



POPEYE'S LOST HIS PUNCH
BUSINESS 14

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

MEGA MILLIONS
3 6 38 42 45
Meganumber: 30
Jackpot: \$12M

Super LOTTO
10 16 21 28 29
Meganumber: 3
Jackpot: \$23M

Fantasy 5
1 9 13 31 34

DAILY 3 MIDDAY: 7 5 6
EVENING: 7 2 9

DAILY DERRY
1st: 11 Money Bags
2nd: 07 Eureka!
3rd: 04 Big Ben
RACE TIME: 1:46.92

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NEWS OF THE WEIRD BY CHUCK SHEPARD

It's usually in Florida where one reads of lonely widows persuaded to pay extravagant prices for dance lessons, but Mimi Monica Wong, 61, is a different kind of dancing widow, according to an August Wall Street Journal report. A Hong Kong private banker with a top-drawer client list, Wong contracted to pay US\$15.4 million over eight years for cha-cha and rumba lessons from two world-class instructors so she could excel on the international championship Latin dance circuit. However, she soured on their motivational approach ("lazy cow" and "(move your) fat arse" were allegedly part of their dialogue) and sued. In September, a court ordered Wong's \$8 million advance returned, and she has since signed on with another instructor whose fee is a bargain: \$21,000 a month.

TODAY IN HISTORY

Today is the 271st day of 2006.
There are 94 days left in the year.

1066 William the Conqueror invaded England to claim the English throne.

QUOTE OF THE DAY

"The conventional notions of happiness cannot possibly be taken seriously by anyone whose intellectual or moral development has progressed beyond that of a three-week-old puppy."

JOHN W. GARDNER
U.S. GOVERNMENT OFFICIAL (1912-2002)

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He's become a caricature of himself

Fabian Lewkowicz/Daily Press

Inventor Don Burgess (left) studies his likeness as rendered by cartoon artist Ernie Guanlao at the Santa Monica Pier. Burgess had donned his Pacificwind Thrustpac, a personal propulsion system that gets up to 150 miles per gallon on regular gas and can reach speeds of up to 35 miles per hour. The Thrustpac weighs 20 pounds and has a 35cc engine. Burgess fills his tank for just 38 cents. Burgess brags that he pays gas attendants 50 cents and lets them keep the change.

Heading for the Hills

School director quits new position for Beverly Hills post

BY KEVIN HERRERA

Daily Press Staff Writer

SMMUSD HDQTRS — The Santa Monica-Malibu education community is losing one of its brightest stars.

Ilene Straus, a 20-year-veteran of the school district and current director of secondary education, announced Wednesday that she has accepted a key leadership position with the Beverly Hills Unified School District

Straus, 57, will take over as assistant superintendent of educational services in Beverly Hills on Oct. 16.

"Part of my heart is in Santa Monica and it always will be, but this was an incredible opportunity and one that you just can't pass up when it comes to you," said Straus, a long-time resident of Santa Monica whose two daughters attended local public schools. "I really wanted to lead at the senior cabinet level. That has always been a goal of mine and

now I will have a chance to do that."

Straus, a UCLA graduate who received her doctorate from USC, will serve under Superintendent Karen McVeigh, who was just appointed by the school board two weeks ago.

Straus will command a salary of \$143,000, she said.

"Beverly Hills has some of the finest public schools in America and

See **STRAUS**, page 12



REPORTER'S NOTEBOOK

ONE MAN'S TAKE ON CITY COUNCIL MEETINGS

Limping out of the gates

BY KEVIN HERRERA

Daily Press Staff Writer

CITY HALL — How ironic that on the evening when elected officials issued a proclamation declaring October "Disabilities Awareness

Month," an ornery, disabled senior citizen was booted out of the City Council Chambers — walker and all.

It's not that our elected officials are cruel. They weren't even the ones

See **REPORTER'S NOTEBOOK**, page 12

Oops! Oversight may cost candidate

BY KEVIN HERRERA

Daily Press Staff Writer

CITYWIDE — A school board candidate who has made financial responsibility a cornerstone of his campaign is currently serving his fifth year of professional probation for violating conditions of the California Accountancy Act.

Barry A. Snell, a certified public accountant, was originally placed on probation by the California Board of Accountancy on Dec. 26, 2001 for practicing public accountancy with an expired license, and for not advising the board in a timely fashion as to his change of address, according to a report on the board's web site, www.dca.ca.gov.

The infractions, which the 51-year-old Snell characterized on Wednesday as "merely administrative," carried a fine of \$2,500, and Snell was ordered to complete 80 hours of continuing professional education within the first 12 months of probation. He was also required to take a board-approved ethics exam and score 90 percent or better.

Snell, who continues to work as a CPA, paid the fine, but his original check was returned for insufficient funds, extending the length of his probation until Dec. 22, 2007, at which time he will have served close to six years.

"While on probation, Mr. Snell violated the terms of his probation in that he failed to obey all federal, state and local laws, including those rules relating to the practice of public accountancy in California," read a statement from the board. "He also failed to maintain an active license and failed to make scheduled cost reimbursement payments."

The charges could have an impact on Snell's bid for a seat on the Santa Monica-Malibu Unified School Board, given that the candidate has relied heavily on his accounting

See **SCHOOL BOARD**, page 10

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Eddie Guerboian

Horoscopes

2

THURSDAY, SEPTEMBER 28, 2006

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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 could be floored by another's response, so much so that you need to regroup and rethink your feelings about this person. Use your strong drive to accomplish all that you can. Your creativity helps you take a new spin on a situation. Tonight: Note what isn't being said.

TAURUS (April 20-May 20)

★★★★ You do best with individuals rather than groups. In fact, a meeting or news from a friend could shake you up. Get past this problem. Don't let anyone drag you down. Stay in touch with your energy and creativity. Tonight: Togetherness continues to be a theme.

GEMINI (May 21-June 20)

★★★★★ Others want your attention, though you might not appreciate the manner in which they get it. Adjust your schedule, especially if the boss is out of kilter. Seek out answers and read between the lines. Tonight: Say yes to an invitation. You might have more than one choice.

CANCER (June 21-July 22)

★★★★ Dig into work, though you might need to rethink a project when it appears that a basic concept was off. Your ability to flex and work with changeable situations comes through. You are anchored and directed. Tonight: Squeeze in some exercise.

LEO (July 23-Aug. 22)

★★★★★ Let creativity open up different situations right now. You find that someone else has many suggestions. Brainstorm. A personal bond or a relationship is highlighted. A partner could be out of sync. Tonight: Do only what you deem is fun.

VIRGO (Aug. 23-Sept. 22)

★★★ You might feel as if you are in a pressure cooker as tension builds from the various areas of your life. Someone's lack of support could really bother you. Be willing to adjust and flex, but also know when to say no. Tonight: Mosey on home.

LIBRA (Sept. 23-Oct. 22)

★★★★★ You have always had a way with words, and today is no different. You express force and direction yet caring and gentleness. This combo could be especially intriguing to a potential loved one. Think positively. Tonight: Chat over dinner.

SCORPIO (Oct. 23-Nov. 21)

★★★ Deal with a financial matter before it deals with you. You might not like what you hear, so back off of a risk. This gamble could easily backfire. Gain a perspective through a discussion with a family member. Tonight: Treat yourself or someone else.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You can surmount a domestic or personal hassle. Your perspective could change radically. Your high energy and drive help you hit a home run. You have quite a team behind you. Give others credit. Tonight: Make happy plans. You beam, and many want to be around you.

CAPRICORN (Dec. 22-Jan. 19)

★★ Slow down and take your time. You have been seeing a situation much differently thanks to uproar or a change. You make a must appearance. Others clap as you lead them. A project could be near completion. Tonight: Extra R and R.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ A friend plays a powerful role in your life but still might cost you a lot more than you realize. Do you lose your common sense with this person? Although you have fun together, there could be damages. Tonight: The action is where you are.

PISCES (Feb. 19-March 20)

★★★ You could be undermining an authority figure without even meaning to. Stop and think about your actions before you act. A key associate is unusually supportive and paves your way. Good news heads in your direction. Tonight: A must appearance.

BORN TODAY Actress **Moon Zappa** (1967), actress **Brigitte Bardot** (1934)

Jacqueline Bigar is on the Internet at <http://www.jacquelinebigar.com> © 2006 by King Features Syndicate Inc

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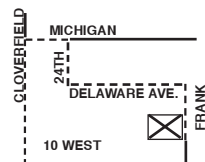
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A newspaper with issues

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COMMUNITY BRIEFS

What it's all a Bot: Engineering and the future

By Daily Press staff

Future engineers and scientists can learn more about their craft as Santa Monica College's "Distinguished Scientists Lecture Series" continues in October.

"Swarm Engineering: Is There a Bot in Your Future?" is the title of the lecture on Tuesday, Oct. 3, at Santa Monica College that will explore the creation of simple robots with simple behaviors.

The second in SMC's Fall 2006 "Distinguished Scientists Lecture Series," the talk will be held at 11:15 a.m. in Science Lecture Hall 145, 1900 Pico Blvd. The lecture is free and open to the public.

The speaker will be Dr. Sanza Kazadi, a scientist with Jisan Research Institute in Pasadena who has done extensive research and publishing on creating swarms of simple behavior-based robots. Kazadi, who received his Ph.D. from Caltech, has also presented papers at conferences throughout the United States.

The lecture series is sponsored by the SMC Physical Science and Life Science departments and the SMC Associates, a private organization that funds speakers and special events on campus. For information, call (310) 434-4303.

Primers for the great outdoors

By Daily Press staff

Get physical this fall. Climbing, hiking and biking are all a part of the October clinics and events held at REI Santa Monica. The schedule is as follows:

■ Thursday, Oct. 5, at 7 p.m. — Accomplished rock climber Lisa Rands will be at REI Santa Monica to give a slide presentation and to sign posters. Rands is one of the most recognizable rock climbers in the world and is famed for her groundbreaking bouldering achievements and bold ascents on the gritstone cliffs of England.

■ Wednesday, Oct. 11, at 6:30 p.m. — The Basic Bicycle Maintenance Class is an informative class that will teach you how to lube a chain, fix a flat tire in record time and make other minor adjustments to your bicycle.

■ Saturday, Oct. 14, from 8 a.m. to 3 p.m. — Join the Concerned Off-Road Bicyclists Association for the 19th Annual CORBA Fat Tire Fest at Malibu State Creek Park. Proceeds from this event will support mountain trail access and advocacy in the LA area. The fest includes a poker ride, mountain bike skills clinic, a log pulling contest, demo rides, vendor booths and the chance to win the Novara Ponderosa Mountain Bike from REI. For more information, please visit www.corbamtb.com or call (818) 773-3555.

■ Saturday, Oct. 21, from 8 a.m. to 12 p.m. — The Access Fund will sponsor the 7th Annual Adopt-a-Crag, a national initiative devoted to natural resource stewardship and volunteerism. This year, the Access Fund anticipates over 125 Adopt-a-Crag events at climbing and bouldering areas around the country. The initiative encourages climbing communities to engage local land managers, landowners, park service employees and forest rangers in conversation about ways to conserve and protect their climbing areas and environments. Adopt-a-Crag will take place at Stoney Point located on Topanga Canyon Blvd.

■ Wednesday, Oct. 25, at 7 p.m. — Canyoneering is a rapidly growing sport, which entails hiking, route finding, climbing, wading, swimming and rappelling, often over waterfalls. Rich Carlson of the American Canyoneering Association will discuss canyoneering style, ethics, required gear, safety and techniques. This free in-store clinic is a preview of the ACA's Canyoneering Workshops held in Stoney Point, a popular climbing area in Los Angeles County. For more information about the Anchors Workshop, visit the ACA's Web site at: www.canyoneering.net/chatsworth.html.

REI Santa Monica is located at 402 Santa Monica Blvd. For more information, call (310) 458-4370.

Giving airtime to SM airport issues

By Daily Press staff

Concerned Residents Against Airport Pollution will host a forum next week for candidates, panelists and the public to ask questions about the airport's impact on Santa Monica.

See BRIEFS, page 13



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SURF REPORT

SURF CONDITIONS **WATER TEMP: 66°**

SWELL FORECAST (5-7 FT)
We're expecting some south swell to come into the mix from 180 degrees from a system that spun up under the Pitcairn Island Group last week. This is chest high energy, and since we'll still be seeing some of that New Zealand SW'er, overall, south facing breaks are looking at chest to at times head high waves, but with the added consistency of direct south with the SW.

LONG RANGE SYNOPSIS
SOUTH SWELL MIXES IN THURSDAY...
SMALL SURF THIS WEEKEND, BUT SOME LIGHT NW DUE...

TIDE FORECAST FOR TODAY IN SANTA MONICA

09-28		09-29		09-30	
02:11 AM		04:57 AM		12:25 PM	
8 Ft					
7 Ft					
6 Ft					
5 Ft					
4 Ft					
3 Ft					
2 Ft					
1 Ft					
0 Ft					
-1 Ft					
-2 Ft					
AM	02PM	02PM	04PM	06PM	08PM
09PM	11PM	12PM	02PM	04PM	06PM
08PM	10PM	12PM	02PM	04PM	06PM
07PM	09PM	11PM	01PM	03PM	05PM
06PM	08PM	10PM	12PM	02PM	04PM
05PM	07PM	09PM	11PM	01PM	03PM
04PM	06PM	08PM	10PM	12PM	02PM
03PM	05PM	07PM	09PM	11PM	01PM
02PM	04PM	06PM	08PM	10PM	12PM
01PM	03PM	05PM	07PM	09PM	11PM
12PM	02PM	04PM	06PM	08PM	10PM

The Q Line

Santa Monicans are about to enter the throes of campaign season. Locally, we've got multi-million bond measures to improve school facilities; a parcel tax increase to clean up the bay; an initiative to make pot smokers the lowest priority for cops and the question of whether the city manager should have the ability to fire top department heads who deserve it. On the city government front, there are three City Council seats up for grabs, all three of which are occupied by incumbents running. If you haven't heard from all eight of the candidates yet on their campaign platforms, you will.

So this week Q-Line wants to know, **"What do you want your elected leader to change in Santa Monica? What policies need to be created? What are the city's issues?"**

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.

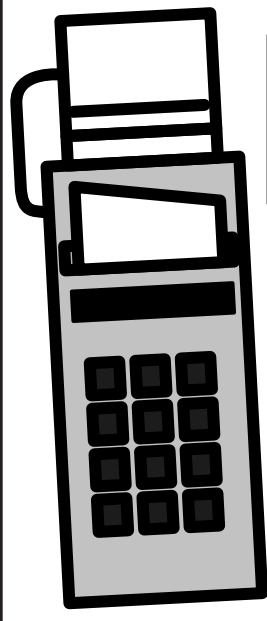
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LETTERS TO THE EDITOR

Haters need to Step Up their acts

Editor:

I am a member of the Housing Committee of Step up on Second and have been involved for the past three years in Daniel's Place — Step Up's affiliate for young adults suffering from mental illness. I write in response to the letter of Jeff Bender, published in your Sept. 12 issue, and to other speeches made by opponents of Step Up's project to operate a transitional housing facility on Pearl Street in Santa Monica for young adults in treatment for mental illness.

The stated ground for opposing the Step Up project is the bizarre proposition that having young adults recovering from mental illness living in a house that children walk back and forth in front of somehow creates an increased safety risk for those children. Since this argument is always put forth as relating to children, and not adolescents or adults, I can only assume that the argument is really a code word for an unspoken belief that mentally ill people are likely to be pedophiles — a belief so unfounded in reality that even the opponents of Step Up's project cannot bring themselves to say it out loud. The uncontested fact is that there is no evidence that mentally ill people in treatment are any more inclined to violence than the population at large.

Most of the opposition to Step Up's project appears to come from an incredibly mean-spirited group of people, who vehemently heap abuse on the young people of Daniel's Place. In point of fact, young adults recovering from mental illness must devote all of their resources to coping with an illness which they did not choose, instead of going to college, or finding work, or getting married, or having children or otherwise moving forward with normal lives.

Step Up's project on Pearl Street is an important opportunity to help Daniel's place members reclaim their lives and their independence. These brave young people deserve our support and encouragement, not the hysterical, unfounded condemnation heaped on them by opponents of Step Up's Pearl Street project.

Steve Howard
Santa Monica

A wee little problem

Editor:

On Tuesday, Aug. 19, I entered the Vons parking lot just south of Broadway on 7th Street. I parked my car, and began walking towards Vons supermarket, when suddenly, out of the blue, appeared a woman walking hastily in the direction in which I had just parked. She appeared to be fairly well-dressed, casually, but, she seemed upset about something. I watched her as she walked towards two parked cars, one of which was mine, whereupon, she walked between them, and I watched as she pulled her pants down and disappeared. She apparently squatted down and urinated right next to my car. When she stood up, she was aware that I was watching her and that I knew exactly what she did. I said, "There are rest-rooms for that," to which she responded, but I could not hear or make out what she said.

I don't know if she was homeless, a vagrant or what, but she sure had no self-respect, remorse or compunction about pulling her pants down in broad daylight and relieving herself in a public parking lot. It was not a pleasant experience.

Julia Reeves
Santa Monica

Affordable housing out of reach

Editor:

I was not surprised to read that Santa Monica landlords filed suit to overturn the city's "inclusionary zoning" ordinance, but I was dismayed. What I believe is a reasonable approach to increasing affordable housing is being challenged by local landlords.

Like that in Santa Monica, the Los Angeles City Council is regarded as liberal. Yet it has approved little if any affordable housing or "inclusionary zoning" due to the fierce objections from the real estate industry.

Despite these powerful opponents, I hope the court leaves the Santa Monica ordinance intact.

Joanne Gamlin
Santa Monica

A good mug is hard to find



ICONOCLAST BLAST

BY SETH BARNES

A dark secret lies inside our kitchen cupboard. Whenever an unknowing guest opens these doors they pause, a look of panicked astonishment washing over them. They've discovered our secret weapons cache, our shameful tribute to classic American excess. We are coffee mug addicts.

We've collected dozens of ceramic and travel mugs and we show no signs of halting our gluttonous collection. We want to stop accumulating them. But like any fiend whose willpower is broken time and again, a certain truth has revealed itself: We can't stop the madness on our own.

You may ask, "How many coffee mugs do a reasonable man and woman need rattling around their household?" If I answered, "upwards of 40," surely you'd urge me to seek professional counsel. You'd think we were providing java for a team of firefighters or an AA meeting. Alas, neither is true. Moreover, we actually cherish the promiscuous mug-hopping lifestyle that we've cultivated for ourselves. Like an aimless tramp going to bed in the arms of a different man each night, we seek out the thrill of taking our coffee in a different vessel each morning. We have no loyalties, no genuine attachments and couldn't be further from mug monogamy. We use whatever mug we fancy in the moment, whatever mug makes us feel loved and wanted. After each short-term dalliance, we cast the cup aside thinking of nothing but our next conquest.

Desperate people lacking self-esteem and self-worth sometimes cling to their more successful peers. They seek identity through the achievements of others. I think this charade is at work when I pull my official United States Senate mug from the rack and fill it with a half-liter of coffee. I may have no hope of representing our country in the halls of Congress, but the way I parade around my house in the early

morning hours with this ornate faux-marble mug, you'd think I just personally brought about a historic piece of legislation. Hey, I'm a patriot.

And what of the titanium REI travel mug that could keep coffee warm for eight hours on the surface of a glacier? I have yet to clip its handle to my belt as I march around the office, but in my twisted mind, the mug provides me the aura of a hardened outdoorsman who has seen it all. Will a co-worker really want to mess with someone who supposedly has foraged through deep wilderness and lived off the land for days at a time?

We didn't plan on everything getting this out of control. It was innocent in the beginning. A few mugs from our alma mater. A mug or two from a charity road race. A special Christmas mug from Santa festooned with his own likeness. And before we knew it, we were sitting on top of a coffee container harem.

The sad truth of it all is that these mugs don't love us back. Indeed, nearly all the travel mugs leak excessively. Some of them start leaking almost instantly upon arrival; I have the stained clothes to prove it. A Starbucks mug that we obtained with a gift card in a fit of glee even went so far as to say on its packaging that it is not guaranteed against leaking or discharge.? Isn't that a little like a piece of luggage not being guaranteed to prevent your clothes from getting scattered across the airport?

One would hope the whole purpose of any mug was to protect the bearer from hot, sticky fluid cascading all over their person. But that's not the type of world we live in.

Coffee is an important part of American life. I won't go into the oft-repeated sentiment that Starbucks has infested every nook and cranny of the modern world, but you can't deny that our caffeinated, roast-bean society is here to stay. Coke just released a new coffee product called Coca Cola Blak, which is probably as far removed from your grandfather's cup of Joe as you can get.

So as coffee culture pushes ahead, I can't help but feel that I'm never going to find the mug of my life.

Seth Barnes can be reached at barneseth@hotmail.com.

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IF YOU'RE NOT VOTING, THEN WHO ARE YOU ELECTING?

Schwarzenegger: Gas caps are just the start

BY SAMANTHA YOUNG
Associated Press Writer

SACRAMENTO — California's landmark effort to set a cap on greenhouse gas emissions is just one step in a long-term strategy by the nation's most populous state to combat global climate change, Gov. Arnold Schwarzenegger said in an interview.

The governor said the state will push for further industrial reductions and initiatives such as placing greater emphasis on renewable energy and hydrogen-fueled cars.

Schwarzenegger said he hopes California's efforts will inspire other states and the federal government, which critics say has done little to curb the emissions scientists blame for warming the Earth.

"We are trying to bring other people in and inspire them and work with them," Schwarzenegger said in a telephone interview with The Associated Press on Tuesday. "We want to be in the forefront. California has always been known for that."

On Wednesday, the governor was scheduled to sign a bill in San Francisco imposing a first-in-the-nation emissions cap on utilities, refineries and manufacturing plants.

The move come two years after the state imposed tight regulations on automobile tailpipe emissions, an initiative that is being challenged in federal court by automakers.

Schwarzenegger's endorsement of the global warming issue has helped burnish his environmental credentials during a year in which he faces re-election against state Treasurer Phil Angelides, the Democratic nominee who also has embraced the state cap.

A nonpartisan Public Policy Institute of California poll released Tuesday had Schwarzenegger leading Angelides 48 percent to 31 percent. The poll, a telephone survey of 1,091 likely voters conducted Sept. 13-20, has a margin of error of plus or minus 3 percentage points.

Schwarzenegger, a bodybuilder-turned-actor before becoming governor, used a per-

sonal metaphor to frame the goal of cutting the state's emissions to 1990 levels by 2020.

"In fitness, the field I come from, it's all part of goals. You step on the scales and say, 'I weigh 220 pounds; I want to get my body weight down to 200. Here's the plan and how to do it, and I'm going to check every day if I get there,'" Schwarzenegger said. "That's what we're trying to do here with the emissions (of) greenhouse gases."

The industrial emissions cap deal hammered out by Schwarzenegger and the state's legislative Democrats has been praised by environmentalists, but business leaders have warned that it will increase their costs and force them to scale back their California operations.

Schwarzenegger dismissed the criticism, citing a study by the University of California at Berkeley that estimates 89,000 jobs will be created as the state weans itself from fossil fuels.

"When you set goals, it makes other industries be innovative. They end up being innovative and creating new ways of solving problems, and that's what this is all about," Schwarzenegger said. "We feel very strongly we can do that and add jobs and make industries boom."

Many scientists believe greenhouse gases such as carbon dioxide, methane and nitrous oxide are trapping heat in the atmosphere, leading to a warming of the Earth. In turn, that threatens to alter weather patterns, shrink wildlife habitat and raise sea levels.

In California, state reports have predicted that warming could lead to earlier melting of the Sierra snowpack, flooding in the Central Valley and the San Francisco Bay area, and changes in growing seasons for the country's largest agricultural producer. Climate change also could threaten the state's water supply.

If re-elected, Schwarzenegger said he would seek legislation to protect the state's coastline in the face of rising ocean levels. He also wants to shore up the state's vulnerable drinking water supplies by building more reservoirs.



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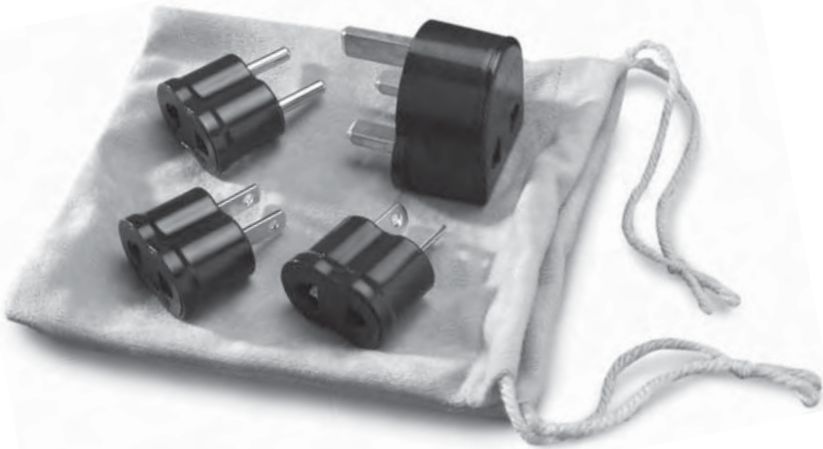
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Court mulling if lethal injections are just too painful for inmates

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN JOSE — A veterinarian testified Tuesday he would not euthanize animals the same way that California executes inmates.

The testimony from North Carolina veterinarian Kevin Concannon came during the first day of federal court hearings weighing whether California's method of lethal injection is unconstitutional amid concerns it causes inmates too much pain.

"I would not use that protocol in veterinarian patients," Concannon testified.

He said veterinarians often use different types of sedatives and other drugs, and they normally forego a paralyzing agent that some say California gives condemned inmates for the sole purpose of making the inmate appear serene.

"The combination (of drugs) used and the manner in which they are given can lead to pain and suffering in patients," he testified, using the term "patients" to refer to animals.

Before the veterinarian's testimony, lawyers for a condemned inmate challenging lethal injection told a judge that the state's method is unconstitutionally cruel, and said the state must revamp its method of killing death row inmates.

If the current execution method "is to be effective, it will be effective by chance alone," defense attorney John Grele said at the start of a four-day hearing that will determine if the state can resume executions on the nation's biggest death row.

U.S. District Judge Jeremy Fogel, who put the execution of Michael Morales on hold in February, was hearing testimony from former prison wardens, execution team members and medical professionals to determine if inmates are dying in pain.

"The Constitution forbids punishments which inflict severe degrees of pain, and the question in this case is whether California's lethal injection protocol violates that constitutional prohibition," Fogel said.

The judge said he may demand alterations to the procedure, but left the question of the death penalty's future to "Legislatures of various states and the U.S. Supreme Court."

California began using lethal injection in 1996 after a federal judge ruled the gas chamber was a cruel form of punishment.

Morales, 46, condemned for raping, torturing and murdering a 17-year-old Stockton girl 25 years ago, was granted a reprieve by Fogel after defense lawyers argued that drugs mask the severe pain inmates suffer during execution.

That spawned a moratorium on executions in California, where 652 killers await their fate on death row.

Executions also have been halted in Delaware, Missouri, New Jersey as those states, too, face challenges to injection procedures. Thirty-seven of the 38 states with the

death penalty punish by lethal injection.

While the U.S. Supreme Court has never declared any form of the death penalty unconstitutional despite the pain it may cause, the outcome could reverberate as inmates across the country mount challenges to lethal injections.

Prosecutors said there was no evidence that executions in California violate the U.S. Constitution.

Dane Gillette, the state's top death penalty prosecutor, said executions are not a medical procedure.

"There is no requirement that the standards of medical care be applied," he said.

Prosecutors said the veterinarian was unqualified to address humans, and noted that the American Veterinarian Medical Association sanctions blows to the head and asphyxiation from gas as approved killing methods.

Judge Fogel, however, was interested in the veterinarian's testimony, even asking: "How long would it take that hypothetical dog to die?"

Morales' defense team says the injection process can go awry if the initial sedative does not work, before a paralyzing agent and finally a heart-stopping drug are administered.

If improperly sedated by prison staffers who are not licensed medical practitioners, a paralyzing agent that often makes the inmate appear serene may cause internal burning pain, defense lawyers assert, citing a 2005 article in the British medical journal, the Lancet.

Fogel said he was concerned that six inmates executed were conscious longer than they should have been. Medical logs showed some still were breathing more than a minute after receiving the initial sedative.

William Ebling, a pharmacist and pharmaceutical consultant with Pharsight Corp. in Mountain View, said during Tuesday's hearing that the state's method could lead to "some individuals' painful executions."

Still, after reviewing execution medical logs, Ebling said he was unsure whether any of the six experienced too much pain. "I can't tell from the data," he said.

For Morales' scheduled execution in February, Fogel had ordered two licensed anesthesiologists to be on hand to ensure Morales was unconscious. Or, he said, the prison could use just a sedative, but it would have to be injected by a licensed practitioner such as a doctor, nurse, dentist, paramedic or other medical technicians.

But hours before Morales was to be executed, the anesthesiologists withdrew, citing ethical concerns.

The prison then opted for the one-drug method, but couldn't find anybody licensed who would perform the injection. A host of medical trade organizations denounced licensed practitioners from participating in state-sanctioned killings.

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Candidate's plan to pull out troops has detractors

BY JULIET WILLIAMS

Associated Press Writer

SAN FRANCISCO — Democratic gubernatorial candidate Phil Angelides on Tuesday released more details of his plan to push for the withdrawal of California National Guard troops from Iraq if he is elected governor, a strategy that was drawing mixed reviews in a state with a deep military tradition.

Gov. Arnold Schwarzenegger's campaign already has attacked the idea, noting that while the governor has responsibility for National Guard troops deployed within the state, those deployed overseas are under federal control.

In a speech at San Francisco State University, the state treasurer said that if elected he would petition the Bush administration to begin withdrawing the state's Guard troops from Iraq immediately. He then would mobilize governors "to force a change in national policy."

He also pledged to lobby Congress and, if necessary, sue to bring the troops home.

It's high-risk strategy for Angelides' struggling campaign but perhaps the only one he has left, said Kareem Crayton, a professor of law and politics at the University of Southern California law school.

A Public Policy Institute of California poll released Tuesday had Schwarzenegger leading Angelides 48 percent to 31 percent among likely voters.

"I give them credit for novelty. I didn't expect to hear this by the end of the election. ... To make it the centerpiece of your campaign strategy, it's surprising," Crayton said.

National Democratic strategist Chris Lehane suggested injecting the Iraq war into the governor's race in an online blog last month. Lehane said it could galvanize voter anger over the war if the message were delivered forcefully.

"It could potentially give California voters a real stake in this election," said Lehane, who is not affiliated with the Angelides campaign. "The question is are you able to project it in a forceful and sustained fashion? Are you going to campaign up and down the state and do creative events on it?"

A July Field Poll found only three in 10 Californians support Bush's handling of the war. A majority — 58 percent — said they want either total or partial withdrawal of U.S. troops from Iraq. But the poll also found Californians sharply divided over whether to set a timetable for withdrawal.

Mark Baldassare, research director for the Public Policy Institute of California, said dissatisfaction over the war will resonate with a lot of Democrats and independent voters. Together, those two voting groups make up

roughly two-thirds of California's electorate.

But he said it might be tough to convince them that Angelides can do anything about it.

"If Angelides was running for senator, that would have a very clear meaning," Baldassare said. "As governor, people aren't going to necessarily connect the dots."

Katie Levinson, communications director for Schwarzenegger's re-election campaign, blasted the state treasurer's tactic as a sign of "political desperation."

"Phil Angelides is spewing political rhetoric calling for action he knows is both illegal and unconstitutional, in another shameless effort to try to get traction in the polls," she said in a statement.

Some with military experience greeted Angelides' proposal with disdain.

Retired Maj. General James Delk said Guardsmen know what they are signing up for when they join.

"In California, we were and still are getting called up for emergencies all the time — probably 10 times as much as anybody else — and we all knew full well that if called by the president, that was our obligation," said Delk, who was the senior commanding officer for the California National Guard during the 1992 Los Angeles riots.

He also served on the Guard's reserve force policy board in Washington when the governor of Minnesota sued to recall its state's troops from Central America. In a unanimous opinion in 1990, the Supreme Court rejected the governor's challenge.

Despite the precedent, Angelides said it is a governor's moral duty to intervene in a war that has killed 275 Californians.

"When a shameful and phony war compromises the governor's basic ability to meet the needs of our people, when it puts us at greater risk of injury and fatality when a disaster strikes our state, then you'd better believe that it's an issue in the race for governor of the state of California," he told about 200 cheering students during Tuesday's campaign event.

Assemblyman Chuck DeVore, R-Irvine, the only member of the state Legislature who is an active member of the California National Guard, blasted Angelides' call to return troops. He said the proposal was "disgusting and dangerous," saying Angelides is out of touch with rank-and-file Guardsmen.

"Everybody in today's military is a volunteer," DeVore said. "They do their job because they are willing to do it and want to protect their friends and neighbors. They are proud to have served overseas, and most would do it again if they could."

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When bottled wines just aren't fresh enough

BY MICHELLE LOCKE

Associated Press Writer

CALISTOGA — Standing on the sunny crush pad of the Schramsberg winery, Lon McEachern was in vinophile heaven.

He'd raised a glass of bubbly to the start of the 2006 harvest and now was sipping fresh-pressed juice gleaned from tubs of glistening green grapes he helped pick in the post-dawn chill.

"Fabulous," he said with a high-wattage grin.

Welcome to crush camp, the dirt-under-the-fingernails experience for the wine lover who wants to be there for the birth of the bottle.

"It's really eye-opening," said McEachern, one of more than two dozen people who recently took part in the annual harvest camp run by Schramsberg, a Napa Valley producer of premium sparkling wines.

Camp Schramsberg goes back nine years. It was started by winery co-founder Jamie Davies aimed at food industry leaders, but now has been broadened to include consumers.

It is one of a number of behind-the-scenes programs offered in wine country that vary from the luxe Napa Valley Reserve, a year-round club with a six-figure initiation fee, to

a first-come, first-served chance to jump in a tub and stomp a few grapes gratis at the Grgich Hills winery during harvest weekends.

IN THE TRENCHES

For wineries, the programs are a chance to build customer relations. For participants, it's a chance to see the inner workings of harvest.

"It's the excitement of being out in the vineyards and actually doing the work that makes crush camp so much fun," said Wayne Ryan, national education manager for Diageo Chateau & Estate Wines, which runs a four-winery crush camp that includes crushing and blending at the scenic Sterling and Beaulieu vineyards.

"This isn't a seminar about viticulture. It's everybody gets a picking box and a knife," he said.

Typically, campers also spend time with a winemaker and learn what happens to the grapes after they get picked.

At Schramsberg, campers learn how to "riddle" the bottles (turning them to loosen sediment) and make up their own "dosage," a blend added during finishing, for a bottle they'll take home with them. They also get lessons on knocking the cork out of the bottle with a saber, an Old-World tradition.

The program is run in concert with the Culinary Institute of America's California

division and half the fee for the three-day event (\$995 this fall) is a tax-deductible donation for institute scholarships.

Harvest camps draw all kinds, said Michaela Rodeno, chief executive of the St. Supery winery, which runs one-day camps that start with picking and end with blending.

"They seem to be very mixed groups of people who do it. All ages, sizes, shapes. Basically they do it for fun," she said.

ROLL OUT THE BARRELS

For the serious wine amateur there's the 12-month Napa Valley Reserve program put together by Bill Harlan, founder of the Harlan Estate winery known for its wildly sought after "cult" wines.

The idea is to give members the fun of owning a winery without the headaches of a capital- and labor-intensive industry notorious for turning big fortunes into little ones.

If they want, members can be allotted specific rows of grapes. They decide how involved they want to be in making the wine, from picking to hand-sorting grapes on the conveyor belt to blending under the tutelage of the Harlan Estate winemaking team.

The program also has monthly classes on subjects ranging from food and wine pairing to proper pruning.

The club requires an initiation fee of

about \$145,000, plus annual dues and fees. Founded three years ago, the reserve now has about 300 members.

Participants can make up to three barrels of wine a year (or 900 750-milliliter bottles) and many design their own labels.

Haute or humble, wine camps offer an insiders' view that few other industries do.

For McEachern, that happened on a recent morning as he and fellow campers pulled on orange picking gloves. First, Schramsberg winemaker Craig Roemer gave a detailed history of the vines they were looking at, where the rootstock had come from, how it had been pruned and why.

Then, after mock-sternly warning campers that their bins should contain grapes, "not weeds, rocks or pruning shears," he set them to work.

Later, they followed the fruit to the Schramsberg winery at the tip of the Napa Valley where the grapes, with many more picked by professional crews, went into the press in a tumble of pearly greens.

It was a moment that McEachern, a poker analyst who does color commentary for the World Series of Poker on ESPN, had been looking forward to for months.

"We don't study wine, we just have a love of food and a love of wine," he said. "We're learning so much today."

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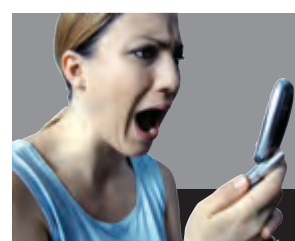
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Polygamist leader on trial

BY JENNIFER DOBNER

Associated Press Writer

ST. GEORGE, Utah — Joined by three attorneys, polygamist sect leader Warren Jeffs made his first appearance in a Utah courtroom Wednesday as a judge set a Nov. 21 hearing to determine if there is probable cause to send him to trial on charges of arranging an underage marriage.

"Yes, sir. Yes, your honor," Jeffs replied when asked if he was willing to wait nearly two months for the preliminary hearing.

Judge James Shumate said he would address Jeffs' bond status at that time. He remains in jail.

The hearing lasted less than 10 minutes for the self-proclaimed prophet who heads the Fundamentalist Church of Jesus Christ of Latter Day Saints. Jeffs is charged with two counts of rape as an accomplice, a first-degree felony that carries life in prison.

Under his suit, tie and white shirt, Jeffs was wearing a bulletproof vest. There was tight security inside and outside the

Washington County courthouse, including SWAT teams.

Prosecutors claim Jeffs, 50, forced a teenage girl to enter a spiritual marriage with an older man and submit to sex in order to produce children.

The girl twice told Jeffs she didn't want to marry or have sex, but was told it was her "spiritual duty" to submit because the marriage had been arranged by God, according to court filings.

Named to the FBI's 10 Most Wanted list in May, Jeffs was arrested last month during a traffic stop near Las Vegas. He had been a fugitive for nearly two years.

Jeffs, who took over the leadership of the church from his father in 2002, is also facing two felony charges in Arizona for a similarly arranged marriage. He'll face those charges after the Utah case.

The FLDS is a sect that practices polygamy in marriages determined by its leaders.

For nearly 100 years, members of the sect, which number nearly 10,000, have lived a quiet, insular life in the border towns of Hildale, Utah, and Colorado City, Ariz.

Park Service seeking to keep royalties

By The Associated Press

BOZEMAN, Mont. — The National Park Service seeks to continue a deal that provides it with a royalty on commercial profits that may arise from scientific research in national parks, but the option to withhold terms of the contract from the public.

In a draft environmental impact statement stemming from a dispute in Yellowstone National Park, the agency lists a preferred alternative of continuing to seek profit-sharing agreements with private and public institutions.

However, disclosure of the specific terms of the agreements would be optional. Some details could be withheld if any of the parties demonstrate that information is proprietary. Any profits would be put back into Park Service science programs.

Selling organisms gathered in the park would remain illegal, but companies or institutions, such as universities, already can study the organisms and profit from knowledge gained from their study.

Permits to collect organisms would undergo separate review before any consideration of a financial agreement, the EIS says.

Bioprospecting has the potential for huge profits if com-

panies find plants or microbes that lead to chemical, medical or industrial processes.

In one case, a Swiss pharmaceutical company used enzymes from a microbe living in a Yellowstone hot spring to help decode DNA strands. The company made hundreds of millions of dollars, but the Park Service got nothing.

So in 1997, the Park Service entered into an agreement with California-based Diversa which called for the company to pay the Park Service an undisclosed royalty for any profits it would make based on research in Yellowstone.

The Alliance for the Wild Rockies feared such deals would give the Park Service an incentive to allow more collections of samples. And the Edmonds Institute, of Edmonds, Wash., argued that the deal raised ethical questions about patenting life forms.

Those groups and others sued, and in 1999 a judge ruled the Park Service must write an EIS spelling out risks and benefits of sharing the wealth.

Other alternatives listed in the draft included offering no benefits sharing agreements, offering agreements that require disclosure of terms, and offering agreements but forbidding disclosure of terms. Another option would be to prohibit specimen collection for any commercial research.

The Park Service is taking public comment through Dec. 15.

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Schools candidate dismisses his 'mistake'

SCHOOL BOARD, from page 1

background as a reason for support. In his candidate statement, Snell said his goals as a school board member include improving the financial stability of the district "by seeking alternative revenue sources and reducing financial mismanagement."

Snell said the charges are a result of a "mistake" he made while moving his private practice in 2000. He said the board did not accept all of his continuing education credits and suspended his license. Certified public accountants are required to perform 80 hours of professional education every two

years, something which can be done through teaching, writing articles and essays, or enrolling in seminars and college courses, according to Snell.

"They wouldn't accept some of my credits, so I was fined," Snell said. "I wrote the check, but at the time I was moving accounts, moving my business, and the check bounced. It was definitely a mistake on my part, but I made good on it."

Snell said he did not make the probation public because it is already easily available.

"I was never trying to hide from anything," Snell said. "This has nothing to do with me as a CPA handling my clients. This is

an administrative-type thing ... As far as I'm concerned, I corrected the error, I'm continuing my education and I've moved on."

Snell said he has been a certified public accountant since 1984.

So far, Snell has received significant backing from education groups, as well as endorsements from two of the city's most influential organizations — the Chamber of Commerce and Santa Monicans for Renters Rights, the ruling political party in Santa Monica. Snell's ability to win endorsements from both groups, which are often at odds, seemed to lend the freshman candidate some credibility.

Kathy Dodson, president of the chamber, could not be reached for comment.

Denny Zane, co-chair of SMRR, said the political powerhouse is sticking by Snell.

"What I've heard sounded to me like Barry went through a period where he was

not keeping his paper work in order, and that is probably an experience that many of us have had," Zane said. "It doesn't rise to anything that questions his confidence and his ability to be a school board member and a positive role model for children."

Snell admits, that for some, the probation issue might call into question his ability to serve on the school board, especially when voters are being asked to approve a \$268 million bond measure Nov. 7.

"People will be wondering if this will be something that can roll over to me being a board member and will I be able to handle (budget decisions)," Snell said. "This was just a simple mistake and nothing that has to do with my performance as a CPA. I'm hoping voters will be smart enough to take a look at it and realize that. I'm not perfect. I did make a mistake and I'm hoping that will not affect my candidacy."




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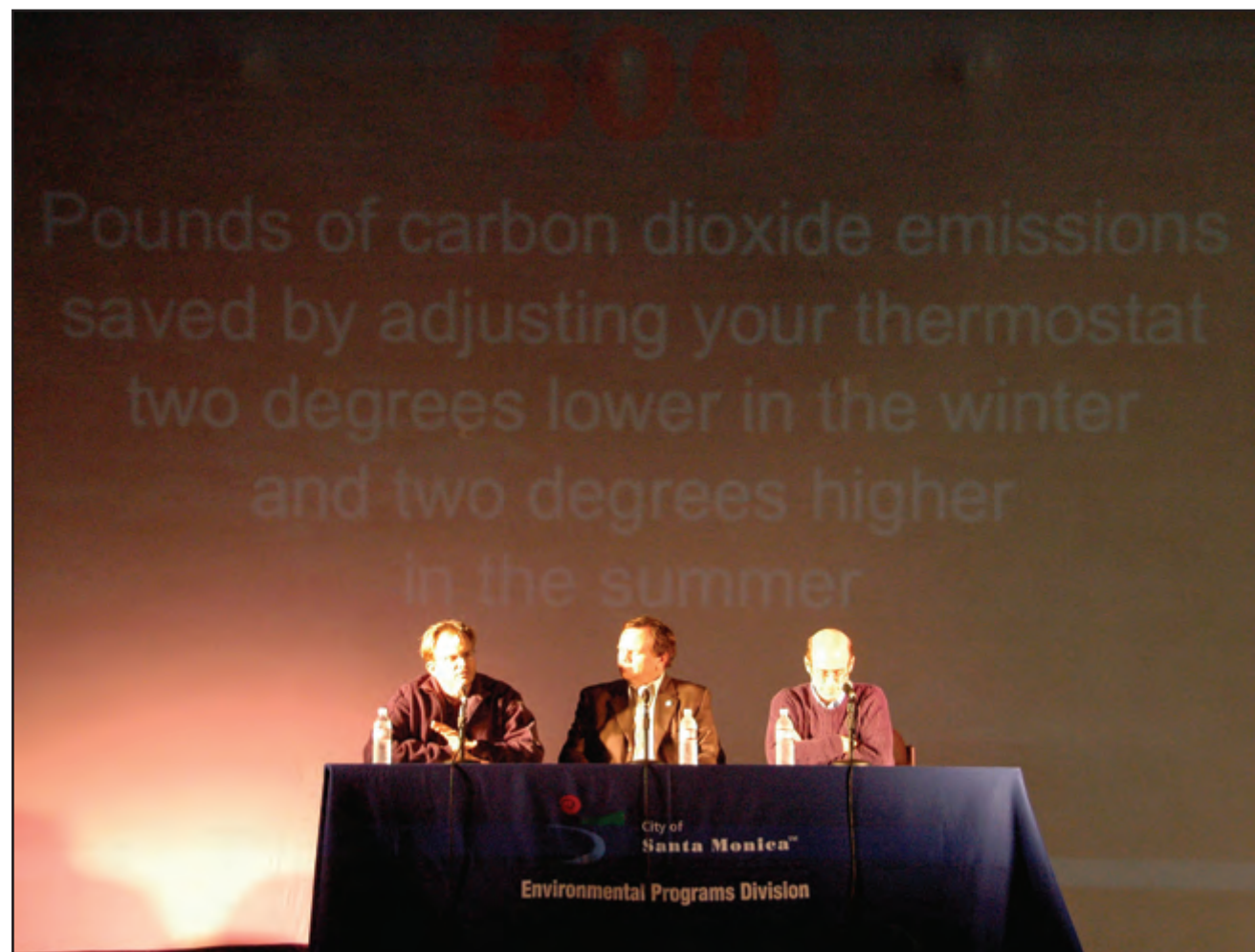
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An 'Inconvenient' discussion

Fabian Lewkowicz/Daily Press

(Left to right) Matt Peterson, CEO and President of Global Green, Terry Tamminen, former secretary of California's Environmental Protection Agency, and Robert Lempert, RAND senior scientist, discuss global warming prior to the showing of 'An Inconvenient Truth' during the 4th annual Santa Monica Drive-In at the Pier. The viewing concluded the free movie series at the Santa Monica Pier for 2006.

Getting their zoning on

REPORTER'S NOTEBOOK, from page 1

to order the emergency evacuation during Tuesday's City Council meeting. It was City Clerk Maria Stewart, who seemed to have had her fill of the scruffy, white-haired man's abusive outbursts.

Throughout the first hour of discussion, which included an update on the City Hall's living wage ordinance and efforts to end homelessness, the senior was continuously leaning over Stewart's shoulder, pestering and prodding. It seems he was growing a little impatient with the council's long-winded discussion and didn't want to wait like everyone else for his turn to speak publicly.

Just which issue he wanted to address may never be known because as soon as he grabbed his walker and slammed it on the ground in disgust, a well-dressed police officer was standing by his side ready to usher him out of the chambers.

The tall blond officer, bedecked in a shiny black suit, used the utmost care as he gently lead the disgruntled audience member to the back of the room, populated by attorneys, planning commissioners and gadflies.

It was at this time that the old man hollered out, "This is a disgrace. You're all a bunch of crooks!"

As he leaned over his walker, his left foot bandaged, the old man slowly limped out of the chambers, all the while berating the council.

It was a shame to lose the old guy, for he provided that last bit of entertainment and excitement during what was more than five hours of sleep-inducing debate around complex land use issues that had much of the waking audience scratching their heads in confusion, this reporter in particular.

Essentially, the council approved a set of incentives and fee waivers for preferred development projects that include such things as affordable housing units and child care facilities. Those that practice historic preservation or are funded by charities would also receive priority. Those projects that are not preferred would be reduced in terms of their density and scope.

The moves were made by the council in anticipation that Proposition 90 will be approved by voters on election day — Nov. 7.

If you haven't heard about it already, Prop. 90 is the enemy of all municipalities, at least that's how it's been char-

acterized by council members and slow-growth advocates.

Entitled the "Government acquisition, regulation of private property initiative," Prop. 90 bars state and local governments from condemning or damaging private property to promote other private projects or uses.

More importantly, if approved by voters Nov. 7, Prop. 90 would limit government's authority to adopt certain land use, housing, consumer, environmental and workplace laws and regulations, except when necessary to preserve public safety or health. If a new zoning law is enacted and it limits the amount of development a property owner can engage in, Prop. 90 would require local governments to pay big for the developer's profit loss.

Supporters of the measure are presenting it as an anti Wal-Mart initiative that would protect the little guy — working families, seniors and small business owners — from eminent domain abuse. Prop. 90 would "restore homeowners' rights that were gutted last year by the Supreme Court's outrageous Kelo decision ... allowing imminent domain to be used to take homes and businesses and turn them over to private developers ... Save homes and businesses."

Sounds great, right?

Those opposed say don't be fooled. Prop. 90 is poorly written and will cost taxpayers billions each year, opponents said.

The League of California Homeowners, California Fire Chiefs Association and the League of California Cities are warning voters to say no to "the taxpayer trap (that) would ... erode basic laws that protect our communities, our neighborhoods and the value of our homes."

Being the proactive body that it is, the council decided to address as many land use issues as possible in advance of the election so that, just in case Prop. 90 does pass, Santa Monica will be able to retain the current character of its neighborhoods.

Council member Pam O'Connor summarized it best.

"Prop. 90 would take away the tool of zoning," she said. "If approved, we would be frozen into the zoning we currently have. We would not have the ability to control development in the way that residents believe is the best for our city. While we can't change current zoning because it's a long process, we can create incentives for the types of projects we want and give those projects priority."

Departing Straus vows to ensure smooth exit

STRAUS, from page 1

our job is to help them achieve even greater success in the future," Straus said. "Beverly Hills has many of the same concerns as (Santa Monica-Malibu) — they have great schools and they really want to do better, just like we do."

Straus said she will work with SMMUSD officials to ensure a smooth transition, much like she has worked to do all summer in finding principals to replace those who left Santa Monica High School, John Adams and Lincoln middle schools within the past year.

SMMUSD Deputy Superintendent Tim Walker said he will be working with Superintendent Dianne Talarico in formulating a transition plan, at which time they will look at the current needs of the district and possible redesign of the central office to be more efficient and supportive.

District officials and education advocates praised Straus' commitment to SMMUSD and said her leadership was instrumental in raising test scores at every school she touched, including Lincoln and Samohi, both of which she served as principal.

"Many of the positive aspects of our district are due to her diligent efforts throughout her many years of service," said Shari Davis, chair of Community for Excellent Public Schools. "I think her leaving will be a gain for Beverly Hills, but a loss for Santa Monica-Malibu."

During Straus' time as principal, both Lincoln and Samohi became state and national models for effective redesign of secondary schools, with focus placed on knowing students well and increasing academic achievement for all students, combined with a strong culture of professional learning communities for teacher collaboration and improvement, district officials said.

While at Lincoln, Straus was named "California Secondary Principal of the Year," helping Lincoln earn "National Blue Ribbon" honors for excellence and the "California Distinguished School" award.

"She has done a tremendous amount for our district ... and she is responsible, in large part, for the gains at Samohi and the successful reorganization into smaller learning communities," said Kathy Wisnicki, vice president of the school board. "She is a valuable asset to our district. I'm sorry to see her go, but I understand that this is an exciting opportunity in her life."

Straus' career has not been devoid of controversy. During her last year at Samohi, there were calls from some African-American and Latino parents to have her removed. Her appointment to senior director of secondary education was challenged by these same parents, many of whom felt she had performed poorly as principal at Samohi, which has endured incidents of racial tension.

At one point this year, members of Samohi's African American Parent/ Student/Staff Support Group unanimously passed a resolution stating, "We request the termination of employment of Dr. Ilene Straus CEO/Principal of Samohi and that she not remain in the Santa Monica-Malibu Unified School District because she is a clear and present danger to our children."

The creation of the director of secondary education position was also criticized, after being publicly offered to Straus before it was approved by the school board, making elected officials feel they had no influence.

Straus said she hopes she is leaving behind a legacy which demonstrates a dedication to all students, resulting in improved test scores.

"I would also like to be remembered for creating a great professional climate for faculty and that I helped the community have wonderful schools that continue to improve," Straus said. "I think that at every school I've led, the community's confidence has increased, proving that public schools can get better."



The show will go on

Fabian Lewkowicz/Daily Press

(Left to right) Pervis Sawoski (SMC Theatre Arts Department Chair), Brian Arthur (VP of Turner Construction), Brian Kite (from Leo A. Daly), Dorothy Ehrhart-Morrison (College Board of Trustees) and Santa Monica College President Dr. Chui L. Tsang cut the red ribbon of the new \$17 million Theatre Arts Building on Wednesday at the school's campus.

COMMUNITY BRIEFS

BRIEFS, from page 3

Martin Rubin, Director of CRAAP, announces that the group will hold its second city council candidate forum focusing on environmental, noise, health, safety and other quality-of-life related issues pertaining to Santa Monica Airport and its impact on surrounding communities. The forum will take place Thursday, Oct. 5, from 6:30 p.m. until 9 p.m. at the Ken Edwards Center located at 1527 4th St.

All 10 city council candidates, including the three incumbents, vying for three open seats have been invited to participate. The forum moderator will be former Santa Monica Airport Commissioner, Dr. Jean Gebman. The candidates will have the opportunity to make an opening and closing statement and to answer questions from a panel of environmental organizations and community group leaders as well as from the public. The forum is free and open to the public. For information, see jetairpollution@earthlink.net.

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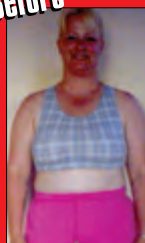
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MIND YOUR BUSINESS

BY KIRK G. AGUER

If you're changing jobs, it's important to understand the options you have for managing your IRAs.

With employees changing jobs more frequently than ever before, it's rare to find someone who has worked his or her entire life for the same company. Whether or not you have recently changed jobs or you have retired from your long-time employer, you should know that you may be facing some complicated tax rules and potentially significant tax consequences if you decide to take your retirement assets out of your current retirement plan.

Funds received from an employer plan distribution will likely represent a significant portion of your liquid financial assets. As a result, they deserve all the time and attention you can afford to give them. We've outlined below some of the key issues you should

keep in mind when thinking about rolling over your IRA. If you'd like more information on how to make the best financial use of your distribution, please contact your financial advisor.

MANAGING YOUR LUMP-SUM DISTRIBUTION

Many employees, upon changing jobs or retiring, find themselves eligible for a distribution from their employer-sponsored retirement plan, which can include, among other types, an Internal Revenue Code section 401(k), defined benefit pension, or Code section 457 plans. Deciding on how to make the best use of this money is not an easy task. Just one or two hasty decisions may leave you with a tax bill that could wind up costing you up to 30 percent of the assets you've worked so hard to accumulate.

MANDATORY WITHHOLDING TAX

The IRS requires that a 20 percent withholding tax be automatically applied to all lump-sum distributions. If you'd like to avoid this withholding, you can arrange in advance to either do a "direct rollover" to another eligible retirement plan (such as an IRA) or do a trustee-to-trustee transfer to

another qualified defined contribution plan (such as a Code section 401(k) plan) with a new employer.

You may also take possession of your distribution, and roll over only part of your distribution into an IRA Rollover Account using the balance for whatever purpose you wish. Of course, you'll still be liable for both the 20 percent mandatory withholding, plus any additional taxes due on the amount actually distributed directly to you outside of these accounts. (Note that if you choose to rollover into a Traditional IRA, the IRS requires that you begin taking distributions by April 1 of the year after you reach age 70.)

COMPLETE ROLLOVERS WITHIN 60 DAYS

If you take a distribution from your qualified plan or IRA and do not directly roll over your distribution, you'll still have 60 days to weigh your rollover options. After that time, the distribution amount will be considered "earned income" to you and taxes may be owed on this amount when you file your annual tax return. In addition, if you are under age 59, you may also be required to pay a federal 10 percent early withdrawal penalty tax. If you take a rollover from your

employer's plan and directly receive the amounts, your employer is legally required to withhold 20 percent, leaving you with 80 percent of the distribution. You may still roll over the full value of the distribution but must replace the 20 percent withheld from another source. And you can't wait until you get a tax refund to roll over the amount withheld.

ROLLOVERS CONTINUE TAX DEFERRAL

If you decide to roll over your retirement assets into an IRA Rollover Account (either directly or within the 60-day period), taxes on your distribution will be deferred until you begin making withdrawals. In addition, any account earnings or gains have the opportunity to grow on a tax-deferred basis. What's more, a rollover account may offer a variety of investment options — from mutual funds to professionally managed portfolios — which may be suitable for a wide range of investors.

Kirk Aguer is a financial advisor at Morgan Stanley. To reach him, call his Santa Monica office at (310) 319-5220.

Salad companies' bottom lines wilting because of spinach taint

BY PAUL ELIAS
AP Business Writer

SAN FRANCISCO — Companies up and down the food chain are taking a financial hit from the E. coli outbreak that led to a nationwide recall of bagged spinach, but the California produce company at the center of the investigation stands to lose the most.

"It should have pretty far-reaching implications on the whole bagged salad industry," said Tom Weir, executive editor of the monthly industry publication the Grocery Headquarters.

It's hard to overstate the role Natural Selection Foods LLC played in launching the bagged salad craze that became a \$2.5 billion business and propelled the former roadside farm stand to a major agribusiness.

Now that's all in jeopardy because of the outbreak that sickened at least 183 people in 26 states and Canada and is taking a toll on much bigger companies that recently jumped into the booming business.

"The whole bag salad industry has just taken off exponentially," said Samuel

Fromartz, author of the recently published book *Organic Inc.*, which describes the growth of Natural Selection Foods LLC and its various brands, including Earthbound Farm.

"It has been a big growth story for farmers and processors," he said. "Spinach consumption has just gone through the roof."

Seeing the success of Natural Selection and its biggest competitor, Fresh Express, big industry players like Chiquita Brands International Inc. and Dole Food Co. got into the bagged salad business.

Cincinnati-based Chiquita, which bought Fresh Express for \$855 million in cash last year, said Monday that concerns over the tainted spinach had led to unexpected costs and lower sales for the company's packaged produce business. By Tuesday's close on the New York Stock Exchange, the company's shares were down 14 percent since Friday.

Dole, a privately held company based in Westlake Village, has been linked to the E. coli outbreak through its association with Natural Selection, which packages greens for Dole and dozens of other companies. Test results

have linked two bacteria-tainted bags of Dole baby spinach to a single batch from Natural Selection's San Juan Bautista processing plant.

Dole spokesman Marty Ordman said the company was offering the services of its food scientists and "any and all resources to find out what the problem is."

He pointed out that most of the salad industry shifts its operations to Yuma, Ariz., for the winter, giving California farmers and processors more time to figure out how to prevent future outbreaks.

"We need to get to the bottom of this," Ordman said. "We need to make sure the spinach going out for consumers is safe."

Analysts say the spinach troubles will have an adverse effect throughout the distribution chain.

At one end, grocers are likely to suffer the least, Weir said. Even if consumers shun all packaged salad products, shoppers will still visit supermarkets for their other needs.

"The bagged salad shelf in stores should take a huge hit, but those lost margins will be replaced by other purchases," Weir said.

Farmers, on the other hand, will be hit

the hardest, experts said.

Growers and processors in the Salinas Valley, heart of California's lettuce and spinach industry, announced plans last week to adopt new food safety guidelines to safeguard the crop against future outbreaks. The Food and Drug Administration has set such guidelines as a prerequisite for lifting the consumer warning on fresh spinach.

Tim Chelling, a spokesman for the Western Growers Association, said the guidelines are still in the development stage. But more frequent testing of water, soil and produce for signs of contamination are among the changes under consideration, as well as possibly modifying the testing procedures themselves.

A team of growers and processors is in Washington working with the FDA on the new guidelines, Chelling said.

"You want to look at anything and everything to resolve the situation," he said. "The beauty of this in some ways is you do have procedures and documents in place, and you can look at those right now and intensify them, amplify them and adjust them, if necessary."



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White House, lawmakers in stalemate over drought aid

BY LIBBY QUAID
AP Food and Farm Writer

WASHINGTON — Many of the nation’s farm fields have withered under near-record drought, while others are approaching record yields. That has lawmakers and the White House in a stalemate over billions of dollars in disaster relief.

“Our farmers deserve help now. This is something that needs to be considered before Congress leaves town,” Rep. Earl Pomeroy, D-N.D., said as lawmakers rushed toward a recess at week’s end for the midterm elections.

Some are “literally inches away from leaving farming altogether,” said Rep. John Barrow, D-Ga.

Farmers have sweltered through the hottest summer since the Dust Bowl of the 1930s, and drought has persisted in a swath from Montana and North Dakota south through Oklahoma and Texas. Flooding, hurricanes and high energy prices have also taken a toll.

Yet the nation’s biggest crops, corn and soybeans, are on track for the second-best harvest ever, according to Agriculture Department forecasts. Prices are also strong, with soybeans at around \$5.40 a bushel and corn at around \$2.35 a bushel.

Farm-state Democrats in the House began trying Tuesday to force a vote on the issue. But while giving money to farmers tends to be popular in election years, it’s not likely before Congress heads home to campaign for the Nov. 7 balloting.

Standing in the way is the Bush administration, which argues that big chunks of money would go to farmers who don’t need it.

Relief bills would provide as much as \$6.5 billion to farmers. That’s on top of more than \$20 billion farmers will get in regular government payments this year.

More than half the aid money would go to those who can demonstrate losses. However, up to \$1.8 billion would go to all farmers who get government payments, regardless of where they live or what they grow. The money is supposed to help with high fuel prices.

“You’re going to have some people that are going to have a record crop, a much better price, and they would still receive payments,” Agriculture Secretary Mike Johanns said in an interview with The Associated Press.

“Americans are always willing to reach out and help people who have suffered,” Johanns said. “But justifiably so, the taxpayer gets very worried about programs that aren’t targeted.”

“The secretary must not be aware that not only has there been drought, but there have been floods, hurricanes and a dramatic run-up in energy prices, which have had a devas-

tating effect on many in agriculture,” said Sen. Kent Conrad, D-N.D., a sponsor of drought legislation in the Senate.

Other aspects of the proposals are drawing criticism, such as \$6 million for Hawaii sugarcane growers, \$6 million for the flood-prone Devil’s Lake region in North Dakota and \$2 million to indemnify cattle herds for bovine tuberculosis.

“What’s the good of a Christmas tree if everybody doesn’t have a present under it?” said Ken Cook, president of Environmental Working Group, which tracks farm payments.

The group released new data Tuesday showing that thousands of farmers collect disaster aid every other year, or more often.

Those farmers, concentrated in the same areas experiencing drought this year, are the main source of political pressure for disaster payments, Cook said.

“You begin building your political coalition for disaster aid around this core group who are inveterate recipients of it and really are dependent on disaster aid as part of their operations,” Cook said.

The Bush administration wants to wait until the corn and soybean harvests are finished in October and November to see whether more aid is needed.

Johanns recently promised aid that includes \$50 million to hard-hit livestock producers. In all, the drought money would provide \$79 million in relief and accelerate nearly \$800 million in already-planned payments to cotton, grain sorghum and peanut farmers.

A supporter of the aid, Rep. Collin Peterson, D-Minn., thinks the White House is worried primarily about the price tag, not the fairness of the payments.

“They’re saying it has to be paid for. When it came to the Iraq war, it didn’t have to be paid for,” said Peterson, senior Democrat on the House Agriculture Committee. “There’s ways we could craft that, but we can’t even get the administration to talk to us about that.”

Sen. Kent Conrad, D-N.D., a sponsor of drought legislation in the Senate, said Johanns “must not be aware that not only has there been drought, but there have been floods, hurricanes and a dramatic run-up in energy prices, which have had a devastating affect on many in agriculture.”

Johanns wouldn’t say whether the administration would negotiate disaster relief at some point.

“It’s fraught with the problem of maybe tweaking this bill a little bit and then saying, ‘But secretary, you said you’d support a drought relief package.’”

He added: “Look, I will do everything I can to help these folks get through what’s looking to be a very dry summer. Then we’ve got to see what the combines tell us.”

Navajos take step toward ending Hopi land dispute

By The Associated Press

WINDOW ROCK, Ariz. — An agreement that moves the Navajo and Hopi tribes one step closer to resolving a decades-old dispute over reservation boundaries has been approved by the Navajo Nation Council.

The council during a special session Tuesday voted 75-3 in favor of the agreement, spurring applause from residents who live on the disputed land. It involves about 700,000 acres of Navajo land that the Hopis claim as their aboriginal homeland.

“This was the people’s victory today,” Delegate Evelyn Acotthey said following the vote.

In 1966, then-U.S. Commissioner of Indian Affairs Robert Bennett imposed a ban on construction on the disputed acreage — including even minor things, such as broken windows, roof repairs or extending water and electrical lines — unless approved by the Hopis.

That has meant some residents haven’t been able to fix their leaky roofs or install running water or telephone service.

Council Delegate Duane Tsinigine, who sponsored the legislation, cited the lack of electricity and running water in making his plea to the council to approve the compact.

Both tribes have been working on the intergovernmental compact the past four years. It’s a step toward lifting the so-called Bennett Freeze and ending litigation the Hopis filed against the Navajos in 1974.

As part of the compact, the Hopi tribe would not receive any Navajo land other than that already awarded by the courts.

Also, Navajos would be allowed to enter Hopi land without a permit for traditional religious practices. In turn, Hopis would be allowed to enter Navajo land without a permit for religious practices.

The Hopis say the land in dispute contains sacred springs, eagle nesting sites and shrines vital to their religion. The agreement prohibits Navajos from building near certain eagle nests that the Hopis have had access to.

Navajo President Joe Shirley Jr. said he would sign the measure as soon as it gets to his desk.

“We’ve lost a lot of elderly, we have lost a lot of medicine people, a lot of young people to the metropolitan areas because they couldn’t build on the frozen land,” he said. “Now, what it means is once the land is thawed out, we can build houses there, we can build farms for our livelihood. We can build schools. We can build gas stations, grocery stores.”

MUSM: miss you so much
BF: boyfriend
OLL: online love
POS: parent over shoulder
WTGP: want to go private?
LMIRL: let’s meet in real life
HDOP: help delete online predators

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Hunted: Dead or alive

Rumors, fruitless leads mark five-year hunt for bin Laden

BY PAUL HAVEN

Associated Press Writer

He was blown up in the caves of Tora Bora. He was on dialysis and dying of kidney disease. He was in the hands of Pakistani intelligence and about to be turned over to the United States.

Rumors of Osama bin Laden's death or capture go back years, and they have always proved greatly exaggerated. The latest came Saturday, when a leaked French intelligence document citing a "usually reliable" source said the Saudi secret service was convinced the 52-year-old al-Qaida terror chief had died of typhoid last month in Pakistan.

Officials from Riyadh to Paris to Washington rushed to insist they had nothing to substantiate the report, but not before news of it reached every corner of the globe and renewed the debate about why the world's largest dragnet has failed to get its man.

"There has been a grave failure five years after 9/11 that the true leaders of the attacks are still free, and that they are still alive," said Rohan Gunaratna, head of terrorism research at Singapore's Institute of Defense and Strategic Studies.

Gunaratna cited comments by bin Laden's no. 2, Ayman al-Zawahri, released on the fifth anniversary of the attacks, as evidence the French report was erroneous.

"Ayman al-Zawahri issued a statement on Sept. 11 in which he specifically refers to Osama bin Laden being alive," Gunaratna says. "There is no reason for al-Zawahri to lie, since he wants to keep his credibility within the movement."

A Pakistani counterterrorism official with intimate knowledge of the hunt also dismissed the French report, saying nothing was known about bin Laden's health or location. He spoke on condition of anonymity, citing the sensitivity of the matter.

The denial was echoed by a purported spokesman for the Taliban, the former Afghan regime that sheltered bin Laden after the 9/11 attacks. He also asked not to be named.

The French report is not the first to allude to bin Laden suffering from a life-threatening illness.

For years, intelligence services took seriously assessments that bin Laden might be suffering from kidney disease, and there were even reports he was forced to lug a dialysis machine from one mountain hideout to another.

In 2003, Amer Aziz, bin Laden's former doctor in Afghanistan, shot down the reports. He told The Associated Press he gave bin Laden a complete physical in 1999, and saw him again in November 2001 while he was on the run from U.S. forces, and found no sign of illness on either occasion.

"If you are on dialysis, you have a special look. I didn't see any of that," Aziz told a reporter at his office in Lahore, Pakistan following his release from U.S. custody.

The latest video featuring fresh footage of bin Laden came out in 2004, just before the U.S. presidential elections. In it he appeared healthy and relaxed, particularly for a man who was believed to be hiding in the rugged mountains between Pakistan and Afghanistan, or possibly in Afghanistan itself, in the remote, forested eastern province of Nuristan.

The U.S. has conducted hundreds of search-and-seizure operations in the region but has been stonewalled by an increasingly unfriendly local population.

A number of audiotapes of the terror leader have come out since the 2004 video, the latest in June, and a video that featured what appears to be older footage of bin Laden was released in September.

The lack of film of the terror chief since 2004 has further

muddled the waters. His decision to appear only on tape could be his way of heightening his mystique, or denying his pursuers visuals that might reveal his whereabouts. Or it could be an effort to hide his state of health.

Paul Wilkinson of the Centre for the Study of Terrorism and Political Violence at the University of St. Andrews in Scotland said the latest report of bin Laden's death could prompt his inner circle to advise him to deliver proof he is alive and healthy.

He speculated that the French report may have been leaked to shake the branches and illicit just such a response from the terror leader, giving the intelligence community a chance to home in on "chatter" among terrorists.

"It does create psychological pressure on the people and operatives" close to bin Laden, Wilkinson said. "There will be an expectation that he make some sort of appearance."

The years of false hope and genuine close calls have contributed to the aura that bin Laden enjoys among his followers. They have also added to the frustration of those charged with bringing him to justice.

In 1998, following the bombing of two U.S. embassies in Africa, the U.S. launched 62 Tomahawk cruise missiles at two al-Qaida training camps in Afghanistan. It was believed bin Laden was at one of them meeting with several of his top men, but left shortly before the missiles struck.

Following the Sept. 11 attacks and the fall of the Taliban, Afghan militiamen fighting on behalf of the United States felt certain they had surrounded bin Laden at Tora Bora.

Villagers reported seeing him hike into the mountains, and accounts of devastating airstrikes on the caves prompted rumors that bin Laden was dead.

He wasn't.

In the end, one of the Afghan warlords the United States was relying on for ground operations betrayed the others, Afghan fighters told the Associated Press, and bin Laden escaped into Pakistan.

In 2003, Pakistani forces raided the village of Lattaka, near the border with Afghanistan, on intelligence that bin Laden might be hiding there. In 2004, U.S. Lt. Gen. David Barno said from Afghanistan that he expected to bring bin Laden to justice that year, and Pakistani intelligence officials described him as being boxed in, but he was never captured.

Since then, the trail of the world's most wanted man has gone cold, but that hasn't stopped the rumors.

An Iranian state-run radio station sparked worldwide headlines in February 2004 when it flashed an urgent story that bin Laden was in the hands of Pakistan's intelligence agency. The source of the report turned out to be a Pakistani journalist at a newspaper in the western city of Peshawar, who claimed to have been misquoted.

A 2005 posting on an Islamic Web site that began with a headline saying bin Laden was dead also turned out to be false, but not before the news sent world stock markets briefly soaring.

Reports that bin Laden has been nabbed were even used in a computer virus attack, when thousands of messages were posted on Internet chat sites in 2004 that began with the subject line "Osama bin Laden captured." When users clicked a link that was supposed to take them to photos, they triggered the virus.

Paul Haven has reported for The Associated Press from Afghanistan and Pakistan, and covers terrorism-related issues from his present base in Madrid, Spain. AP reporters Munir Ahmed and Kathy Gannon in Islamabad, Pakistan, and Chris Tomlinson in Nairobi, Kenya, contributed to this report.

Release of analysis on terror threat rekindles political fight over Iraq

BY KATHERINE SHRADER

Associated Press Writer

WASHINGTON — The White House refused Wednesday to release in full a previously secret intelligence assessment that depicts a growing terrorist threat and has fueled the election-season fight over the Iraq war.

Press secretary Tony Snow said releasing the full report, portions of which President Bush declassified on Tuesday, would jeopardize the lives of agents who gathered the information.

"We don't want to put people's lives at risk," Snow told a White House news briefing.

Releasing the full report would also risk the nation's ability to work with foreign governments and to keep secret its U.S. intelligence-gathering methods, Snow said, as well as "compromise the independence of people doing intelligence analysis."

"If they think their work is constantly going to be released to the public they are going to pull their punches," Snow said.

The document has given both political parties new ammunition leading up to November's midterm elections.

For Republicans, the report provides more evidence that Iraq is central to the war on terrorism and can't be abandoned without giving jihadists a crucial victory.

For Democrats, the report furthers their argument that the 2003 Iraq invasion has inflamed anti-U.S. sentiments in the Muslim world and left the U.S. less safe. Democrats continued their push Wednesday for release of the rest of the report.

"The American people deserve the full story, not those parts of it that the Bush administration selects," said Sen. Edward M. Kennedy, D-Mass.

Rep. Peter Hoekstra, R-Mich., chairman of the House Intelligence Committee, warned, however, that releasing more of the intelligence assessment could aid terrorists. "We are very cautious and very restrained about the kind of information we want to give al-Qaida," Hoekstra said.

Defense Secretary Donald H. Rumsfeld, in Tirana, Albania for a meeting of defense ministers, said Bush had declassified the report's key judgments, after parts of it were leaked to the news media, so that "the American people and the world will be able to see the truth and precisely what that document says."

In the bleak National Intelligence Estimate, the government's top analysts concluded Iraq has become a "cause celebre" for jihadists, who are growing in number and geographic reach. If the trend continues, the analysts found, the risks to the U.S. interests at home and abroad will grow.

"We also assess that the global jihadist movement — which includes al-Qaida, affiliated and independent terrorist groups, and emerging networks and cells — is spreading and adapting to counterterrorism efforts," concluded the estimate, compiled by leading analysts across 16 U.S. spy agencies.

A separate high-level assessment focused solely on Iraq may be coming soon. At least two House Democrats — Minority Leader Nancy Pelosi of California and Rep. Jane Harman of California — have questioned whether that report has been stamped "draft" and shelved until after the Nov. 7 elections.

An intelligence official, who spoke on condition of anonymity because of the sensitive nature of the process, said National Intelligence Director John Negroponte told lawmakers in writing only one month ago that he ordered a new Iraq estimate to be assembled. The estimate on terrorism released Tuesday took about a year to produce.

The broad assessment on global terror trends, completed in April, escalated an election-year battle over which party is the best steward of national security.

At a news conference Tuesday, Bush said critics who believe the Iraq war has worsened terrorism are naive and mistaken, noting that al-Qaida and other groups have found inspiration to attack for more than a decade. "My judgment is, if we weren't in Iraq, they'd find some other excuse, because they have ambitions," the president said.

Sen. Joe Biden, the top Democrat on the Foreign Relations Committee, said Wednesday that Bush has allowed Iraq to fester as a training ground for terrorists, and U.S. voters are worried about it.

"On Election Day, that morning, if there's still the carnage in the streets of Iraq, then it will be clear that they have concluded that this administration's policy has failed and there will be a political price for it," Biden, D-Del., predicted on CBS' "The Early Show."

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Without him Domestic diva Stewart seeks Eminem as TV guest

MARTHA STEWART wants Eminem to appear on her “Martha” TV show. Not because he can knit or bake brownies but because audience members love his music.

“We play his music during breaks to keep people very lively and they love him,” Stewart told

AP Radio in a recent interview.

“I would really love to have Eminem on the show,” the 65-year-old lifestyle guru said. “I don’t think he knows that my demographic audience is so involved in Eminem music.”

Stewart also said she’s not good at everything.

“I can’t pick up a guitar and play a fantastic song. ... I cannot sit down at a piano and do that,” she said. “I’m happy about my knowledge in so many different subjects relating to living, but in terms of specifics, I don’t know if I’d be really very good on ‘The Young and the Restless.’”

However, Stewart does have a wild side.

She licked David Letterman’s jelly covered finger when he pretended to cut himself during a cooking segment with her on CBS’ “Late Show With David Letterman.”

“I knew it was jelly because I looked really carefully before I

licked his finger. And I think he was looking for a reaction and didn’t know what I would do,” Stewart said.

“I’m sure he was totally shocked that I would lick his finger, as were many, many, many other people,” she said with a laugh.

ASSOCIATED PRESS

Foxy and accuser keep mum in court

FOXY BROWN reluctantly appeared in Municipal Court as a former associate dropped two charges against the rapper, including making terroristic threats.

Brown’s accuser, Rasheeda Ellis, dropped the complaints in return for both sides agreeing not to have contact with each other and for some unspecified items to be returned to Ellis.

They also agreed not to discuss the case in the media.

The 27-year-old rapper, whose real name is Inga Marchand, lingered in the court hallway Tuesday as her lawyer asked the judge to bar photographers from taking her picture. The judge refused and ordered Brown to take her sunglasses off in court.

Brown did not speak in court

and did not comment afterward. She skipped a brief hearing on the charges last month.

Her lawyer, Brian J. Neary, has described Ellis as a former consultant to Brown’s management company.

Neary has said he does not know when or where any incident may have occurred. Brown lives in New York, he said.

Brown pleaded guilty last

month in a New York court to misdemeanor assault charges stemming from a 2004 fight with nail salon workers over a manicure. The plea deal spared her jail time but required her to serve three years’ probation and take anger management classes, according to the Manhattan district attorney’s office.

AP

Ladies’ man Combs getting two more

Expectant father **SEAN “DIDDY” COMBS** is often depicted as a ladies’ man. His latest baby news, then, should come as no surprise.

“I’m having twin girls,” the 36-year-old hip-hop mogul says in Vibe magazine’s November issue, on newsstands Oct. 17.

Combs broke the news earli-

er this month that his longtime girlfriend, 35-year-old model, Kim Porter, is expecting twins. They have an 8-year-old son, Christian, and Combs has a 12-year-old son, Justin, from a previous relationship.

“People say, to a so-called ladies’ man or whatever, that when you have girls it changes

you,” Combs tells Vibe. “So I was like, ‘What’s God trying to tell me by giving me two girls? When I pray every morning, I thank God for showing me what he showed me while I still have a chance to enjoy myself.’”

Combs says he “would love to get married” but isn’t ready yet.

“I didn’t grow up around a married family, so it’s taking me a bit longer,” he says. “A lot of guys out there get married, and they still do their own thing. I don’t want to get married and fail.”

His new album, “Press Play,” is slated for release Oct. 17.

AP

He’s got rhythm: Kimmel back as host

JIMMY KIMMEL, host and producer of ABC’s “Jimmy Kimmel Live,” will bring his hosting talents to the American Music Awards for a third time.

“I am very happy to have been asked to return as host,” Kimmel, 38, said Tuesday in a statement. “And (I) graciously

accept ABC’s apology for snubbing me last year.”

Cedric the Entertainer hosted last year’s show.

The “2006 American Music Awards,” to be presented Nov. 21 at the Shrine Auditorium, will be broadcast live as a three-hour special on ABC. Scheduled

performers include Beyonce, Josh Groban, Mary J. Blige and Carrie Underwood.

The American Music Awards honor top artists in pop/rock, country, soul/rhythm & blues, rap/hip-hop, Latin, alternative, contemporary inspirational and adult contemporary categories.

Nominees, which were selected based on record sales, include Mariah Carey, the Red Hot Chili Peppers, the Black Eyed Peas and Nickelback.

Winners will be chosen by a survey of about 20,000 listeners.

AP

ON THE MEND

STEVEN TYLER says he was diagnosed with hepatitis C three years ago after having the illness for a long time without any symptoms.

In an interview set to air Tuesday on “Access Hollywood,” the 58-year-old Aerosmith frontman said the infection was now “nonexistent” in his bloodstream after months of treatment, including the drug interferon.

“I’ve been pretty quiet about this,” Tyler was quoted as saying. “I’ve had hepatitis C for a long time, asymptomatic. And I talked to my doctor ... and he said now is the time and it’s 11 months of chemotherapy. So I went on that and it about killed me.”

Hepatitis C is a liver disease spread by contact with the blood of an infected person, according to the Web site for the Centers for Disease Control, which recommends testing for intravenous drug users and transfusion recipients, among others. According to 2004 estimates by the CDC, 3.2 million people have the chronic infection.

“It is nonexistent in my bloodstream as we speak, so it’s one of those few miracles in doctoring where it’s like a complete cure. It’s gone,” Tyler said.

AP

Santa Monica Daily Press

MOVIE GUIDE

SHOWTIMES: SEPTEMBER 9-10, 2006

AERO THEATRE

1328 Montana Avenue
(310) 395-4990

Wednesday
Marie-Antoinette
7:30

Thursday
Flyboys
7:30

Friday
Louie Bluié & Ghost World
7:30

AMC LOEWS BROADWAY 4

1441 3rd Street
(310) 458-6232

The Black Dahlia (R)
2:00, 3:00, 4:45, 7:00, 7:30, 10:15, 10:45

Confetti (R)
2:30, 5:15, 8:00, 10:40

Hollywoodland (R)
2:15, 5:00, 7:45, 10:30

AMC 7 SANTA MONICA

1310 3rd Street
(310) 289-4262

The Covenant (PG-13)
2:40, 5:00, 7:30, 10:15

Crank (R)
1:10, 3:20, 5:30, 7:40, 10:00

Everyone's Hero (G)
2:20, 4:40, 7:20, 9:30

Gridiron Gang (PG-13)
1:20, 2:30, 4:10, 5:20, 7:00, 9:50

Invincible (PG)
1:50, 4:30, 7:10, 10:10

The Last Kiss (R)
2:10, 4:50, 7:50, 10:20

The Protector (R)
8:00, 10:05

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

LAEMMLE'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

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)
1:00, 4:10, 7:20, 10:20

All the King's Men (PG-13)
12:30, 3:30, 6:30, 9:50

Flyboys (PG-13)
12:10, 3:20, 6:50, 10:10

Jackass: Number Two (R)
12:00, 2:20, 4:40, 7:00, 9:30

Jackass: Number Two (R)
12:40, 3:00, 5:30, 8:00, 10:30

Jet Li's Fearless (PG-13)
11:30am, 2:00, 4:30, 7:10, 9:40

More information email news@smdp.com



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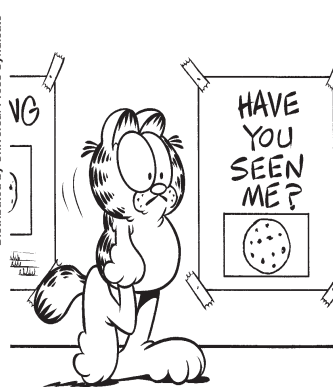
By Russ Wallace



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13 Boosted
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15 Nabokov work
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19 Musician Yoko
20 Winter mo.
23 Exit a network
25 Tops
26 Sam Shepard play
28 Spot in the sea
29 Deodorant type
30 Homer's neighbor
31 Hold a session
32 "Get thee hence!"
33 Canadian capital
35 Stand-in
38 Pithy
41 Crude home
42 Fund
43 Laughable
44 Composer Jule



Yesterday's answer

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7 Judy's	21 Poetic	34 Departed
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Only people interested in making seri-
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ter. n/s, needs own car, English and
ability to help with elementary home-
work a must, laundry, light cleaning,
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send resume to: c/o Pomp Salon 1431
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CA 90401 Attn: Lisa

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Answer phones, greet and assist
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Santa Monica Daily Press

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MAR VISTA: 12450 Culver Blvd. unit 312, \$995/mo. 1+1 stove, fridge, carpet, blinds, utilities included, intercom entry, laundry, gated parking, no pets. (888) 414-7778

MARINA DEL REY \$2000 3bdrm/3bath 2 car garage, new shower/tub, hardwood floors, new kitchen cabinets & tile floor, very clean, laundry, water & trash inc. See pictures ,Tour online. We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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PALMS \$875/MO studio/bathroom. Pool, laundry, gated, laundry, stove, A/C, carpets, lg closets,stove,water/trash paid. See pictures,Tour online. We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

For Rent

PALMS \$900/MO studio/1bath No Pets, More Details

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PALMS/BEVERLYWOOD ADJ \$1095/mo. 1 bdrm, 1 bath. "Lower-Unit" stove, Refrigerator, Parking. No pets. 2009 Preuss Rd. #2 Open Daily for Viewing 9am-7pm, Additional info in unit.

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Santa Monica Daily Press



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Santa Monica Daily Press

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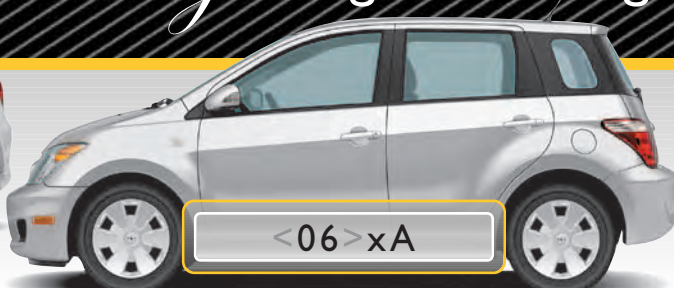


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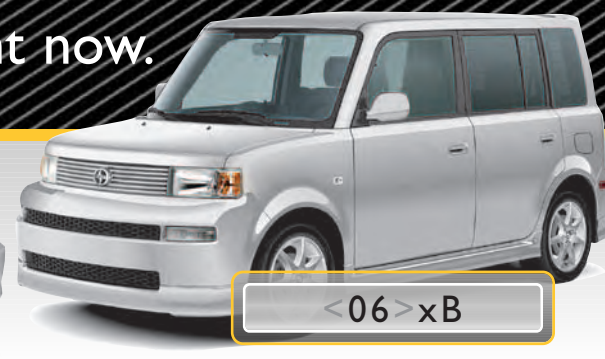
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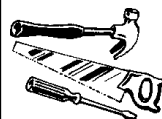
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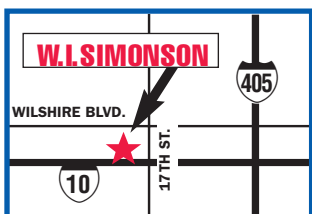
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