

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

27, 19, 32, 8, 30

DAILY 3

Afternoon picks: 4, 8, 4

Evening picks: 7, 6, 5

DAILY DERBY

1st Place: 12, Lucky Charms

2nd Place: 5, California Classic

3rd Place: 11, Money Bags

Race Time: 1:41.90



NEWS OF THE WEIRD

by Chuck Shepard

According to a June police report in the Herald-Dispatch of Huntington, W.Va., a 19-year-old man drove from Greenwich, N.Y., to Huntington to meet for the first time a 17-year-old girl he had been "chatting" with over the Internet, to persuade her to return to New York with him. Her mother refused to let her go. The man walked away, "intentionally banged his head on the door frame of his car and fell to the ground, unconscious." He was taken to Cabell Huntington Hospital.



QUOTE OF THE DAY

"Some people are always late, like the late King George V."

— Spike Milligan



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John Wood/Daily Press

Mark Robinson, owner of Boffi Los Angeles on Fourth Street, showcases a \$40,000 kitchen. An enclave of design showrooms have cropped up in downtown Santa Monica.

Santa Monica: The new 'designer city'

Enclave of design studios developing in downtown SM

BY JOHN WOOD

Daily Press Staff Writer

In the past two years, many of the biggest names in high-end home and office design have opened showrooms in downtown Santa Monica, while others are preparing to make the move.

Designers say they like the sea breeze, big windows and wide, pedestrian-friendly streets downtown. But more importantly, they said they chose Santa Monica because of its design culture, which dates back to the 1920s art deco

buildings downtown, and the work of famous local architects like Frank Gehry and Thom Mayne.

What's evolved is an enclave of designer showrooms mainly clustered on streets around the Third Street Promenade, but reach all the way east to 20th Street and south onto Main Street.

Names like Vitra, Design Within Reach and Boffi — where one can buy a \$28,000 limestone bathtub — have recently joined local veterans such as Highlights, Dormire, the ICF Group and Knoll.

And more, like Steel Case, are on their way.

"The areas off the Promenade

See related story on page 3

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Homeless man gets \$275,000 settlement

He sued City Hall for more than \$1M after the accident

BY JOHN WOOD

Daily Press Staff Writer

City Hall has agreed to give \$275,000 to a homeless man who was run over by a tractor on the beach last year.

The payment is part of a settlement stemming from a lawsuit filed against City Hall by Richard Murphy, a 33-year-old transient.

The tractor hit Murphy while he slept on the sand last July. His medical bills amounted to \$35,000 for injuries, including a fractured hip and complications that forced him to wear a catheter, said his attorney, Robert Skillin.

In addition to the medical bills, Murphy claimed the accident caused him emotional distress and pain and suffering, which account for the other \$240,000. Skillin declined to say how much he received in attorney fees.

Murphy, who is fully recovered, currently lives in a Culver City hotel. But now that the case has been settled, he plans to leave Los Angeles.

"He's an intelligent guy," Skillin said. "He has a plan. He wants to go to Hawaii."

The driver of the tractor, who was combing the beach for litter and other debris, said he didn't run over Murphy but instead hit a utility pole while turning the machine around. He said he didn't see Murphy, but when he heard the pole break, he stopped and discov-

ered it had fallen on Murphy, who was lying in the sand near life-guard tower No. 12, north of the Santa Monica Pier.

Deputy City Attorney Tony Serritella said City Hall settled the case before it went to court despite the conflicting versions of events.

"It didn't really matter because it happened during the daytime and the city would be liable one way or another," he said.

"He has a plan.

He wants to go to Hawaii."

— ROBERT SKILLIN
Attorney

After the accident on July 15, 2002, Murphy, who is from the Midwest, was hospitalized and underwent surgery. And despite that he has fully recovered, Murphy had ongoing problems with urine retention for months, Serritella said.

The two lawyers fashioned a compromise in July and the Santa Monica City Council formally approved the settlement last week. Murphy couldn't be reached for comment.

Serritella said there was no precedent for this type of lawsuit against City Hall and calculated the settlement amount based on how much a jury might have awarded Murphy if the case went

See SETTLEMENT, page 5

Spears doesn't have to show in Santa Monica court

But her 'stalker' does

By The Associated Press

Britney Spears doesn't have to appear at a hearing next week to seek a permanent order to keep an alleged stalker away, a Santa Monica has judge ruled.

Superior Court Judge Alan Haber also ruled that Spears can

skip a question-and-answer with the lawyer for Japanese businessman Masahiko Shizawa.

"I don't think (ordering her appearance) would add up to anything but additional harassment," Haber said.

The judge also told Shizawa's attorney, Simon Robert Hiller, that the evidence shows his client "has been stalking and harassing Spears

for a considerable amount of time." But he said he'd keep an open mind for the Oct. 7 hearing on Spears' request for a permanent injunction.

"She doesn't want to come to court and substantiate or back up her statements," Hiller said after the hearing. "It's hard to have a fair hearing when your client is innocent. He's the one being harassed in a sense."

He said his client was "definitely a fan," who has sent the 21-year-old pop star letters and e-mails, but has never been on her property.

Shizawa, 43, has had no contact with Spears since last October, Hiller said. Spears claims that the Yokohama, Japan, native has called and sent faxes several times in the past five months.

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JACQUELINE BIGAR'S STARS

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

★★★★★-Dynamic ★★★★★-Positive ★★★★★-Average
★★-So-so ★-Difficult

HAPPY BIRTHDAY for Wednesday, October 1, 2003:

You have a unique opportunity to make waves in others' lives. Your ability to express yourself in a meaningful manner and help others via your dynamic thinking marks your year. You are in the midst of completing a cycle that began about 10 to 11 years ago. You might find it important to let go of something or someone who no longer works in your life. Emphasize security and communication this year. If you are single, use care screening the people you meet. Not everyone will be what he or she seems, especially this year. You might have a sequence of very intense love affairs. Trust that "the one" will come along in late 2004. If attached, loyalty will be very important to the quality of your relationship. Frequent getaways together will revitalize your tie. SAGITTARIUS loves to be with you.

ARIES (March 21-April 19)
★★★★★ Search for answers, and they will appear. Meetings take an unusual turn, leading in new directions. Remember, you like the dynamic flow of events. Your fiery leadership helps others back what appears to be a great idea. Tonight: Could be a late night, as you opt to work till the wee hours.

TAURUS (April 20-May 20)
★★★★★ Review a personal matter carefully, understanding what needs to happen within a partnership. Develop stronger plans, and flex with a dynamic work situation. Without realizing it, you hit a home run because of your positive attitude. Tonight: Be a duo and make your sweetie happy.

GEMINI (May 21-June 20)
★★★★★ Others seek you out, putting you in the position of decision-maker. Within your immediate circle, you make a big difference, as you appear to see beyond the obvious. Others admire that ability, and as a result, they defer to you. Tonight: Join friends at your favorite haunt.

CANCER (June 21-July 22)
★★★★ All work and no play highlights your agenda right now. The plus remains that you will feel good when the day is over and you can relax. Make plans for a total change of pace and environment in the near future. Recharge your energy through a walk or some form of exercise. Tonight: Get a good night's sleep. You'll need it.

LEO (July 23-Aug. 22)
★★★★ You might want to change your course. Consider the confusion around you and start asking more direct questions. If you evaluate what has come down the pipe, especially with one particular person, you will know which way to head. Tonight: Romp the night away.

VIRGO (Aug. 23-Sept. 22)
★★★★ Stay anchored in your dealings. You might not appreciate what is happening with a co-worker. Know what you want and go for exactly that. You will discover that someone has a very direct way of dealing with others. Tonight: Happy at home.

LIBRA (Sept. 23-Oct. 22)
★★★★★ It really won't make a difference how you say it; confusion will mark your communications. You could find a different way of handling a personal matter. As a result, everything will fall into place. Be more direct in general. Tonight: At a favorite spot.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ Your expenses go way overboard. You know what you're doing and how to do it. Laughter helps ease a touchy situation involving family or a domestic issue. Your fiery ways sometimes intimidate those around you. Tonight: Spice up a relationship.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ You're all smiles as you greet others. Be aware that someone close could be having difficulty expressing his or her message. Help this person by being more spontaneous and creative. Doors open. All you need is to walk through them. Tonight: Just be your happy-go-lucky self.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ Review a personal matter more carefully before you decide to make a decision. This very same approach works wonders professionally. Investigate alternatives that might feel more appropriate or viable. Tonight: Take your time.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Remain open to new information. Your creativity takes you in a new direction. Friends give you worthwhile input, and others help investigate alternatives. This combination proves to be a surefire winner. Tonight: Happy as a clam.

PISCES (Feb. 19-March 20)
★★★★★ Your drive and fire put you in the winner's circle. Others appreciate your leadership and fun nature. You need to make a statement to help associates who aren't as clear as you are. How you relate could make all the difference in the end results. Tonight: A force to be dealt with.

Santa Monica Daily Press

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LOCAL



COMMUNITY BRIEFS

Walk designed around downtown studios

By Daily Press staff

Santa Monica is becoming the mecca for home and design stores. To prove it, downtown officials want you to take a walk around.

The Santa Monica Design District is hosting the first annual "Design Walk" on Thursday from 9 a.m. to 9 p.m. The public walk will highlight 10 area design studios specializing in modern design for the home and office, as well as two stores devoted to books on the arts and architecture.

"Santa Monica is the new hub for design studios," said Amelia Dalgaard, area manager for Design Within Reach. "Many of us found ourselves literally hand-drawing maps for our customers of other cool places to shop in the area for home and office design services and products. Out of that came the Design District and the Design Walk to acquaint our customers and other shoppers with all of the great design resources Santa Monica has to offer."

Santa Monica Design District members include Arcana Books, Boffi Los Angeles, Design Within Reach, Dolce Dormire, Eames Office Gallery, Functions, Hennessy + Ingalls Books, Highlights Lighting, In-Ex, Knoll, Shelter and Vitra.

Visitors to the fall open house will receive a "Design Walk Passport" and map. They are invited to visit each showroom and store for refreshments and to view all of the collections. A passport stamped at all 12 featured design spots qualifies Design Walk participants for one of 12 prizes. Passports and maps may be picked up at any of Design Walk's participating businesses.

Each location will have on display Charles and Ray Eames' interlocking "House Of Cards" pieces. The original cards were designed in 1952 as a child's toy. For Design Walk, the cards will be used as the building blocks for a creative execution of the theme, "What is a Home," by 12 elementary through high school classes from Santa Monica schools.

Design Walk is sponsored by Interior Design Magazine, Metropolitan Pacific, the Santa Monica Convention and Visitors Bureau, and the Bayside District Corp. Santa Monica-based artist John Van Hammersveld, who designed the poster for "Endless Summer," created the artwork for the Design Walk.

The Bayside District Corp. is a nonprofit entity created by City Hall to manage the daily operations of downtown Santa Monica and the Third Street Promenade.

Metropolitan Pacific is a Santa Monica-based commercial real estate company. Design Walk participants:

Arcana Books On The Arts
1229 Third Street Promenade
Boffi LA
1344 Fourth St.
Design Within Reach
332 Santa Monica Blvd.
Dolce Dormire
1345 Fourth St.
Eames Office Gallery
2665 Main St.
Functions
1454 Lincoln Blvd.

Hennessy + Ingalls
214 Wilshire Blvd.
Highlights Lighting
2427 Main St.
In-Ex
1431 Colorado Ave., # B
Knoll Inc.
214 Wilshire Blvd., # 200
Shelter
1433 Fifth St.
Vitra
1327 Fifth St.

Have a healthy weekend

By Daily Press staff

Get healthy this weekend on the Third Street Promenade.

The Chamber of Commerce is hosting the fall health festival on Saturday from 10 a.m. to 2 p.m., between Wilshire Boulevard and Arizona Avenue.

Many Chamber businesses will be providing free consultations, screenings, exams, advice and products. Show up for a massage, spinal alignment, eye screening, skin analysis and more. The event is family-oriented and kids can visit the police and fire department booths.

surf report

Today expect a slow drop in our mix of S swell, inconsistent SW swell and our background local wind swell. Most spots will continue to see knee- to waist-high waves.

OUTLOOK: Things are warming up into the weekend. Some WNW will hit our winter spots and it looks like some double-love juice from the S, too. Tune in tomorrow for more details.

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

Today the water is:

65°

Sunrise: 6:45 a.m.
Sunset: 7:03 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	4:21	0.4	4:56	0.1	10:33	6.0	11:05	5.2
SUNDAY	4:53	1.0	5:48	0.0	11:07	6.1	N/A	N/A
MONDAY	5:26	1.6	6:49	0.1	12:01	4.5	11:46	6.1
TUESDAY	6:02	2.2	8:04	0.3	1:11	3.9	12:31	5.9
WEDNESDAY	6:47	2.8	9:37	0.3	2:54	3.4	1:32	5.6
THURSDAY	8:17	3.3	11:07	0.1	5:18	3.5	2:57	5.3
FRIDAY	10:39	3.3	N/A	N/A	6:40	3.9	4:35	5.2

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The Q-Line

With less than a week left before the state's historic recall election, gubernatorial candidates are coming out strong on their positions. While many have made up their minds already, there are still a lot of Californians on the fence on who they are going to vote for.

This week, Q-Line wants to know,

"What is the deciding factor for you in the election?"

Call (310) 285-8106 with your response 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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LETTERS

SMC spinning out of control?

Editor:

The publicly elected SMC Board of Trustees continually proclaim, "It's about the students." Yet one of the most troubling aspects of recent votes by the board is the damage done to the SMC students. Any belief students may have had in the values of democracy have been shattered after observing the board's performance.

While these same board members blithely mouth their concern over students' low voter turnout and involvement in the democratic process, how can this board have any doubt that its actions and inactions teach our students anything except that the process is rigged, that corruption, even when brought to light, dominates the American democratic process, and that individual action does not matter? Can students fail to learn that only those interested in milking the system for self-aggrandizement or personal advantage are interested in participating?

But the college board is right about one thing — it is about the students. SMC belongs to them. SMC belongs to the students, the community that paid for it, and those who built its reputation. CSEA (the classified staff union) believes that the law has a meaning beyond mere words — that looking the other way while the current administration knowingly makes misstatements is the mark of failure, and that hiding a mountain of ethical and financial missteps behind a legitimate budget crisis is evidence of moral decay. The union also believes that keeping quiet and not questioning is not the natural order — win or lose, it is far better to take a stand than to wring your hands, and say and do nothing.

When associated student presidents and student trustees have confided their disbelief, despair and rage at having been misused, misled, manipulated and discounted by the administration and the college board, and ask us why, and what to do, and how to proceed, we counsel perseverance. We advise them that capitulation never succeeds — that in all times and in all places the same conflict between honor and dishonor plays itself out. We appreciate that the purpose of youth is to remind us elders of the values we may have left behind and to inspire us to regain our better selves.

The board can demand truthful answers from their administration. It can take a stance on behalf of students by saying "not acceptable" to the administration's rationalizations for acts of cowardice, race baiting, ineptitude and misinformation. We hope that the SMC Board of Trustees can be inspired to embrace their better selves, to truly take an action that lives up to traditional values, to change direction. Otherwise, despite the best efforts of Santa Monica College staff, its students, faculty and the

community, Santa Monica College is on a course it may never fully recover from — a downward spiral that this administration, with the current board's brazen approval, has set in motion.

Phil Hendricks

President Classified School Employees Association, Chapter 36
Santa Monica College



No good choice for governor leaves Davis by default



INCITES

By Ed Silverstein

The California recall election is just days away. And, while I'm sure that there is one good candidate among the 135, it is not one of the leading contenders.

Arnold Schwarzenegger has adopted the Bush strategy by limiting his entire campaign to four sound bites. Promising to balance the budget without raising taxes sounds far too similar to George Bush's promise to cut taxes without running a deficit. And when Arnold says he is going to do all of this without cutting spending on education, he reminds me of a kid running for school president on a platform of no homework and shorter school days. It may sound real nice, but it ain't gonna happen. It explains why Arnold has refused to give details on his policies, debate other candidates or talk to the news media. It is obvious the "Running Man" is running away from scrutiny that would quickly reveal that he is grossly naive or a blatant liar. And we know Arnold lies because he said at the beginning of his campaign that he wouldn't take special interest money. But while Arnold (rightly) rails against tribal gam-

ing money, his own campaign has pocketed millions from big money special interests (think Enron) which he wants us to believe aren't as bad.

But this is the typical Republican game plan. You sell out for millions in special interest money, reduce everything to political junk food, refuse to expound or produce details, get into office, accomplish nothing and blame it on the Democrats. And it seems to be working.

But Republicans have far bigger plans for the Terminator. Orrin Hatch has quietly been pushing a bill that would allow people not born in America to run for president. Now, it seems pretty hypocritical that a party that opposes driver licenses for undocumented workers — citing the threat to national security — is willing to allow a potential sleeper agent to become our president.

Imagine if a hostile nation, say France, were to finance one of their own for president. We might all be forced to drink French wines, eat French cheeses and watch French movies. OK, maybe that's a bad example, but I for one could do without Austrian beefcake. And unless Arnold stops hiding behind scripted lines with no more substance than one of his films, California can do without him, too.

The Peter Principle states that persons within an organization will advance to their highest level of competence and then be promoted to and remain at a level at which they are incompetent.

Cruz Bustamante is the living embodiment of this theory. "Mini D" is a clumsy caricature of Davis and has squandered all credibility with his campaign contribution shenanigans. He should get off the fence, leave the race and endorse his boss.

I still like Arianna Huffington. She is the only candidate who is talking about the issues that are at the core of many of our problems, such as campaign finance reform and corporate greed. But voting for Arianna, like voting for Ralph Nader, is analogous to downing a dozen tequila shooters. It may make you feel good, but when you wake up in the morning you're just going to be sick.

Gov. Gray Davis is corrupted by big money and deserves to be removed from office. This was never more plainly evidenced than him accepting a \$175,000 bribe, I mean campaign contribution, from Mercury Insurance, then signing a pro-insurance bill that he had initially opposed. All of this while claiming he should continue to lead California.

Davis is in office for one reason only — the Republican Party was unable to field a candidate who wasn't facing a criminal indictment. And by supporting the severely tarnished Davis and not allowing a credible challenger to run, the Democratic leadership has forfeited the party's integrity and, very possibly, the governor's office.

Despite Davis' many transgressions, he has pursued progressive policies such as pro-

tecting the environment (Arnold said he'd get rid of the EPA), increasing funding for uninsured children and increasing money for education. Further, Republicans have eschewed long accepted redistricting standards and are attempting to subvert the election process through incessant gerrymandering schemes in states such as Republican-controlled Texas. In order to have any chance of fighting back, Democrats must have the threat of quid pro quo here in California. Without a Democratic governor this will not be possible.

So despite finding Davis' political behavior despicable and having a strong desire see him recalled, I do not see any other option. Tuesday we should vote "no" on the recall — then take a shower and try to wash away the stink of this election.

ASIDE: The following quote was cited by Vanity Fair editor, Graydon Carter, to make a point about the White House playing with the truth.

"People don't want war ... but (they) can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them that they are being attacked and denounce the pacifists for lack of patriotism and exposing the country to danger."

— Hermann Goering, chief of the Luftwaffe and Hitler's designated successor.

(Ed Silverstein is a freelance writer who is not running for governor. He will be accepting write-in votes and comments at edsincites@aol.com).

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.

LOCAL



Architecture and Design Museum moving to SM

DESIGN, from page 1

on Fourth, Fifth and Sixth (streets) are prime for these unique design areas because you have large spaces that you can completely manipulate inside — and the rents are reasonable,” said Kathleen Rawson, executive director of the Bayside District Corp., a nonprofit that manages downtown with City Hall.

“We’re probably somewhere in the middle of the trend,” she added. “We’ll see some more come in before it’s all over.”

Rent on retail space on downtown streets beyond the Promenade command between \$2 and \$4 a square foot, according to real estate brokers.

The idea is to create a one-stop destination for homeowners and other do-it-yourself designers, who typically poke around a handful of stores when out picking a new interior for their offices and apartments. It’s a completely different approach than what’s used by the Pacific Design Center in West Hollywood, which was designed for wholesalers.



John Wood/Daily Press

This one-ton Italian bathtub costs \$28,000. It is just one example of the high-end home and office designs being sold in downtown Santa Monica.

The new focus on retail design in Santa Monica is an added benefit to big-name companies whose goal it is to build brand awareness, said Mark Robinson, owner of Boffi on Fourth Street. Rather than be cooped up in a warehouse, the products are out in the public eye, where window shoppers and movie goers pass them by.

“It’s been a gradual evolution that’s been happening as more and more people are getting into their houses and improving their homes,” said Robinson, who opened Boffi one year ago. “The American public is becoming interested in not only what it is, but who designed it.”

In response to the growing concentration of design studios in Santa Monica, Robinson coordinated what he hopes will become a twice-annual “Design Walk” in Santa Monica, which will be held on Thursday. About 10,000 invitations were mailed out and thousands more were e-mailed for the event, which will be open to the public.

How much money the influx of design showrooms is raising in Santa Monica is unclear. But City Hall officials agree having the prestigious stores downtown is a huge draw for shoppers.

“They’ve got some interesting concepts there and they’re starting to get enough people to have a critical mass,” said Gwen Pentecost, an analyst in City Hall. “What they bring in terms of awareness and cache to the area has got to be invaluable.”

“The American public is becoming interested in not only what it is, but who designed it.”

— MARK ROBINSON
Owner,
Boffi on Fourth Street

“People love to be out in the fresh air and love to be walking around,” said Ann Videriksen, an executive board member of downtown L.A.’s Architecture and Design Museum, which relocates from the Bradbury building in downtown L.A. to Santa Monica next month.

“As Los Angeles moves to become more of a walking city, it’s appropriate that these showrooms be out on the street and not be hidden away in a windowless building.”

Videriksen said that while design retail spaces are booming in Santa Monica, other areas of Los Angeles, like Culver City, Chinatown and Silverlake, also are attracting more designers.

Man plans to move to Hawaii with \$275,000 settlement

SETTLEMENT, from page 1

to trial. The \$275,000 was far lower than what Murphy originally wanted, which exceeded \$1 million, Serritella said.

While Murphy makes plans to move to Hawaii with the remaining cash, homeless people continue to sleep near the utility poles on the beach, as well as under lifeguard towers and in the adjacent parking lots.

The fact that people set up camp in those public places, which the City of Santa Monica is responsible for, opens City Hall to substantial liability. If a case isn’t settled and reaches the courtroom, either a jury or a judge determines if the city is at fault.

Earlier this year, a Santa Monica judge dismissed a lawsuit levied by a homeless couple against City Hall after they were hit

while they slept by a young woman learning how to drive in a beach parking lot. Santa Monica Superior Court Judge Jacqueline Connor said City Hall wasn’t responsible because the parking lot wasn’t inherently dangerous, despite that city officials knew homeless people slept there.

Skillin declined to answer questions about how Murphy became homeless and said he doesn’t know what Murphy will do once he’s in Hawaii. He added that he thinks the settlement is fair.

“It’s very clear cut,” he said. “There’s absolutely no set of circumstances that could justify what this driver did ... He seems like a very nice guy that just made a mistake. It happens.”

“Once all the parties ... knew what his prognosis was — which was good, good or perfect — at that time, the city stepped up and we were able to resolve it.”

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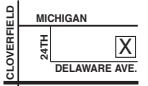
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Real Estate

Why do homeowner insurance rates keep rising?



DAYS ON THE MARKET

By Jodi Summers

Homeowners' insurance provides financial protection against disasters. A standard policy insures your home and the things you keep in it. Every home with a mortgage has to have insurance. The problem is, rates keep going up.

A study by the Independent Insurance Agents & Brokers of America found that 51 million homeowners are paying higher premiums than they did two years ago. Of that group, 23 percent pay 11 to 25 percent more, while 13.8 percent have seen their rates increase by more than 25 percent.

"The reason for significant premium increases is multi-layered," said Eugene Solomon, an insurance broker in El Segundo. "Mostly the increases can be attributed to poor underwriting results and poor investment returns. A company can pay out in claims more than it takes in as long as the premiums held for investment perform adequately. In the late '90s, companies could secure double-digit investment returns. As a consequence, a bidding war raged, lowering auto and home premiums. When investment results deteriorated in the

"Mostly the increases can be attributed to poor underwriting results and poor investment returns. A company can pay out in claims more than it takes in as long as the premiums held for investment perform adequately."

— EUGENE SOLOMON
Insurance broker

early 2000s the ratio became distorted. Companies were now dipping into reserve accounts which can create instability."

An entity has been established to help bring the costs down and help homeowners.

"We are concerned that increased costs will affect people's ability to get into the market," notes Marcia Salkin, who is part of an insurance task force created by the National Association of Realtors to address problems with homeowners' insurance. "We're seeing people who think they have insurance and then after they close on their house find out that the company won't give them insurance after all."

A standard homeowner's insurance policy includes four essential types of coverage. They include:

- Coverage for the structure of your home.
- Coverage for your personal belongings.
- Liability protection.

■ Additional living expenses in the event you are temporarily unable to live in your home because of a fire or another insured disaster. Damage caused by most disasters is covered but there are exceptions — earthquake insurance requires another policy.

In 2000, insurers paid out \$1.11 in claims for every \$1 they collected in premiums and in 2001 they paid out \$1.16 in claims for every \$1 collected, according to Don Griffin of the National Association of Independent Insurers.

"At that point they had to raise premiums and go back and re-examine all of their policy holders because they can't afford to pay out more than they collect," Griffin said.

The bottom line is causing insurers to become more cost efficient in their choices. Escalating repair costs and the increase in mold-related claims have made it more expensive for them to do business.

"Mold claims and negative underwriting results have all been alleged by company spokespeople as the primary reason for the rapid run-up," Solomon said. "The companies now raise rates to compensate. However, any increase of over 6.9 percent must be approved in a public hearing. Companies have three choices: Several 6.9 percent increases over the course of the year, or a public battle with the insurance commissioner — who is not industry friendly — or remove themselves from the marketplace.

State Farm & 21st Century Insurance removed themselves from the marketplace. Farmers Insurance and Allstate took a series of small increases. Safeco began a battle with the insurance commissioner, which began with a requested 19.7 percent increase. This was rejected and Safeco withdrew from the market. The request has now been reduced to 10 percent in exchange for re-entry into the market. When a company like State Farm removes itself, 25 percent of the market goes as well. This creates a strain on demand and the prices go up even more rapidly."

Next week, we will cover ways that may help you save money on your homeowner's insurance.

(If you would like to more information of interest to property owners, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call at (310) 309-4219).

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS

SOLD	417 10TH ST	SANTA MONICA	90402	SOLD	201 OCEAN AVE #B1601	SANTA MONICA	90402	SOLD	415 MONTANA AVE #205	SANTA MONICA	90403
Date Sold	SqFt: N/A	List Price: \$3,250,000	Bed: 5	Date Sold	SqFt: 0	List Price: \$595,000	Bed: 1	Date Sold	SqFt: N/A	List Price: \$435,000	Bed: 2
09/22/2003	Lot Size: 7,500	Sold Price: \$3,100,000	Bath: 6.5	09/22/2003	HOD: \$610	Sold Price: \$585,000	Pool Bath: 2	09/23/2003	HOD: \$250	Sold Price: \$415,000	Pool Bath: 2
SOLD	1255 PALISADES BEACH RD	SANTA MONICA	90401	SOLD	320 PACIFIC ST #3	SANTA MONICA	90405	SOLD	1701 WASHINGTON AVE	SANTA MONICA	90403
Date Sold	SqFt: 3,200	List Price: \$2,300,000	Bed: 3	Date Sold	SqFt: 1,189	List Price: \$495,000	Bed: 2	Date Sold	SqFt: 717	List Price: \$429,000	Bed: 2
09/22/2003	Lot Size: 2,626	Sold Price: \$2,000,000	Bath: 3.5	09/25/2003	HOD: \$250	Sold Price: \$518,000	Bath: 1.75	09/24/2003	HOD: \$200	SOLD PRICE: \$425,000	BATH: 1
SOLD	833 OCEAN AVE #203	SANTA MONICA	90403	SOLD	320 PACIFIC ST #3	SANTA MONICA	90405	SOLD	1328 W 18TH ST #3	SANTA MONICA	90404
Date Sold	SqFt: 1,063	List Price: \$699,000	Bed: 2	Date Sold	SqFt: 1,189	List Price: \$495,000	Bed: 2	Date Sold	SqFt: N/A	List Price: \$399,000	Bed: 2
09/26/2003	HOD: \$350	Sold Price: \$699,000	Bath: 1.75	09/25/2003	HOD: \$250	Sold Price: \$518,000	Bath: 1.75				
SOLD	854 18TH ST #9	SANTA MONICA	90403	SOLD	2520 ARIZONA AVE #4	SANTA MONICA	90404				
Date Sold	SqFt: N/A	List Price: \$615,000	Bed: 2	Date Sold	SqFt: 1,228	List Price: \$479,000	Bed: 3				
09/22/2003	HOD: \$250	Sold Price: \$587,000	Bath: 2	09/23/2003	HOD: \$280	Sold Price: \$490,000	Pool Bath: 2.5				
SOLD	858 12TH ST #6	SANTA MONICA	90403	SOLD	1833 11TH ST #4	SANTA MONICA	90404				
Date Sold	SqFt: 1,478	List Price: \$599,000	Bed: 2	Date Sold	SqFt: 1,359	List Price: \$439,000	Bed: 2				
09/23/2003	HOD: \$462	Sold Price: \$599,000	Pool Bath: 2	09/24/2003	HOD: \$150	Sold Price: \$440,000	Bath: 2.5				

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REAL ESTATE

How to get the most out of your replacement property



IN YOUR SPACE

By Christina S. Porter

In today's commercial real estate market, it's quite noticeable that the 1031 exchange buyers, or "trade buyers" continue to be a part of the dynamic behind the high prices for investment properties.

Investors are finding it increasingly difficult to locate a replacement property, with a cash flow that makes sense. When discussing an investment opportunity recently with another broker who deals mostly in large investments, I mentioned that the numbers did not make sense and he responded "Is there anything out there that makes sense?" I understood that my expectations were out of line.

After succumbing to the unreal prices being offered for properties all over Los Angeles, former building owners have become "highly motivated" building buyers, which makes them less picky about whether the numbers "make sense."

Instead of a straight sale of your property you might consider a 1031 exchange for the following reasons:

■ You can defer capital gains tax and use the increased equity to purchase a larger property or properties.

■ You may be spending more time maintaining multiple investment properties. You can exchange several smaller properties to purchase one larger property that will require less of your time.

■ You may want to diversify and

exchange a property in another city or state.

■ You may want to exchange one property that has a lot of equity for several smaller properties. If you want to eventually sell some of the smaller properties the tax burden would be significantly less.

If you own an investment property, or properties and think that a 1031 exchange could benefit you, it is important to have a replacement property ready to go, or at least have an idea of what is on the market and what your return will be.

Replacement properties are hard to come by in the Southern California market. The Internal Revenue Code Section 1031 has time restrictions that need to be met. Additionally, up until this year it has only been for "non-resident" California property owners. As of Jan 1, 2003 the "pay as you go" real estate sales tax will include people who live in the state.

A brief explanation of what this rule covers is as follows: All investment real estate sales in the state of California will be taxed, at close of escrow in an amount equal to 3.33 percent of the total purchase price. This is not a new tax. What is new is when it's collected. In the past this tax was paid as part of your year-end tax obligation. Now it will be paid when the sale is completed. The Franchise Tax Board expects that this will become part of the escrow process. There are time restrictions, penalties and some exceptions to this rule — one of them is a tax deferred exchange. For more information on this and 1031 exchanges, you should contact your tax professional and be aware that as interest rates rise there will be less upward pressure on the prices of commercial real estate.

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SOLD/LEASED

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4/10/3	Montana Ave. SM	\$925,000	Not Available
3/19/03	San Vicente, Brentwood	\$3,400,000	12,364
6/03/03	Santa Monica Blvd., WLA	\$2,74,000	4,766
8/13/03	Wilshire Blvd., Brentwood (Commercial Land)	\$5,100,000	18,727
8/15/03	Wilshire Blvd., Brentwood	\$74,250,000	284,724
4/30/03	Montana Ave., SM	\$58,500,000	Not Available
6/13/03	5th Street, SM (Residential land)	\$2,025,000	22,500
6/17/03	Olympic Blvd., SM	\$1,250,000	5,000

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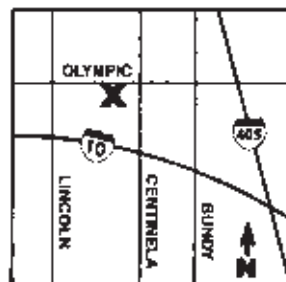
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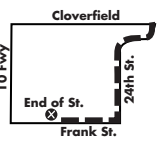
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STATE

CALIFORNIA BRIEFS

LA school campuses rated poor

By The Associated Press

LOS ANGELES — A school district evaluation gave more than one-third of its campuses a “poor” rating in complying with environmental health and safety regulations ranging from chemical storage to school security.

Inspectors with the Los Angeles Unified School District last year rated 820 campuses, with 23 in “good” compliance with regulations intended to prevent accidents and injuries. Another 453 campuses were “fair” while 344 were rated “poor.”

District officials said in releasing the report Monday that major problems posing immediate danger have since been fixed, along with many other violations noted in the reports.

Many schools were found to be lacking an illness and injury prevention program, while others had cluttered exits, blocked access to electrical panels and unsecured chemicals.

“I don’t think anybody should look at these ratings and say our job is done,” said Angelo Bellomo, district director of environmental health and safety. “Anybody looking at these ratings would say there is a lot of improvement that needs to be made within our school district.”

The U.S. Environmental Protection Agency has praised LAUSD’s health and safety report and plans to use it as a model.

Sharpshooter hits oleander leaves, wine grapes

By The Associated Press

LOS ANGELES — The glassy-winged sharpshooter, insect scourge of the wine industry, is now delivering a bacteria that is wiping out oleanders, the hearty, drought-resistant shrub planted all over Southern California.

Experts claim the ornamental plant is doomed by oleander leaf scorch, caused by a bacteria delivered by the sharpshooter. There’s no cure and no way to stop the insect.

“I think in five to 10 years, you won’t see any oleanders left in Southern California,” said Jerrold Turney, plant pathologist for the county Agricultural Commissioner’s Office.

Sharpshooters began moving in 1990 from the Riverside area to Los Angeles County. The half-inch insect often carries with it at least one strain of the *Xylella fastidiosa* bacteria. One version of the bacteria causes Pierce’s disease, which is fatal to grapes. Other victims of the bacteria include liquidambar, olive and purple leaf plum trees.

Oleander is renowned for its poisonous nature. Accidental poisonings of people are rare but two El Segundo boys died three years ago after eating oleander leaves.

Simi Valley gets more retail and residential

By The Associated Press

SIMI VALLEY — The City Council approved a \$300 million regional shopping mall and apartments project.

The council voted 4-0 on Monday to approve plans for the Simi Valley Town Center and 500 apartments north of Highway 118 between First Street and Erringer Road. The city has been trying to bring a regional shopping mall to the area for more than 30 years.

“Simi Valley is a rose ready to bloom,” Councilman Steve Sojka said. “Thirty years ago, people came to Simi Valley because it was the only place they could afford to live. Now they are coming because it is where they want to live.”

Plans for the 129-acre site include an 840,000-square-foot open-air mall, 445,000 square feet of office and commercial space, multifamily housing with an affordable component and possibly a hotel. The mall is expected to open in mid-2005.

“That baby will start grading in three months. The quicker the better,” Mayor Bill Davis said.

Highway 101 may get toll roads

By The Associated Press

LOS ANGELES — An alternative to the now-shelved Highway 101 widening project may include toll lanes on the freeway between Studio City and Thousand Oaks.

Transportation planners on Monday proposed adding toll lanes to the estimated \$900 million project that would be completed in 2030.

The proposal, offered as part of a regional plan being considered by the Southern California Association of Governments, comes five months after a plan to widen the freeway to six lanes in each direction collapsed amid a homeowners uproar.

Metropolitan Transportation Authority planners estimated the widening proposal would require the destruction of hundreds of homes and businesses in the San Fernando Valley.

“We believe what we’ve proposed can be done with much less of an impact on the communities along the freeway,” association executive director Mark Pisano said of the toll lanes proposal.

“Does that mean the community shouldn’t expect any properties will be involved? No, but we can reduce it, by orders of magnitude,” he said.

The proposal could mean a second deck on the freeway, officials said.

The meeting ended without a vote on the proposal. The Regional Transportation Plan will be presented to SCAG’s Transportation Committee on Thursday.

STATE



Momentum might be shifting against Gov. Davis

BY TOM CHORNEAU
Associated Press Writer

SACRAMENTO — No one is quite sure when or how it happened, but there is a growing sense among analysts that Gov. Gray Davis' drive to defeat the recall has lost momentum.

Some blame the court case that interrupted the campaign last week at a critical point. Others point out the state's higher car tax bills are just now hitting the mailboxes and igniting new voter anger. There are also some who say the performance of Republican front-runner Arnold Schwarzenegger in the big debate last week has somehow turned the tide.

"Up until a few days ago, I would have said that the momentum appeared to be with the governor and against recall, but now I'm not so sure," said Sherry Bebitch Jeffe, a political analyst at the University of Southern California.

Jeffe noted that a new CNN/USA Today/Gallup poll, released Sunday, found that 63 percent of probable voters appear ready to remove Davis from office and 40 percent want to replace him with Schwarzenegger. There is also a new, aggressive push by Davis to have a debate with Schwarzenegger — a sign, Jeffe said, that Davis may be getting nervous himself, perhaps because his internal polling is showing the same trends as the CNN/Gallup poll.

Then there is a sense that Lt. Gov. Cruz Bustamante, the other leading Democrat in the race, has also fallen, largely because of criticism about him taking huge sums of money from Indian gaming interests. Bustamante's failures may have been a boost to Schwarzenegger, she said.

Davis supporters have been highly critical of the CNN/Gallup poll arguing that

the representative pool of voters is unrealistically weighted with Republicans. They point out that all other public polls taken in the last month show voters badly split over the issue of recalling Davis and the contest to replace him a dead heat between Schwarzenegger and Bustamante.

But other Democrats are not so sure. Harvey Englander, a Los Angeles-based consultant, said that he has seen private polling that supports the CNN/Gallup numbers. David Binder, a Democratic pollster based in San Francisco, said he's seeing much of the same thing — that voters appear to be moving back in favor of recall.

"As Cruz is beginning to look like Gray Davis-lite, voters are looking around saying that they really don't like politicians," said Englander. "And the only non-politician with a chance of winning is Arnold."

Doug Schoen, a Democratic pollster who has worked for former President Clinton, said that the unique nature of the recall election is such that no pollsters knows with any certainty what voters are likely to turnout in this election and which ones will stay home.

He pointed out that the CNN/Gallup poll found 55 percent of registered voters would support recall — a figure much closer to other recent surveys. But when Gallup statisticians applied a "turnout model" to the data, in an attempt to focus on "probable" voters, the percent of those supporting the governor's recall jumped to 63 percent.

"We don't know if that turnout model will be correct," Schoen said. "They may be right, they may be wrong."

Schoen pointed out the hardest segment of the population to survey are low-income and minority voters and Democrats will be spending millions of dollars in the next week encouraging those voters to the polls.

Debate highlights health care as Prop 54 battleground issue

BY JUSTIN PRITCHARD
Associated Press Writer

SAN FRANCISCO — Can a ballot initiative kill?

Whittled to its rhetorical nub, that's the argument advanced by opponents of Proposition 54: passage of the measure on Oct. 7 would cripple California's ability to address racial disparities in health care.

Opponents say the proposition would prohibit doctors from identifying and combatting diseases that afflict different populations differently — making the vote a "life-and-death decision," according to one television ad featuring former U.S. Surgeon General C. Everett Koop.

That's pure quackery, retort backers of Proposition 54. They say the initiative fully exempts health care from its sweeping ban against the tracking of race in government programs.

Both sides had their say Monday during a debate between the head of the California Medical Association and the mastermind behind Prop. 54, University of California regent Ward Connerly.

Jack Lewin, who as CEO of the medical association represents 34,000 California doctors, said the impact of Prop. 54 would be widespread and disastrous, because the exemption for health care is too narrowly written.

Lewin pointed to differences in how diseases affect racial groups.

Sickle cell anemia disproportionately affects black Americans, Hispanics are twice as likely to have diabetes as whites of similar age and white women have elevated rates of breast cancer — though blacks may be more likely to die if they develop the disease.

"Disparities are real, they are undeniable and they are unacceptable," Lewin said. "In the long-run, this will be a life-and-death issue."

Connerly bristled at such assertions, calling them "irresponsible" scare tactics. "This initiative does not apply to health care," Connerly said. "Big bold letters. Eighteen-point font."

Connerly said Prop. 54 would not affect public health or patient care at all.

That may have been the idea, but it's not what the initiative would do, he told the audience at the debate, which was sponsored by the Commonwealth Club of California and the California Healthcare Foundation.

Lewin cited several important data sources he said would be lost, including birth and death records, and public health surveys such as the California Health Interview Survey, a UCLA project that tracks disparities among 55,000 randomly selected Californians.

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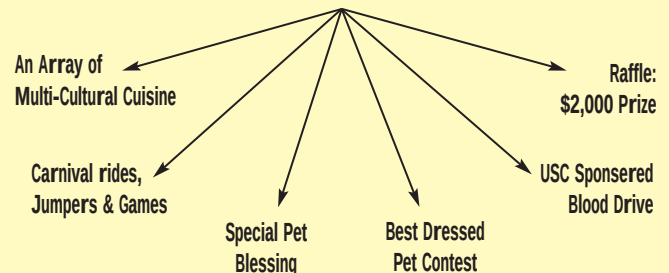
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STATE

Developer, environmental scofflaw gives big to Arnold Schwarzenegger

BY TOM CHORNEAU
 Associated Press Writer

SACRAMENTO — A Montana-based development firm with a history of environmental violations near Big Sky has donated \$100,000 to the campaign of Republican Arnold Schwarzenegger, who has touted his support of environmental causes as he runs to replace Gov. Gray Davis.

Through his company Yellowstone Development LLC, Tim Blixseth of Rancho Mirage gave the \$100,000 on Friday to Schwarzenegger's pro-recall campaign committee, which is not subject to the same campaign finance restrictions as the fund used by the actor-turned-candidate to seek the governor's office.

Blixseth's company, Yellowstone Mountain Club, is facing fines and other sanctions from the Environmental Protection Agency and the Montana Department of Environmental Quality stemming from complaints in 2001 that the firm illegally dumped sediment into tributaries of the Gallatin River and filled nearby wetlands without permits. The violations covered hundreds of acres.

Blixseth said he is close to settling the case, and suggested that complaints had been blown out of proportion. "Accusations are always louder than the verdict," he said.

Still, critics say they are concerned about both Blixseth's environmental record and his well-known methods for cultivating elected officials.

Blixseth, who made his fortune in the timber industry, said he gave Schwarzenegger the money after hearing

him speak at a recent fund-raising event about the need to reform the state's workers' compensation system.

"I've just received my new workers' compensation bill for last month — it's atrocious," said Blixseth. "Schwarzenegger has vocalized many times about fixing it and I decided to help him."

Although a California resident, Blixseth is a well-known political contributor in Montana and counts the state's Republican governor, Judy Martz, among his close friends.

Blixseth said Monday that he never used his friendship with Martz to help ease his environmental troubles. But an Associated Press report from last year quoted Blixseth saying that he had called Martz frequently about the violations during a period in which Montana officials were deciding whether impose millions of dollars in fines on the company.

"If Schwarzenegger is governor would he be able to say no to the Tim Blixseths of the world?" said Carl Zichella, regional staff director of the California Sierra Club. "This is the kind of thing that makes us worry about the leadership Schwarzenegger would provide."

Zichella also noted that Schwarzenegger has made a promise not to accept special-interest money. "But as far as we're concerned, they don't come any more special than guys like Tim Blixseth," he said.

Sean Walsh, spokesman for Schwarzenegger, said the campaign is "looking into the issues" surrounding Blixseth and his company but have not come to any conclusions.

Voters may get dazed, confused when reading recall ballot

By The Associated Press

SAN FRANCISCO — As California voters prepare to go to the polls on Oct. 7, the calculations they must make as they confront the two-part ballot are anything but clear.

Voting "yes" or "no" on whether to recall Gov. Gray Davis seems straightforward enough, until voters consider the potential impact of the various replacement candidates on part two.

"People look at this and think it's a mess," said Democratic strategist Bill Carrick. "You could have a stroke weighing the permutations of all the candidates."

Voters on both sides are facing some strategic choices as they consider the leading contenders — let alone the lesser names on the 135-candidate ballot.

Will Republicans, whose anger at

Davis fueled the recall effort, join ranks behind GOP front-runner Arnold Schwarzenegger, despite his moderate views and lack of political experience?

Will conservatives stick to principle and vote for their champion, state Sen. Tom McClintock, even though he's trailing in the polls?

Or to avoid splitting the vote, will they vote against the recall, giving up their best shot in years at a Republican takeover of California, rather than hand power to Democratic Lt. Gov. Cruz Bustamante?

Rep. Darrell Issa, who bankrolled the signature drive that made the election happen, briefly suggested calling for a "no" on recall last week, provoking such an outcry that he reaffirmed his support days later.

But some conservatives say they may just vote "no" if their fears outweigh their hopes.

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Santa Monica Daily Press

STATE



Dropoff stores eBay spinoff; they prep for a commission

BY VERNE KOPYTOFF

Associated Press Writer

BERKELEY — Joan Spiegel, a retired psychologist who admits to being an Internet neophyte, was intrigued by the idea of selling some framed prints on eBay without any technological hassle.

Standing inside a store in Berkeley, she listened to a clerk explain that everything would be taken care of for her. For a commission, the store's staff would take photographs of the prints, list them for auction on eBay, respond to questions, collect payment and ship the prints to the winning bidders.

"I'm going to bring in one print and try this out," Spiegel said, delighted with what she heard from the clerk.

Welcome to one of the latest businesses to piggy-back on the eBay phenomenon: the eBay drop-off store. These shops allow the public to wash their hands of auctioning unwanted items online by having professionals do it for them.

Several eBay drop-off stores have opened nationwide over the past few months. They are owned by entrepreneurs who believe that there's a big appetite for such a service.

The question is whether the public really wants their help. After all, eBay is already deluged with users, making it one of the Internet's biggest successes.

Kevin McGinnis, who co-owns Berkeley's Picture It Sold with his wife, Erin, said that the lure of his shop is the convenience.

"Buying on eBay is easy, but selling isn't," said McGinnis, whose store opened in August. "There are many more impediments. You have to be really well-acquainted with a digital camera, and you have to be acquainted with a computer."

Auctioning items on eBay on behalf of others isn't a new idea. People have listed merchandise for their family and friends for years.

Professionals have filled a similar role for a commission. eBay estimates that there are nearly 25,000 of these so-called trading assistants, who generally work at home and are self-employed.

Business liquidators are another niche. They auction unwanted items on eBay for other companies that are downsizing or upgrading to new equipment.

The clear leader in the nascent eBay drop-off field is AuctionDrop, based in San Carlos. It has opened three stores so far, in San Carlos, Menlo Park and Los Altos, with the help of \$3 million in financing, most of it from private investors led by Mobius Venture Capital and Draper Associates.

All the stores feed their goods to a central warehouse in San Carlos. Once they are taken off trucks and inspected, the items are moved along a complex system of conveyor belts.

The first stop is at one of several photography stations, where on a recent day, the photographer was focusing on a piece of luggage dangling from a mannequin. Farther down the line, Suzy Kunda-Cvitkovic, a specialist in jewelry, silver and porcelain, was examining a set of flatware at her desk and writing up the description, paying careful attention to the condition.

"I don't put down anything that I can't prove," she said. "Buying on eBay is an

act of faith."

Items in the warehouse represented a cross-section of eBay as a whole. There were bicycles, a pay telephone, an R2D2 ice cooler, dolls, a riding saddle, truck tires, computers, laboratory equipment and an artificial cadaver that may have been used as a prop in a film or video game.

Another chain, QuikDrop, with stores in California, Texas, Oregon and Alabama is selling franchises.

eBay drop-off stores don't generally charge up-front fees for their basic service. Rather, the stores earn commissions based on an item's final sale price.

The commission on the first few hundred dollars is generally between 35 percent and 40 percent, with a lower percentage on any payment above that. Some separate fees and commissions charged by eBay also apply.

Basic service generally includes a seven-day auction featuring photographs and bidding beginning at \$1. The stores charge more for extras, such as setting a higher minimum bid, selling at a fixed price, or creating an auction that lasts longer than seven days.

Merchandise left with an eBay drop-off store must meet certain criteria. For example, the shop staff must judge items to be worth at least \$35 to \$50.

The model is similar to consignment stores in the offline world specializing in antiques, clothes and jewelry. The difference is that items listed for sale on eBay reach a potential audience of 34.1 million registered active users.

eBay is not involved in any way in franchising the drop-off stores and therefore doesn't directly profit from their existence.

"We're going to keep an eye on it," Kevin Pursglove, an eBay spokesman said. "And at some point, if we feel there is some way we can work with these companies and make them better eBay sellers, we will."

eBay has already met informally with some of the drop-off store owners. The company has agreed to pay for some of the stores' advertising, which appears on billboards, online and in local newspapers.

eBay drop-off stores face many of the hurdles confronting any small business. Consumer apathy is, of course, a big risk.

During an hour and a half on a recent afternoon, only two customers walked into the Picture It Sold outlet in Berkeley. Both asked questions, but they didn't drop anything off for sale.

McGinnis, the store owner, said that business is typically slower in the afternoon. He added that he sold \$10,000 in merchandise during the first two weeks of business as proof that the drop-off concept has potential.

At AuctionDrop's San Carlos store, business was also slow. The clerk said that only a handful of people had dropped off items for sale by the afternoon.

Adams, AuctionDrop's chief executive, said he is encouraged by what he's seen so far. He said sales have exceeded expectations, with 6,000 to 7,000 items sold since March, for between \$600,000 to \$700,000 in total sales.

The stores pay for themselves, Adams said. However, he added, the revenue generated so far has yet to cover the cost of the big investment in the San Carlos warehouse.

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NATIONAL

Authors court Amazon.com for Web site positioning

BY MONICA SOTO OUCHI

Associated Press Writer

SEATTLE — It's a Monday afternoon at Amazon.com and political commentator Al Franken is regaling a roomful of employees with a story about the power of publicity.

Franken's book, "Lies and the Lying Liars Who Tell Them: A Fair and Balanced Look at the Right," has been a top-seller on Amazon since its release last month. But he tells the crowd how the book fared after he was sued by Fox News for alleged trademark infringement.

"Twelve hours after the lawsuit, my book went to No. 1," Franken said, pausing for effect. "You're the yardstick by which stupid lawsuits are measured."

Acerbic commentary aside, Franken and other authors have become a steady presence inside the walls of Amazon.com because of the site's ability to be precisely that: a benchmark by which authors can measure how well they're faring with consumers.

It's why Amazonians have received private book signings, mini-performances and even cooking demonstrations from a host of authors and artists ranging from Franken to famed barbecue author Steven Raichlen to country-music entertainer Roseanne Cash.

"Amazon is an early indicator of consumer enthusiasm," said Laurie Brown, senior vice president of marketing and sales at San Diego-based Harcourt, which enjoyed strong publicity for its book "Life of Pi" on the site.

"It's a place where you look to for early signals as to a book's potential in the marketplace."

Authors indeed are paying increasing heed to Amazon's unique and influential role in publicizing and selling books.

While the company doesn't break out its books sales, it sold \$1.7 billion worth of books, music, videos and DVDs for the first half of the year.

Meantime, media sales continue to rise as a combination of deep discounts on most book titles and free shipping on certain orders over \$25 has helped reinvigorate the category.

In some instances, that publicity has helped to turn an obscure author into a star seemingly overnight.

In the case of Yann Martel's book "Life of Pi," Amazon's editorial team wrote a strong, early review and promoted the book heavily to its 35 million customers. (While many publishers pay to receive preferred placement on the site, most of this promotion was free, according to the book's publisher.)

Harcourt's Brown said the book received strong sales but had yet to be placed on The New York Times best-seller list. The book made the list after Amazon named it editor's choice last December, which was then followed by a Charlie Rose television interview and a small segment on National Public Radio.

"I think Amazon's selection was critical in establishing this book as a best seller," Brown said.

Not all of Amazon's promotion, of course, is free. The online retailer, like its

brick-and-mortar counterparts, offers authors various promotional programs to increase visibility on the site.

The publishers contribute money to a co-op that helps pay for preferred placement in bookstores and, in the case of Amazon, online.

But Brad Thomas Parsons, Amazon's editor for best sellers, entertainment and sports books, said his customers are more apt to search for what they want.

"They'll find out about a book on a network or NPR and look (online) afterward," he said. "The Sunday New York Times Book Review causes book sales to spike."

"(eBay is) a place where you look to for early signals as to a book's potential in the marketplace."

— LAURIE BROWN

Vice president of marketing and sales, Harcourt

To be sure, authors and publishers have discovered how receptive Amazon sales are to certain types of publicity: Raichlen saw his book "BBQ USA: 425 Fiery Recipes From All Across America" shoot onto Amazon's top 10 list after radio shock-jock Howard Stern began trumpeting the book on his show.

"The more he talked about it — the sales were phenomenal," said Mairead Duffy, online-sales manager at New York-based Workman Publishing.

"It became an impulse buy. Because Amazon is so accessible, the sales worked very well."

George Gibson, president and publisher of New York City-based Walker & Co., said he has come to caution authors about getting too excited — or depressed — over a ranking on Amazon. Often, he said, a ranking of 30,000 and 1,000 can mean little difference for a lesser-known author.

"The difference (in ranking) might be 40 or 50 copies," he said. "Because so many books sell a few copies, it's a huge democratic machine. It only really matters if you get to the top 100 or so. That's where the real big numbers are."

It's a sunny afternoon and Raichlen, the barbecue guru, is in Seattle winding up a 30-city bus tour with a final visit to the Amazon headquarters.

He's cooking bratwurst and chicken wings while employees hand out 150 free copies of his book "BBQ USA" and bumper stickers that say, "Honk if you love barbecue!"

Raichlen speaks briefly to the crowd before he starts signing books. "I hope you can continue to sell gazillions so I can pay my wife's Nordstrom bill," he tells them.

As the afternoon winds down, Raichlen said Amazon played a crucial role in getting his books to the public.

While Howard Stern's favorable comments sparked a buying frenzy on Amazon.com, he said he continues to use the site to track the progress of his other promotions.

"They're very important," he said. "Amazon works in funny ways for us."

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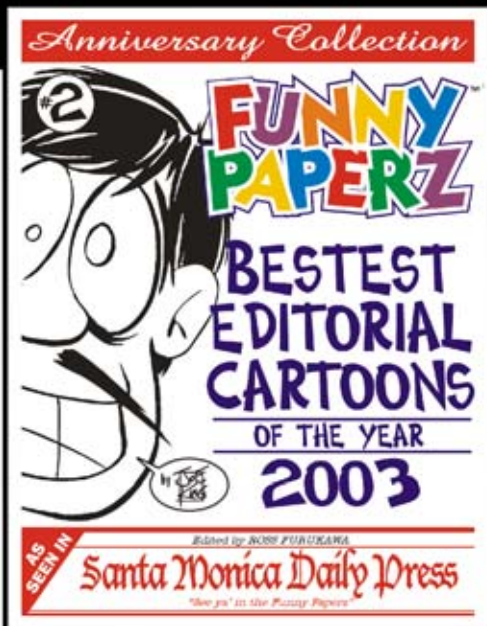
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NATIONAL



New policy could open land to oil, gas development

BY ROBERT GEHRKE

Associated Press Writer

WASHINGTON — New guidelines issued this week by the Bush administration could allow oil and gas companies and off-road vehicles on federal lands that had been off-limits to protect their natural qualities.

The policy directives were sent to BLM state offices to implement an agreement Interior Secretary Gale Norton struck with Utah Gov. Mike Leavitt in April to resolve a lawsuit the state filed against the department.

The settlement rescinded protection for 3 million acres in Utah and millions of additional acres across the West.

Leavitt has since been nominated by President Bush to head the Environmental Protection Agency. The back-room deal has been questioned by Democrats challenging his fitness to lead the agency.

Under the directives issued Monday, the Bureau of Land Management can still decide to preserve the pristine, natural qualities of lands, but those decisions will be made in a planning process for each parcel and weighed on equal footing against potential mining, grazing, timber and recreation uses, said Jim Hughes, deputy director of the Bureau of Land Management.

Ted Zukoski, an attorney for Earthjustice, said it could open up important, ecologically sensitive stretches of land for development in Utah, Colorado, Arizona and California.

"This is the Bush administration continuing its policy to hand over America's wild places and open spaces to the timber and oil and gas mining lobbies," he said.

A wilderness designation prohibits motorized recreation and permanent development of the land, including the building of roads, power lines and pipelines. It is meant to preserve pristine lands "untrammelled by man," according to the 1964 Wilderness Act.

Hughes said it is likely that some of the areas that environmental groups wanted protected as wilderness will not

be protected when the final land use plans are complete.

"They just don't rise to the level of what we might want to call our crown jewels of wilderness," he said. But those decisions, he stressed, will be made by local land managers based on input from residents in the region.

Under the Utah lawsuit settlement in April, Norton said it was illegal for the department to consider granting wilderness designation to lands that had not been identified as potential wilderness prior to 1993.

In addition, she rescinded the "nonimpairment" designation, applied in the waning days of the Clinton administration, which required the BLM to protect the wilderness values of lands being studied for possible inclusion in wilderness areas.

In Utah, it abolished protection for 3 million acres identified in a 1996 wilderness inventory during the Clinton administration, including red rock slot canyons and rock formations in the southeastern part of the state.

Environmental groups had identified an additional 3 million acres in the state they believed should be considered for wilderness designation but cannot be under the new policy.

In Colorado, the Roan Plateau, recently transferred to the BLM from the Energy Department, was found to fit the criteria for wilderness designation, but now it will not be considered, said Pete Kolbenschlag of the Colorado Environmental Coalition.

The plateau is of interest to gas companies and the BLM has said as many as 500 natural gas wells could be drilled in the area, although it doesn't plan to permit such dense development.

Environmentalists had also pushed for wilderness designation of Sand Tank Mountain in Arizona and Headwaters Forest in California that are prohibited by the new directives.

The BLM manages 262 million acres in 11 Western states. The new policies do not apply to 89 million acres of BLM land in Alaska and will not affect 22 million acres of land identified for potential wilderness prior to 1993.

That leaves 155 million acres in 10 states subject to the land-use directives, but they aren't all proposed for wilderness protections.

Hughes said the BLM has 65 resource management plans underway and 15 more coming in the next fiscal year.

Park grows despite budget problems

By The Associated Press

ROCKY MOUNTAIN NATIONAL PARK, Colo. — At a time when many national parks are struggling with budget shortfalls, Rocky Mountain National Park has managed to grow — a little.

The park added nearly 64 acres to its boundaries through a partnership with the Estes Valley Land Trust. The

new acreage is in the Fall River Corridor, a steep south-facing slope that is prime habitat for bighorn sheep.

The land was donated to the trust, which recently sold it to the National Park Service for \$750,000. The trust will use the money from the sale for other conservation projects in the Estes Valley.

Park spokeswoman Kyle Patterson said the land was good

sheep habitat.

"That was very appealing," Patterson said. "That's what made us determine it was a good match."

The trust was established in 1987 to save open space, wetlands and wildlife habitat in the Estes Valley and surrounding area. It is particularly concerned with land next to Rocky Mountain National Park and the Roosevelt National Forest.



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NATIONAL

On-again, off-again do-not-call list is on again, for now

BY DAVID HO

Associated Press Writer

WASHINGTON — The operators of the national do-not-call list are moving to prevent people from adding new numbers to the registry because of a convoluted legal battle that could stretch into next year, regulators said Tuesday.

People with numbers already registered will likely see a decrease in some telemarketing calls beginning Wednesday — the original deadline for blocking telemarketing calls to the more than 50 million phone numbers in the registry — but regulators concede that the protection is increasingly uncertain.

"We shut down everything to do with the registry already except the sign-up mechanism and we are in the process of trying to figure out how we do that," Federal Trade Commission Chairman Timothy Muris told reporters after testifying to a Senate committee. "Unless something happens differently shortly, we'll take orderly steps to accomplish that."

In the last week, the bewildering battle between the government and telemarketers has involved two federal judges, an appeals court, both houses of Congress, the White House, the Supreme Court and two federal agencies.

After a federal judge blocked the FTC from enforcing the registry, the Federal Communications Commission stepped in to enforce the list, promising to penalize telemarketers who call the numbers in the

"This doesn't mean that consumers will be without protection. It will just be a more cumbersome and difficult system."

— TIMOTHY MURIS

Chairman,
Federal Trade Commission

registry. Telemarketers who call listed numbers could face FCC fines of up to \$120,000.

While people can complain directly to the FCC about calls, the main system for filing do-not-call complaints online and by phone have been shut down, the FTC's Muris said.

"This doesn't mean that consumers will be without protection," Muris said. "It will just be a more cumbersome and difficult system."

Many of the largest telemarketers say they will abide by the list despite the legal challenges, but a court ruling late Monday has made it even more difficult for the FCC to receive complaints and punish telemarketers who call listed people.

FCC Chairman Michael Powell said people can file complaints by visiting his agency's Web site or calling 1-888-225-5322.

"We know how to do it manually," Powell told reporters outside the Senate hearing. "It will be a little tougher but it's not shut down."

Muris said the publicity over the legal fight has caused registration for the list to surge, with hundreds of thousands of new numbers added. He said the legal fight that has blocked his agency from enforcing the list could last into next year, but on Wednesday, consumers can expect a significant decrease in calls "assuming telemarketers comply."

Sen. John McCain, R-Ariz., chairman of the Senate Commerce Committee holding the hearing, bemoaned the growing uncertainties of the registry.

"A concept that to most people is as simple as 'do not call me' has become tremendously complex," McCain said. "It is unclear whether American families gathering at the dinner table will be bombarded tomorrow with the same unwanted calls that they receive today."

Late Monday, the judge who blocked the FTC warned that the agency could face more legal action for using the FCC "to skirt the order."

U.S. District Judge Edward W. Nottingham in Denver denied an FTC

request to suspend his decision while the agency appeals. In his ruling, he said he clearly prohibited the FTC from operating the registry and the law prevents any indirect actions to get around that.

On Tuesday, the FTC pushed back and asked the Denver-based 10th U.S. Circuit Court of Appeals to suspend Nottingham's ruling that blocked the agency from operating the list.

The free service was originally intended to block about 80 percent of telemarketer calls. Exemptions included calls from charities, pollsters and on behalf of politicians.

The do-not-call list works by requiring telemarketers to pay for a copy of the list so they can know who to avoid calling. Many telemarketers have the list, but some do not and cannot obtain it since the FTC shut down that aspect of the program on Sunday in response to the court rulings.

The FCC can only penalize telemarketers who have gotten the list, meaning that some businesses may keep calling consumers without fear of reprisals.

While many members of the Direct Marketing Association, the largest telemarketer association, have agreed to comply with the list, some worry they might be penalized whether they have the list or not.

Telemarketers without the list are in a Catch-22 situation because they can't get it and are afraid to make calls because they might be fined for calling listed numbers, said Jerry Cerasale, a senior vice president with the association.



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WORLD BRIEFLY

Soldier dies in Afghanistan

By The Associated Press

KABUL, Afghanistan — A U.S. soldier was killed and two others wounded in a clash with suspected Taliban rebels in southeastern Afghanistan, the U.S. military said Tuesday.

The clash took place Monday near a coalition base at Shkin, in Paktika province, just a few miles from the border with Pakistan, spokesman Col. Rodney Davis said from Bagram Air Base, the U.S. military headquarters in Afghanistan.

Two enemy fighters were also killed, he said.

Shkin and another coalition base to the north in Khost, both along the porous border with Pakistan, have come under near daily rocket attack, and skirmishes are also commonplace. Afghan and Western officials say they believe Taliban fighters are hiding across the border in Pakistan, then crossing over to launch attacks.

R&R program for soldiers draws fire

By The Associated Press

Major airlines are offering discounts to soldiers and their families taking advantage of the military's new rest and relaxation program, which has received some criticism because the last leg of soldiers' vacations are not paid for.

Under the first major R&R program since Vietnam, the government pays for flights from Iraq to Germany, and then the United States, at which point the troops must pick up the tab for any domestic travel.

Before Delta Air Lines and Southwest Airlines this weekend began offering the troops special fares requiring no advance purchase, soldiers on vacation with little notice were faced with buying extremely expensive last-minute fares.

Under the terms of the discounts offered by Delta and Southwest, no advance purchase or minimum stay is required and fares are refundable. American and Northwest on Monday also matched the deals.

Bush's war chest is \$65M and growing

By The Associated Press

WASHINGTON — President Bush has more than \$65 million in his political war chest and is picking up more campaign cash in Illinois and Ohio as he talks

about the fragile economic recovery.

On the president's schedule for Tuesday: a fund-raising luncheon at a hotel in Chicago, a meeting with business leaders at the University of Chicago School of Business and then an evening fund-raiser in Cincinnati.

"The business leaders he's meeting with represent a cross-section of the economy — everything from manufacturing to services to finance," White House spokeswoman Claire Buchanan said.

Bush's trip follows Monday's Commerce Department report showing that consumer spending increased by a strong 0.8 percent last month on top of an even bigger 0.9 percent advance in July — an increase that many economists attributed to Bush's tax cuts. Last month, however, businesses slashed jobs for the seventh month in a row, and claims for unemployment benefits have remained high.

Resentments keep Europe divided

By The Associated Press

UNITED NATIONS — Old rifts over the war in Iraq kept the European Union from forging a united position on when the United States should cede power, highlighting the difficulties Washington will face trying to reach agreement on a new U.N. resolution.

President Bush hopes such a resolution will bring more troops and money into Iraq. The unofficial target date for adopting a U.N. resolution is Oct. 22 — the day before a major donors meeting begins in Madrid, Spain, to try to generate funds for Iraq's reconstruction.

On Monday, Russia said it wants a "realistic but short" timeline for handing over power and is prepared to accept a stage-by-stage transition provided the United Nations receives a major political role.

But French Foreign Minister Dominique de Villepin reiterated Monday that "France insists on the implementation of a rapid transfer of power ... within several months."

Germany, another opponent of the war currently on the U.N. Security Council, has moved closer to the United States, and did not insist on a timetable Monday.

GOP senators back \$87B Iraq package

By The Associated Press

WASHINGTON — Democrats and some Republicans are hoping to rewrite President Bush's \$87

billion package for Iraq and Afghanistan, but top GOP senators are supporting only a few changes in the White House request.

The Senate Appropriations Committee planned votes Tuesday on its version of the legislation, with a show-down afterward in the full Senate. The bill, written by panel Chairman Ted Stevens, R-Alaska, mostly follows Bush's proposal but would forbid using the money to repay deposed President Saddam Hussein's foreign debt and limit some flexibility for spending the funds that Bush sought.

The committee's top Democrat, Sen. Robert Byrd of West Virginia, said Republicans were leading "a mad rush" to push the bill through the Senate. Most of their focus was on \$20.3 billion, the same amount Bush requested, for rebuilding Iraq's economy, public works and government.

"Make no mistake: this bill is the beginning of an enormous, yearslong commitment to Iraq for a mission that may well be impossible," Byrd said.

Republicans defended the reconstruction funds as the best way to stabilize the country so that American troops can be removed from a country where they are suffering almost daily casualties.

Who leaked name of CIA operative?

By The Associated Press

WASHINGTON — Justice Department lawyers must answer a long list of questions before determining whether to initiate a full-blown criminal investigation into who leaked the name of a CIA officer.

Despite growing outcry from Democrats for a special counsel to avoid any conflict of interest, the Justice Department had no deadline for concluding its preliminary probe, Bush administration officials said.

In fact, the CIA claimant two months ago that one of its agent's identities had been disclosed is only one of about 50 the Justice Department receives each year from the spy agency about leaks of classified information. Very few ever get beyond a preliminary investigation, which is handled by Justice's counterespionage section.

The disclosure of the intelligence officer's identity by syndicated columnist Robert Novak came shortly after her husband, former Ambassador Joseph C. Wilson, undermined Bush's claim that Iraq had tried to buy uranium in Africa. In what turned out to be a major embarrassment, Bush acknowledged he could not back up his statement.

The White House said that leaking classified information was a serious matter that should be "pursued to the fullest extent" by the Justice Department. But White House officials denied it leaked the CIA officer's identity.

Study: How state forests can limit greenhouse gases

By The Associated Press

VANCOUVER, Wash. — Washington state's trees might be able to earn some money for their natural ability to capture and store greenhouse gases.

The state Department of Natural Resources is taking part in an 18-month study examining the best way to use state-owned forests to reduce carbon in the air. The \$3.5 million study, led by the U.S. Department of Energy and partly funded by oil and energy companies, will examine whether states might be able to sell "carbon credits" for managing public timberlands in a way that captures carbon.

DNR sells timber to raise money for school construction, universities and other public institutions. But state Lands Commissioner Doug Sutherland said he's interested in exploring whether Washington might earn money by not harvesting trees — or at least cutting them at a slower pace than the current 60-year rotation between replanting and harvest.

Carbon is captured in the natural respiration of trees, and it stays in the wood. Greenhouse gases, including carbon dioxide emitted from coal- and oil-burning power

plants, build up in the atmosphere and effectively trap the sun's heat, acting like the glass of a greenhouse.

Earlier this month, Washington Gov. Gary Locke joined California Gov. Gray Davis and Oregon Gov. Ted Kulongoski in announcing an initiative to reduce greenhouse gases.

"It's simply not possible to plant our way out of it."

— K.C. GOLDEN
Policy director,
Climate Solutions

In the Pacific Northwest, scientists say even a slight difference in atmospheric temperatures could lead to substantial increases in winter flooding and summer droughts.

The study announced this week could lead to the creation of a market for buying and selling carbon credits.

State timberland managers in Oregon and California

also are participating in the study.

Any change in forest management would still have to make economic sense, DNR spokesman Todd Myers said. Longer harvest rotations or thinning trees to enhance overall forest growth may help capture carbon, but those measures could reduce timber sales.

K.C. Golden, policy director for Climate Solutions, an Olympia-based nonprofit organization focused on global warming, said that while it's not a bad idea to use trees to capture carbon, they collect only a small portion of the carbon dioxide released into the atmosphere.

"It's simply not possible to plant our way out of it," he said.

It would be better to reduce automobile exhaust, replace fossil-burning power plants with renewable energy sources and improve energy conservation, said Sara Patton, executive director of the Northwest Energy Coalition in Seattle.

The Department of Energy is providing \$1.6 million for the study involving Washington, Oregon, California, Arizona, Alaska and Nevada, along with \$11.1 million for similar partnerships nationwide.

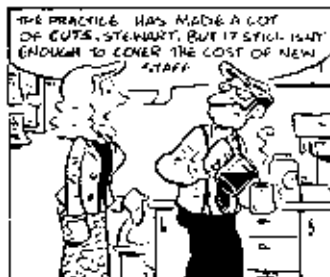
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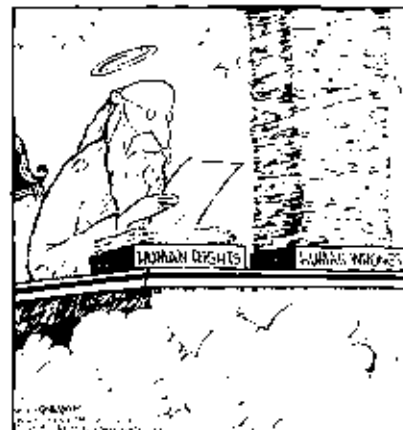
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- 15 School-bag item
- 16 Thompson of TV
- 17 Tax org.
- 18 Shoe width letters
- 19 With-draws
- 22 Relate
- 23 Like some salsa
- 26 Tricks
- 29 Balloon fill
- 32 Reporter Potter
- 33 "Goshi!"
- 34 Messy
- 36 Wail
- 37 Catch
- 38 Old coin
- 39 Radio part
- 40 Speak
- 41 Carmaker Ransom

42 Tenth president

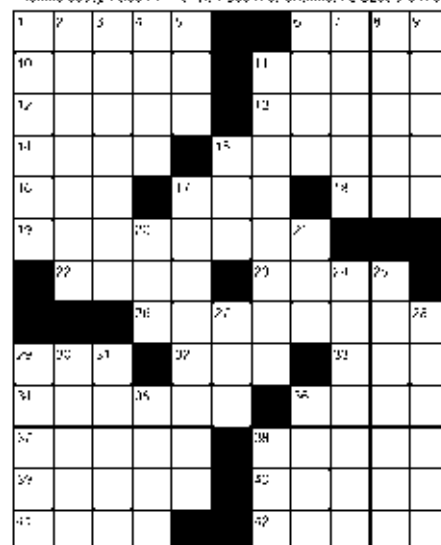
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- 2 Plead
- 3 Scone
- 4 Sailors
- 5 Goof
- 6 Blueprint
- 7 Charging weapon
- 8 Loosen, in a way
- 9 Furry wrap
- 11 Took for granted
- 15 NFL player
- 17 Bahamian, e.g.
- 20 Pole worker
- 21 Frank McCourt book
- 24 Sound
- 25 Library book stamp
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Announcements

ALZHEIMER'S SUPPORT GROUP meeting. Last Wednesday of the month; at Sunrise Assisted Living, Pacific Palisades call (310)573-9545/Linda.

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SANTA MONICA SCENE °CALENDAR EDITION

WEDNESDAY, OCTOBER 1, 2003

EVENTS

Raw foods lecture & preparation with Tree of Life

Brian and Celeste of Tree of Life will be preparing all raw Pasta Alfredo, Papaya Mango smoothies and Strawberry Cream Pie. Evening includes raw food (\$10 fee for food) and lecture. 6:30 - 8:30 p.m. Wild Oats Market 1425 Montana Ave., Santa Monica (310) 576-4707

Children's story times

The Santa Monica Main Library and all other branches offer story hours for children of all ages. Please call each branch for schedules.
Main Library - (310)458-8600
Ocean Park Branch - (310)392-3804
Fairview Branch - (310) 450-0443
Montana Branch - (310) 829-7081

Great Books Discussion Program

Come listen and participate in a discussion about Clifford Geertz's book, *Deep Play: Notes on the Balinese Cockfight*. Free. 7:00 - 8:45 p.m. Santa Monica Library, Fairview Branch (310) 450-0443
2101 Ocean Pk. Bl.

SMC Board of Trustees meeting

Public welcome to participate in Santa Monica College's

Board of Trustees meeting. Voice your opinions and keep current with new decisions. Free. 7:15 p.m.
Business Building, Rm 117
Santa Monica College
1900 Pico Blvd., Santa Monica

CULTURE

Something Wicked This Way Comes

The Pandemonium Theatre Company presents a preview of Ray Bradbury's adaptation of his own novel about a sinister carnival. A must see for Bradbury enthusiasts. 8 p.m.
Edgemar Center for the Arts (800) 595-4849
2437 Main St., Santa Monica

Because of You

The Life and Loves of Sholom Aleichem
Evelyn Rudie and Chris DeCalo created 'Because of You' a musical based on the letters and stories of Sholom Aleichem, the creator of the characters in 'Fiddler on the Roof.' Aleichem wrote about the Russian-Jewish experience, including works in Yiddish at a time when there was no literature in the language. Sat. 8 p.m.
Santa Monica Playhouse (310) 394-9779
1211 Fourth St. Santa Monica, CA 90401

Puppetol!

Watch a puppet show at the Santa Monica Puppet and

Magic Center. This is a great place to take the kids and to unwind after a long day.
1255 2nd Street Santa Monica, CA 90401
(310) 656-0483

ENTERTAINMENT

Temple Bar

Here visitors can enjoy concoctions like White Chocolate Martinis, a Gingitini or a Razzmatazz. Those who are really hungry can enjoy a Chicken Tamale Plate with Fried Plantains. Temple Bar even offers vegetarian options like veggie eggrolls and burgers. But no good bar would be complete without live music. Tonight features DJ Issa and the following: 8:30, Elements of the Outer Realm; 9:45, Nobody's Pacific Drift; 11, Daedelus. \$5.
1026 Wilshire Blvd. Santa Monica
(310) 393-6611

Harvelle's

Established in 1931, Harvelle's is the oldest blues club on the west side. This is the kind of blues joint you'd expect to find in a dark Chicago alley; yet even if it's your first visit, it feels familiar. Tonight Harvelle's features Circle of Songs at 7 p.m. with the Mary Dukes Band and special guest.
1432 4th St., Santa Monica
(310) 395-1676

MOVIE °GUIDE

LAEMMLE'S MONICA 4-PLEX

1332 2nd Street
American Splendor R - 1:45, 4:25, 7:05, 9:45
Dummy R - 1:00, 3:20, 5:40, 8:00, 10:20

Whale Rider R - 1:50, 4:25, 7:00, 9:35

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd
Casa de los Babys R - 4:30, 7:30, 10:00

My Life Without Me R - 4:15, 7:00, 9:45

LOEWS CINEPLEX BROADWAY CINEMAS

1441 Third Street Promenade
Anything Else R - 11:00a.m., 1:15, 4:30, 7:15, 9:50
The Fighting Temptations PG-13 - 11:15a.m., 2:00, 4:45, 7:35, 10:30
Lost in Translation R - 10:45a.m., 12:00 noon, 1:10, 2:30, 3:45, 5:00, 6:10, 7:45, 8:40, 10:20

AMC SANTA MONICA 7

1310 Third Street Promenade
Dickie Roberts: Former Child Star PG-13 - 2:20, 4:45, 7:20, 9:40
Once Upon a Time in Mexico R - 1:50, 4:20, 7:00, 9:30
Pirates of the Caribbean PG-13 - 1:30, 4:20, 7:10, 10:05
Seabiscuit PG - 2:10, 5:00, 8:15
Secondhand Lions PG - 2:00, 4:30, 7:05, 9:45
Step into Liquid (not rated) - 2:30, 5:15, 7:40, 9:55
Under the Tuscan Sun PG-13 - 1:40, 4:30, 7:10, 10:10

MANN CRITERION 6 THEATERS

1313 Third Street Promenade
Cold Creek Manor R - 1:15, 4:15, 7:20, 10:20
Duplex PG-13 - 12:00 noon, 2:00, 2:30, 4:30, 5:00, 7:00, 7:30, 10:10
Matchstick Men PG-13 - 11:20a.m., 2:15, 5:00, 7:20, 10:30
The Rundown PG-13 - 11:00a.m., 1:45, 4:35, 7:10, 9:50
Underworld R - 11:15a.m., 1:00, 4:00, 7:15, 9:25, 10:00

If you know of an upcoming event which may be included in the calendar please send the information to calendar@smdp.com or fax it to (310) 576 9913

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— Christine Cohen

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— Howard Greenburg, Howard Management group

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— Diego Guida

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— Jim Rickwalt, Johnnie's Italian Restaurant

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PEOPLE IN THE NEWS

DeGeneres chooses Internet over TV so she can swear

By The Associated Press

■ **LOS ANGELES** — For Ellen DeGeneres, the Internet is a place to do the things she can't do on her new syndicated talk show.

"There is so much freedom on the Internet — more than cable and I'm not on cable," she told The Associated Press. "So I need a place to swear ... if I ever want to."

DeGeneres doesn't swear on her Web site, but she does make an appearance as a pop-up ad in the right-hand corner, hawking tickets to her show, "The Ellen DeGeneres Show," which is taped in Los Angeles.

After the Web site loads, DeGeneres appears and begins to "knock" on the computer screen, trying to hand tickets to the viewer. She then picks up a hammer and chisel and chips away, causing a virtual spider web of cracks to appear on the screen.

"I didn't want the Web site to be impersonal and I wanted to interact with people," DeGeneres said. "The hammer and chisel bit was not as easy as it looks. We broke 137 monitors trying to get that done."

The 45-year-old comic also used the Internet recently to name her new puppy. More than 70,000 votes were cast. "Lucy" beat out "Oreo" by a nose.

"I don't know anything about the Internet, but I wanted a Web site," she said. "I think I was the last person to have one. Mayonnaise has a Web site."

■ **NEW YORK** — Gossip columnist Lloyd Grove has left the Beltway for the Big Apple, where his new column for the Daily News, called Lowdown, has debuted.

Grove, 48, who worked for The Washington Post for more than 20 years and wrote its Reliable Source column, joins New York City's crowded field of gossip columnists.

The News already features the husband-and-wife gossip team of George Rush and Joanna Molloy. Grove faces competition from New York Post columnists Richard Johnson and Cindy Adams, and Newsday's Liz Smith, whose column is syndicated.

In his debut Lowdown column on Monday, Grove wrote about California gubernatorial candidate Arianna Huffington, Kevin Bacon, Russell Simmons and President Bush's 72-year-old uncle, Jonathan J. Bush, who presents "flattery devices" as gag gifts to friends and relatives.

Grove's column will appear Monday through Thursday, and on Sundays. Rush & Molloy will appear Tuesday through Friday, and on Sundays.

Grove said in a telephone interview that compared with Washington, the gossip in New York is more wide-ranging and more interesting.

"It's crazy," he said. "You have to do it a step at a time, a column at a time. ... I'm not expecting that the column tomorrow is going to be as authoritative or as good as the column a year from now."

Grove was first approached by News co-publisher Mort Zuckerman at an Oscar party last spring. "What I like about him is that his reporting about people is fair-minded, accurate and not mean-spirited," Zuckerman told The New York Times.

Grove grew up in Los Angeles and Greenwich, Conn., and has a degree in English from Yale University. He's worked stints in Texas at the Corpus Christi Caller-Times and The Dallas Morning News, where he wrote profiles.

He went to The Washington Post in 1980, where he worked as a feature writer, theater critic, campaign reporter and Style section reporter before taking on the Post's Reliable Source gossip column.

■ **LONDON** — A businessman was fined \$1,240 Tuesday for damaging the unit supplying water to magician David Blaine in his plastic box dangling near the River Thames.

Stephen Charles Field, 38, pleaded guilty to causing criminal damage and a further charge of threatening behavior at Tower Bridge Magistrates' Court in London.

Field, of Godalming in southern England, admitted scaling a 30-foot tower which houses the unit supplying water

to Blaine. The illusionist is now more than halfway through a 44-day stunt in which he's surviving only on water.

Field told the court he'd initially wanted to get a better view of Blaine, but once up there he threw a large plastic water container from the tower, ripping the feeder pipe and breaking two taps.

"He was seen to be rocking the top platform and then tugging at pipes and ropes which connect the supporting tower to the box," Prosecutor Claudette Hamilton said.

When security staff tried to persuade Field to come down, she said, Field shouted: "I'll take you all on if I come down. I'll take you all on."

Power was temporarily cut off to prevent Field from being electrocuted. He eventually came down of his own accord and was arrested. Damage to the water container unit, feeder pipe and taps was estimated at \$360.

■ **NEW YORK** — Attention ladies: Moby is ready to procreate.

The techno artist made the announcement as he helped premiere the animated, kalidescope-like show "SonicVision" Monday night at the American Museum of Natural History's Hayden Planetarium Space Theater.

Moby, who helped pick the music that's integral to the film, told the crowd before its premiere that the day had been wonderful for him, in part because he spent his morning helping judge a contest for children.

"Now, for the first time in my life. I want to make babies," the 38-year-old said. "If anyone wants to make babies, let me know."

Moby was among the hundreds in attendance for the film's debut and the glittering party afterward at the museum's Rose Center for Earth and Space.

He chose artists ranging from U2 to Coldplay for the futuristic, eye-popping film, which at times is dizzying with its graphic effects. Moby said he was excited to participate in a project with the museum, which he's frequented since he was a child. He said the museum helped inspire an early career goal to be a scientist.

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