

Santa Monica Daily Press

A newspaper with issues

Slain teenager's family uses tragedy to educate

*Story of Samohi student
airs tonight on Dateline*

BY CAROLYN SACKARIASON
Daily Press Staff Writer

It's been nearly a year since 15-year-old Deanna Maran was fatally stabbed but her family wants to make sure no one forgets why or how it happened.

The senseless killing of Deanna and the suicide of her alleged murderer, Katrina Sarkissian, a 17-year-old from Brentwood, is a lesson to learn from, the Maran family hopes.

They'll tell that to the nation tonight when NBC's Dateline airs an hour-long story about the tragic events that unfolded

at an unsupervised party hosted by a 15-year-old boy at his parents' West Los Angeles party on Nov. 17, 2001. It was at that party where Deanna, a popular Santa Monica High School sophomore, was stabbed in front of dozens of teenagers after Sarkissian and her 15-year-old half sister allegedly jumped Deanna.

"What my sister got herself in to was not one-sided but there could have been a lot of different outcomes," said Deanna's oldest sister, Amika Maran. "Everybody expected a different result."

By keeping the story alive, the Marans hope that people, especially children, remember that the tragedy could have been avoided had other alternatives been

See MARAN, page 6

'Dangerous' tree teaches Santa Monica costly lesson

BY ANDREW H. FIXMER
Daily Press Staff Writer

Santa Monica may have learned a hard lesson already well known in other communities across the state.

A jury decided last week that the city must pay \$1 million to a couple who were struck by a falling Eucalyptus tree when they were driving down Broadway Avenue January of last year.

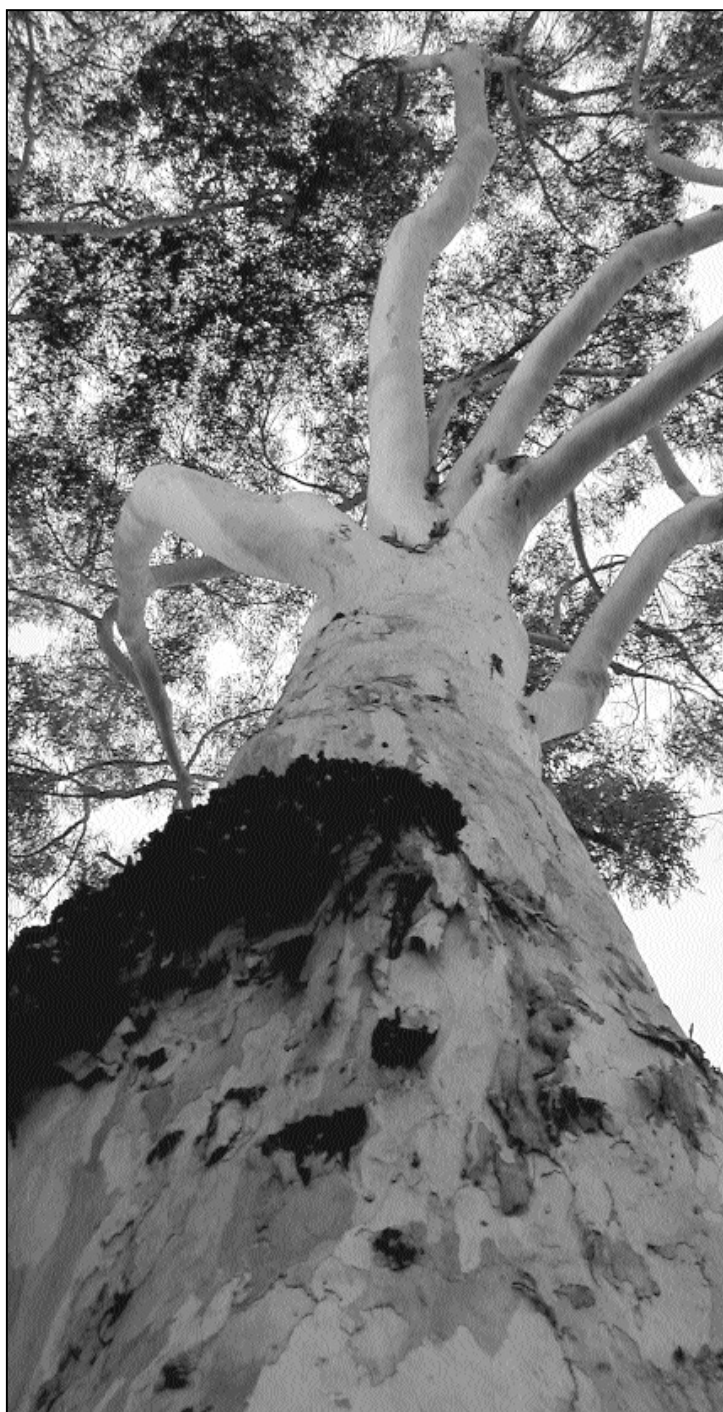
The split 9-3 jury awarded a little more than \$1 million to James Holiday, who suffered a compression fracture to a vertebra in his back which lawyers said exacerbated existing problems with his lower back and neck. The jury was unanimous

in awarding Joan Holiday \$33,000.

Some Northern California cities have declared the tree unsafe. Those cities have removed the red-flowering trees located near school playgrounds, parks and residential neighborhoods. The tree is known as the "Widow Maker" in its native Australia because it unsuspectingly drops limbs and falls over.

Tree experts say Eucalyptuses do not bode well in urban areas. Unlike most trees which grow roots deep into the ground, Eucalyptus' roots run along the surface, breaking up concrete sidewalks and asphalt streets in their path.

See TREE, page 6



Del Pastrana/Daily Press

The Eucalyptus tree, also known as the 'Widow Maker,' weighs tons and is capable of toppling over at any time. Santa Monica's streets are lined with them, making the tree a threat and a menace, experts say.

School nixes gourmet meals

By The Associated Press

BERKELEY — Pizzas have beaten out fancy pork tacos at Berkeley High School.

Students have gone back to fast food and pizza because students showed little interest in the specially delivered gourmet meals that had been offered, school officials said.

Last year, Berkeley High invited local restaurateurs to sell their goods on campus. Soon, chefs were serving up organic pork tacos and bike messengers brought in hormone-free chicken sandwiches.

School officials hoped students would eat healthier and want to spend their

lunch break on campus, but the idea never really caught on, and the number of meals consumed at the school's food court dropped 33 percent.

School officials said part of the problem was that the food court was hidden away and students like to get off campus during lunch.

The school could not sell enough lunches at \$3 or \$4 each to cover the cost of the fancy foods. Plus, students said nearby fast food chains and delis have larger portions and cost less.

Principal Michele Lawrence is hoping to revive the program, and hopes a new cafeteria, which is expected to open next school year, will help.

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The stars show the kind of day you'll have:

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 ★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)
 ★★★★★ Express your innate enthusiasm, with the moon in a sister fire sign. Reach out for a friend you respect. Get plenty of feedback through talks. Others see you as inspired. Actually, you're resourceful as well. Express your unique solution-finding abilities. Tonight: Don't feel like the same old thing? Then go for new.

♉ TAURUS (April 20-May 20)
 ★★ Buy a new plant or a fountain for your work space. You need that extra touch in order to relax and allow greater productivity. Others speak their minds. Run with the moment. Let ideas flow. Jot down notes so that, at a later time, you can refer to this sheet and see what happened. Tonight: Make it easy. Order in.

♊ GEMINI (May 21-June 20)
 ★★★★★ Emphasize originality and problem-solving. You, as well as others, let go and come up with unusual answers. Schedule a brainstorming session over lunch. Possibly, the issue you're dealing with isn't work-related! Special news heads your way. Tonight: Visit with a friend.

♋ CANCER (June 21-July 22)
 ★★★★★ Your financial status could be up for review. Though you might not be absolutely sure about others' ideas, work with them. Teamwork could loosen up the office budget. Some might think the answer lies in buying a lottery ticket! Enjoy the present lightness. Tonight: Lighten up and loosen up.

♌ LEO (July 23-Aug. 22)
 ★★★★★ You have that magic touch; others don't think you can do anything wrong. You can, but right now you are more likely to make solid choices. Reach out for others. A special friend lets you know what he or she would like. You have a new beginning. Tonight: Whatever makes you happy.

♍ VIRGO (Aug. 23-Sept. 22)
 ★★ Slow down, and don't make assumptions. You jumble up connections, calls and work. Could your mind be elsewhere? Perhaps you are better off closing your door and daydreaming. Take your time with a loved one who might be out of sorts. Tonight: Curl up with a good book.

♎ LIBRA (Sept. 23-Oct. 22)
 ★★★★★ You might not understand what is happening with a friend. Try as you might, you might not be able to anchor in here. Step down, figuratively, from a leadership position. Allow others to star and express their feelings. Tonight: Find your pals.

♏ SCORPIO (Oct. 23-Nov. 21)
 ★★★★★ Realize your limits through a discussion with a boss. Though this person could be vague, you manage to anchor in and perform to your max. Someone at home also could be confusing. Ask more questions. Get to the bottom of the problem. Tonight: A must show.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★★★ Visualization helps you clear out extraneous details and zoom in on what you want. Make calls. Find experts. Hop on the Internet. You might be pleased by what comes down your path. Go to a key meeting. Tonight: Try something new.

♑ CAPRICORN (Dec. 22-Jan. 19)
 ★★★★★ A partner clears the field in a financial discussion. Understand what needs to happen to increase work productivity. What might be a reasonable investment? Only you can decide for sure. Don't commit if you're feeling wary. Tonight: Where your friends are.

♒ AQUARIUS (Jan. 20-Feb. 18)
 ★★★★★ Be somewhat impulsive. If you feel that you must do something, then do it. Others are on top of their game. You can trust an associate to present different solutions. Brainstorm all you want. Read between the lines. Tonight: Say "yes."

♓ PISCES (Feb. 19-March 20)
 ★★ Pace yourself. You will do your best work when you're concentrating in the privacy of an office. If you are uptight, focusing on another matter will help you renew your energy and steer away from stress. Take a walk at some point for a break. Tonight: Make sure you're treating yourself well.

 **QUOTE of the DAY**

**"I don't even butter my bread.
I consider that cooking."**

— Katherine Cebrian

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LOCAL

Candidates questioned by Chamber of Commerce

By Daily Press staff

The Chamber of Commerce is hosting a political candidate forum today.

From 11:30 a.m. to 1:15 p.m., nine city council candidates will tell those who attend the event who they are and why they are running for office. There are three council seats open for the Nov. 5 election.

The event is being held at the Four Points Sheraton Hotel, located at 530 Pico Blvd.

The format will give each candidate three minutes to introduce themselves and then they will be asked to answer two previously written questions. Candidates will have a one-minute closing statement.

Other local, county and statewide candidate's have been invited to the forum and they will have information tables set up at the event.

These are the questions that the chamber has posed to the candidates:

1. What do you think are the city's short and long term goals, and what do you envision to be the role of the chamber?

2. What is your vision for sustained economic growth in Santa Monica and what measures will you take to achieve it?

3. How do you feel the minimum wage ordinance will affect our teenagers and other employees entering the job market?

4. What is your position on Measure EE? (the school district's parcel tax increase) If it passes will you increase, decrease or maintain the city's contribution to our public schools?

5. Currently City Council practice is for the Council and Planning Commission to hear only from the planning department on proposed projects. Do you think that the economic impact of proposed projects

(jobs created, tax revenue) should be included in the staff reports and should the economic development department report separately at Planning Commission and Council meetings? If not, what is the role of the economic development department?

6. City Council has referred to preferential parking zones as Band-Aid solutions. We now have over 50 Band-Aids, and you now have the opportunity to save this patient. What is your long term solution for the parking problem in Santa Monica that would benefit both residents and businesses?

7. What do you think the role of a Chamber of Commerce should be in our city?

8. The city is currently reviewing its noise ordinance. The review does not include the pier, Promenade or airport, as there are separate noise ordinances governing them. Do you think business improvement districts and commercial thoroughfares should have their own noise ordinances or do you think the same rules that apply to neighborhoods should apply to business districts?

9. What would you include in a homeless program that would best suit our residents, businesses, visitors and disadvantaged?

10. The airport lease expires in 2015. What is your position on its continuance as a general aviation airport?

11. Given the integral relationship between the economic health of a community and its government's ability to contribute funds to the school system, what changes in the planning and development laws and regulations would you undertake to help local businesses thrive?

surf report

Information compiled by Jesse Haley

Fading southwest swell keep SoCal in waist- to chest-high surf today. Best waves are still at northern spots which have more size and better shape.

We're seeing a northwest swell fill in, but unfortunately the angle is too steep for Santa Monica Bay. The 300-310 degree swell will all but bypass local breaks.

While current beach advisories show A's at most spots, day-old tests may not account for pollution from weekend rains.

Today's Tides:		
Low-	12:34 a.m.	0.40'
High-	7:36 a.m.	3.95'
Low-	12:12 p.m.	3.00'
High-	5:57 p.m.	5.14'

Location	Tuesday	Wednesday	Water Quality
County Line	3-4'/Fair	2-3'/Fair	A
Zuma	3-4'/Fair	2-3'/Fair	A
Surfrider	2-3'/Fair	1-2'/Fair	A
Topanga	2-3'/Fair	1-2'/Fair	A
Breakwater	2-3'/Fair	2-3'/Fair	B
El Porto	2-3'/Fair	2-3'/Fair	A

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The Q Line

The city of Santa Monica is considering an ordinance that would protect its cultural heritage by designating homes and neighborhoods as historic.

The Homeowners for Voluntary Preservation, however, believes such a law is an intrusion of their personal freedoms, and they don't like the idea that the city may have more to say about the upkeep of their homes than they do.

Preservationists, on the other hand, argue that Santa Monica's historic homes are in danger of vanishing, and a landmark

ordinance is necessary to protect them.

So this week Q-line wants to know: "Should the City of Santa Monica step in and protect its cultural history? Or do the rights of homeowners supersede a well-meaning law?"

Call (310) 285-8106 with your responses before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less; it might help to think first about the wording of your response.

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OPINION

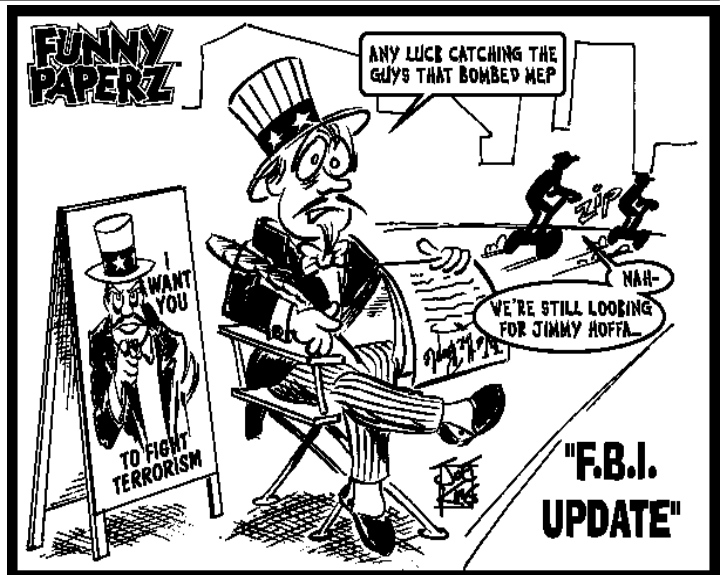
LETTERS

We are living in a toilet bowl

Editor:

I have just finished reading the article in the L.A. Times about the city council delaying its vote of the issue of the ordinances regarding the homeless in Santa Monica. I simply cannot understand anyone denying this is a serious problem, which needs to be addressed. The situation is totally out of control; Santa Monica has turned into a toilet bowl. I cannot count the times I have seen people defecating and urinating in public. I have to pick up after my dog, but these people do not have to pick up after themselves? I have been harassed on countless occasions by frightening panhandlers. The police do what they can, but we all know their hands are tied by the unrealistic laws that are in effect. I moved here two years ago with such high expectations, but it did not take me long to realize I am paying a small fortune to live in a toilet bowl. I own property that for now is vacant. Three of the units were broken into and totally destroyed by homeless people that set up camp there and chose to defecate on the floors and completely trash the units. The police were unable to do anything about it, so I had to shrug and pay \$3,000 to fix the damage they did. Oh, and by the way, one of them was running a business out of one of the units! The bleeding hearts that see the homeless as helpless, hapless victims of fate should give them more credit than that. The homeless mentally ill are not being adequately cared for: There are simply not enough services for them. They should not be on the streets, because it is not safe for them. The alcoholics, drug addicts and sociopaths that live on the streets know how to play the system, and there is no easier system than the one in Santa Monica for them to play. Has anyone forgotten about accountability, or is that only for the law abiding taxpaying citizens? What lessons are we teaching our children? I volunteered in a soup kitchen in Washington D.C. before I moved here. There were rules and expectations, and guess what? The majority of these poor, helpless, homeless people were able to abide by them. Let's raise the bar, let's give them credit; most of them are able to do better. Let's expect it of them. The bleeding hearts do not realize that doing everything for them just perpetuates the helplessness. It does not empower them. Let's give them back their dignity and have the same or at least some of the expectations of them that we do of any other citizen. Those people that come to Santa Monica from Manhattan Beach, Oxnard, etc., to feed the homeless and then go back to their communities, should work on making their communities more accessible to the homeless so we can all share the burden.

Carole Orlin
Santa Monica



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City's proposed law should be drop-kicked, not transients



TWISTED
By Dan Dunn

This case raises a host of personal-liberty issues. Like 'em or not, beggars have as much of a right to be on the Promenade as you or I have to walk around them and say, "No, I can't spare any change."

It doesn't make sense.

Why in the world would Santa Monica officials want to ban sleeping on the streets in the downtown core when everybody knows that homeless people are much easier to kick when they're already on the ground?

Leave it to the politicians to mess everything up. If they want to do away with the homeless in the tourist district, they should flat out ban the homeless. Or something as ridiculous as making it OK to punt the penne in the head. Neither approach sounds very legal, mind you, but the same can be said for this "sleeping" beauty.

But this is California, where the will of the people routinely supersedes constitu-

tional law. Well, that's not really fair to say. In the case of *Roulette vs. Seattle*, the 9th U.S. Circuit Court of Appeals held that sidewalks are indeed for walking, not sleeping.

They've yet to rule on head-punting. Of course, supporters of the ban maintain the new law is about public safety. That sidewalks and storefronts littered with sleeping bodies are dangerous to walk on. They'd have you believe there's a mutant strain of navigationally challenged citizens stumbling down the Promenade and that our elected officials are merely legislating some obstacles away.

Make no mistake: This ban addresses public uneasiness, not security.

Being aggressively panhandled can be a scary thing, especially if the person chasing you smells funny, has bad hair

and, in all likelihood, is on drugs.

But then again, it's hard to chase someone if you're lying down; the "transients" aren't any less threatening when they're awake, right? And if they can't sleep outside Banana Republic, doesn't it stand to reason that they could wind up snoozing on my front lawn?

This case raises a host of personal-liberty issues. Like 'em or not, beggars have as much of a right to be on the Promenade as you or I have to walk around them and say, "No, I can't spare any change." As much of a right as conglomerates such as Hooters and McDonald's have to send Santa Monica's mom and pop shop owners into early retirement. Surely, the progressive college kids and arty hipsters who congregate there are up in arms about this draconian ban.

"As far as what their rights are, most of (the homeless) are here because they don't want to follow society's rules," said Cindy (who, like Cher, needs but one name), 21. "All they do is lie around and shoot heroin, anyway."

Yes, but soon they'll have to shoot it STANDING UP. That'll teach 'em.

Cindy, who was shopping at Urban Outfitters, sports a big tattoo smack dab in the middle of her chest. Years ago, that was an unmistakable mark of the anti-establishment. Now, it amounts to nothing more than an indelible power-tie or pinstriped suit — a tribute to mainstream exploitation of the "alternative" lifestyle.

"I don't think the issue is to do away with those people," Cindy said. "We're not telling them they can't be here."

Not yet, anyway. But it's only a matter of time before they officially get the boot.

And speaking of boots, they've got the trendy steel-toed variety for sale at Urban Outfitters. They ought to come in handy once that head-punting ruling comes down.

Dan Dunn is a resident of Santa Monica and freelance writer.

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

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OPINION



Living wage may help some, but will hurt most

(Editor's note: The city council passed an ordinance last July requiring businesses in the coastal zone that generate more than \$5 million in annual revenue to pay their employees up to \$12.25 an hour. Those businesses and their supporters have asked for the ordinance to be rescinded, which is before voters this November. The Daily Press welcomes opinion submissions on both sides of the issue.)

In his recent book, "I'll Be Short," former Secretary of Labor in the Clinton administration Robert Reich challenges the nation to renew our fundamental "social contract" — that anyone willing to work hard has the opportunity to earn a better life for themselves and their families. While the book is a little too partisan for my taste, Reich is onto something.

There is no doubt that the broad middle class which has sustained us for almost 400 years is diminishing and that we are drifting into a two-tiered society with the lower tier fighting against greater and greater odds. While we remain the land of opportunity compared with most other parts of the world, which is why people remain willing to endure risks and hardships to come, we have to recognize the existence of an increasingly large class of low-wage workers struggling to build a better life.

The question is not whether this problem exists — it does. And while many of us may not currently be directly affected by it, for the sake of our future and that of our children and grandchildren, it cannot be ignored.

All of this is relevant to the city's minimum wage law — Proposition JJ — because many of its supporters of that law sincerely believe it will help. Unfortunately, good intentions do not necessarily make good laws.

In assessing Proposition JJ, Santa Monica voters are not being asked to express an opinion about low-wage workers but on a specific law which, I believe, will not only fail to ease the burden of low-wage workers but will create several new problems. How can this be?

By increasing the minimum wage required to be paid by some Santa Monica employers by over 80 percent, JJ threatens to price many unskilled, inexperienced entry-level workers out of the market, including Santa Monica's young people. As Reich notes in his book, "Raise the minimum wage too high and you might deter employers from hiring many low-skilled workers."

The same point is made by Dr. Alan Blinder, a former vice-chair of the Federal Reserve Board and Al Gore's economic consultant during the 2000 presidential campaign. In his book

"Hard Heads, Soft Hearts," Dr. Blinder observes that raising the minimum wage "simply raises the price of unskilled and inexperienced workers. Employers naturally react by hiring fewer of them."

This problem is augmented by attempting to almost double the minimum wage in a small portion of a small city. Those businesses subject to the law will have little difficulty finding workers whose productivity justifies the higher price, thereby shutting out others and shunting them off to compete for jobs elsewhere.

The 10 or so restaurants likely to be covered by the law will be economically devastated unless exempted. Their tipped employees are typically paid minimum wage because they receive the overwhelming bulk of their income in tips. However, JJ fails to take this into account, forcing many employers to substantially raise wages for tipped employees already making \$50,000.

This also is true for the four hotels west of Ocean Avenue regularly demonized by supporters of JJ. Because almost all of their employees, other than bellmen, wait staff and bartenders, are already paid at or above the level JJ requires, over 90 percent of the additional wages will go to tipped employees.

Unlike typical "living wage" laws, JJ requires the city to pay the higher wages. At the same time, it must absorb more administrative costs through enforcement, pay higher costs to service contractors who are required to comply with the law, and risk reduced revenues through a sliding economy. The city manager has estimated these costs at about \$3 million in the first year alone. What programs will suffer as the city attempts to add this to the loss of \$8 million in revenue due to the drop in tourism caused by 9/11 and general economic conditions?

By failing to focus on the needs of Santa Monica residents, JJ does almost nothing to help local residents unless they happen to be employed in the coastal zone. And this is a very small number indeed. So while JJ will rob the city of millions of dollars which could be used for social programs directed towards Santa Monica residents, it does almost nothing for our own low-wage workers. Shouldn't this be our first priority?

Those supporters of JJ who are sincere live in a fantasy world where all that is needed to raise the wages of current workers is a governmental decree. Even Robert Reich recognizes the fallacy in this argument. JJ is not the solution — it is not even an intelligent approach — to the problem of low-wage workers and deserves to be rejected.

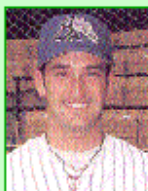
(Tom Larmore is a Santa Monica resident and a local property rights attorney.)

Guest Commentary

By Tom Larmore



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LOCAL

Attorneys unsure of challenge to \$1M judgment

TREE, from page 1

As maintenance workers trim the roots over the years, it prevents root structures from forming which support the tree's heavy branches. When that happens, simple gusts of wind can knock the tree over, experts say.

Sam Davis, a retired arborist who worked on trees in the Santa Monica region for nearly 40 years, said people need to be aware of the dangers Eucalyptuses pose.

"They are big trees," he said. "There's

just not room for them to grow, and when the sidewalk folks come along and cut the roots, then they still grow tall but they don't have the roots in place."

After watching an 80-foot-tall Eucalyptus fall down, which completely blocked a Santa Monica canyon road in the 1970s, Davis said he wrote city officials a letter warning them the same thing could happen in other areas.

Davis said he's especially concerned about the rows of Eucalyptus trees that

line Seventh Street between Wilshire Boulevard and Montana Avenue.

"They have been there a long time and they weren't meant to be in a small constrictive space, like a boulevard," he said. "It's unfortunate but they need to be chopped back severely."

And Davis said he believes if the city had hired specialists to look at the Eucalyptus tree at the center of the Holidays' lawsuit, the true condition of it would have been spotted.

"It's not an act of God that the tree fell, it's somebody's fault for not catching it," Davis said. "It's the city's tree so the blame probably falls on them."

City attorneys argue the tree appeared healthy and there was no way city officials could have known that it would fall over.

"We have a very aggressive tree trim policy," said Deputy City Attorney Jeanette Schachtner. "This particular tree gave us no reason to believe it wasn't a healthy tree. It was green and showed no signs it was unhealthy and we don't cut down what appear to be healthy trees."

Walter Warriner — a Santa Monica Community Forester responsible for maintaining the city's thousands of trees — was unavailable for comment Monday.

At the trial, the city and plaintiffs agreed

the tree's roots were decaying but disagreed over whether or not the city should have known about it before the accident.

Schachtner said city officials are disappointed with the jury's decision because there is no way anyone could have known the tree was going to fall over.

"We are weighing our options," she said. "I don't know if an appeal is something that we will pursue at this time."

The Holidays' attorney, Robert Wolfe, said he would file a motion by the end of the week asking Santa Monica Superior Court Judge Linda K. Lefkowitz to confirm the jury's verdict as a judgment against the city.

He said his clients were pleased with the result of the jury's verdict.

"They found that the verdict was fair and just," Wolfe said.

After Wolfe files his motion for judgment, the city could appeal the jury's decision, or it could ask for a new trial or request Judge Lefkowitz to reduce the amount of the judgment.

"There is a provision in the law that provides for a reduction in the damages," Schachtner said. "But again, we really haven't had an opportunity to explore all our options yet."

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Foundation will fund non-violence programs

MARAN, from page 1

used to resolve the dispute. They are using Deanna's murder, as well as other similar stories, as case studies to be taught by leaders in the community.

"Teens and children need to have the tools to get out of situations like my sister's," Amika Maran said. "We are trying to compile pieces of my sister's story to a curriculum with the hope that students relate it as another student who died and they can see what happened from a human standpoint."

The Maran family started a foundation in Deanna's name to teach non-violence throughout the community and the country. It seeks to build an active group of students, teachers, parents and community members who commit to teaching others about the symptoms of violence, how to prevent escalation of violence, and how to stop it.

"Parents can be mindful of this story and talk to their kids about it," Amika Maran said.

Amika Maran is using her experience as an educator for Teach For America — a national corps of recent college graduates who commit two years to teach in public schools in low-income communities — to create the curriculum and programs for her sister's foundation. Amika Maran works for the organization in the Bay area and is dedicated to providing opportunities to the nation's youth.

By connecting people to resources that educate students in grades K-12 about non-violent solutions, habits, and sensibilities, the Marans hope one day all conflicts will end in peaceful resolution.

Still in its infant stages, the foundation and its programs are just beginning to develop. Ilja Maran, Deanna's father, said the programs and scholarships will start locally. But in the future, he envisions the foundation to support programs throughout the country. Thousands of dollars have been raised since Deanna's death.

"People will forget so they need to be

reminded," Ilja Maran said. "Violence is like a disease; it's in us but we have to educate people that nobody wins and it's destructive to those who lose and those who win ... kids don't know what to do in dangerous situations."

"Teens and children need to have the tools to get out of situations like my sister's."

— AMIKA MARAN
Victim's sister

The Deanna Maran Foundation also offers grants of up to \$500 to students and K-12 classroom teachers for establishing projects in their schools and communities. Proposals from other educators such as community organizations and churches are considered on the basis of direct student impact.

Types of projects funded by The Deanna Maran Foundation will be on a small scale that involve non-violence education, and are community orientated and clearly defined. The projects also should be sustainable in some way, instead of one-time events.

The Deanna Maran Foundation for Non-Violence generally funds projects that promise the most direct and immediate student impact.

Donations can be sent to:

Deanna Maran Foundation for Non-Violence
P.O. Box 7037

Santa Monica, CA 90407

For more information on the foundation or Deanna Maran's story, go to:
www.maranfoundation.org

Dateline airs at 10 p.m. on channel 4.

STATE



More than 50 percent of students fail graduation test

BY JESSICA BRICE
Associated Press Writer

SACRAMENTO — More than half of the students who took the state's high school graduation test this spring failed one or more sections, meaning they will have to retake the test or they won't receive a high school diploma.

California students, beginning with the class of 2004, must pass the California High School Exit Examination to graduate — although the State Board of Education could decide to delay the requirement. Students who don't pass will have seven chances to retake the test.

Results of the test were released Monday.

State officials say the high-stakes test will ensure that students can demonstrate competency in state content standards for reading, writing and math.

"We're moving into a system in which the high school diploma means something, and that's important," said state Secretary of Education Kerry Mazzoni.

But critics have argued that the test, given to 10th-graders, unfairly hurts low-income and minority students who don't have access to the same educational resources as more affluent students.

"Why should every test be standardized when ever student doesn't get the same tools and resources to pass it?" asked Rhea Martin, 15, a student at Long Beach Polytechnic High School.

Black and Hispanic students had the highest rate of failure this year. Only 28 percent of black students and 30 percent of Hispanic students passed both the math and English sections of the test. On the other hand, 70 percent of Asian students and 65 percent of white students passed the test.

According to results released by the Department of Education:

■ Nearly 460,000 students took the test last spring. Overall, 10th-graders performed better on the language arts portion of the test than in math. Sixty-four percent of the students passed the English-language arts section, while only 52 percent passed the math portion. Forty-eight percent of the students passed both sections.

■ Less than 20 percent of 10th-graders who speak little or no English — more than 63,000 kids — passed the test.

■ Eighty-seven percent of special education students didn't pass the test.

The exam was created in 1999 as part of Gov. Gray Davis' plan for raising standards and accountability. In 2001, the test was given for the first time to ninth graders on a voluntary basis, with only about a third of the students passing the test.

State officials say the jump in test scores compared to the previous year is encouraging.

"This is positive news about the hard work being done by our students and schools," Mazzoni said. "With continued focus on the academic content covered in the exam and supplemental instruction where necessary, we believe all student should be prepared to pass the exam by graduation."

Roughly half the states in the country have high school exit exams. However, many states have been challenged in court, including Massachusetts, Texas, Florida and Alaska. At least two lawsuits have been filed in California to stop the test.

"The real issue will always hinge upon whether there is evidence that the schools

have provided the kids with the reasonable opportunity to pass the test," said Eva Baker, co-director of the Center for Research on Evaluation, Standards and Student Testing in Los Angeles.

John Affeldt, managing attorney at the law firm Public Advocates, Inc., said it's premature to carry out the sanctions before the state has fully implemented its reform package.

Many schools don't yet have instructional materials that match state educational standards and not all teachers have been trained in standards-based curriculum. On Friday, Davis signed a bill that allows school districts to buy material that fits the standards.

"There's something wrong if students are passing courses that we tell them they need to pass to get a diploma and they still can't pass this test," said Affeldt.

A look at the California high school exit exam

By The Associated Press

Here are sample questions taken from the California High School Exit Exam:

ENGLISH-LANGUAGE ARTS: The exam tests what students should know by the time they are in tenth grade. It consists of multiple-choice questions, reading comprehension and writing tasks.

— Choose the word or phrase that best completes the sentence.

1. _____ going to be late if they don't hurry.
- a. They're
 - b. Their
 - c. There
 - d. They'll

— Choose the answer that is the most effective substitute for phrase in parentheses.

2. When our parents celebrate their silver wedding anniversary later this year, (they were married for twenty-five years).
- a. They will have been married for twenty-five years.
 - b. They have been married for twenty-five years.
 - c. They would have been married for twenty-five years.
 - d. Leave as is.

MATH: The exam tests students' knowledge of math based on state standards in grades six and seven. It also tests Algebra 1. It includes statistics, data analysis and probability, measurement and geometry and algebra.

3. If Freya makes 4 of her 5 free throws in a basketball game, what is her free throw shooting percentage?

- a. 20 percent.
- b. 40 percent.
- c. 80 percent.
- d. 90 percent.

4. The square root of 150 is between:

- a. 10 and 11
- b. 11 and 12
- c. 12 and 13
- d. 13 and 14

5. If $x = -7$, then $-x$

- a. -7
- b. -1
- c. 1/7
- d. 7

6. Stephanie is reading a 456-page book. During the past seven days, she has read 168 pages. If she continues reading at the same rate, how many more days will it take her to complete the book?

- a. 12
- b. 14
- c. 19
- d. 24

Answers: 1. a; 2. a; 3. c; 4. c; 5. d; 6. a

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**NOTICE OF AVAILABILITY
CONSOLIDATED ANNUAL PERFORMANCE
AND EVALUATION REPORT
FOR 2001 PROGRAM YEAR**

Notice is hereby given that the City of Santa Monica has developed the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2001 Program Year. The CAPER provides a status report on how the City is meeting its overall housing and community development needs as specified in the Consolidated Plan (FY 2000-05) adopted by City Council and submitted to HUD in June 2000. The City is seeking community comments on this report.

Copies of the report are now available to the public for a 15-day community review period ending October 11, 2002. To obtain a copy of the report, please contact Human Services Division, located at 1685 Main Street, Room 212, Santa Monica, CA 90401, at (310) 458-8701. Please send your written comments to Susan Lai at the above address by October 11, 2002.

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Crossing the line



Ric Francis/Associated Press

Steven Patterson, right, waves off a Federal Express driver who crossed the picket line that members of International Longshoremen Warehousemen Union (ILWU) have established outside Port of Los Angeles' TraPac terminal on Monday in the Wilmington section of Los Angeles. Shippers locked out dock workers after frail labor peace collapsed.

Neil Portnow replaces Michael Greene as recording academy chief

BY ANTHONY BREZNICAN
AP Entertainment Writer

SANTA MONICA — After nearly five months without a conductor, the Grammy organization announced Monday it has a new chief.

The new president of the National Academy of Recording Arts & Sciences will be Neil Portnow — a West coast executive with the Zomba Group of Companies, which includes the Jive Records home of Britney Spears, 'N Sync and Michael Bolton.

Portnow, whose start date remains unclear, has served as a volunteer with the nonprofit Recording Academy for nearly 20 years, trustee chair Garth Fundis said. Portnow declined to be interviewed, pending the finalization of his Recording Academy contract.

The group's embattled former president, C. Michael Greene, resigned unexpectedly last April following a meeting by the board of trustees to hear results of an investigation into Greene's alleged sexual harassment of female employees.

Fundis has said the probe cleared Greene of wrongdoing, and the Grammy president stepped down for unspecified

reasons. Details of the probe have not been released.

Portnow most recently served as the treasurer and secretary for the academy's trustees, a position he held for two years.

He has been senior vice president of West Coast operations at Zomba since 1997, overseeing its record labels and music publishing division.

His duties included sales and marketing, corporate and talent acquisitions, and management of all of Zomba's artists.

Portnow said he became interested in music when he was a child and saw Elvis Presley perform on television. He persuaded his parents to pay for guitar lessons, and as an adult played bass in a variety of musical genres.

His background on the business side of music goes back about 25 years and includes executive stints at EMI America Records, Arista Records and 20th Century Fox Records. He has a Bachelor of Arts in Communications from George Washington University.

As head of the Recording Academy, Portnow will oversee the Grammy Awards, the Latin Grammys, the charity division MusiCares and other various other music-related programs and initiatives.

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Ozone hole over Antarctica has shrunk; split in two

WASHINGTON — The ozone hole over Antarctica is markedly smaller this year than in the last few years and has split in two, government scientists reported Monday.

The so-called "hole," actually an area of thinner than normal ozone, was measured at 6 million square miles in September. That compares with around 9 million square miles on September measurements over the last six years, according to researchers at the National Oceanic and Atmospheric Administration and National Aeronautics and Space Agency.

for the thinning, and treaties banning those ingredients are expected to help the layer recover over time.

This year's improvement was attributed to warmer than normal temperatures around the edge of the polar vortex, or circular wind pattern that forms annually in the stratosphere over Antarctica, according to Paul Newman, a lead ozone researcher at NASA's Goddard Space Flight Center in Greenbelt, Md.

Craig Long, a meteorologist at the NOAA Climate Prediction Center, said the stratosphere over the southern hemisphere was unusually disturbed this year by the wind, causing the hole to split into two separate holes.

approached 11.5 million square miles. The last time the ozone hole was as small as it is this year was in 1988, and that was also due to warm temperatures.

Newman explained that while "chlorine and bromine chemicals cause the ozone hole, the temperature is also a key factor in ozone loss."

The coldest temperatures over the South Pole occur in August and September. Thin clouds form in these cold conditions, and chemical reactions on the cloud particles help chlorine and bromine gases to rapidly destroy ozone. By early October, temperatures typically start to warm and the ozone layer starts to recover.

ing within five years, said Paul Fraser, of the Australian government-funded Commonwealth Scientific and Industrial Research Organization, or CSIRO.

Ozone in the air overhead is measured in Dobson Units. The ozone hole is the area with total column ozone below 220 Dobson Units, as measured by satellites and balloon-borne ozone measuring instruments launched from the South Pole station.

In the tropics, ozone levels are typically between 250 and 300 Dobson Units year-round. In temperate regions, seasonal variations can produce large swings in ozone levels, reaching as high as 475 Dobson Units in some areas, and as low as 300.

A reading of 100 Dobson Units means that if all the ozone in the air above a point were brought down to sea-level pressure and cooled to freezing it would form a layer 1 centimeter thick. At that scale a reading of 250 Dobson Units translates to a layer about an inch thick.

\$800M lawsuit alleging cell phones cause tumors waived

BALTIMORE — A federal judge Monday tossed out an \$800 million lawsuit filed by a Maryland doctor who claims cell phones caused his brain tumor.

U.S. District Judge Catherine Blake said none of the evidence submitted by Dr. Christopher Newman was substantial enough to warrant a trial against cell phone manufacturer Motorola and several major cell phone carriers.

The \$45 billion wireless industry has been watching the case closely because it could have opened the door to other lawsuits if allowed to proceed. No other such claims have succeeded so far.

Newman, a neurologist, claims the older, analog cell phone he used from 1992 to 1998 caused his brain cancer.

Newman's attorneys presented scientific evidence showing that analog phones may cause tumors, but Blake

ruled it was overwhelmed by evidence showing no relationship between cell phone radiation and cancer.

Newman's attorney, John Angelos, said he told

“He is disappointed, as we are. We didn’t pass the standard.”

— **JOHN ANGELOS**
Newman's attorney

Newman of the decision.

"He is disappointed, as we are. We didn't pass the standard," Angelos said, adding that his firm may appeal.

Newman's tumor was removed, but his lawyers said he is blind in one eye, suffers memory loss and slowed

speech, and can no longer work.

Cell phones are used by 97 million Americans. Digital phones emit radiation in pulses; older analog varieties emit continuous waves. By the time cell phones exploded in popularity in the late 1990s, most of those sold used digital technology.

Three major studies published since December 2000, including one by the National Cancer Institute, found no harmful health effects from cell phones.

Newman's attorneys pegged much of their suit on research by Swedish oncologist Lennart Hardell, who published a study in this month's *European Journal of Cancer Prevention* that found long-term users of analog cell phones were at least 30 percent more likely than nonusers to develop brain tumors.

But Blake questioned Hardell's methodology and said the study hasn't been "replicated or validated" by other scientists. She also cited several studies that rejected the findings.

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DID YOU KNOW?: In 1879, a mail service in Belgium employed 37 cats to carry bundles of letters to villages around the town of Liege, this experiment was short-lived as the cats proved thoroughly undisciplined.



NATIONAL

Administration denounces Iraq for firing at warplanes

BY MATT KELLEY
Associated Press Writer

WASHINGTON — The Bush administration criticized Iraq on Monday for continuing to fire at U.S. and British warplanes patrolling two no-fly zones while preparing for the return of United Nations weapons inspectors.

"With each missile launched at our air crews, Iraq expresses its contempt for the U.N. resolutions," Defense Secretary Donald H. Rumsfeld said at a Pentagon news briefing.

Iraq has fired on no-fly-zone patrols 67 times since promising two weeks ago, on Sept. 16, to allow U.N. weapons inspectors back into the country, said Gen. Richard Myers, chairman of the Joint Chiefs of Staff.

Iraq has never shot down a coalition plane.

The Bush administration is trying to persuade Congress and the United Nations to approve resolutions authorizing the use of military force to oust Saddam. Bush says Saddam is stockpiling biological and chemical weapons and trying to obtain nuclear bombs in violation of U.N. resolutions.

His voice rising, Rumsfeld said Iraq's claimed willingness to allow open weapons inspections was "patently false." The defense secretary said Iraq has lied so many times no one should trust what Saddam's government says.

"It bothers the dickens out of me that U.S. and British pilots are getting fired at day after day after day, with impunity," Rumsfeld said.

The United States and Great Britain set up the no-fly zones after the 1991 Persian Gulf War to prevent Saddam from attacking Kurds in the north and Shiite Muslims in the south. Iraq, considering the zones an

infringement on its sovereignty, has tried to shoot down the planes patrolling them.

The coalition forces respond to Iraqi fire by attacking anti-aircraft sites and the communications and command networks that tie them together. There have been 43 such strikes this year, including four on Friday and Saturday.

Meanwhile, the Senate worked to pin down the language of a congressional resolution and was likely to begin debate Tuesday on a bill authorizing Bush to use military force if necessary to deprive Saddam of his weapons of mass destruction.

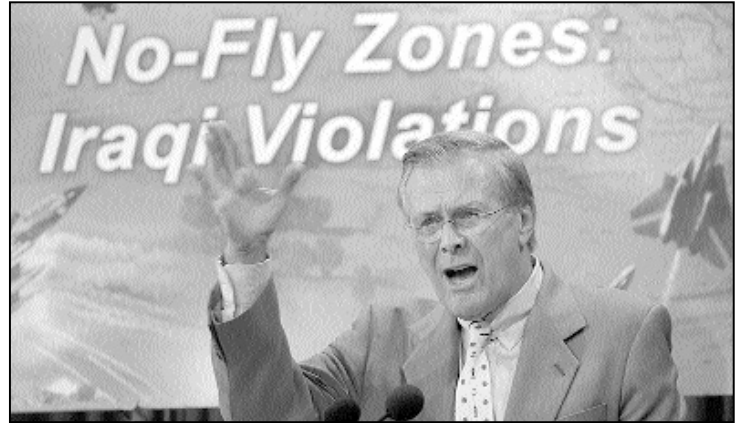
The Congressional Budget Office estimated Monday that it could cost the United States up to \$13 billion to deploy its forces to the Persian Gulf and up to \$9 billion monthly to wage war against Iraq. The current war in Afghanistan is costing about \$2 billion a month.

It also could cost up to \$7 billion to return U.S. forces and equipment back home, plus up to \$4 billion per month for a postwar occupation force, Congress' non-partisan budget analysts said in a report.

On the international front, the focus was on building support among Russia, France and China for a U.N. resolution authorizing force, White House spokesman Ari Fleischer said. All three hold veto power at the U.N. Security Council and are wary of the U.S. plan.

Secretary of State Colin Powell discussed the proposed U.S.-British resolution over the weekend and on Monday in telephone calls with U.N. Secretary-General Kofi Annan, European Union officials and seven foreign ministers.

All agreed U.N. inspectors should have unlimited access to search for hidden weapons and "the secretary was encouraged by the way things are going at this point," said State Department spokesman



Susan Walsh/Associated Press

Defense Secretary Donald H. Rumsfeld gestures during a Pentagon news conference on Monday to discuss the situation with Iraq. He criticized Iraq for continuing to fire on U.S. and British warplanes patrolling over two no-fly zones, saying the skirmishes are more evidence of Saddam Hussein's defiance of the international community.

Richard Boucher.

Meetings between the inspection team and Iraqi officials, designed to nail down plans for the return of inspectors, began in Vienna on Monday. Iraq said over the weekend that it would not comply with any new U.N. resolutions governing inspections, meaning inspectors would have to give the Iraqis notice before inspecting Saddam's sprawling presidential palaces.

"The meetings in Vienna are focused on the existing resolutions, which the world knows have not been honored," Fleischer said.

To make a stronger case against Iraq, Rumsfeld and other Bush administration officials have been discussing reported connections between al-Qaida and Iraq, although some officials privately acknowl-

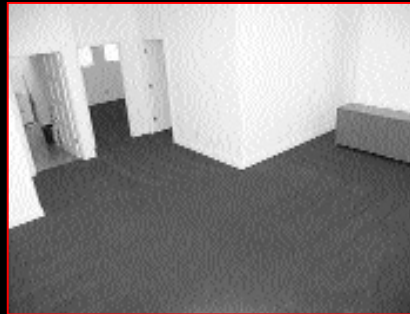
edge that intelligence on any high-level links is sketchy.

At least one al-Qaida operative is thought to be in Baghdad, but any direct ties to Saddam are unknown. Ahmad Hikmat Shakir, a 37-year-old Iraqi, may have gone there after being released from detention in neighboring Jordan roughly nine months ago, say U.S. government sources, speaking on condition of anonymity.

Shakir, whose name was first reported by Newsweek, is an associate of Ramzi Ahmed Yousef, who is in prison for masterminding the 1993 World Trade Center bombing. That bombing is not believed to be an al-Qaida operation, but Yousef later began working with al-Qaida operatives before his capture in 1995.

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INTERNATIONAL



Inspection talks test Saddam's pledge with U.N.

BY WILLIAM J. KOLE
Associated Press Writer

VIENNA, Austria — U.N. weapons inspectors demanded the right to roam freely around Saddam Hussein's palaces and other suspect sites when they opened talks with the Iraqis Monday on the logistics of a possible return to Baghdad.

Chief inspector Hans Blix, leading the closed-door meetings with an Iraqi delegation, said the inspectors were operating under the assumption they would be able to go anywhere, anytime if they return to Iraq for a fresh assessment of the country's nuclear, biological and chemical programs.

The dispute came to a head after the Bush administration repeatedly accused Iraq of blatantly violating U.N. resolutions requiring Baghdad to disarm. Washington threatened to unilaterally remove Saddam from power because more than a decade of international pressure had failed to win Iraqi compliance.

When President Bush made an impassioned plea for tougher U.N. action at the General Assembly last month, Saddam switched course and pledged unconditional access to sites across Iraq. But in recent days Baghdad has rejected any new U.N. resolutions to broaden and toughen the inspection regime. Iraqi resistance has thrown into question whether the eight sprawling presidential palaces — up to now off-limits to surprise visits — would be open to renewed inspections.

"We're telling the Iraqis we don't want any limitations on our access," a senior diplomat close to the talks said on condition of anonymity.

The issue of palace inspections and some other contentious matters would require amending the most recent U.N.-Iraq agreement on inspections. While the Vienna meetings have addressed those topics, a decision on changing the sanctions regime would have to be made by the U.N. Security Council once Blix reports back on Thursday.

Under a deal U.N. Secretary-General Kofi Annan cut with Baghdad in early 1998, the inspectors' access to eight so-called presidential sites encompassing a total of 12 square miles was restricted. The deal prevented inspectors from carrying out surprise visits to the sites, which include Saddam's palaces. The deal also created a team of international diplomats to accompany inspectors when they did enter.

The United States and the rest of the Security Council endorsed that plan,



Rudi Blaha/Associated Press

Head of the Iraqi delegation Amir Al Sadi, center, arrives on Monday at the IAEA's headquarters in Vienna for the afternoon session of the negotiations between representatives of the United Nations, the International Atomic Energy Agency (IAEA) and Iraq about the return of U.N. weapon inspectors.

which remains in effect. However, the Bush administration is pushing for a resolution that would nullify the Annan deal.

Iraqi Vice President Taha Yassin Ramadan, whose government denies it has weapons of mass destruction, has rejected any changes in the inspections regime.

"Our position on the inspectors has been decided and any additional procedure is meant to hurt Iraq and is unacceptable," Ramadan said Saturday.

Issues to be decided in the current talks focus on ensuring that Iraq will provide access to other so-called "sensitive sites."

"We are aiming to restore as much as possible the concept of 'any time, any place,'" said Mohamed El-Baradei, director-general of the International Atomic Energy Agency, where the nuclear inspectors are based and the talks are being held.

El-Baradei said the first day of talks took

place in a "businesslike atmosphere" in which the Iraqis "have been positive and coming with a desire to reach an agreement."

"The mood is good," he said. "We're making progress, but we still have a good deal of work to do."

Blix said the Iraqis and the U.N. experts were nailing down logistics such as where the teams will be based, their accommodations and security, and how samples would be taken out of the country for analysis. The talks wrap up Tuesday.

"The purpose of the talks is that if and when inspections come about, we will not have clashes inside" over what the inspectors will do, Blix said. "We'd rather go through these things outside in advance."

Access to suspect sites will be crucial in any comprehensive assessment of Saddam's arsenal, said IAEA spokeswoman Melissa Fleming.

"We have a lot of information. We have a lot of indicators. We have satellite photographs. But we don't have a presence on the ground," Fleming said.

Nearly four years ago, inspectors hunting for evidence of weapons of mass destruction withdrew from Iraq on the eve of U.S.-British airstrikes amid allegations that Baghdad was not cooperating with the teams.

The Bush administration, seeking to build support for an invasion of Iraq, has cast doubt on the inspectors' main requirement — that they be given freedom to examine whatever they wish, including Saddam's palaces.

That skepticism was restated Monday when White House press secretary Ari Fleischer said the Vienna talks "are focused on the existing (Security Council) resolutions, which the world knows have not been honored."

Blix, whose New York-based team handles the U.N. hunt for biological and chemical agents, was joined at the talks by Jacques Baute, head of the IAEA's nuclear team, and a midlevel Iraqi delegation.

The Iraqis were supposed to bring to Vienna a backlog of reports listing items they possess which could have military purposes, including the locations and current uses for those items. El-Baradei said the Iraqis promised to turn over the records Tuesday.

Though the Security Council still must give final approval to the mission, the inspectors are gearing up for a mid-October deployment, Fleming said. Both inspection teams have been preparing to leave from Vienna on Oct. 15, but the date could change, she said.

By the end of the 1991 Gulf War, IAEA assessments indicated Saddam was six months away from building an atomic bomb. Inspectors discovered the oil-rich nation had imported thousands of pounds of uranium, some of it refined for weapons use, and had considered two types of nuclear delivery systems.

Over the next six years, inspectors seized the uranium, destroyed facilities and chemicals, dismantled over 40 missiles and confiscated thousands of documents.

The United Nations imposed strict sanctions on Iraq after it invaded Kuwait in 1990. After Saddam's defeat in 1991, the U.N. imposed the inspections regime to disarm Baghdad. Lifting of sanctions was linked to certification that the country was free of weapons of mass destruction.

Tycoon flees China for U.S.; accuses partners of persecution

BY ELAINE KURTENBACH
AP Business Writer

HONG KONG — A Chinese tycoon fled to the United States and appealed to top leaders in Beijing for help, accusing his provincial business partners of "persecution," a magazine reported Monday.

Yang Rong, ranked by Forbes as China's third-richest businessman with wealth estimated at \$840 million, disappeared in June after his company, Brilliance China Automotive Ltd., announced it had replaced him as its chairman and chief executive amid reports of a conflict over control of the company's assets.

In an interview from a Los Angeles hotel with the Chinese-language magazine Yazhou Zhoukan, Yang said he left China fearing he would be detained by security officials in the northeastern province of Liaoning if he resisted government plans to take control of his stake in Brilliance China.

Brilliance China is the country's biggest minivan maker. Ten years ago, it became the first mainland

Chinese company to list on the New York Stock Exchange. It is also listed in Hong Kong.

Yang said he was considering filing a lawsuit against the government organizations that are his business partners in Brilliance China. He accused them of "persecuting" him and of not compensating him for his stake in the company.

"In 10 years, the government didn't give me a cent. I used my own assets and abilities," Yang told the magazine.

He said he wasn't expecting to get all his money back. "I am a patriotic businessman. I didn't work hard just for my own profit," Yang was quoted as saying. "I don't really care about losing the assets, I just want justice."

Yang denied reports by Chinese and foreign media that he was under investigation for financial irregularities.

Although his businesses are based in mainland China, Yang said he has held permanent residency in Hong Kong since 1990. He said his wife and children are U.S. citizens, and that he holds a "green card" enabling him to stay in the United States.

The magazine said Yang was appealing to top leaders in Beijing for help.

Staff at the Brilliance China office in Hong Kong declined comment on the report. Offices in mainland China were closed Monday for a national holiday.

The sudden removal of Yang, who remains a director of Brilliance China, raised worries over plans for a joint venture with German group BMW to make luxury cars, although in July the companies announced the venture had won government approval.

The ruckus over Brilliance China is typical of the confusion surrounding the ownership structures and management of many mainland Chinese companies.

Brilliance China was set up in 1992 to hold a 51 percent stake in Shenyang Automotive, a Sino-foreign joint venture located in the northeastern province of Liaoning that is the country's largest maker of minibuses.

According to the company's Web site, the Chinese Education Development Foundation, an organization under the central bank, holds a controlling 39.4 percent stake in Brilliance China. Public shareholders own 56.9 percent and the company's directors own the remaining 3.7 percent. The value of Yang's own share was not available.



SPORTS

Mexican billionaire interested in buying Angels

BY WILL WEISSERT

Associated Press Writer

MEXICO CITY — A Mexican billionaire who owns one of his country's most successful baseball teams is interested in buying the Anaheim Angels from The Walt Disney Co.

Before the Angels traveled to New York to face the Yankees in the franchise's first playoff appearance since 1986, Carlos Peralta went from Mexico City to Los Angeles last week to discuss a possible bid, team spokeswoman Trish Penny said Monday.

Peralta watched part of Sunday's game between the Angels and the Seattle Mariners from a luxury box at Anaheim's Edison Field and met with team officials, Penny said.

"We've only had a few potential buyers like this one," Penny said. "With the playoffs and everything, we are trying to keep this low key."

Tim Mead, the Angels vice president of communications, said in New York that any discussions regarding a potential purchase of the Angels "is going to be done on

a corporate level."

Cuahutemoc Rodriguez, president of the Tigres de Puebla, the Mexican baseball team Peralta owns, did not travel to the United States and would not discuss the trip Monday.

But he told Mexico City's Reforma newspaper last week that Peralta could pay between \$170 million and \$200 million for the Angels.

Peralta was traveling and unavailable for comment Monday.

He is chairman of Industriales Unidas, a consortium of manufacturers of electrical sockets, shoes and armored paneling for cars. Affiliated companies also make tequila, pagers and cell phones, as well as publish sports magazines and own hospitals and corporate real estate.

Last year, Peralta sold his family's stake in Iusacell, a multinational telecommunications company, for close to \$1 billion. Forbes Magazine recently listed him as one of the 40 richest people in the world, reporting his worth at an estimated \$1.3 billion.

Major league rules don't prohibit foreigners from owning teams. The Mariners' owner, Hiroshi Yamauchi,

lives in Japan and is president of Nintendo Co Ltd.

Peralta's Tigres franchise was based in Mexico City until last season, when it moved 65 miles southeast to the city of Puebla. Team officials say the venue change generated more than \$1 million in new profits for a team that has had one of Mexican baseball's highest regular-season winning percentages over the last decade.

The Tigres advanced to the Mexican world series this year but lost the seventh and deciding game to Mexico City's Diablos Rojos.

Disney first bought a share of the Angels in 1996 and has been trying to sell the team for several years, even as it spent \$100 million renovating Edison Field and millions more on players.

Last week, Disney hired the New York-based investment firm Lehman Brothers to search for possible buyers for the Angels and its NHL's Anaheim Mighty Ducks.

The Angels reported an operating loss of \$9.6 million before revenue sharing last season, according to figures released by major league baseball. Disney says it has lost as much as \$16 million a year on the team.

Dodgers fall short despite best season since 1991

BY JOHN NADEL

AP Sports Writer

LOS ANGELES — Usually, 92 wins mean a playoff berth.

Not this year.

The Los Angeles Dodgers went 92-70 — the same record the Arizona Diamondbacks had before winning the World Series last season.

But for the sixth straight year, the Dodgers will be watching rather than participating when postseason play begins Tuesday.

"Ninety wins are usually enough," outfielder Marquis Grissom said. "This is one of those years where you needed more."

The Seattle Mariners and Boston Red Sox were in the same boat.

"The hollow part, the disappointing part, is knowing that we had a season like that and came up short," second-year manager Jim Tracy said.

The Dodgers surpassed expectations, especially considering the number of injuries to starting pitchers, causing Tracy to use relievers Giovanni Carrara and Kevin Beirne in that role during the final week when the team was still in contention.

"The season wasn't bad, but we're dis-

appointed," second baseman Mark Grudzielanek said. "We should have been better off than we were."

But they're not, even though they would have happily taken 92 wins when the season began.

Things really looked grim when the Dodgers were outscored 24-2 while being swept by the San Francisco Giants in their first three games.

It wasn't long, however, before the Dodgers were providing positive answers to several questions.

— Eric Gagne, who entered the season as a struggling part-time starter without a save in his career, became a dominating closer who finished with a whopping 52 saves in 56 chances.

"This year we were hoping we could do well," Gagne said. "Now, we know we can win."

— Odalis Perez, a 24-year-old left-hander who came to the Dodgers with Brian Jordan in the offseason trade for Gary Sheffield, became a solid starter, going 15-10 with a 3.00 ERA. Perez arrived with an 11-15 record and 5.38 ERA in four seasons with Atlanta.

"I'm not surprised," he said. "I came to a team where I got the opportunity to go

out there every five days. This was a breakout year, I'm very excited about next year."

— Hideo Nomo, who figured as a fourth or fifth starter after signing a free agent contract last winter, went 16-6 with a 3.39 ERA — his best year by far since 1996.

— Kazuhisa Ishii started 10-1 and wound up with 14 victories in his rookie season after pitching 10 years for the Yakult Swallows in Japan. He was hit in the face by a line drive Sept. 8 and didn't pitch again.

— Dave Roberts and Marquis Grissom combined to do an excellent job in center field and at the leadoff position, where the Dodgers had been weak for years.

— And Alex Cora and Cesar Izturis, who shared the shortstop duties, gave the team its best play at that position in several years.

The Dodgers, who led the NL West with a 54-34 record at the All-Star break, began the second half by losing 10 of 12.

They were still in pretty good shape before losing nine of 12 to fall behind the Giants for good in the wild-card race with 10 games left.

The Dodgers rebounded to win six of

seven, but the Giants won seven straight to eliminate Los Angeles from contention on the next-to-last day of the season.

"We haven't lost, the Giants have won," Tracy said. "There's a difference."

When it was over, the Dodgers had their best record since going 93-69 in 1991.

Shawn Green followed up his 49-homer, 125-RBI performance of last year with 42 homers and 114 RBIs.

And Jordan had a terrific September, hitting .347 with a big league-leading 30 RBIs.

Opening-day starter Kevin Brown, who signed a seven-year, \$105 million contract before the 1999 season, was limited to 10 starts because of injuries.

And Darren Dreifort, who signed a five-year, \$55 million contract before last season, hasn't pitched since blowing out his pitching elbow in June 2001.

The Dodgers hope both will be back and healthy next year.

"This is the best team I've been a part of," Green said. "We have a lot more pieces to the puzzle figured out than a year ago. Now, it's just a little tweak here, a little tweak there. And staying healthy."

Kobe Bryant, Shaquille O'Neal mull Olympic service

BY BETH HARRIS

AP Sports Writer

EL SEGUNDO — Kobe Bryant said Monday he might be willing to play in the 2004 Olympics, while Shaquille O'Neal said he would suit up only if Phil Jackson is the U.S. coach.

Bryant and O'Neal said they watched the U.S. team finish sixth in the World Championships in August in Indianapolis.

O'Neal played on the gold medal-winning team in the 1996 Olympics. He kidded that George Karl, the coach at the World Championships, cost the Americans their winning streak. But if Jackson ran the show in Athens, O'Neal said he would like to be on the team.

"Then, yeah, I would," he said.

Bryant was impressed with the Yugoslavian team that won the title.

"It says a lot about European basketball and how you really have to take it seriously now because they were out there running pro sets," Bryant said. "We're just going to have to bounce back."

Bryant was criticized for not playing this summer. He also bypassed the 2000 Olympics.

"They can take all the shots they want but you have to know what's important to you. My family is more impor-

tant to me," he said. "My wife is expecting a child and you want me to go and play in the Olympics and the world games this summer, I'm not going to do it."

But might he play in Athens?

"I would say so," he said. "We'll cross that bridge when it gets here."

Bryant showed up for media day 15 pounds heavier, with much of the muscle on his chiseled upper arms. Part of his workout routine involved boxing, although he said he didn't allow his sparring partner to take any shots at his head.

"The goal was to just get stronger," he said. "This summer I was completely healthy, so I was able to push myself pretty hard."

Even O'Neal was impressed with Bryant, who worked out up to four times a week at the Lakers' practice facility. "He looks fabulous," O'Neal said. "Kobe's always been a workaholic."

O'Neal came back to camp looking considerably slimmer for the first time in recent years.

"I didn't change anything," he said, "just stayed out of trouble."

O'Neal had surgery on his arthritic right toe Sept. 11 and is expected to miss all of training camp, which begins Tuesday. His rehabilitation most likely will extend into the season, which begins Oct. 29.

"I can't do anything right now," he said. "Once I'm

able to run around, I'll run and jump on it and then I'll be able to determine when I can come back."

O'Neal said his toe is stiff, but he hasn't experienced pain since the day after the surgery.

A beaming Bryant eagerly shared the news that his wife, Vanessa, is expecting a daughter in February. "Beautiful, isn't it?" he said, grinning.

The Lakers will be going for a fourth consecutive NBA championship, which hasn't been done since the Boston Celtics in the 1960s.

"There's nothing else to do but that," Bryant said.

He provided three reasons why the Lakers want to win it all again: to break Jackson's tie with Red Auerbach at nine titles; to do something that hasn't been done in 36 years; and to honor the late Lakers announcer Chick Hearn.

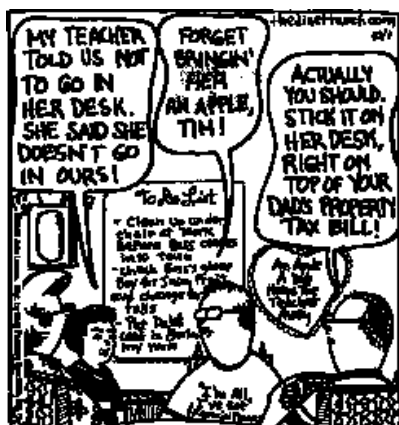
"That's a good, doable goal," O'Neal said. "However, I don't think we should talk about that right now. We have to set our goals one month at a time. I'm sure by March or April we should be able to tell if we have what it takes to do it again."

Jackson missed media day because he underwent an emergency tooth extraction. He was expected to rejoin the team.

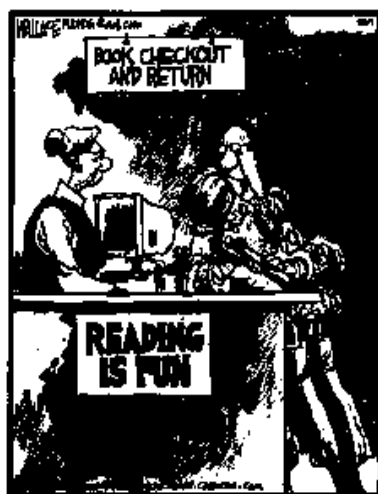
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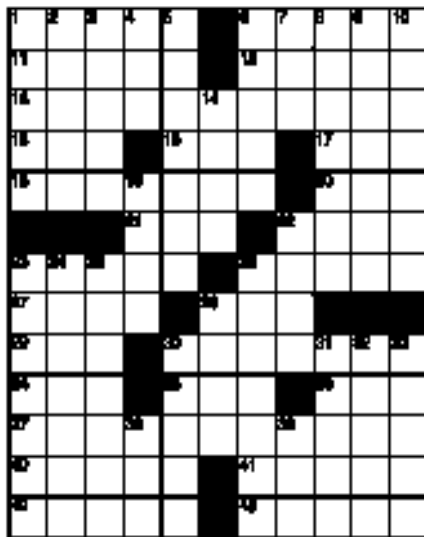
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Hospital with unusual collection tactics

• Tucson (Ariz.) Heart Hospital was cited in June by the state Department of Health Services for having illegally locked its emergency room from the inside, and employees told an Associated Press reporter that that was to prevent patients from leaving before payment had been arranged (although a hospital vice president denied that).

• Samuel Greenbaum, 58, one of five "mohels" in the Detroit area (qualified to conduct the Jewish circumcision ritual), was charged with DUI after being stopped on June 18 on his way to perform his craft on a boy in West Bloomfield Township. He told police he was en route from another circumcision, at night he had had a couple of glasses of wine, but felt (despite failing a Breathalyzer test) that he was alert enough to wield the scalpel-like instrument.

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OKTOBERFEST!!! SAT. Oct 5th, 5pm. Presented by The Santa Monica Moose Lodge #702. Traditional German Cuisine and Draft Beer, Chicken Bingo, Music.Membership Drive, Open to the Public. \$10.00 For Info Call (310)-452-3702

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Calendar

Tuesday, October 1, 2002

movies

Loews Broadway Cinema
 1441 Third St. at Broadway
 The Tuxedo (PG-13) 12:15,
 1:30, 2:45, 4:00, 5:15, 6:30,
 7:45, 9:00, 10:15, 11:30. Igby
 Goes Down (R) 12:00, 1:15,
 2:30, 3:45, 5:00, 6:15, 7:30,
 8:45, 10:00, 11:15.

Mann Criterion
 1313 Third St.
 Sweet Home Alabama (PG-13)
 11:00, 11:30, 1:40, 2:15, 4:30,
 5:00, 7:10, 7:50, 10:00, 10:30,
 12:15. The Banger Sisters (R)
 11:10, 12:00, 1:50, 2:40, 4:40,
 5:10, 7:15, 7:45, 9:50, 10:20.
 The Four Feathers (PG-13)
 12:15, 3:30, 7:00, 10:15. My Big
 Fat Greek Wedding (PG) 11:40,
 2:10, 4:50, 7:20, 9:45, 12:15.

AMC Theatre SM 7
 1310 3rd Street
 Ballistic: Ecks vs. Sever (R)
 12:50, 3:10, 5:30, 7:00, 8:00,
 9:30, 10:20. Barbershop (PG-
 13) 12:30, 2:50, 5:10, 7:40,
 10:15. City by the Sea (R) 1:55,
 4:45, 7:30, 9:55. Just a Kiss (R)
 1:30m 3:40, 5:55, 8:10, 10:30.
 Signs (PG-13) 1:00, 4:30, 7:15,
 9:50. Swirlman (PG-13) 1:45,
 4:15. Trapped (R) 1:15, 4:00,
 7:10, 9:45.

Landmark Nu-Wilshire
 1314 Wilshire Blvd.
 Moonlight Mile (PG-13) 10:30,
 1:15, 4:00, 7:00, 10:00. Mostly
 Martha (PG) 1:30, 4:15, 7:00,
 9:30.

Laemmle Monica
 1332 2nd St.
 The Good Girl (R) 1:00, 3:15,
 5:30, 7:50, 10:10. The Man from
 Elysian Fields (R) 12:00, 2:30,
 5:00, 7:40, 10:10. Secretary (R)
 12:00, 2:30, 5:00, 7:35, 10:05.
 Spirited Away (PG) 1:00, 4:00,
 7:00, 10:00.

Aero Theatre
 1328 Montana Ave.
 The Kid Stays in the Picture (R)
 1:30, 3:30, 5:30, 7:30, 9:30.

Today Community

The Westside Walkers, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Westside Walkers meet Tuesdays and Thursdays, from 8 a.m. To 10 a.m., at Westside Pavilion, Pico Blvd. Between Overland Ave. and Westwood Blvd. In West LA. For more information about the program, call (800)516-5323.

The Santa Monica Moose Lodge #702 proudly presents: OKTOBERFEST! on Saturday October 5th beginning at 5pm. There will be traditional German Cuisine and Draft Beer, Chicken Bingo, Games, Music and more! This membership Drive is open to the public. \$10.00 for dinner and beer. For more information call (310)452-3702

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet

from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Music/ Entertainment

Rusty's Surf Ranch, 256 Santa Monica Pier. Walls and ceilings are lined with one of the area's largest collections of pre-1970's surfboards. Cover varies. Full bar. All ages. (310)393-7386.

The Joint, 8771 W. Pico Blvd., W. LA. One of the most exotic rooms in the local rock-facility pantheon. Pizza. Cover \$10 - \$5. Full bar. Over 21. (310)275-2619.

LUSH 2020 Wilshire Blvd., Santa Monica. Three bars, plenty of booths, sofas, leopard-print carpet and a sunken dance floor. Mexican grill serves dinner after 5 p.m. Full bar. Over 21. Cover \$5 - Free. (310)829-1933.

Anastasia's Asylum, 1028 Wilshire Blvd., Santa Monica. Board games, cushiony

sofas, a full veggie menu, juices, teas, and coffee that grows hair on your chest. No cover. (310)394-7113.

Wednesday Community

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Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St.

and Broadway Ave. in Santa Monica.

Music/ Entertainment

Anastasia's Asylum, 1028 Wilshire Blvd., Santa Monica. Board games, cushiony sofas, a full veggie menu, juices, teas, and coffee that grows hair on your chest. No cover. (310)394-7113.

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Cara Rosellini hosts The Gaslite's Comic Review, followed by open-mic comedy karaoke, at The Gaslite, 2030 Wilshire Blvd. 7:30 p.m. FREE! (310)829-2382.

Calendar items are printed free of charge as a service to our readers. Please submit your items to todaypaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor. The Daily Press cannot be held responsible for errors.

KEEP YOUR DATE STRAIGHT

Promote your event in the Santa Monica Daily Press Calendar section. Fax all information to our Calendar Editor:

Attention Angela @ 310.576.9913



BACK PAGE

Food companies switch fats in face of changing tastes

BY DAVID KOENIG

AP Business Writer

DALLAS — Dr. Sarah Blumenschein sees a pattern in the overweight children who come to her clinic: They snack more often and they eat out more often — especially at fast-food restaurants.

"The kids don't realize the high calorie and fat levels in fast food," said Blumenschein, a pediatric cardiologist at the University of Texas Southwestern Medical Center at Dallas. "The marketing of fast food has been very clever."

She applauds the recent announcements by McDonald's Corp. and Frito-Lay Inc. that they will reduce a particular form of fat in making french fries and chips.

But she and other medical experts said the move was overdue, and they plan to keep pressing the U.S. food industry to do more to reduce fat, not just substitute one for another.

"Trans fat is a no-brainer. They should have done this a long time ago. We've known about trans fat for 30 years," said Marion Nestle, a professor of nutrition at New York University and author of "Food Politics," a critical look at the food industry's influence.

McDonald's says its fried foods will contain half as much trans fatty acids as before, while Frito-Lay plans by early next year to switch cooking oils to eliminate trans fats, which have been linked to elevated levels of bad cholesterol and a higher risk of heart disease.

Nestle expects other food companies to follow the lead of McDonald's and Frito-Lay because of a proposal by the Food and Drug Administration to require warning labels on food containing trans fats.

An FDA spokeswoman said the agency expects to issue a final rule requiring the labels early next year. Companies would probably have a year or more to comply.

"Once those labels go on, trans fats are history," Nestle said.

And the fight would probably switch to overall fat levels. The food industry's critics blame fatty snacks and fast

food for an increase in obesity — 60 percent of Americans are overweight, and 300,000 die each year from related illnesses, according to the surgeon general. They say fat-rich diets have led to children developing a type of diabetes that used to be associated only with adults.

Food makers say they offer products for people who want less fat, and it is up to individuals to watch what they eat.

"The problem is, people tell you they want healthier food. And then they go out and order a plate of cheese fries with gravy."

— JOHN FAUCHER
J.P. Morgan analyst

"There are no good foods and bad foods. It's about the totality of what you eat," said Rocco Papalia, Frito-Lay's senior vice president of technology.

Frito-Lay is also expanding its lineup of reduced-fat chips and has hired a Dallas doctor and fitness advocate to develop nutrition and exercise messages on packages.

Walt Riker, a spokesman for McDonald's, said the chain's average customer visits only two or three times a month. He said it would be unfair to blame the restaurants if some customers are overweight.

"There are a lot of choices on the menu. We have salads," Riker said. "It's very basic food. It's quality food."

McDonald's had a flop with its lower-calorie McLean

burger a few years ago but says fruit yogurt is a hit now. About 20 percent of Frito-Lay's sales come from pretzels and baked and reduced-fat chips, and Papalia said that could rise to one-third of sales in a few years.

John Faucher, an analyst with J.P. Morgan, said Frito-Lay would, at best, enjoy a brief increase in sales from the new lines of lower-fat chips.

"The problem is, people tell you they want healthier food," he said, "and then they go out and order a plate of cheese fries with gravy."

McDonald's and Frito-Lay say the timing of their decisions to reduce or eliminate trans fatty acids had nothing to do with fear of lawsuits or the FDA's proposal on labeling trans fats. They compared it to switching from animal fats to vegetable oil for cooking more than a decade ago once the health benefits became clear.

The lawsuits against McDonald's, Burger King, Wendy's and KFC have been ridiculed by those who say fat people have only themselves to blame. The first lawsuit was filed in July by a 56-year-old, 5-foot-10, 272-pound New Yorker with a history of heart attacks, diabetes and high blood pressure.

"It's easy to argue that Caesar Barber is responsible for his own obesity. It's harder to argue that with 8- or 9-year-old kids," said John Banzhaf, a law professor at George Washington University who is advising Barber's lawyer. The lawyer's other plaintiffs are two teen-agers.

Banzhaf, an anti-tobacco crusader who is turning his gaze to the food industry, proposes requiring fast-food restaurants to post calories and fat content of menu items on the big signs above the counter. He also hints at lawsuits against schools that continue to sell soft drinks and junk food in vending machines.

Analysts generally do not see the lawsuits yet as a threat to the companies.

"The idea of suing McDonald's because you're obese is absolutely ridiculous. Just don't eat the stuff," said Jeff Kanter, an analyst who tracks food companies for Prudential Securities.

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