WEDNESDAY, SEPTEMBER 28, 2005 Volume 4, Issue 275

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
7 13 23 28 33
Meganumber: 2
Jackpot: $7 Million

FANTASY 5
4 5 9 29 33

DAILY 3
Daytime: 0 4 1
Evening: 9 1 4

DAILY DERBY
1st: 11 Money Bags
2nd: 03 Hot Shot
3rd: 08 Gorgeous George

RACE TIME: 1:42.65

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NEWS OF THE WEIRD
BY CHUCK SHEPARD

Latest Step in Male Obsolescence: In September, Dr. Paul De Sousa and a research team at the Roslin Institute in Edinburgh, Scotland, told a professional audience that they had just created human embryos from female eggs without using sperm. De Sousa's team employed electrical shocks to "trick" 300 eggs into dividing as if fertilized and was successful six times, creating 50-cell "blastocysts" that could eventually produce stem cells. De Sousa denied that his embryos would be implanted into wombs to create female fetuses (and said his government license does not authorize that), but could grow replacement tissue for a faulty organ of the egg's donor.

TODAY IN HISTORY

Today is the 271st day of 2005. There are 94 days left in the year.

On Sept. 28, 1066, William the Conqueror invaded England to claim the English throne.

QUOTE OF THE DAY

"What makes a leader — intelligence, integrity, imagination, skill: in brief, statecraft? Not at all. It is the fact that the man has a following."

GERALD W. JOHNSON
AMERICAN JOURNALIST (1890-1980)

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Ryan Hyatt/Daily Press

MADE IN THE SHADE? A 100-year-old tree, designated as a landmark by the city, serves as a bone of contention between its property owner and city hall.

Old tree rooted in controversy

BY RYAN HYATT
Daily Press Staff Writer

WILSHIRE-MONTANA — A property owner committed to scaling back the city-landmarked tree on his front yard to make room for condos just may get his day in court after all.

Attorneys said they have submitted all the necessary paperwork, as of August, and are waiting to hear back from the California District Court of Appeals to know when their case may be made regarding the fate of Andrew Enayati's deodar cedar, located at 918 Fifth Street.

If Enayati had his way, he said he would trim back the 100-year-old tree on his lot, raze the aging house that currently sits in the rear of the property and construct condominiums around his massive deodar cedar.

Enayati doesn't have that option, though, because City Hall in January of 2003 designated the sprawling tree a city landmark. As such, the cedar was protected not just from being uprooted, but also from being trimmed without city supervision.

A fierce legal battle ensued, but not over whether the tree should be preserved. Enayati claimed he was denied his constitutional rights and forced into involuntary servitude by City Hall, because the tree was in the process of being landmarked as he was in escrow to buy the property. He claims he never received notice.

Attorneys for City Hall succeeded in having the lawsuit tossed out of Superior Court in April of 2004, arguing that although Enayati was never formally served with the landmark paperwork, which was mailed to the previous property owner, Enayati had several opportunities to oppose and later appeal the landmark designation.

"He was there at the hearings and closed escrow while the land-

See **TREE TROUBLE**, page 5

Two accused of stealing from Red Cross

Couple claimed to be Hurricane Katrina victims

BY CAROLYN SACKARIASON
Daily Press Staff Writer

MID-CITY — Two people were arrested on Monday for allegedly bilking the Santa Monica Red Cross chapter out of nearly $1,000 by posing as Hurricane Katrina victims.

Laurette Ollar Karaba, 32, a transient, and Derrek Wilkerson, 37, of Canoga Park, were arrested for burglary, grand theft, obtaining money under false pretense, conspiracy and probation violation. They are currently being held in the Santa Monica Jail, according to Santa Monica Police Lt. Frank Fabrega.

Santa Monica Red Cross officials called the SMPD on Monday after they were tipped off by an anonymous source who was staying at the Travelodge on Pico Boulevard, alleging that the pair might not be legitimate hurricane victims.

"We received information from someone in the same hotel that made us seriously question whether they were victims," said John Pacheco, executive director of the American Red Cross of Santa Monica.

A preliminary investigation indicates that Karaba collected $705 from the Red Cross, as well as a hotel voucher after telling officials on Sept. 14 that she had just arrived in Santa Monica from Louisiana, where she was a traveling nurse and was displaced because of the hurricane, Fabrega said.

She received a voucher from the Red Cross for $665 for two weeks of residency at the Travelodge.

Red Cross policy requires that potential clients present identification, with their zip codes then being matched up with a national database to determine if their area was affected by a disaster.

"They had given us enough information not to second-guess it, and if we hadn't been tipped off, I

See **RED CROSS**, page 5

STATE

Feds enact revenge on 'Star Wars' pirates

By Daily Press staff

Eight people were charged Tuesday in relation to the piracy of "Star Wars: Episode III — Revenge of the Sith," which ended up on the Internet the day before the blockbuster film's opening worldwide.

According to court documents, a man took a copy of "Revenge of the Sith" from a post-production facility and shared it with others, one of whom put the movie on the Internet, according to federal authorities.

In other copyright infringement cases involving Hollywood, two other individuals were charged with distributing copies of Academy Awards "screeners" — movies that had not been released for home viewing.

According to documents filed in the United States District Court in Los Angeles, just days before the worldwide release of the final Star Wars movie, several events transpired.

See **PIRACY**, page 7

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Virgo, do for yourself

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 are communicating clearly, but others seem not to hear you. How they believe a situation should happen confuses you as well as others. Be creative in making conversation. Tonight: Let your libido run wild.

TAURUS (April 20-May 20)
★★★ You might not understand what someone is requesting. On the other hand, this person might not have a clear concept. Work with others, and in the spirit of cooperation, figure out what is what. Tonight: Be a couch potato.

GEMINI (May 21-June 20)
★★★★★ You have a natural gift for finding solutions. You need to reel in this ability today as you deal with sometimes chaotic messages or plans. Imagine what it's like to be someone else. Put yourself in his or her shoes. Tonight: Play cards with friends.

CANCER (June 21-July 22)
★★★ Use a gentle touch with your finances, as there is a tendency to have money slip through your fingers. Don't get uptight; take charge of your life and security. Use care with a new purchase for the home or an investment. Tonight: Lounge around with a pal.

LEO (July 23-Aug. 22)
★★★★★ Greet today with a smile, as the Moon in your sign helps you do what you want. Your normal agenda comes out, so you get to see what you really want. You might be surprised by what occurs. Are you still wearing those rose-colored glasses? So it appears. Tonight: What you want.

VIRGO (Aug. 23-Sept. 22)
★★ It appears that mix-ups are normal right now, especially involving your daily life and quite possibly your finances. You cannot be clear enough. Confirm meetings. Verify conversations with a memo. Tonight: Do for yourself.

LIBRA (Sept. 23-Oct. 22)
★★★★★ You might not know which way to turn, as the pace is so hectic. Somehow you seem destined to disappoint someone. Therefore, make choices that please you. At least one person will be happy. Tonight: Find your friends.

SCORPIO (Oct. 23-Nov. 21)
★★★ You are on top of your game, though you might be amazed by what is happening on the home front. Listen to your inner voice. Many will choose to be out late or visit with an older friend or relative. Tonight: A force to be dealt with.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Take the high road, even if there is a misunderstanding. You're not perfect, nor is anyone else. Events clearly demonstrate that fact today. Take it slow and easy when feeling confused or misled. Others don't know which way is up. Tonight: Go for a mind massage. Let go of tension through a game of Scrabble, a movie or listening to music.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ Listen to feedback from others. You might not be too sure of yourself about an investment or a money matter. The more feedback you get, the stronger your decisions will be. Take your time. Tonight: Let someone talk away.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Confusion could be your middle name today. In fact, you are not hearing anything you don't want to hear. You also might be an enigma to others. Discussions help clear the air. Remember that you don't think like others. Tonight: Let others dominate.

PISCES (Feb. 19-March 20)
★★★ All work and no play isn't healthy for the Fish. If you find that your mind is drifting, know that you probably need to schedule a personal day. Your imagination leads you down some interesting paths. Tonight: Get into something you enjoy.

CIRCULATION VERIFICATION COUNCIL AUDIT PENDING

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LOCAL

COMMUNITY BRIEFS



Photo Courtesy

Actress Wendie Malick (far left) served as emcee for the 10th Annual Westside Shelter and Hunger Coalition Breakfast at Bergamot Station in Santa Monica, where Rosa Benitez, program associate with the California Community Foundation, and Marivi Valcourt, marketing manager for the Bayside District Corp., awarded a $5,000 grant to OPCC, accepted by John Maceri, the organization's director.

Sea change: OPCC gets $5K for its efforts

By Daily Press staff

A local shelter last week was granted $5,000 for its efforts to lift people off the streets.

OPCC, a network of shelters that offers services to the poor and homeless, was given the grant by Marianne Dorn and the Dolphin Change Program of the Bayside District Corp., a nonprofit group that operates the downtown Santa Monica and Third Street Promenade.

OPCC is a member of the Westside Shelter and Hunger Coalition that works to fight the mounting homeless problem in Santa Monica.

The coalition held its Tenth Annual Success Breakfast last Friday at Bergamont Station where the grant was accepted. The Success Breakfast honored individuals who were formerly homeless and have built lives of self-sufficiency.

The Dolphin Change Program offers an alternative to direct giving for Santa Monica visitors who want to assist panhandlers and the homeless. This is the fifth year a grant has been awarded on behalf of Marianne Dorn. The Marianne Dorn Trust made a significant contribution to the Dolphin Change Program and Bayside District Corp. in 1998. A memorial grant is awarded annually in Dorn's name from that bequest.

Dolphin banks designed by sculptor Peter Ehrlich are located on the Third Street Promenade, the Santa Monica Pier, Main Street and Ashland Avenue, and the Canyon Charter School. Funds collected at the banks have been distributed in the form of annual grants to a variety of social service organizations. Since 1993, $120,000 in grants has been awarded.

OPCC is a network of shelters and services for low-income and homeless youth, adults and families, battered women and their children and people living with mental illness. Among OPCC's main programs are the Access Center, Campion Mental Health, Daybreak Day Center and Shelter, k9 connection, Night Light, Safe Haven, Samoshel, Shwashlock, Sojourn Services for Battered Women and Their Children and Turning Point. The money will be used for general operations of the Daybreak Day Center and Shelter.

The Westside Shelter and Hunger Coalition works to address the needs of the growing homeless population. The coalition consists of more than 25 human services, faith-based organizations and government agencies that coordinate services, education and advocacy for homeless and hungry people in the western part of Los Angeles County.

SURF REPORT

Most south-facing breaks are seeing knee- to waist-high sets. West-facing spots are running knee high.

Expect a small burst of southern hemi SW, and a touch of SSE from tropical storm Norma. Neither is a significant swell maker, with only knee- to waist-high surf expected.

Today the water is:

63°

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	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
MONDAY	12:11	0.6	12:02	3.4	7:41	4.1	5:29	4.8
TUESDAY	1:00	0.4	12:52	2.9	8:00	4.3	8:29	5.0
WEDNESDAY	**1:35**	**0.3**	**1:27**	**2.5**	**8:17**	**4.5**	**7:12**	**5.3**
THURSDAY	2:04	0.2	1:57	2.0	8:33	4.6	7:50	5.4
FRIDAY	2:40	0.0	2:30	1.2	9:02	4.1	8:23	5.2

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The Q Line

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City Hall is moving toward a new program that will change the face of the vending carts on the Third Street Promenade. The City Council earlier this year signed a multi-year contract with a new management company, which will require the cart operators to spend thousands of dollars more on improvements as well as raise their rents. Many operators might not even be renewed.

So, this week Q-Line wants to know: **"Do you think the vending cart program needs to be revamped? And do you think City Hall is handling the situation with the merchants in a fair manner?"**

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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OPINION

LETTERS TO THE EDITOR

Public street should command high rents

Editor:

In the beginning, the vending cart program was about low rent for arts and crafts. When it was realized there was money to be made it became a commercial enterprise.

We must not forget that the Third Street Promenade is public property and not to be used for private industry for commercialism.

Two very important facts:

1. You cannot close a public street to make a commercial venue.
2. You cannot rent public space. It is to be shared on a first-come basis.

The city of Santa Monica know what they are doing is against federal law but continue to show arrogance to the people. And so, the city of Santa Monica should lower the rents on the vending carts and allow only free-speech activity or arts and crafts.

Vincentt Garofalo
Santa Monica

What about the little people?

Editor:

Last week, it was Perry's beach cafes. This week it's the carts in the Promenade.

What's with this city? Are the gang at City Hall so hard up for money they have to drive off all the little people? They can spend the taxpayers' money on stupid things like opening that ugly library. And that Bayside District is another story. It's about time we had an evaluation of the City Hall and its council members

It's later than you think.

Ronald Martin
Santa Monica

City not a good landlord

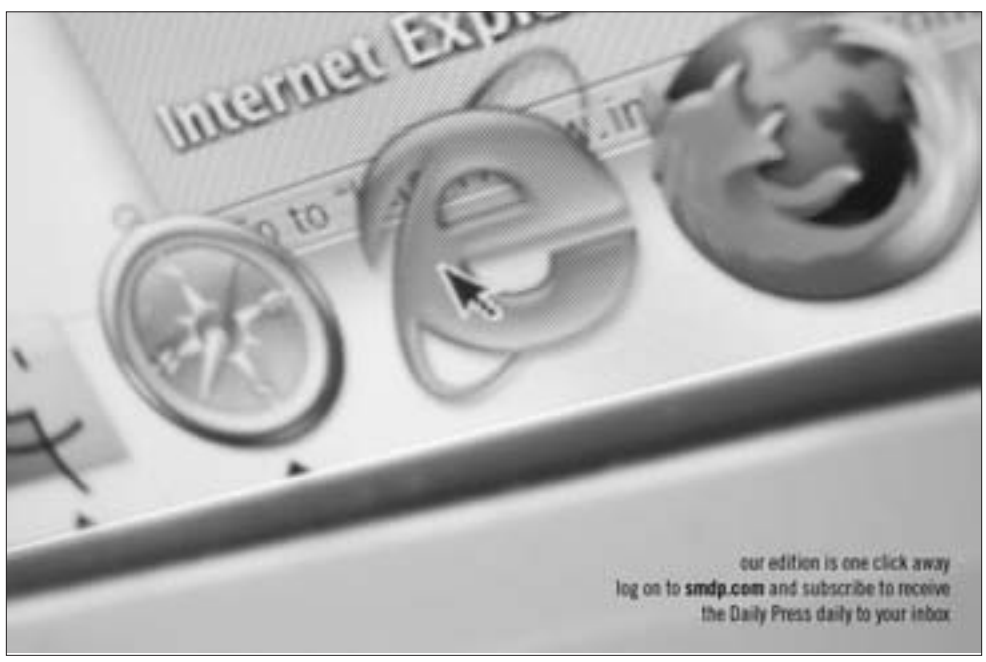
Editor:

(This letter was originally addressed to the Santa Monica City Council.)

It has become apparent that the city of Santa Monica is missing the boat on bringing the beach concessions and cafe into the 21st century. Realizing that open space management made mistakes in bringing this process to bid, the city needs to re-start the process from the beginning. This would make it a truly legal and competitive biding process.

Does the city of Santa Monica have the vision or ability to "landlord" these public beach locations properly? Considering the city has failed, to date, in this process; the answer is "no." Accepting that open space management has made mistakes in this process and restarting the bidding process — and opening the discussion up to the greater public — could bring back credibility to the city and show that they are acting in the best interest of the greater public.

John Breza
Santa Monica



GUEST COMMENTARY **BY ROGER SWANSON**

Grrrridlock! City has itself to blame

The commuter gridlock into Santa Monica in the morning and the repeat gridlock exiting in the afternoon is ample proof of flawed urban planning. Excessive commercial development without traffic mitigation is clearly a root cause.

And who is responsible for this mess? Santa Monica City Council members need only look into a mirror every morning to find the responsible parties.

Each incremental commercial development project by itself is insufficient to add enough demand to create gridlock. But when we aggregate demand of all projects, instant gridlock. Any surprise here? While the Lincoln Boulevard corridor has significant commercial development from LAX to the I-10, the gridlock in the Santa Monica portion appears to be self-inflicted.

While I agree that something must be done, adding a "bus only" lane in Santa Monica — Pico Boulevard to Rose Avenue — without a complete re-evaluation of the entire transportation system is a band-aid solution. Yes, "Shape the Future 2025/Motion by the Ocean" will help to define specific guidelines, but much can be done immediately to solve the Lincoln Boulevard gridlock.

When I attended the community meeting hosted by Big Blue Bus personnel on July 18 to discuss the proposed parking restrictions on Lincoln, I was somewhat amazed at their lack of understanding of Santa Monica's Transportation Management Ordinance #1604 (1990), its subsequent revisions, and more importantly, its enforcement. Guess they had their "bus blinders" on. Besides, the gridlock is proof that the Traffic Management Plan (TMP) is not working.

If the "bus only" lane was a condition for getting federal funding for the Rapid 3, then this should be clearly stated. In the absence of such a statement, the bus lane is just another band-aid. The Lincoln Boulevard problem stretches from the I-10 to LAX, so "fixing" the Pico to Rose portion is likely to produce more business ill will than an actual solution to commuter gridlock.

On the bright side, the "bus only" lane will let the Big Blue Bus pat itself on the back for having the Rapid 3 move rapidly through Santa Monica, while it crawls along south of Rose Avenue. Perhaps it can be re-named the "Rapid 3/Not So Rapid 3."

The Lincoln Boulevard gridlock solution has two parts: Driver demand and roadway supply.

On the demand side, a tougher TMP and some decent incentives for commuters to carpool and/or use public transportation would help. To this point, maybe the "bus only" lane could be buses and all high occupancy vehicles (HOV). With only one bus every 7 1/2 minutes, the "bus only" lane will be vacant most of the time. So, add shuttle vans and fare carrying cabs (I believe this is part of the plan) as well as carpools. Yes, carpools. Isn't that what the TMP is supposed to promote?

Further, park-and-ride facilities at Playa Vista and LAX, for example, might even increase riders on both the No. 3 bus and Rapid 3. Commuters driving from the LAX area need a place to park and airport parking will likely be too expensive. Hence there is no incentive to switch from car to bus.

On the supply side think of Lincoln Boulevard as a pipe: It has limited capacity and the only way to improve that is to make it bigger (i.e., wider) or increase the velocity (i.e., higher speed). It can only move so much volume at a time. Like a pipe, obstructions, such as intersections, create bottlenecks. The first step in improving a system is to eliminate the bottlenecks. So, adding a third lane improves the flow up to a bottleneck. With a "bus only" lane and one bus every 7 1/2 minutes, this is not much of an improvement.

Further, traffic lights along Lincoln are not set to accommodate the relative levels of traffic of the east-west cross streets versus Lincoln, which has significantly higher demand, nor are they set to allow a constant flow of traffic. They are often out of sync with each other.

Additionally, the "bus only" lanes (if they are added in the city of Los Angeles) will not solve the two-lane problem on southbound Lincoln at Venice nor the two-lane underpass at Culver Boulevard. These bottlenecks also need to be addressed.

So, the real solution requires the involvement of the city of Los Angeles, Caltrans, the Santa Monica TMP, and some creative problem solving. Besides what is proposed, the City Council needs to tell us all about the things they are doing with the city of Los Angeles to prevent the "Not So Rapid 3." And, when the city of Los Angeles cooperates and the state approves the plan, then and only then, implement the parking restrictions from Pico to at least LAX. To do otherwise penalizes Santa Monica businesses without solving the gridlock problem.

(Roger Swanson is a management consultant living in Ocean Park.)

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LOCAL

Made in the shade? Landlord wants a trim

TREE TROUBLE, from page 1

mark process was underway," said Carol Kurtz, deputy city attorney, who is assigned to the case. "So what he purchased was a property with a very large tree and a small house."

Attorneys for Enayati appealed the Superior Court ruling in February and began filing opening briefs in the California Second District Court of Appeals. Enayati claims he was unfairly denied use of his property by the actions of City Hall, and wants to have the tree's landmark status either tossed out or heard again on appeal.

Kurtz said City Hall received notice of the appeal in May and the California District Court of appeals has been "fully briefed" on the case. Attorneys are waiting to hear back from the appellate court as to when the case may be argued before a judge.

Kurtz said part of the reason she is confident in City Hall's position is because the courts, so far, have supported its side.

"The city prevailed in the Superior Court action and I don't see why the Court of Appeals should overturn that decision," Kurtz said.

Kurtz claims the case rests on whether the property owner can show the Landmarks Commission abused its discretion when it decided to preserve the tree.

"So far, (Enayati's legal counsel) has been unable to make that showing," Kurtz said. "The city has always stood by that it was not an abusive discretion."

Harold Griffin, who is representing Enayati, didn't comment on the case.

James Jacobson, a paralegal who authored the court documents on behalf of Griffin, said Enayati hasn't asked for permission to develop the site because it would cost in upwards of $15,000 to assemble the professionals and draft plans for a development that ultimately may never even be considered.

In an April 2003 article entitled "Hysterical Landmarks Stories, Part 1: Revenge of the Tree Huggers" in "WAM," a publication for area landlords, Jacobson accused City Hall of unfairly protecting the "big ugly" tree and requiring Enayati to trim it, even though the very thing that made the tree worthy of landmarking was that it grew wild for several decades.

Enayati, of Pacific Palisades, owns several properties in and around Santa Monica. He's told the Daily Press he doesn't intend to cut the tree down, but accuses City Hall of being unwilling to cooperate with him in managing the tree so he can make best use of his property.

The tree's canopy covers more than half of his 50-foot-by-150-foot Fifth Street property, which is north of Wilshire Boulevard. Despite the city's concerns, Enayati maintains he would trim the tree so it covers 40 percent of the lot, rather than the 60 percent it presently spans.

Known among horticulturists by its Latin name, Cedrus deodora, the tree stands nearly 50-feet tall, with a 175-inch trunk circumference. It differs from other cedars because its lower branches were not cut and, therefore, sprawl out horizontally. According to the Jan. 13, 2003 landmark determination, the tree could not be easily reproduced today and has a longer life span than other, more manicured cedar trees in the city.

"The subject tree was planted ... at a time when the properties on the street were developed with low-rise single-family homes or multi-family bungalows," according to the landmark decision. "As the street changed and became characterized by three-story condominium buildings, this tree, with its unusual, natural shape, has remained as an established and familiar visual feature in the neighborhood."

Charity case to court case

RED CROSS, from page 1

doubt we would have looked into it any further," Pacheco said. "Given the national policy, we gave them the benefit of the doubt."

Pacheco added that 95 percent of clients provide adequate information and identification. Karaba fell into the 5 percent who didn't, but she still had represented herself as a victim adequately enough for Red Cross officials to deem she needed assistance.

The Santa Monica chapter has opened 150 cases, which includes 195 displaced persons. Those cases represent 100 families, couples or individuals that have relocated to the Santa Monica area and have turned to the local chapter for aid and services.

"The chapter has found hotels or motels for 55 families and has issued $78,350 in direct financial aid to displaced persons for food, clothing, medicine, housing expenses and other necessities," Pacheco said.

Thirty children have been helped locally and the other families not staying in hotels are with family and friends. Nearly 95 percent of them say they plan to stay in Los Angeles, Red Cross officials said.

Local contributions through the Santa Monica chapter, as of Monday, amounted to $693,000. The money raised locally goes to food and shelter, medical and mental health services, and direct financial support for the more than 2.8 million families in 902 Red Cross shelters and other lodging scattered in 40 states.

Nationally, the American Red Cross has received $933.9 million, including pledges, and still estimates that $2 billion will be needed for disaster relief in the months ahead. More than 500,000 families have received financial aid and another 400,000 are expected to receive assistance in the weeks to come.

The Santa Monica chapter has processed 1,024 new volunteers and 700 volunteers have or are completing training to go to the disaster area to work in relief efforts in shelters and service centers. Sixty-four people have been called to disaster relief locations — primarily in the Gulf area — where the Red Cross has the majority of its shelters and service centers.

About 100 volunteers are working locally in the Santa Monica chapter's offices, working directly with clients, answering phones, doing data entry and providing support where needed.



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Seeing the upside



Devon Meyers./Special to the Daily Press

Members of Capoeira Brasil, a world-renown Afro-Brazilian cultural organization, practice their form of martial arts near Santa Monica beach over the weekend. Capoeira Brasil performed on Saturday at Memorial Gym, donating proceeds to Hurricane Katrina victims.



Boat people make it to L.A. 16 years later

BY DAISY NGUYEN
Associated Press Writer

LOS ANGELES — The long journey of 229 Vietnamese boat people came to an end Monday when they arrived in the United States after spending 16 years in the Philippines as stateless refugees.

The group arrived at Los Angeles International Airport on a chartered flight from Manila at 5 p.m., but it took them more than two hours to clear customs, have their paperwork processed and begin leaving the airport.

They walked into the airport's international terminal to a tumultuous greeting from some 200 people, including many fellow refugees who had left the Philippines ahead of them. Many had to rush to make connecting flights to various cities around the United States where they plan to live.

"I've waited 16 years for this moment. It's hard for me to express my emotions right now. It's beyond happiness," said Hoang Tran, 39, who plans to settle permanently in Missouri.

One of the people on hand to greet the refugees was Lan Nguyen, who arrived in the United States with her husband four years ago after spending 15 years in the Philippines. She now lives in Garden Grove.

"We had gone through so much together. Some people became closer to me than my own family," she said of her fellow refugees. "We have such a special bond. We could talk for three or four days on end and we'd never run out of memories to share."

Monday's arrivals were the first of some 1,600 Vietnamese refugees expected to make their way to this country under an agreement allowing asylum-seekers scattered in the Philippines since 1989 to resettle in the United States.

The first group to arrive at the airport's international terminal held a huge red banner with white letters proclaiming, "Thank you, America, for welcoming us. Please help our brothers and sisters in the Philippines," a reference to about 300 people still there who have been denied permission to resettle.

Many Vietnamese left their homeland by boat after the communists defeated South Vietnam in 1975. Others were allowed to leave in the 1980s under a U.S.-sponsored program for Vietnamese whose fathers were believed to be U.S. servicemen. Relatives of those refugees were also given approval to go.

Until March 1989, those who landed in refugee camps throughout Asia were automatically granted refugee status. After that, the United Nations refused to recognize them as refugees and seven years later cut off funding for Vietnamese camps throughout the region.

Some countries began forcible repatriation back to Vietnam. In the Philippines, then-President Fidel Ramos allowed the Vietnamese to stay indefinitely under the supervision of the Roman Catholic Church, but they were not given permanent residency status or legal rights.

"You're living a half-life, being stateless," Hoi Trinh, a Vietnamese-Australian lawyer who spent eight years helping the refugees, said from his office in Manila. "You can't move forward or backward. You're stuck because you're a nobody and don't belong anywhere or to anyone, therefore no one has to deal with you."

Over the years, several hundred refugees were resettled in the United States, Australia, Canada and Europe. But the vast majority remained in limbo in the Philippines as politicians and activists sought a resolution to their situation.

"I just thought it was so clearly wrong," said Sen. Sam Brownback, R-Kansas, a member of the Senate Foreign Relations Committee, which held a hearing on the issue in February 2004.

"The right thing to do was to grant them permanent status so they can get on with their lives," he said.

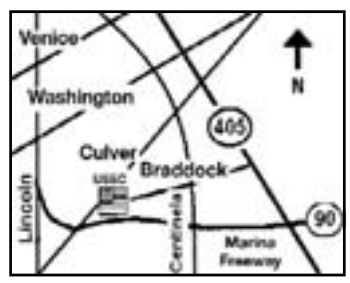
Last year, the United States announced a joint plan with the Philippines to offer resettlement to Vietnamese asylum-seekers.

Patrick Corcoran, a representative of the International Organization for Migration, which helped in the transfer, said interviews by U.S. immigration officials were ongoing. A total of 1,600 refugees were expected to be approved, he said.

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STATE

‘Sewer dragon’ haunts town at election time

BY TIM MOLLOY
Associated Press Writer

LOS OSOS — This is a small town with a big plumbing problem, and a vote that could bounce three local officials from office comes down to how residents want to solve it.

The issue is bubbling over because the town never modernized its plumbing as it grew from a post-World War II retreat to a 15,000-person bedroom community of San Luis Obispo, located nearly midway between Los Angeles and San Francisco.

Signs supporting and opposing a $135 million sewer project line the streets and dirt roads where houses use septic tanks to cope with waste.

Colorful protests range from an environmentalist who waves signs at drivers to a local artist who has done a series of paintings of a “sewer dragon” threatening the town. Public meetings about the project often start at dusk and drag into early morning.

On Tuesday, residents vote whether to recall three officials who support the new sewer and replace them with project opponents.

The regional water quality control board ordered Los Osos to replace septic systems two decades ago, saying the tanks pollute the groundwater supply and the picturesque Morro Bay Estuary.

Since then, projected costs of the sewage solution have more than tripled as townspeople debated what kind of system to build.

The Los Osos Community Services District — founded in 1998 to deal with the problem — has begun construction of a sewage treatment plant near what many consider the town’s center, in the shadow of several homes, a library and a community center. Project planners insist it has been engineered to avoid odors, but many residents aren’t so sure. They advocate a system of open ponds in another location.

Some residents also balk at the cost. Connecting to the sewer line would cost homeowners roughly $1,000 to $4,000 each, and sewage costs for buildings would be near $200 a month, said Michael Drake, a spokesman for the district.

Opponents gathered enough signatures to hold a recall election against community services board directors Stan Gustafson, Gordon Hensley, and Richard LeGros. Opponents hope to replace them with a slate of anti-sewer candidates.

Stopping the project could result in fines of $10,000 a day from the regional water quality control board, Drake said. The district has already received more than $6 million of a $135 million state loan for the project and spent an additional $20 million on design, studies and land, he said.

Stolen ‘Star Wars’ video was blasted onto Internet

PIRACY, from page 1

Albert Valente, 28, of Lakewood, allegedly took a copy of the movie from the post-production facility where he worked, then loaned the copy of the movie to a friend, Jessie I. Lumada, 28, of Long Beach, according to the U.S. District Attorney’s office.

Lumada gave the movie to Ramon G. Valdez, 30, of Long Beach, who then shared the copy with three people — Michael J. Fousse, 42, of Monrovia; Dwight Wayne Sityar, 27, of La Crescenta; and Stephani Reiko Gima, 25, of Los Angeles, all of whom worked with Valdez at a Los Angeles-based cable company, according to the U.S. District Attorney’s office.

Gima allegedly made a copy of the movie and gave it to her cousin, Joel De Sagun Dimaano, 33, of Los Angeles. Dimaano allegedly loaned his copy to Marc D. Hoaglin, 36, of Huntington Beach, who uploaded the film onto the Internet on May 18, 2005 — the day before “Star Wars: Episode III” opened in theaters.

Valente, who has agreed to plead guilty, has been charged with willfully infringing a copyright by distributing his copy of “Star Wars: Episode III”, according to federal authorities. Lumada, Valdez, Fousse, Sityar, Gima and Dimaano are charged with willfully infringing a copyright by distributing or reproducing copies of the film. The seven defendants are charged with misdemeanors that carry up to one year in federal prison.

Hoaglin is charged in the same complaint with one count of uploading the movie onto the Internet, a felony under the recently enacted Family Entertainment Copyright Act. Hoaglin, if convicted, could be sentenced to as much as three years in federal prison, according to the U.S. District Attorney’s office.

All of the defendants have been summoned to appear in federal court in Los Angeles next month.

In an unrelated case, Ronald Redding, 37, of Linthicum Heights, Maryland, was charged on Tuesday with giving his copy of “Million Dollar Baby” to a friend, even though the movie had been provided to him solely to “screen” for purposes of voting for the Academy Awards. The complaint charges Redding, who has agreed to plead guilty, with a misdemeanor charge of willfully infringing a copyright by distributing this film.

Elsewhere, Eric Wright, 43, of Bellflower, Calif., pleaded guilty Monday to a single count of trafficking in counterfeit DVD labels attached to copyrighted movies. Appearing before United States District Judge Audrey B. Collins, Wright admitted making unauthorized copies of “The Incredibles” and “Friday Night Lights,” affixing counterfeit labels to those copies, and selling the DVDs.

Wright, who faces up to five years in federal prison, is scheduled to be sentenced on Dec. 12.

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STATE

Bail set for Lodi father in terror case

BY DON THOMPSON
Associated Press Writer

SACRAMENTO — A federal magistrate set bail Monday at $1.2 million for a Lodi father accused of lying to the FBI to protect his son from charges that he attended a Pakistani terror training camp.

The release of Umer Hayat, 47, was delayed, however, when U.S. Attorney McGregor Scott announced he would appeal the decision to a federal district judge.

Prosecutors have until Oct. 11 to file their formal appeal, but Scott said in a statement they disagree with the magistrate's decision and believe Hayat can be held both as a danger to the community and for fear he might flee.

Chief Magistrate Judge Gregory Hollows said Hayat could be released from the Sacramento County Jail on a $1.2 million bond pending his trial on a charge of lying to investigators about his son attending a terrorist camp.

His son, Hamid Hayat, 23, is charged with providing material support to terrorists by attending the camp last year and was allegedly prepared to wage holy war, federal prosecutors said. He is being held in the county jail without bail on the material support charge, and two counts of lying to investigators about attending the camp.

If released, Umer Hayat would be required to remain in his Lodi home under electronic monitoring. All telephone calls would be monitored and authorities could search his home at any time and would monitor any visitors. He would also have to surrender his passport.

"We're cautiously optimistic with what's going to happen from this point forward," said Hayat's attorney, Johnny Griffin III.

Both men were charged with lying to federal authorities June 4, but the material support charge was added in a new indictment last week.

Scott said that is the most serious charge that could be filed because there is no evidence Hayat participated in a terrorist act.

Bail was denied for both men previously, but Hayat's family has since nearly tripled the value of the property they offered to post to guarantee he does not flee to Pakistan.

Prosecutors questioned the value of the property in Lodi, an agricultural town of 62,000 about 35 miles south of Sacramento. They say the elder Hayat remains a flight risk no matter how much of a guarantee is offered.

Hollows, in a 16-page ruling, said there is no question Umer Hayat has extensive ties to Pakistan, though both men are U.S. citizens.

But he said the grand jury's decision last week to charge Hamid Hayat with a more serious crime benefits his father's case, by making it clear Umer Hayat is not being charged with anything more serious than lying to the FBI despite months of investigation.

Hollows said the allegations against Umer Hayat portray a father who actively supported or encouraged his son's terrorist training. However, he has not been charged with a violent crime, nor a crime of terror.

Moreover, while prosecutors said Umer Hayat could be imprisoned up to eight years, Hollows said a maximum three-year sentence is more realistic, and he might serve no prison term at all beyond the time he already has spent behind bars awaiting trial.

Hollows said he "has a difficult time believing that Umer would simply fly off leaving his son to fend for himself — all to avoid a relatively modest (as far as federal sentences go) prison sentence."

Prosecutors say Hamid Hayat faces up to 31 years in prison if convicted of all three charges.

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State prison inmate arraigned for role in alleged terrorism plot

BY GILLIAN FLACCUS
Associated Press Writer

SANTA ANA, Calif. — A state prison inmate accused of masterminding a terrorism plot against U.S. military sites and other targets appeared Monday before a federal judge who entered a plea of not guilty on his behalf.

Kevin James, 29, was ordered held without bail on charges of conspiracy to levy war against the United States through terrorism and conspiracy to possess and discharge firearms in furtherance of crimes of violence.

U.S. District Judge Marc L. Goldman set a tentative trial date of Nov. 22.

James, an inmate at California State Prison, Sacramento, was represented by court-appointed attorney Robert Carlin. Shackled, James said nothing during the five-minute proceeding.

If convicted, James faces up to life in prison, said U.S. attorney's spokesman Thom Mrozek.

Prosecutors allege that while imprisoned for attempted robbery, James founded an organization based on a radical interpretation of Islam and preached to recruits that it was their duty to attack "infidels" including the U.S. government and supporters of Israel.

The indictment alleges that the conspiracy targeted domestic U.S. military sites, Israeli facilities in the Los Angeles area including the local consulate and an El Al airline counter, and synagogues. James was named in two of the seven counts. Three other men named in the indictment pleaded not guilty in earlier proceedings.

James' public defender, Robert Carlin, said his client was "surprised and shocked" to learn that the government believes he orchestrated a terror plot.

Carlin said he reviewed the indictment with James on Friday after the defendant was brought from Sacramento to Santa Ana.

"I think he's very concerned," Carlin said. "But an indictment is pretty worthless. It's just a series of accusations the government makes having gone before the grand jury."

Carlin said James would probably be transferred to Los Angeles until his trial date. Carlin said that before the current charges were filed James had been up for parole early next year.

Assistant U.S. Attorney Kevin Smith told reporters he had little to add to what was already in the indictment, which accuses James of providing "spiritual and tactical guidance, and support" to the other defendants, Levar Haley Washington, 25, Gregory Vernon Patterson, 21, and Hammad Riaz Samana, 21.

Washington was formerly a state prison inmate and Patterson was formerly a student at California State University, Northridge. Samana has been identified as a former student from Pakistan.

Authorities have said local police agencies uncovered the alleged plot while investigating a string of gas station robberies they believe were intended to finance the scheme.

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STATE

STATE BRIEFS

Cut! Film permit company sues EIDC

By The Associated Press

LOS ANGELES — Five liaison firms specializing in getting film permits for production companies sued the Entertainment Industry Development Corp. for alleged defamation and discrimination.

The firms said the quasi-governmental agency was trying to put them out of business. The EIDC has one set of rules for companies that seek permits directly from the EIDC and another set of rules for those that use permit-services firms, attorney Michael Morin said.

"This has been going on for a long time, but has gotten progressively worse over the last six months," said Morin, who represents Film Permits Unlimited, Walker Location Services, Film This Production Service, Pacific Production Services and Beautiful Day Permits.

The companies obtain about 65 percent of the film permits issued in Los Angeles County. The suit asks the court to order city and county officials to issue permits directly to the companies, bypassing the Entertainment Industry Development Corp. The EIDC was created in 1995 to coordinate filming, issue permits and help address location complaints.

EIDC president Steve MacDonald denied the agency was trying to put the companies out of business. The suit claimed service companies aren't allowed to use credit cards to make permit payments while production companies that deal directly with the EIDC can use credit cards for payments.

Inmates told not to keep it brief

By The Associated Press

VENTURA — The Sheriff's Department came up with a bright idea to stop male inmates from leaving the jailhouse with county-issued underwear: socks, skivvies and shirts are now dyed orange.

Some $50,000 is spent each year for inmate underwear.

"We just keep losing horrendous amounts of that property," said Kathy Kemp, chief deputy of the Sheriff's Department's detention services division. The division's tight budget led to the orange undies plan.

About 1,400 male inmates will get orange undergarments,

Inmates who change from their jail jumpsuits to their street clothes will stand out in bright orange and they'll have to hand over their drawers before they leave, the department said.

The estimated 200 female inmates will keep using white underwear. There hasn't been a significant amount of underwear lost from the women's side, officials said.

Airport director takes off

By The Associated Press

LOS ANGELES — The director of Los Angeles World Airports abruptly resigned.

Kim Day, who championed former Mayor James K. Hahn's $11 billion Los Angeles International Airport overhaul, wrote a resignation letter Monday to Mayor Antonio Villaraigosa. She will leave early next month to resume her career as an architect.

Villaraigosa has been critical of Hahn's airport plan.

"It has been an honor and privilege to serve the city," she wrote. "I wish you and your new administration well in carrying out your vision for the city and its airports."

Day took over as the interim director of Los Angeles World Airports in mid-2003 and she was named permanent director last November. She oversaw the management of Los Angeles International Airport and three smaller airports.

Villaraigosa thanked Day for her service.

"It's my understanding that it's Kim Day's decision and the mayor accepted her resignation," the mayor's spokeswoman Janelle Erickson said.

Gardena of Eden? City woos Nissan to stay

By The Associated Press

GARDENA — Local and state officials are considering tax incentives to keep Nissan Motor Co. from moving its North American headquarters and 1,300 jobs to Tennessee or Texas.

Nissan chief Carlos Ghosn has said a move out of Southern California is being considered.

Representatives from the governor's office, the Los Angeles County Board of Supervisors, Southern California Edison, Los Angeles County Economic Development Corp., state economic development department and Gardena and South Bay economic development agencies are working to keep Nissan.

"We held our first planning meeting last week," said Greg Whitney, vice president of business development for the Los Angeles County Economic Development Corp. If Nissan leaves, Whitney said, "it would be a minus for us" because it would send a negative signal about the area's business climate to other companies.

The Los Angeles Times reported earlier that Nissan was considering moving some or all of its Gardena-based sales, marketing, distribution and advertising staffs to its manufacturing headquarters in Smyrna, Tenn., or to its finance arm's service center near Dallas. Nissan executives have declined to comment publicly about the relocation plan and Ghosn said Sunday that the report was based on "rumors and speculation."

But on Monday, Ghosn acknowledged the relocation study in a speech to employees in Smyrna. Ghosn allegedly told workers that a decision on the North American headquarters location would be made by the end of November, the Times said.

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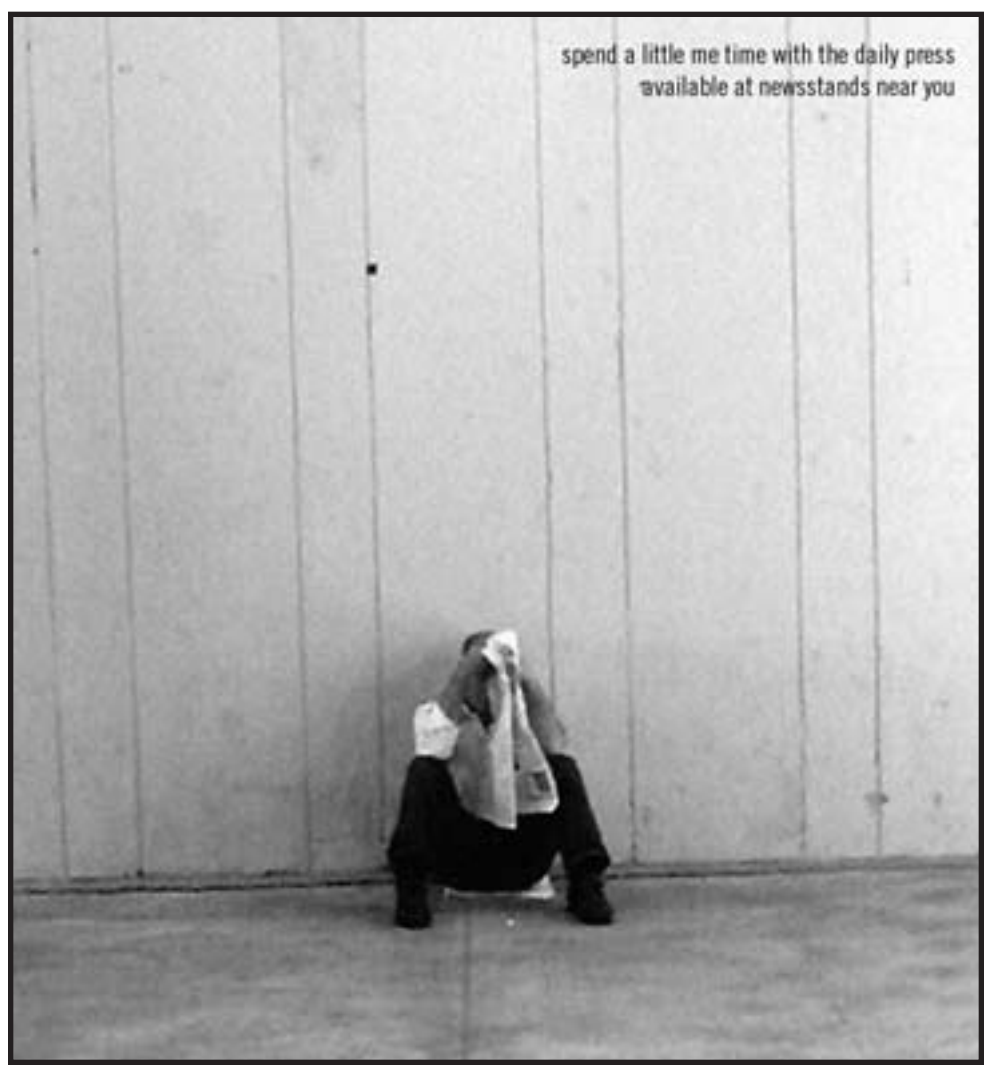
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DAYS ON THE MARKET

BY JODI SUMMERS

Ever wonder who are the people who forecast real estate trends? Inman News recently compiled a list of the most influential people in real estate. They were chosen because their actions influence the business of buying and selling property. Here are some of the media heavyweights and notables from that list:

John Paul Stevens, Anthony Kennedy, David H. Souter, Ruth Bader Ginsburg, Stephen G. Breyer — Supreme Court Justices

The four Justices surprised the nation with their decision on the eminent domain case, Kelo vs. City of New London in June. The court held that local governments could seize individuals' homes and businesses against their will to make way for private economic development. On a side note, the city of Santa Monica is currently looking into the possibility of using eminent domain to turn the Wells Fargo Bank at 1300 Fourth Street into a parking structure.

Attorneys at the Institute for Justice

The legal team at the Institute for Justice recently fought two key real estate battles in court. The non-profit public interest law firm represented ForSaleByOwner.com in a First Amendment lawsuit against the California Department of Real Estate regarding CAR's requirement that the web service obtain a real estate license. In late 2004, it was ruled that ForSaleByOwner was the same as a newspaper, advertising homes for sale and therefore did not need to obtain a license. The Institute also represented homeowners in the eminent domain case, Kelo vs. City of New London.

Robert Bruss, nationally syndicated real estate columnist

Virtually anybody who has looked into buying real estate has turned to Bruss for information. As an author, columnist, attorney and educator, Bruss' nationally syndicated real estate columns have become a guide for anyone thinking of buying, selling or investing in real estate. He answers reader questions on topics ranging from the capital gains tax rule to how to choose a real estate agent. For 23 years, Bruss has written the syndicated "Real Estate Mailbag" question and answer column, as well columns on real estate trends, book reviews and real estate law, and two monthly real estate newsletters.

Steve Kerch, real estate editor, CBS MarketWatch

As real estate editor for CBS MarketWatch, Kerch's pieces are respected by investors, industry professionals and consumers throughout the country. Kerch is renowned for his ability to explain real estate trends to his audience.

John E. Featherston, president and CEO, RISMedia

RIS publishes National Relocation & Real Estate, a monthly real estate and relocation business development magazine. Under the direction of Featherston, RIS has developed into a well-regarded national news and information service.

Lauren Beale, real estate editor, Los Angeles Times

Beale is the editor of the real estate section of the Southland's largest newspaper, the Los Angeles Times. This is the place to start for anyone living in the metro area looking to buy or sell property. Their classified section is one of the best places to look for real estate deals.

Ken Harney, syndicated columnist, Washington Post Writers Group

Harney's column, "The Nation's Housing" reaches consumers across the country on a weekly basis. His timely topics range from real estate settlements to system reforms, complexities of the credit system, new home loan concepts, federal tax policies, and appraisal problems.

Trish Hall, real estate editor, The New York Times

The Sunday New York Times is a must read for many households around the country. As editor of the Times' Real Estate section, Hall supervises editorial content read by millions.

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MARINA DEL REY	4739 LA VILLA MARINA #B	CONDO	3 BEDROOMS	2.00 BATHROOMS	N/A	$789,000	SUNDAY 10/2
PLAYA DEL REY	4739 LA VILLA MARINA #B	CONDO	3 BEDROOMS	2.00 BATHROOMS	N/A	$789,000	SUNDAY 10/3
SANTA MONICA	1318 BERKELEY ST #2	CONDO	2 BEDROOMS	1.50 BATHROOMS	N/A	$579,000	SATURDAY 10/2
SANTA MONICA	502 STASSI LN	SINGLE FAMILY	4 BEDROOMS	3.00 BATHROOMS	N/A	$1,595,000	SUNDAY 10/3
SANTA MONICA	717 EUCLID ST	SINGLE FAMILY	2 BEDROOMS	1.50 BATHROOMS	N/A	$1,795,000	SUNDAY 10/3
SANTA MONICA	354 MESA RD	SINGLE FAMILY	3 BEDROOMS	2.50 BATHROOMS	N/A	$2,049,000	SUNDAY 10/3
SANTA MONICA	947 BERKELEY ST	SINGLE FAMILY	4 BEDROOMS	3.50 BATHROOMS	N/A	$2,395,000	SUNDAY 10/3
SANTA MONICA	365 24TH ST	SINGLE FAMILY	2 BEDROOMS	1.75 BATHROOMS	N/A	$2,395,000	SUNDAY 10/3
SANTA MONICA	418 EUCLID ST	SINGLE FAMILY	4 BEDROOMS	3.00 BATHROOMS	N/A	$2,695,000	SUNDAY 10/3
SANTA MONICA	355 22ND ST	SINGLE FAMILY	5 BEDROOMS	4.50 BATHROOMS	N/A	$3,295,000	SUNDAY 10/3
SANTA MONICA	125 17TH ST	SINGLE FAMILY	4 BEDROOMS	5.00 BATHROOMS	N/A	$5,495,000	SUNDAY 10/3
SANTA MONICA	1318 BERKELEY ST #2	CONDO	2 BEDROOMS	1.50 BATHROOMS	N/A	$579,000	SUNDAY 10/3
SANTA MONICA	937 12TH ST #208	CONDO	1 BEDROOMS	1.00 BATHROOMS	N/A	$590,000	SUNDAY 10/3
SANTA MONICA	2021 CALIFORNIA AVE #20	CONDO	2 BEDROOMS	2.00 BATHROOMS	N/A	$699,000	SUNDAY 10/3
SANTA MONICA	1010 19TH ST #11	CONDO	2 BEDROOMS	2.00 BATHROOMS	N/A	$849,000	SUNDAY 10/3
SANTA MONICA	934 21ST ST #2	CONDO	2 BEDROOMS	2.50 BATHROOMS	N/A	$1,059,000	SUNDAY 10/3
SANTA MONICA	1011 EUCLID ST #C	CONDO	3 BEDROOMS	3.50 BATHROOMS	N/A	$1,179,000	SUNDAY 10/3
SANTA MONICA	1254 26TH ST	CONDO	# UNITS: 2	LOT SIZE: 5,306	N/A	$1,199,000	SUNDAY 10/3

Mojave wildfire victims blame Park policies

BY A.D. HOPKINS
Associated Press Writer

MOJAVE NATIONAL PRESERVE — They hoped to spend a comfortable retirement in their rural retreats. Instead, they spent the summer picking through ashes to salvage melted mementos.

Many of those who lost homes when wildfire swept the Mojave National Preserve in late June say their property was destroyed as much by bad policy as bad luck. And they blame the National Park Service.

"They can call it a preserve, but they haven't actually preserved anything here in the 10 years they've had it," said Sandi McIntosh, 61, who said her home and horses escaped mostly undamaged by a stroke of luck.

A lot of her neighbors weren't as lucky, which was why she stood the morning of Sept. 1 up to her ankles in ashes, helping Richard and Kathy MacPherson clean up what remained of their mobile home.

McIntosh picked up a few settings of cutlery and brushed the ashes away, laying them on a table beside the ruins.

It was nearly lunchtime, and the morning's work hadn't covered the table. One intact vase. Two antique flatirons. A little of this and that.

After the fire, the Park Service estimated suppression costs at $3.1 million and climbing but has not publicly estimated damages. A dollar value cannot be placed on the loss of beautiful views, wildlife habitat and historical structures.

The fire raised questions about the wisdom of a new fire management plan, expected to go into effect soon, which would no longer require the Park Service to immediately extinguish all fires in the park, as currently required.

The 1.6 million-acre Mojave Preserve lies within California's San Bernardino County. It stretches from the Nevada border to Baker, Calif., and from Interstate 15 on the north to Interstate 40 on the south. It was created by the California Desert Protection Act, federal legislation passed in 1994 over the objections of county elected officials.

Scattered across the federal lands were tracts of private homesteads, including cattle ranches. The Park Service discontinued grazing leases and bought out nearly all the ranches.

In a decade, those who had built vacation homes on the range found themselves surrounded by land either designated wilderness or managed as if it were.

Cattle were gone and wild burros were being removed. After the wettest winter in memory, grass grew deep with few grazing animals to eat it. With the onset of hot weather, the fuels became tinder-dry.

Lightning started the fire June 22 in the Hackberry Mountains. At least three other fires started elsewhere in the preserve.

The preserve's small resident firefighting crew was joined by a force that eventually included more than 1,100 people from several federal agencies and Southern California counties. They used four firefighting airplanes, four helicopters, 38 fire engines and dozens of water trucks.

They were not fighting alone; private landowners did what they could to protect their own holdings.

On Cedar Canyon Road, 73-year-old Bud Smith prepared to fight or flee as the moment's circumstances dictated.

"I had stuff in the car and the car parked facing the road. We were supposed to be evacuated on Friday, but I didn't go. My kids came out from Las Vegas and helped me fight it," Smith said. "When they heard I hadn't left, two fire trucks came up and helped us."

Clearing grass and brush as far back from his buildings as time allowed, spraying water from the 11,000 gallons Smith keeps on hand for just that purpose, the small force stood toe-to-toe with the fire at 7 a.m. and fought it to a standstill.

According to neighbors, Smith's stubbornness saved not only his home of 35 years, but every home north of the road.

South of Cedar Canyon Road, however, fire had roared through Round Valley, taking the MacPherson home and the homes of their neighbors.

By June 27, the fires had burned more than 70,000 acres in the heart of the park, taking at least 12 homes and several unoccupied historic structures.

Dennis Casebier, a historian who operates the East Mojave Heritage Center at a restored 91-year-old schoolhouse in Goffs, just outside the southeast edge of the preserve, railed at the events in his newsletter, the Mojave Road Report, and questioned Park Service fire control policies.

Many residents believed the preserve firefighting staff had followed a draft fire management plan announced and discussed earlier this year. The plan called for allowing "natural" fires caused by lightning in designated areas constituting as much as 22 percent of the park to burn at a leisurely pace.

Most residents wondered aloud whether the Park Service lost control of the fire while attempting to follow the plan.

"That is absolutely false," said Chuck Heard, the preserve's fire management officer. "That fire management plan is not complete, so in the Mojave National Preserve the policy remains full suppression."

Even if a limited-suppression policy is approved, Heard said, "In the heart of summer we would not let it burn in any case. There are very few places in the preserve we would ever allow it in the future."

Superintendent Mary Martin said the fire would not have been fought any differently if there had been a different fire management plan in place, because the area where it occurred would have required full suppression.

She said she will consider this summer's fire in deciding whether to approve the 84-page plan, which calls for allowing "fire to resume its natural role in wilderness where natural fire regimes are unaltered, provided that fire does not pose a threat to structures, historic mine sites, or tortoise habitat."

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Sold	**428 19TH ST SANTA MONICA 90402**		
Santa Monica	SqFt: 4,460	List Price: $3,295,000	Bed: 5
09/20/2005	Lot Size: 8,940	Sold Price: $3,100,000	Bath: 3.50
Sold	**1037 EUCLID ST SANTA MONICA 90403**		
Santa Monica	SqFt: 7,706	List Price: $2,300,000	Gl: $148,824
09/23/2005	Lot Size: 7,497	Sold Price: $2,350,000	GRM: 15.39
Sold	**1226 CHELSEA AVE SANTA MONICA 90404**		
Santa Monica	SqFt: 3,038	List Price: $1,299,000	Gl: $0
09/22/2005	Lot Size: 5,305	Sold Price: $1,299,000	GRM: 0.00
Sold	**2704 HIGHLAND AVE SANTA MONICA 90405**		
Santa Monica	SqFt: N/A	List Price: $1,295,000	Bed: 2
09/22/2005	Lot Size: 3,999	Sold Price: $1,250,000	Bath: 2.00
Sold	**1421 GRANT ST SANTA MONICA 90405**		
Santa Monica	SqFt: 1,956	List Price: $1,285,000	Bed: 4
09/19/2005	Lot Size: 6,192	Sold Price: $1,175,000	Bath: 2.00
Sold	**1051 12TH ST #2 SANTA MONICA 90403**		
Santa Monica	SqFt: 1,690	List Price: $895,000	Bed: 2
09/23/2005	HOD: $285	Sold Price: $888,000	Bath: 2.50
Sold	**831 PACIFIC ST #6 SANTA MONICA 90405**		
Santa Monica	SqFt: 1,502	List Price: $799,000	Bed: 2
09/23/2005	HOD: $250	Sold Price: $779,000	Bath: 2.75
Sold	**1138 12TH ST #2 SANTA MONICA 90403**		
Santa Monica	SqFt: 1,045	List Price: $629,000	Bed: 2
09/20/2005	HOD: $247	Sold Price: $645,000	Bath: 2.00
Sold	**1325 9TH ST #1 SANTA MONICA 90401**		
Santa Monica	SqFt: 941	List Price: $569,000	Bed: 2
09/20/2005	HOD: $150	Sold Price: $569,000	Bath: 1.75
Sold	**1524 BERKELEY ST #7 SANTA MONICA 90404**		
Santa Monica	SqFt: 1,033	List Price: $549,000	Bed: 2
09/19/2005	HOD: $140	Sold Price: $548,000	Bath: 1.50
Sold	**2519 KANSAS AVE #102 SANTA MONICA 90404**		
Santa Monica	SqFt: 1,367	List Price: $498,000	Bed: 2
09/21/2005	HOD: $250	Sold Price: $578,500	Bath: 2.50
Sold	**2909 10TH ST #1 SANTA MONICA 90405**		
Santa Monica	SqFt: 715	List Price: $495,000	Bed: 2
09/21/2005	HOD: $250	Sold Price: $520,000	Bath: 1.00
Sold	**229 BICKNELL AVE #109 SANTA MONICA 90405**		
Santa Monica	SqFt: 588	List Price: $450,000	Bed: 1
09/22/2005	HOD: $211	Sold Price: $472,000	Bath: 1.00
Sold	**3218 ARIZONA AVE SANTA MONICA 90404**		
Santa Monica	SqFt: 432	List Price: $448,500	Bed: 1
09/23/2005	Lot Size: 1,398	Sold Price: $490,000	Bath: 1.00

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Construction workers take plunge in Hawaii

By The Associated Press

HONOLULU — Faced with a construction boom and record-low unemployment in the state, some companies and unions in Hawaii are turning to the mainland to find workers.

And workers from across the country are answering the request, moving to the Aloha State lured by offerings of better salaries and more benefits.

"A lot of us back in Montana were interested," said Shawn McLeod, an electrician from Butte, Mont., who moved to Hawaii in May to work in what will be a three-story wing of Castle Medical Center in Kailua. "But they weren't willing to take the plunge."

McLeod, 42, learned about the job offer at a notice posted at the carpenters' union hall in his town. Now, his $32.95 per-hour pay is almost double what he used to make, he said.

Government officials and labor leaders in Hawaii learned last year that the state was in need of an additional 7,425 workers to handle its construction boom.

The number of registered apprentices for all Hawaii trade unions grew from 2,800 three years ago to 5,500 last week, said Fred Moore, president of the Building Industry Association-Hawaii. But despite thr growth, Hawaii has reported either the lowest or second-lowest unemployment figures since January 2004. Hawaii in August led the nation with a jobless rate of only 2.6 percent.

Jonathan Brown, director of organizing for the state's biggest trade union, the 6,000-member Hawaii Carpenters Union, said the union turned to the mainland since it began having trouble finding skilled workers in Hawaii.

NATIONAL

Ex-FEMA chief blames others in hurricane's wake

BY LARA JAKES JORDAN
Associated Press Writer

WASHINGTON — Former FEMA director Michael Brown aggressively defended his role in responding to Hurricane Katrina on Tuesday and blamed most coordination failures on Louisiana Gov. Kathleen Blanco and New Orleans Mayor Ray Nagin.

He also said that in the days before the storm, he expressed his concerns that "this is going to be a bad one" in phone conversations and e-mails with President Bush, White House chief of staff Andy Card and deputy chief of staff Joe Hagin.

And he blamed the Department of Homeland Security, the parent agency for the Federal Emergency Management Agency, for not acquiring better equipment ahead of the storm.

His efforts to shift blame drew sharp criticism from Democratic and Republican lawmakers alike.

"I'm happy you left," said Rep. Christopher Shays, R-Conn. "That kind of look in the lights like a deer tells me you weren't capable of doing that job."

Rep. Gene Taylor, D-Miss., told Brown: "The disconnect was, people thought there was some federal expertise out there. There wasn't. Not from you."

Brown appeared before a special congressional panel set up by House Republican leaders to investigate the catastrophe.

"My biggest mistake was not recognizing by Saturday that Louisiana was dysfunctional," two days before the storm hit, Brown told the panel.

Brown, who for many became a symbol of government failures in the natural disaster that claimed the lives of more than 1,000 people, rejected accusations that he was too inexperienced for the job.

"I've overseen over 150 presidentially declared disasters. I know what I'm doing, and I think I do a pretty darn good job of it," he said.

Brown resigned as the head of FEMA earlier this month after being removed by Homeland Security Secretary Michael Chertoff from responsibility in the stricken areas. Brown will remain on the FEMA payroll for two more weeks, advising the agency, said Russ Knocke, spokesman for the Department of Homeland Security.

Brown, who joined FEMA in 2001 and ran it for more than two years, was previously an attorney who held several local government and private posts, including leading the International Arabian Horse Association.

Brown's testimony drew a scathing response from Rep. William Jefferson, D-La.

"I find it absolutely stunning that this hearing would start out with you, Mr. Brown, laying the blame for FEMA's failings at the feet of the governor of Louisiana and the Mayor of New Orleans."

And in a testy exchange, Shays compared Brown's performance unfavorably with that of former New York Mayor Rudolph Giuliani after the Sept. 11, 2001, terror attacks.

"So I guess you want me to be the superhero, to step in there and take everyone out of New Orleans," Brown said.

"What I wanted you to do is do your job and coordinate," Shays retorted.

"I'm happy to be called not a Rudy Giuliani...a scapegoat ... if it means that FEMA that I knew when I came here is going to be able to be reborn," Brown said.

Criticized by Shays for not acquiring better equipment in advance that would have let different emergency agencies communicate with each other, Brown blamed the Department of Homeland Security.

"We put that money in our budget request and it was removed by the Department of Homeland Security" before the budget was finalized, he said.

Brown also said he was "just tired and misspoke" when a television interviewer appeared to be the first to tell him that there were desperate residents at the New Orleans Convention Center.

Brown testified that he had already learned, one day before the interview, that people were flocking to the center.

Brown in his opening statement said he had made several "specific mistakes" in dealing with the storm, and listed two.

One, he said, was not having more media briefings.

As to the other, he said: "I very strongly personally regret that I was unable to persuade Gov. Blanco and Mayor Nagin to sit down, get over their differences, and work together. I just couldn't pull that off."

Both Blanco and Nagin are Democrats.

In Baton Rouge, La., Blanco's press secretary, Denise Bottcher, ridiculed Brown's line of attack. "Mike Brown wasn't engaged then, and he surely isn't now. He should have been watching CNN instead of the Disney Channel," Bottcher said.

"The people of FEMA are being tired of being beat up, and they don't deserve it," Brown said.

The hearing was largely boycotted by Democrats, who want an independent investigation conducted into government failures, not one run by congressional Republicans.

Several Democrats from the stricken region, including Jefferson and Taylor, attended.

Committee Chairman Tom Davis, R-Va., cautioned against too narrowly assigning blame.

"At the end of the day, I suspect that we'll find that government at all levels failed the people of Louisiana and Mississippi and Alabama and the Gulf Coast," said Davis.

He pushed Brown on what he and the agency he led should have done to evacuate New Orleans, restore order in the city and improve communication among law enforcement agencies.

Brown said: "Those are not FEMA roles. FEMA doesn't evacuate communities. FEMA does not do law enforcement. FEMA does not do communications."

In part of his testimony, Brown pumped his hand up and down for emphasis.

Brown said the lack of a mandatory evacuation of New Orleans before the storm was "the tipping point for all the other things that went wrong." Brown said he had personally pushed Louisiana Gov. Blanco to order such an evacuation.

He did not have the authority to order the city evacuated on his own, Brown said.

When asked by Rep. Harold Rogers, R-Ky, whether the lack of an ordered evacuation was "the proximate cause of most people's misery," Brown said, "Yes."

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Metro Orange Line Opens Oct. 29

Come celebrate the opening of the Valley's new short cut with community festivities and free rides all weekend on the new Metro Orange Line Saturday and Sunday, October 29-30. The 14-mile transitway provides a direct route between Warner Center and the North Hollywood Metro Rail Station. Find out more at *metro.net*.

UCLA Discounting Metro Passes

Students and staff at UCLA are getting help with the cost of gas, parking fees and limited parking space this semester – the school is paying half the cost of a Metro Pass for the semester. It's a program offered to schools through Metro Commute Services.

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Enjoy a day at the Venice Fishing Pier, browse the shops and grab a leisurely lunch at the Marina Beach Shopping Center, pass the time at the LA County Library or visit Daniel Freeman Marina Hospital. It's all on the route of Metro Bus Line 108. Check it out at *metro.net*.

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NATIONAL

Refinery town residents find that they can't go home again

BY MICHAEL GRACZYK
Associated Press Writer

BEAUMONT, Texas — Residents of the Texas refinery towns hit hardest by Hurricane Rita were blocked from returning to their homes Tuesday because of the danger of debris-choked streets, toppled power lines and a shortage of ice and generators.

President Bush attended a briefing Tuesday by Texas officials in this port city to assess damage, including refineries knocked out of power by the storm. Bush then took an aerial tour of the Texas-Louisiana area where Rita came ashore last weekend.

In the devastated small towns of Jasper, Port Arthur and Orange, temperatures climbed well into the 90s again Tuesday. Local authorities begged federal and state governments for help.

"East Texas needs everyone's attention this hour, right now, and it doesn't matter whether it's the state or FEMA or the Corps of Engineers. I don't really care whose fault it is. It needs help now," said Rep. Kevin Brady, R-Texas. "These communities are the last to complain, but they've reached the end."

The number of deaths rose to nine Monday when the bodies of five people were discovered in a Beaumont apartment. A man, his girlfriend's three children and their aunt apparently were overcome by carbon monoxide from a generator they used to power fans to cool their home.

While residents of the Texas refinery towns of Beaumont, Port Arthur and Orange were blocked from returning home, authorities in Louisiana were unable to keep bayou residents from venturing in by boat to see if Rita wrecked their homes.

Debris was strewn for miles over Cameron Parish, a coastal, sparsely populated town next to the Texas line. Seawater pushed as far as 20 miles inland, drowning acres of rice, sugarcane fields and pasture.

"This is the most damaged area I've seen in the state, the worst," Army Lt. Gen. Russel Honore said of Cameron Parish. "I didn't see anything from Katrina, except in Mississippi, that was as bad."

At a makeshift emergency operations center at a national wildlife refuge, Randy Gary answered a stream of questions from residents trying to find out about their homes or camps. As for his house, he hadn't been able to get to the town of Cameron, but he got an assessment. "There's nothing but a clear lot," he said.

His oyster boats and pontoon boats also had disappeared, a further slap from Rita to his livelihood as a fisherman. The oyster beds he fishes likely are devastated, even if he had the boats to get to them.

He was still smiling Monday.

"What else we gonna do?" he said, pledging to rebuild his shattered home and work. "It's my life. It's what I do."

An estimated 80 percent of the buildings in Cameron, population 1,900, were leveled. Farther inland, half of Creole, population 1,500, was left in splinters.

If the power knocked out by the storm and oppressive heat weren't enough, it was the ravenous mosquitoes invading their storm-damaged home north of Vidor, Texas, that convinced Harry Smith, his wife and two teenage boys to get out.

With their car disabled by a transmission problem, they hitchhiked more than 10 miles to a staging area for teams from the Federal Emergency Management Agency in hopes of finding shelter. Authorities put them on a bus to San Antonio with a few dozen other storm victims.

"It can't be any worse than here," said Smith, 49, a pipefitter, relieved to be going somewhere to get out of the heat and insects. "This is the worst storm I've seen in the 46 years I've lived here."

For people who didn't evacuate before Rita hit and chose to stay in the primitive conditions, teams from FEMA fanned out again Tuesday over a nine-county area of East Texas to deliver food and water and ice.

Gov. Rick Perry said the state was projecting Rita's total damage at $8 billion.

The mayors of the Louisiana towns of Sulphur and Vinton pleaded with residents to stay away until the sewage systems could be repaired, power could be turned on and hospitals and emergency services could be restored.

"Right now, there's very little to come back to," said Sulphur Mayor Ron LeLeux, of his town where every major power transmission line was destroyed, uprooted trees split houses in two and splintered trees left most streets impassable.

Private England faces sentence after conviction for her role in Abu Ghraib

BY T.A. BADGER
Associated Press Writer

FORT HOOD, Texas — Army Pfc. Lynndie England, the 22-year-old reservist who appeared in photos smirking amid naked prisoners at Baghdad's Abu Ghraib prison, stood at attention as she was convicted of taking part in abusing detainees.

Wearing her dark green dress uniform, England showed no obvious emotion Monday after the jury foreman read the verdict. Asked for comment afterward, defense lawyer Capt. Jonathan Crisp said, "The only reaction I can say is, 'I understand."'

Her case now moves to the sentencing phase, which will be heard by the same jury of five male Army officers beginning Tuesday. It was unclear whether England would testify on her own behalf. She faces up to nine years in prison.

England became the most recognizable of the nine Abu Ghraib soldiers charged in the prison scandal after photos showing her with a naked detainee on a leash and pointing to detainees in other demeaning poses became public.

Her trial was the last in the scandal; two other soldiers were convicted in trials and six made plea deals. Several of those soldiers testified at England's trial.

Prosecutors used graphic photos of England to support their contention that she was a key figure in the abuse conspiracy, a scandal that badly damaged the United States' image in the Muslim world despite quick condemnation of the abuse by President Bush.

England was found guilty of one count of conspiracy, four counts of maltreating detainees and one count of committing an indecent act. She was acquitted on a second conspiracy count pertaining to the leash incident.

England tried to plead guilty in May to the same counts she faced this month in exchange for an undisclosed sentencing cap, but a judge threw out the deal after reputed abuse ringleader Charles Graner Jr.'s account cast doubt on whether she knew what she was doing when she participated in the abuse.

Beyond the sordid photos, prosecutors pointed to England's statement to Army investigators in January 2004 that the mistreatment was done to amuse the U.S. guards at Abu Ghraib.

"The accused knew what she was doing," said Capt. Chris Graveline, the lead prosecutor. "She was laughing and joking. ... She is enjoying, she is participating, all for her own sick humor."

Crisp countered that England was only trying to please Graner. "She was a follower, she was an individual who was smitten with Graner," Crisp said. "She just did whatever he wanted her to do."

England, from Fort Ashby, W.Va., has said that Graner, now serving a 10-year sentence, fathered her young son. The defense argued that England suffered from depression and that she has an overly compliant personality, making her a heedless participant in the abuse.

Graner, a defense witness at the sentencing, said pictures he took of England holding a prisoner on a leash were meant to be used as a training aid. In her earlier guilty plea, England had said the pictures were being taken purely for the amusement of Abu Ghraib guards.

NATIONAL

Coming to America? You can bet you won't be alone

BY STEPHEN OHLEMACHER
Associated Press Writer

WASHINGTON — The pace of illegal immigration to the United States has increased despite tighter security measures and it generally parallels the pace of economic growth and the availability of jobs, a report said Tuesday.

The report by the Pew Hispanic Center also found that the stronger security steps since the terror attacks of Sept. 11, 2001 have had the effect of reducing legal immigration.

Overall, immigration to the United States declined along with the economy after 2000, but the report says the number of people trying to get into the country is on the upswing again.

Immigration — both legal and illegal — topped 1.5 million people in 1999 and 2000, according to the report. The number of people entering the United States then plummeted to 1.1 million people by 2003, the same level it was at in 1992.

Immigration levels bounced back to 1.2 million in 2004, but the report cautioned that it is difficult to predict whether the recent upswing is part of a new trend.

"The extremely high (immigration) flows at the end of the past decade were not the norm, nor part of a long-term trend, but rather the peak of a momentary increase that lasted for only a few years," said the report, authored by demographer Jeffrey Passal and Roberto Suro, a former journalist who heads the Pew Hispanic Center. "Thus, even as the United States consistently experiences historically high rates of migration, flows are subject to considerable variation."

The report documents immigration levels from 1992 to 2004, generating estimates from a variety of Census data. The report acknowledges weaknesses in the data, especially when it comes to estimating annual changes in the number of illegal immigrants trying to enter the country.

The Pew Hispanic Center is a nonpartisan research organization supported by the Pew Charitable Trusts.

Immigration levels closely mirror economic conditions in the United States — as the economy improves, immigration increases — suggesting that the lure of jobs is a strong factor in attracting people to this country, the report says. The U.S. economy appears to be a stronger factor than economic conditions in the countries sending immigrants here, the report says.

Among the reports findings:

■ Since 2001, the number of legal permanent residents entering the United States has declined from 578,000 to 455,000, while the number of illegal immigrants has increased from 549,000 to 562,000. Legal, temporary residents account for the remainder of people entering the country.

Declines in legal immigration "appear to reflect processing backlogs, security delays and other developments that followed the Sept. 11 attacks," the report says.

■ Mexico accounted for about a third of all U.S. immigrants, a percentage that was steady from 1992 to 2004.

■ More immigrants are shunning states with large immigrant communities, such as New York and California, and moving to states with smaller foreign-born populations, such as North Carolina and Iowa.

Volunteer signups for the Minuteman project total 4,000 — falling far short of estimates

By The Associated Press

TOMBSTONE, Ariz. — The leader of a volunteer border patrol group said about 4,000 people have signed up for a month-long project that begins Saturday, far short of the 10,000 he had predicted earlier.

Chris Simcox, head of the Tombstone-based Minuteman Civil Defense Corps, estimated last spring that the patrol along the nation's northern and southern borders to stop illegal immigration would draw 10,000 volunteers.

Infighting, charges of racism and allegations of financial mismanagement have created rifts within the movement. The Minuteman Project drew volunteers to the Arizona border for patrols during the spring.

Although Simcox said his group is financially sound, a Minuteman Civil Defense Corps e-mail sent Friday and signed by Simcox said that overhead for the October operation has doubled because volunteers started patrolling after Hurricane Katrina to fill in for about 240 U.S. Border Patrol agents dispatched to the Gulf Coast.

Media attention after the April patrols, which organizers said drew about 900 volunteers to southeastern Arizona, helped Simcox raise $150,000.

He said he sold his newspaper, the Tombstone Tumbleweed, and now works full time organizing the Minuteman Civil Defense Corps. He said he does not take a salary from the corporation he formed and filed for nonprofit status in May.

The group has 20 chapters and members from 48 states.

The national attention also led to the formation of at least a dozen spinoff organizations not affiliated with Simcox.

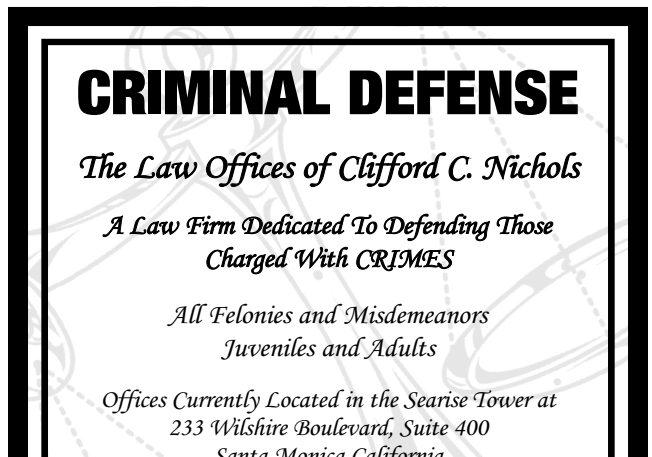
"We see this developing into a nationwide civil defense, similar to what we had during World War II," Simcox said. "The government can't do everything."

Although the civilian patrol movement seemed to gain traction quickly last spring in Arizona, the epicenter for illegal immigration in the country, organizers appear to be facing greater resistance in other states.

The U.S. Border Patrol also continues to oppose civilians patrolling the nation's borders, said Border Patrol spokesman Mario Villarreal.







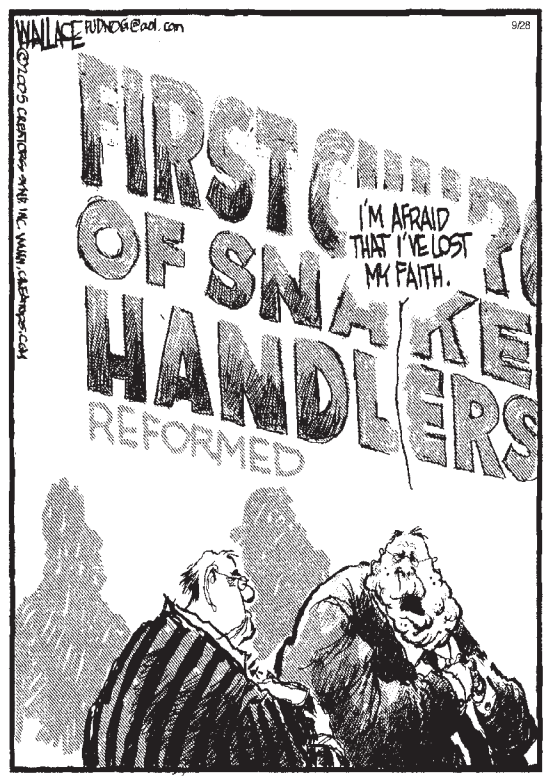


COMICS

The Dinette Set by Julie Larson



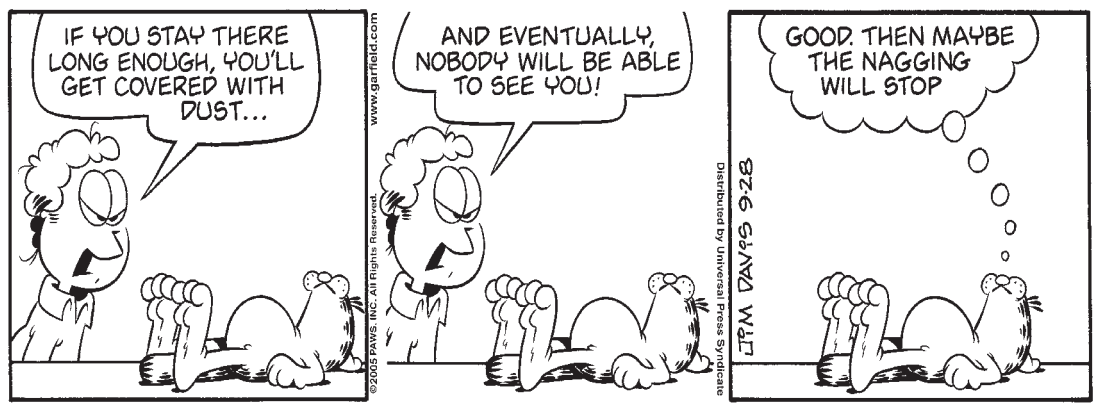
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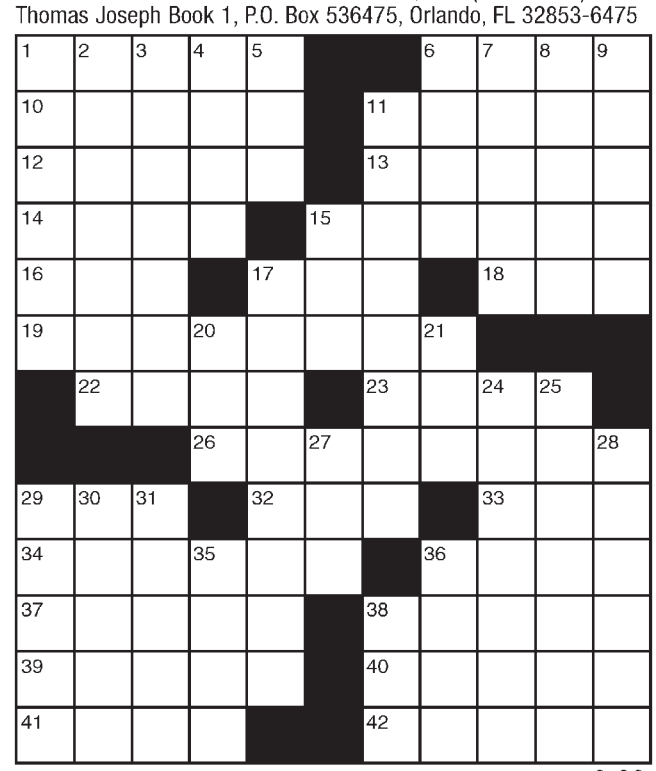
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8 Not in a million years
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11 Casino game
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29 Gets better
30 Kate's friend
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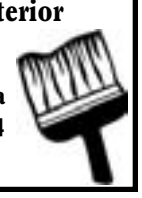
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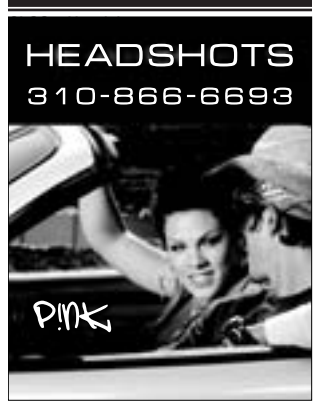
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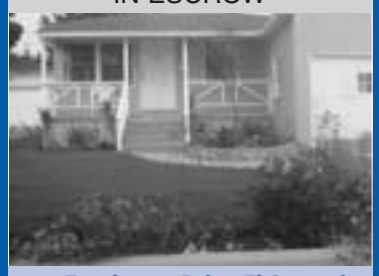
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