vs. John Lennon (PG-13)
11:45am, 2:15, 4:50, 7:30, 10:00

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

All the King's Men (PG-13)
12:30, 1:00, 3:30, 4:10, 6:30, 7:20, 9:50, 10:20
Flyboys (PG-13)
12:10, 3:20, 6:50, 10:10
Jackass: Number Two (R)
12:40, 3:00, 5:30, 8:00, 10:30
Jackass: Number Two (R)
12:00, 2:20, 4:40, 7:00, 9:30, 12:00am
Jet Li's Fearless (PG-13)
11:30am, 2:00, 4:30, 7:10, 9:40, 12:10am

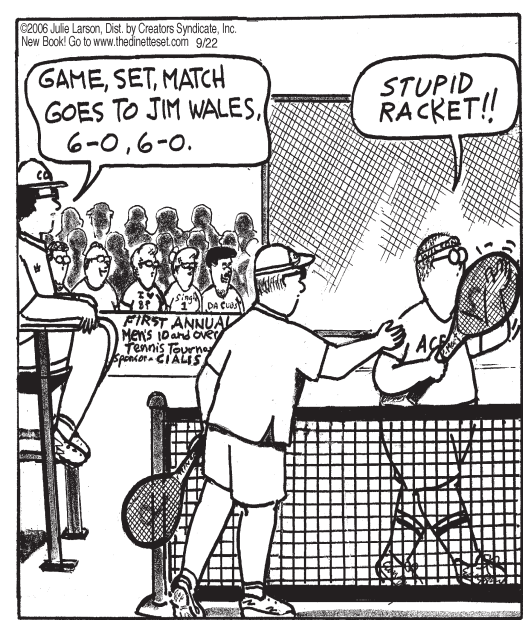
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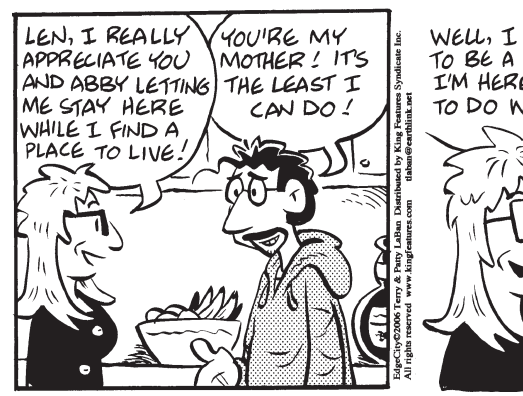
This Is No "Bull"

"If you're gonna play the game you're gonna need the energy"

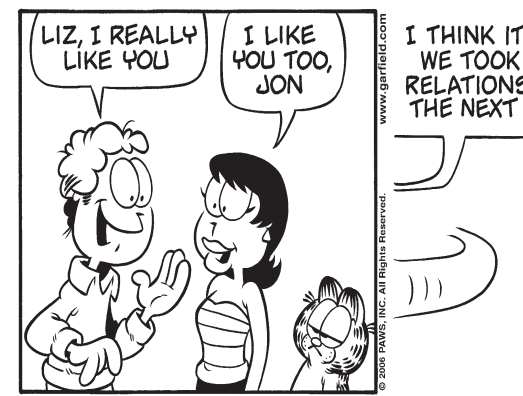
The Dinette Set by Julie Larson



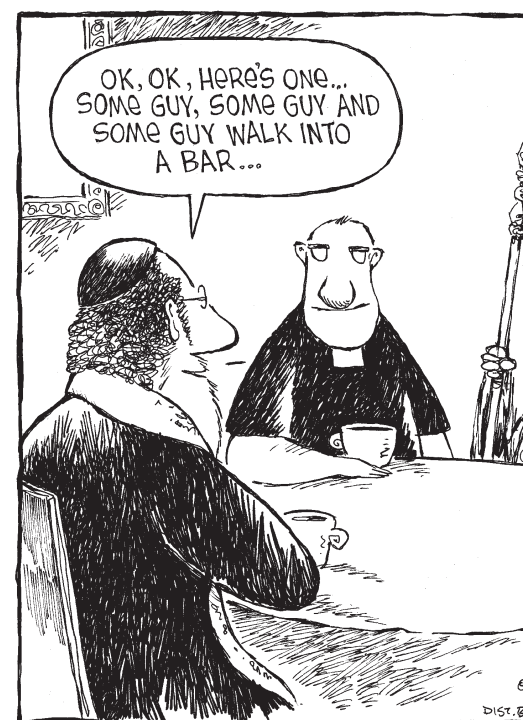
edge city by TERRY & PATTY LABAN



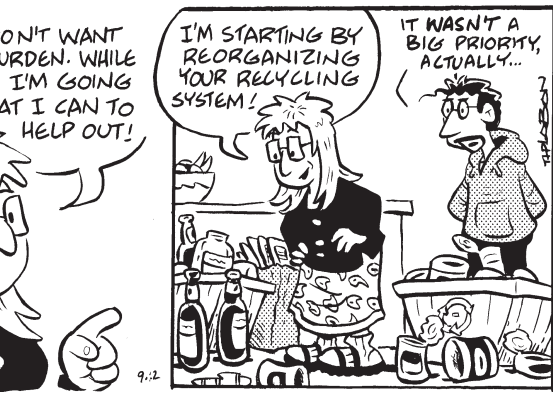
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Yesterday's answer

- 8 Walked with purpose
- 10 Cry from a rescued damsel
- 12 Planted
- 17 Treasury Dept. div.
- 19 At hand
- 22 Some cheers
- 24 Put a stop to
- 25 Bright beam
- 26 Snare
- 27 Tour carrier
- 28 Take away
- 30 Search
- 31 Slow-witted
- 33 Invites
- 37 Weather-map mark

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ARIZONA- NEW to MARKET- 36 AC - \$49,900. Perfect for private retreat. Endless views, beautiful setting w/fresh mountain air. Abundant wildlife. Secluded with good access. Financing available. Call AZLR 1-877-301-5263. (Cal-SCAN)

FISH LAKE VALLEY, NV. New to Market. 7ac \$27,900; 10ac Trout Stream \$59,900 (Abuts BLM). Eastern slope of White Mtns, Within looming presence of Nevada's highest peak and range. Snow covered year round. Providing cool, clean water that feeds the Rainbow Trout Creek which borders the entire back boundary. One of a kind! Inspiring, must see! Call 1-888-581-5263. (Cal-SCAN)

NEW MEXICO - FIRST Time Offer. Abandoned Farming / Mining Settlement less than 2hrs Albuquerque. 20 acres - \$17,900. Old Farming & Mining Community. Incredible setting, including frequently running river, spring, views and diverse topography. Excellent financing. Call NML&R, Inc. 1-888-370-5263 or visit www.SantaRitaRanches.net (Cal-SCAN)

PRE- CONSTRUCTION SALE on 10/07/06! Large acreage tracts just 30 minutes from Telluride, Colorado. Breathtaking views of the Wilson Mountains and level building sites. Starting in the low \$500s. McKeough Land Company: 1-800-583-2985. (Cal-SCAN)

PRIME REAL ESTATE OPPORTUNITY! Large Lots in Fast- Growing Area. Low Payments! Free Trip To See! 1-800-291-4978 - www.NRPIinfo.com (Cal-SCAN)

SAN BERNARDINO. 641 Acres Near Barstow City. \$1000/acre. Minimum purchase - 160 acres. All level, electricity, paved road. 1-818-355-7166. Also- 1/4 acre lot near Palmdale \$55,000. (Cal-SCAN)

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Steel Buildings

STEEL BUILDINGS: Factory Direct. September Clearance Sale. 24x24, 30x40, 50x100, 60x120. Other sizes available. No Reasonable offer refused. Free delivery ordered by September 29th. 1-888-666-4296. (Cal-SCAN)

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SANTA MONICA large private garage alley access. Safe location. \$200/mo (310)729-5367

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Investment Opportunities

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Notices

**NOTICE OF PETITION TO ADMINISTER ESTATE OF:
ARAM J. DERVY AKA MAX DERVY
CASE NO. BP100477**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the WILL or estate, or both of ARAM J. DERVY AKA MAX DERVY. A PETITION FOR PROBATE has been filed by JERRY AVAKIAN in the Superior Court of California, County of LOS ANGELES. THE PETITION FOR PROBATE requests that JERRY AVAKIAN be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's WILL and codicils, if any, be admitted to probate. The WILL and any codicils are available for examination in the file kept by the court. THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act with limited authority. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A HEARING on the petition will be held on 10/17/06 at 8:30AM in Dept. 11 located at 111 N. HILL ST., LOS ANGELES, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code Section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner
DEIDRA L. STAUFF, ESQ.
LAW OFFICES OF DEIDRA L. STAUFF, PROF. CORP.
2800 28TH ST., #315
SANTA MONICA, CA 90405
9/15, 9/16, 9/22/06
CNS-1021443#
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Perfect Condition
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**Vehicles for sale**

Santa Monica Daily Press

HOURS MONDAY - FRIDAY 9:00am - 5:00pm**LOCATION** 1427 Third Street Promenade, Suite 202, Santa Monica, CA 90405

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Vehicles for sale	Vehicles for sale	Vehicles for sale	Vehicles for sale	Vehicles for sale	Vehicles for sale
 '97 Bentley Dark Emerald Green Automatic, Great Cond. Stock #: 2023P \$42,995 Saab of Santa Monica (310) 828-0200	 '03 Land Rover Discovery Silver, Automatic, SUV Stock #: SM60644A \$21,795 Saab of Santa Monica (310) 828-0200	 '04 4Runner SR5 \$21,995 CERTIFIED, IMMAC. White, Auto, A/C, Alloys, CD Vin #: 40014705 Toyota Santa Monica (800) 579-6047	 2001 XG300 L Priced to sell, Fully Loaded (PH1290) \$9,995 Hyundai of Santa Monica (866) 309-6705	 '05 Mitsubishi Galant \$19,995 Like New! Black! 500 miles!! Hyundai of Santa Monica (866) 309-6705	 '04 Taurus SES White \$9,988 Stock #: P599 (310) 451-1588 Santa Monica Ford
 '05 Lexus SC 430 Silver, Coupe, Automatic Stock #: SM60556A \$49,995 Saab of Santa Monica (310) 828-0200	 '04 Subaru Forrester Silver, Wagon, 5 Speed Stock #: SM60554A \$15,995 Saab of Santa Monica (310) 828-0200	 '02 Audi A6 \$16,995 Moonroof, Leather, Auto, Alloys, CD & More Vin #: 2N046873 Toyota Santa Monica (800) 579-6047	 Mike Sullivan's LacarGUY Family of Dealers www.LacarGUY.com	 '07 Toyota FJ Cruiser \$28,995 5K miles, Yellow (M1301) Hyundai of Santa Monica (866) 309-6705	 '04 Scion XB Wagon \$11,988 Stock #: P501A (310) 451-1588 Santa Monica Ford
 '03 Saab 9-3 Dolphin Gray, Convertible, Auto- matic Stock #: SM60288C \$20,995 Saab of Santa Monica (310) 828-0200	 '99 Beetle \$9,995 BEEAUTIFUL, Auto, AC, Lo, Lo, Lo Miles Vin #: (AXM45469) Toyota Santa Monica (800) 579-6047	 '03 Prius \$18,995 Auto, AC, P/W, Alloy, Wheels Vin: 30081700 Toyota Santa Monica (800) 579-6047	 '04 Wrangler X \$16,995 Only 14K Miles, Columbia Edition, (P726470) Hyundai of Santa Monica (866) 309-6705	 '05 Crown Vic Ford Certified \$18,988 Stock #: R588 (310) 451-1588 Santa Monica Ford	 '02 Ranger Super Cab Certified \$13,988 Stock #: R565 (310) 451-1588 Santa Monica Ford
 '05 BMW Z Series Gray, Convertible Stock #: SM60578A \$29,995 Saab of Santa Monica (310) 828-0200	 '05 Chrysler Town & Country \$14,995 Auto, 6cyl, AC, Best Buy, Full Power Pkg. Stock #: PT4964 Toyota Santa Monica (800) 579-6047	 '05 Dodge Durango... \$21,995 Low Miles, 3rd Seat, Best, Best Buy Stock # T4935 Toyota Santa Monica (800) 579-6047	 '05 SPORTAGE EX \$19,995 Sport Utility, 4DR, Auto, V6, Kml (041210) Hyundai of Santa Monica (866) 309-6705	 '03 Chrysler 300 M SILVER \$17,988 Stock #: P587 (310) 451-1588 Santa Monica Ford	Your ad could run here! Call us today at (310) 458-7737  '02 Mitsu Lancer 02 \$10,988 Stock #: 55643A (310) 451-1588 Santa Monica Ford
 '02 Land Rover Discovery Black, SUV, 4 Wheel Drive Stock #: 55056 \$14,995 Saab of Santa Monica (310) 828-0200	 '04 Beetle \$18,995 Convertible, Loaded! Auto, Leather, Lo Miles. Stock #: PT4849 Toyota Santa Monica (800) 579-6047	 '04 Tundra \$21,995 V8, Access Cab, Auto, Alloys, Full Pwr, Xlnt! Vin #: 4S446299 Toyota Santa Monica (800) 579-6047	 '03 ECLIPSE GTS \$15,995 Coupe, Auto, Low Miles, Loaded (E165370) Hyundai of Santa Monica (866) 309-6705	 '05 Mustang Saleen Certified Must See Stock #: R573 (310) 451-1588 Santa Monica Ford	 2003 Nissan Pathfinder 18k miles, Black ex/gray int, roof rack, loaded, A 100,000 mile warr. thru 2009. \$19,000 VIN# 708089 310-264-8338
 '04 Pontiac Vibe White, Wagon, Automatic, CD Stock #: 2035PA \$12,995 Saab of Santa Monica (310) 828-0200	 '05 Prius \$26,700 Beautiful! Auto, AC, Alloy, CD Vin #: 53043253 Toyota Santa Monica (800) 579-6047	 '99 Nissan Altima – Sedan Mileage: 59,254 Exterior Color: Black Stock #: L15560 Price: \$7,995 Lexus Santa Monica Pre-Owned (800) 406-7782	 '02 JETTA GLS \$12,495 Sedan, 4DR, Auto, Air, Pwr Steering (M035074) Hyundai of Santa Monica (866) 309-6705	 '01 Grand Marquis Maroon Mileage: 56853 \$10,988 Stock #: P504 (310) 451-1588 Santa Monica Ford	 '06 Dodge Magnum \$18,988 Stock #: P593 (310) 451-1588 Santa Monica Ford
 1993 Eurovan MV 120,000 miles, excellent condition inside and out. Fold out bed and ta- ble. \$8000. Call David at 310-968-3238 after 11a.m.	 '05 Accord Hybrid \$28,700 Wow, Leather, Luxury & GL5 Mileage Vin #: SC004905 Toyota Santa Monica (800) 579-6047	 '03 ECLIPSE \$14,995 GT Spyder Convertible, R-Spoiler, Alloys, Lthr. NICE! (3E137972) Hyundai of Santa Monica (866) 309-6705	 '05 Santa Fe GLS . . . \$18,495 16K miles, Loaded, CD, Silver Vin#: 935352 Hyundai of Santa Monica (866) 309-6705	Your ad could run here! Call us today at (310) 458-7737  '03 Harley Davidson F150 Certified BLACK / SILVER \$29,988 Stock #: R541 (310) 451-1588 Santa Monica Ford	 '99 Lexus ES 300 – Sedan Mileage: 40,314 Exterior Color: Black Stock #: L15517 Price: \$16,995 Lexus Santa Monica Pre-Owned (800) 406-7782

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Vehicles for sale



'96 Lexus LS 400 — Sedan
Mileage: 102,464
Exterior Color: Grey
Stock #: PL15599
Price: \$12,995
Lexus Santa Monica Pre-Owned
(800) 406-7782



1999 GMC Suburban — 4dr SUV
Mileage: 72,887
Exterior Color: Pewter
Stock #: L15403
Price: \$9,995
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'05 Nissan Pathfinder — 4dr SUV
Mileage: 29,873
Exterior Color: White
Stock #: L15594
Price: \$18,995
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'02 Ford Explorer Sport Trac
Stock #: L15502
Price: \$12,995
Lexus Santa Monica Pre-Owned
(800) 406-7782



'00 Infiniti I30 — Sedan
Mileage: 61,712
Exterior Color: Silver
Stock #: L15524
Price: \$12,995
Lexus Santa Monica Pre-Owned
(800) 406-7782



'04 Land Rover Range Rover — 4dr SUV
Mileage: 31,630
Exterior Color: Jade Green
Stock #: L15518
Price: \$47,995
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'02 Honda Civic — Sedan
Mileage: 35,135
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1964 Pontiac Catalina
New Transmission, new paint job. 150K original miles. Immaculate condition inside. Kept in garage for many years. Must see!
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'01 Lexus RX 300 — 4dr SUV
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Stock #: L15501
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SAMPLE AD!



'01 Lexus RX 300 — 4dr SUV
Mileage: 70,501
Exterior Color: White
Stock #: L15501
Price: \$18,998
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SAMPLE AD!



'01 Lexus RX 300 — 4dr SUV
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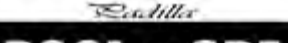
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4 DOOR • AUTOMATIC
• POWER GROUP • CD

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2 AT THIS PRICE!

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