

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY



6 19 32 33 40
Meganumber: 39
Jackpot: \$15M



15 20 22 27 47
Meganumber: 18
Jackpot: \$30M



8 21 22 34 37



MIDDAY: 9 1 5
EVENING: 6 3 7



1st: 11 Money Bags
2nd: 05 California Classic
3rd: 08 Gorgeous George
RACE TIME: 1:41.28

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

Sanju Bhagat was admitted to a hospital in Nagpur, India, in August, where doctors expected to find a very large abdominal cyst, but instead, said surgeon Ajay Mehta, "To my surprise and horror, I could shake hands with somebody inside." Bhagat was a victim of fetus in fetu, in which his birth twin had migrated to the inside of his body and continued to leech off of him. Mehta extracted feet, hands, hair and jaw.

TODAY IN HISTORY

Today is the 277th day of 2006.
There are 88 days left in the year.

- 1957
- The Space Age began as the Soviet Union launched Sputnik, the first man-made satellite, into orbit.
- 1970
- Rock singer Janis Joplin, 27, was found dead in her Hollywood hotel room.
- 1978
- Funeral services were held at the Vatican for Pope John Paul I.

QUOTE OF THE DAY

"You do not know what life means when all the difficulties are removed! I am simply smothered and sickened with advantages. It is like eating a sweet dessert the first thing in the morning."

JANE ADDAMS

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Kevin Herrera/Daily Press

BRUSH WITH THE PAST: Students at McKinley Elementary on Tuesday soak in the images on a mural painted last weekend to commemorate the school's 100th anniversary. The mural was designed by students and local artist David Legaspi.

Crash suspect is stopped in tracks

BY KEVIN HERRERA
Daily Press Staff Writer

BROADWAY — A woman suspected of fleeing the scene of an accident Tuesday morning slammed her car into an SUV and a stop sign before coming to a halt at a Santa Monica intersection.

See CHASE, page 12

Century mark

School's true colors 100 years in making

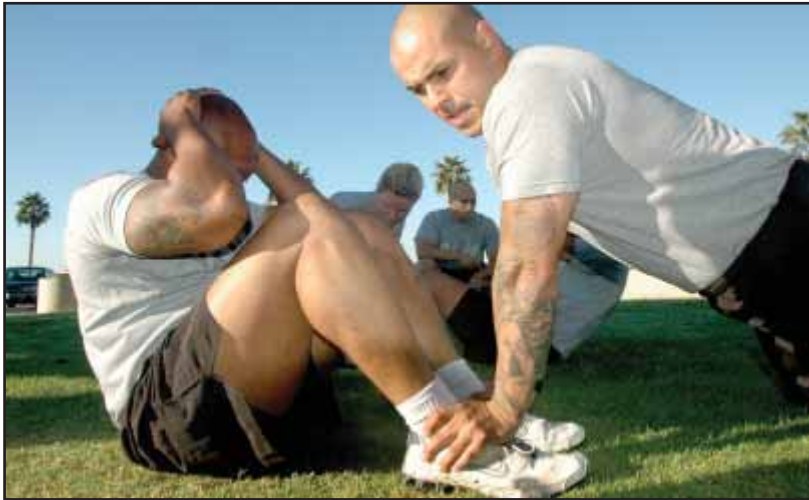
By Daily Press staff

MID-CITY — The day's history lesson was staged outdoors on Tuesday for the students of McKinley Elementary School, who marked the school's 100th anniversary with the unveiling of a mural that spans three

separate handball courts on the school's Mid-City campus.

The mural was designed by students with the help of local artist David Legaspi, who over the last six years has painted more than a dozen murals on every campus within the Santa Monica-Malibu Unified School District. Students painted the mural along with their parents and teachers as a way of demonstrating school "P.R.I.D.E.," which at McKinley stands for "Peaceful, Respectful, Intelligent, Diverse and Enthusiastic." Throughout the year, Principal

See MCKINLEY, page 11



It's crunch time

Fabian Lewkowicz/Daily Press

Army National Guard Sgt. David Ramirez (right) holds Sgt. Ken McCreary in place on Tuesday while he does 58 sit-ups in two minutes during his yearly Physical Training test at Santa Monica Beach. More pictures on page 12.

Weller's defense rests its case

BY JESSICA ROBERTS
Special to the Daily Press

DOWNTOWN LA — Lawyers concluded their defense of George Russell Weller on Tuesday with a pair of expert witnesses who testified that "pedal error" was to blame for the Farmers' Market crash three years ago, and a third who hindered the claim by prosecutors that Weller was seen driving erratically the morning before he plowed into pedestrians on Arizona Avenue.

The trial of Weller — the then-86-year-old man who drove his car through the bustling Santa Monica marketplace on July 16, 2003, killing 10 people and injuring dozens more — is nearing conclusion in this, its fourth week. Closing arguments are expected to begin as early as Thursday before the jury goes into deliberations.

Weller, 89, faces 10 counts of vehicular manslaughter and up to 18 years in prison if convicted on all counts. He has not been present for most of the trial, having received special permission by the court to be absent due to declining health.

With its final witnesses, the defense continued to build its case for "pedal error" as being at the root of Weller's crash, showing that the elderly driver did not have control

See WELLER, page 11

Passing muster with CEPS

BY KEVIN HERRERA
Daily Press Staff Writer

CITYWIDE — Following a month of interviews and evaluations, an influential community group that pressured City Hall into contributing more than \$6 million a year to local schools announced its endorsements on Tuesday in three local

races deemed critical to education interests in Santa Monica.

Community for Excellent Public Schools (CEPS), a broad-based grassroots organization dedicated to the preservation and betterment of public schools, will raise money and campaign on behalf of education

See CEPS, page 13



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Eddie Guerboian

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Horoscopes

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WEDNESDAY, OCTOBER 4, 2006

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Santa Monica Daily Press

JACQUELINE BIGAR'S STARS

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

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



ARIES (March 21-April 19)

★★★★ You might want to understand what is happening within a bond, but assertively questioning or finding out doesn't work. Research, observe, listen and reflect. You'll succeed if you follow this path. Others express more if they feel free and not pushed. Tonight: Rest up.

TAURUS (April 20-May 20)

★★★★★ Take the high road. Use your instincts with a professional matter or an issue that drops more responsibility on you. Think in terms of success and drive. Understand rather than judge. Others naturally follow your sense of direction. Tonight: Aim for what you want.

GEMINI (May 21-June 20)

★★★★★ Reach out for another with care. You are in the limelight. Creativity and intellect merge. Your sense of humor comes through in a big way. Your spark shines wherever you use your imagination. Others adore your fire. Tonight: In the limelight.

CANCER (June 21-July 22)

★★★★★ Reach out for someone. You find that by exploring your options and seeing a situation differently, you will come up with answers. The unexpected provokes thought, which is why it occurs. Allow more dynamic ideas in. Tonight: Wave goodbye to tradition.

LEO (July 23-Aug. 22)

★★★★ Try to do the unexpected. You'll get way ahead because you are willing to approach others in a dynamic, open manner. Others sometimes have wild ideas that, in your book, simply do not work. Remain positive. Tonight: Say yes to an invitation.

VIRGO (Aug. 23-Sept. 22)

★★★★ You might be put out by someone more than you are ready or willing to acknowledge. You could be overwhelmed by what is occurring. Having expectations as to how others should react could be at the root of the problem. Tonight: Let others reveal their true colors.

LIBRA (Sept. 23-Oct. 22)

★★★★ Get into work, giving 100 percent of your energy and enthusiasm. Results come from constituent effort and different types of thinking. You'll discover that new technology is helpful if you don't close yourself down to possibilities. Tonight: Could be late.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ You can add much more to a situation than you realize. Think carefully about what could happen if you let your imagination set your limits. Answers come forward out of the blue because of your innate resourcefulness. Tonight: Be a wild thing.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Anchor in on what is important. Your drive and ability to mobilize others to your type of thinking help win the day, or at least the moment! Define who you are. Keep conversations flowing. You have the ability to find a new basis of thinking. Tonight: Unexpected developments.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Listen to news that heads your way. You might feel that taking a strong action is necessary. Know when to pull back and do something differently. Creativity flourishes for those who are open. Your instincts are right-on with a boss. Tonight: Out and about.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Use your imagination and penchant for freedom to not self-destruct but to enhance your finances and life. Sometimes you could feel a bit silly working on goals right now. Do it anyway. Tonight: Gather your bills.

PISCES (Feb. 19-March 20)

★★★★★ Your instincts serve you well within a partnership. Your ability to move into new ideas after some thought and evaluation helps you deal with key associates on a daily level. High energy and luck grace your day. Tonight: As you like.

BORN TODAY Author Jackie Collins (1941), author Anne Rice (1941)

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

Santa Monica Daily Press

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PUBLISHED MONDAY THROUGH SATURDAY

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COMMUNITY BRIEFS

Cultured students get a ticket to ride

By Daily Press staff

More field trips could be in store for Santa Monica students and community groups, thanks to this year's \$12,000 transportation grant from the city. Since 1996, the Santa Monica Cultural Affairs Division and the Santa Monica Arts Commission have come together in efforts to increase access to arts and cultural activities available throughout Los Angeles County. The grant will help the community to work towards its goal of reducing traffic and fuel emissions through the use of buses and other public transit methods to attend the cultural and arts events.

The grant is funded through local return funds, which will bring Santa Monica residents to art museums, galleries, artist's studios, theaters and performing arts venues. Santa Monica-based public schools and non-profit organizations looking to expand their arts education programming must use the grant for transportation only.

Funding will be available for trips made through June 1, 2007.

To apply for a grant, applicants should submit an application, which includes estimated transportation costs, to the Santa Monica Cultural Affairs Division by Wednesday, Nov. 15, at 5 p.m. Applications can be found at <http://www.arts.santa-monica.org>. City staff members will review the applications to determine eligibility and to ensure that all trips meet city funding criteria. The city will make an effort to distribute the funding throughout the Santa Monica School District.

Encouraged venues include locations where curators, artists, lectures or other interactive activities are available. Applicants are also encouraged to partner up with other related groups in similar grades, age ranges, interests or needs as to serve the largest possible number of participants, as to maximize the use of the funding.

For additional information, contact Hamp Simmons at the Santa Monica Cultural Affairs Division at (310)458-8350 or hamp.simmons@smgov.net.

Elks get in gear to help handicapped kids

By Daily Press staff

The Santa Monica Elks held a Parking Lot Sale over the weekend, with all proceeds earmarked for the California Hawaii Elks Association Major Project. The event is just one of many fundraising events the Elks hold throughout the year.

The Major Project supplies funds that support the therapists, scholarships and vocational programs for handicapped children throughout the state; children primarily in rural areas, where such services are difficult to obtain.

For more information, call Curt Curtiss at (310) 645-8989.

World activist to lend a helping hand

By Daily Press staff

Longtime progressive activist Don White will be the special guest speaker at the Activist Support Circle on Wednesday, Oct. 25, at the Friends Meeting Hall, 1440 Harvard Street in Santa Monica.

White is a member of the Pacifica Radio national board and is a founder of CISPES (Committee in Solidarity With the People of El Salvador). He also serves on the boards of Americans for Democratic Action, Office of the Americas and Coalition for World Peace.

The Activist Support Circle is an emotional support group for progressive activists. The purpose of the monthly gatherings are to:

- Guard against activist-related burnout.
- Share activist-related frustrations and fears, as well as hopes and aspirations, in a supportive, safe environment.
- Turn feelings of despair into feelings of empowerment.

The gatherings are free and there is free parking on-site. Doors open at 6:30 p.m. For more information, call the Activist Support Circle at (310) 399-1000 or visit www.activistsupportcircle.org.



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SURF REPORT



SURF CONDITIONS

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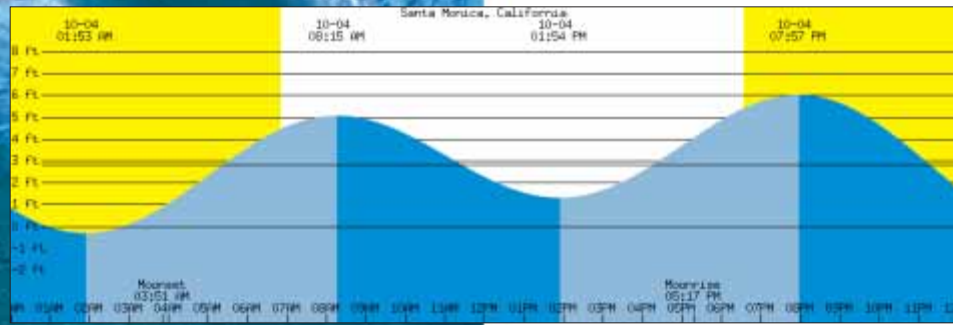
SWELL FORECAST (2-3 FT)

We have some light southerly energy due from some storms that were acting up south of the Pitcairn Islands last week. We also have some NW energy due from a system that was spinning south of the Aleutians. This combination should help most all breaks see slightly better size from Wednesday, but it's a "bring your longest board day" for sure.

LONG RANGE SYNOPSIS

LIGHT NW AND SW DURING THE WEEKEND...

TIDE FORECAST FOR TODAY IN SANTA MONICA



The QLine

City Hall has recently expanded its high-speed wireless network to 11 locations within the city, adding sites such as the Santa Monica Pier, the Civic Auditorium and its own building's lobby and courtyard, making it exceedingly easier for laptop users and Internet junkies to get their online fix. Several cities across the U.S. have pursued blanketing their entire region with "Wi-fi," allowing residents either free access or charging a monthly access fee in efforts to recoup the costs of installing such a network.

So this week, Q-Line wants to know:

"Should Santa Monica render the entire city a "hotspot," with Internet access for all? How should the costs be offset?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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LETTERS TO THE EDITOR

Listening to constituents is what it's all about

Editor:

Regarding "Asking price can be steep" (SMDP, Sept. 26, page 1), one often hears politicians urging more public participation in the governmental process. After all, we are supposed to be a government of the people. Political offices, whether paid or not, are public service positions, and an important part of being a public servant is listening to, understanding and responding to the concerns, wishes and questions from constituents. It is an important part of the job. Imagine a bus driver complaining about having to stop at too many stops to pick up passengers.

In 2004, shortly after our group "Concerned Residents Against Airport Pollution" was formed to have Santa Monica Airport air pollution addressed, we put on a candidates forum in Santa Monica that focused on airport issues. Forums are an excellent venue to educate the public and political candidates by focusing on one or more issues. It gives candidates an opportunity to meet the public, answer questions and make statements that they would not otherwise have. Questionnaires are another valuable tool for understanding a candidate's position on issues that constituents are concerned about. I would hope that the candidates would be grateful for the community's interest and involvement in the political process. As Bob Stern, President of the Center for Governmental Studies points out in Kevin Herrera's article, "... It really is more of an educational opportunity for a candidate than it is for the groups."

The suggestion that Terry O'Day made to have the City Clerk post questionnaires online is very good. I would add also posting forum schedules as well so that groups can avoid scheduling conflicts. Concerned Residents is holding another Santa Monica City Council candidates forum on airport issues Oct. 5 at the Ken Edwards Center, and this time around we are pleased to have Friends of Sunset Park as a supporter and participant.

Martin Rubin

Director of Concerned Residents Against Airport Pollution

There's still more transients ... period

Editor:

For all of the platitudes Santa Monica politicians have enjoyed giving each other regarding the policies they have chosen to follow for the past 20 years, there is but one truth: They haven't resulted in fewer transients on our streets. The transient population has actually increased. A policy change is necessary. Whether a harsh or a compassionate plan — or a bit of each — that is adopted, the focus must now be on addressing the needs of all citizens — the housed as well as the homeless.

Any new policy should affect — and its success be measured by — an immediate reduction in the number of disheveled and hopeless and sometimes dangerous people currently wandering through our streets and alleys. There are limitations on one city's ability to help all the needy in this county or this state. An appropriate estimate of Santa Monica's capacity to help should be determined with respect to a reasonable number of people who can be effectively aided along with the city's financial ability to generously provide it. We should then not be so hospitable that we attempt to provide beyond that level, and should actively discourage derelicts and idlers from taking up residence on our streets, recognizing the limitations of our ability to help everybody. The mentally ill should be encouraged to obtain treatment under new legislation that provides for it.

Surrounding communities similar to ours do not seem to have the same problems concerning people living on their streets. We have an idea of what they may be doing wrong, but what are they doing right? How do we prevent a Skid Row from establishing itself here?

John Kreiss

Santa Monica

Not all elderly drivers pose a risk

Editor:

I do believe, along with Stefan Treff (SMDP, Sept. 26, page 4), that George Weller should not have been driving. He had had accidents prior to the tragedy at the SM Farmers' Market. Mr. Treff mentioned seeing "many older ladies" who should not be driving. Well, I take offense to this, as there are many older men I have seen who also have no business driving.

I will be 75 next April and am proud to say that I am still a very competent driver. (Treff) is welcome to ride with me at any time. I drive from Santa Monica daily in the early morning to the Fairfax district and there isn't one morning that the young ones aren't cutting in and out of traffic, cutting people off, and not even having the courtesy to let you know what they are doing by using a turn indicator. And this is the law! Very often, a mile down the road, they are stopped at a light — maybe one yellow light they came upon too late to run.

I hope when the time comes that I can no longer drive safely that I turn my keys over to my husband or that my family will have a talk with me and ask me to stop driving. I feel this should have been done in the case of Mr. Weller.

Oh, and Mr. Treff, I also drive an automobile with a 280-horsepower engine.

Barbara Nelson

Santa Monica

Are the church police back again this election season?



THE
WITNESS
STAND
BY CLIFF NICHOLS

Again, we find ourselves in a hotly contested election season. On the surface, we are told that what is at stake is a determination of what party will end up being vested with control of the Congress. But what is really at stake is the charting of our nation's course with respect to the hot-button social issues that linger always just below the surface of all the rhetoric, such as abortion, gay-marriage, stem cell research and illegal immigration.

So, it follows that once again we will be witnessing those who favor these things threatening Christians who would oppose them with tax code violations, such as a story that appeared this last Sunday on the front page of the LA Times seemed to imply.

That story reminded everybody again that under the IRS' rules, regulations and guidelines, a 501(c)(3) organization "may not participate at all in campaign activity for or against political candidates" and "are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of, or in opposition to, any candidate for elective public office." Further, leaders of such organizations cannot make "partisan" comments in any official organization publications or at official functions, and "indirect participation" in a political campaign includes such things as contributing funds to a campaign or issuing position statements on behalf of, or in opposition to, any candidate.

The penalty for an infraction can be quite severe. It may result in "denial or revocation of tax-exempt status and the imposition of certain excise tax." Moreover, in some, if not all, such cases the imposition of taxes may be imposed retroactively on all income the organization has received since its inception. In short, revocation could equate to automatic bankruptcy for the organization.

Why is this a problem? Because most faith-based organizations (i.e. — churches) in this country are tax exempt under 501(c)(3), and consequently, their valuable input into the political debate surrounding many grave social issues is effectively silenced -- issues of immense importance, not only to both these organizations and their members, but to our nation's cultural future as well — issues such as same-sex marriage, abstinence education, evolution, gender orientation legislation, hate speech legislation, stem cell research, abortion, late-term abortion and, perhaps most importantly, the social policy predispositions of the judicial nominees and politicians that will determine the outcomes of these issues.

The threat made to churches that would violate this mandate of political silence is real. One editorial commentator recently put it this way: "Either religious leaders must

confine their public actions to religious matters or forfeit the tax-free status of religious individuals and organizations." Moreover, there now exist groups that are actively seeking to enforce this threat, such as Americans United for Separation of Church and State and the Mainstream Coalition. Their members are sent to monitor the services of various churches for inappropriate or unlawful "political content." And in those instances that these monitors perceive that a speaker has crossed the line, a complaint seeking revocation of the church's tax exemption is filed with the I.R.S.

At the same time, however, the free speech rights of those who would oppose faith-based views are not subject to any similar restraint. In the past, the likes of Howard Dean, Bill Maher, Alec Baldwin, Ben Affleck, Rob Reiner, Linda Ronstadt and Ron Reagan, Jr. have repeatedly attacked Christians and their views publicly with impunity. Whereas, the responsive silence of churches oftentimes has been deafening due to their vulnerability caused by their tax-exempt status. The question is, can this inequality be rectified? I think so, and though I've written about this before, I think it bears repeating now.

First, churches could start by acknowledging that the 501(c)(3) choke collar they are wearing is self-imposed. Churches place this choke collar upon themselves when they seek and maintain tax-exempt status. And they do have an alternative. They could choose to simply pay taxes like other businesses and thereby reacquire their right to express and defend their opinions and beliefs freely just like everybody else. Of course, this would be easier for new or recently formed churches to do. Whereas, for churches that have been in existence longer, I can appreciate how this might threaten their very survival if forfeiture of their exemption would result in their being taxed retroactively.

Consider the publicity that would be generated if one such church were to publicly offer to forfeit its exemption and commence paying taxes as of the current tax year, if the I.R.S. would waive the retroactive tax penalty and thereby permit that church to avoid bankruptcy? In essence, the church would be offering to render unto Caesar what is Caesar's (taxes) so that it would be free to render to God what is God's (obedience to his commandments and precepts). How cool is that? And even if it failed, consider the earthly benefits of making such an offer to the I.R.S. in terms of a public relations coup. The first headline could read as follows:

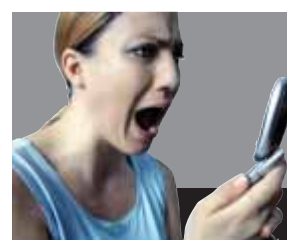
'Church seeks permission to pay taxes to restore their right to free'

The real question, however, is whether the next day's headline would read:

'I.R.S. Denies church's request to pay taxes to regain free speech rights'

If that were the case, at least we would then know that the real reason churches are offered the exemption in the first place is to effectively secure their silence.

Cliff Nichols is an attorney practicing criminal defense in Santa Monica. He can be reached at (310) 917-1083 or cliff@cliffnicholslaw.com.



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Santa Monica Daily Press

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Robot race winners aiming to clear room on highways

BY ALICIA CHANG

AP Science Writer

LOS ANGELES — The winners of last year's Pentagon-sponsored robot race are back to take on another challenge — this time to develop a vehicle that can drive through congested city traffic all by itself.

Stanford University, whose unmanned Volkswagen dubbed Stanley won last year's desert race, was among 11 teams selected Monday to receive government money to participate in a contest requiring robots to carry out a simulated military supply mission.

Stanford, which teamed up with the German automaker again, will enter a Passat sedan outfitted with the latest sensors, lasers and other high-tech gear. Engineers have tested the car on a closed course and will begin actual tests after scientists finish writing the program that will serve as the car's brain.

"It's definitely a more challenging problem scientifically," said team member David Stavens.

The competition, slated to take place in a yet-undisclosed location in November 2007, is supported by the Pentagon's Defense Advanced Research Projects Agency, or DARPA, to spur development of military vehicles that could fight in war zones without any sort of remote control.

The robotic vehicles will have to navigate a complex 60-mile test course designed like a real city street filled with moving manned and unmanned vehicles. Participants will be tested on how well they make sharp turns, navigate traffic circles and avoid obstacles such as utility poles, trees and parked cars. The vehicles will also have to obey traffic laws, change lanes, merge with moving cars and pull into a parking lot using only their computer brain and sensors.

The first three vehicles that successfully

complete the mission in less than six hours will win trophies, according to updated rules posted on DARPA's Web site.

The robotic challenge could turn into a rematch between archrivals Stanford and Carnegie Mellon University. CMU came in second and third last year with a converted Humvee and Hummer.

CMU, which recently partnered with General Motors Corp., will enter a souped-up Chevy Tahoe. Engineers are installing computers and sensors and will test the vehicle later this month.

Team member Chris Urmson said cars have to be smarter this time around.

"The biggest challenge will be to drive in traffic and stay on the road. It's a whole new level," Urmson said.

The 11 teams, made up of mostly veterans from last year's robotic challenge, each will receive up to \$1 million in funding from DARPA. In turn, the agency will obtain some licensing rights to the technology that's developed.

The other teams include: Autonomous Solutions of Utah, California Institute of Technology, Cornell University, Golem Group LLC of California, Honeywell Aerospace Advanced Technology, Massachusetts Institute of Technology, Oshkosh Truck Corp., Raytheon Co., and Virginia Polytechnic Institute and State University.

Later this month, DARPA will choose an undisclosed number of teams that will not be subsidized by the agency but can compete for a spot in the finals.

Last year, DARPA awarded a \$2 million winner-take-all prize to Stanford, which beat out a field of 23 vehicles by traversing 132 miles of the Mojave Desert.

DARPA's inaugural contest in 2004 ended without a winner when all the entrants broke down before the finish line.



John McGrail, C.Ht.

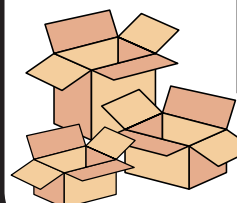
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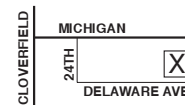
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Prosecutors still investigating Ramsey confessor for child porn

BY MARCUS WOHLSEN

Associated Press Writer

SANTA ROSA, Calif. — Sonoma County authorities said Monday they continue to investigate former JonBenet Ramsey slaying suspect John Mark Karr for child pornography

even as his case was scheduled to go to trial.

Though investigators have conceded that they lost a computer containing the original five pornographic pictures for which he was charged in 2001, they believe they have other computer equipment that could contain more than 1,000 other images.

Deputy County Counsel Anne Keck told Sonoma County Superior Court Judge Cerena Wong that the FBI was reviewing other pornographic images, comparing them against a national database to determine whether underage children appear in the photos.

The disclosure came in a hearing over whether to unseal police documents in the case. Prosecutors have said the evidence should remain under seal because of the ongoing investigation of Karr, who recently was returned from Colorado to face the 5-year-old porn charges.

But FBI spokesman Joe Schadler later said the bureau's role in the Karr investigation had ended, and was limited to providing expert testimony and forensic analysis of five pictures discovered on Karr's computer in 2001.

"We're not doing any further forensic work," he said.

Wong refused to unseal the documents sought by The Press Democrat newspaper of Santa Rosa. She sealed affidavits and other police documents after prosecutors said it could harm the investigation and prejudice potential jurors.

Defense lawyers did not comment on the new twist in the case, but they renewed efforts to get child pornography charges dismissed and filed a motion to exclude the newly discovered computer evidence from his case.

"They don't know how the images got there," defense lawyer Robert Amparan said. "They don't know whether Mr. Karr knew they were there. They don't know when if ever they were viewed."

Karr, 41, faces misdemeanors for allegedly having five images of child porn on his home computer when he was arrested in April 2001.

Karr appeared in court briefly looking tired and worn after spending more than a month in jail. Speaking in a soft voice, he waived his right to appear at the hearing and was led away by sheriff's deputies.

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Migrant deaths along border dip slightly in '06 fiscal year

BY EDUARDO MONTES

Associated Press Writer

PHOENIX — Deaths among migrants illegally entering the United States dropped slightly during the past fiscal year, according to the most recent statistics from the Border Patrol.

According to the statistics, 426 people died while illegally crossing the 2,000-mile U.S.-Mexico border between the start of the fiscal year on Oct. 1, 2005, and Sept. 15, the most recent date for which figures were available. Statistics show 446 people died during the same period last year.

A final count incorporating figures from the last two weeks of the fiscal year should be available later this month.

Most of the deaths occurred in Arizona, the busiest illegal entry point on the border and also typically the deadliest because of the punishing desert migrants must brave to reach their destinations. But the state was also the only border area to show an overall decline, from 258 in the 2005 fiscal year to 199 in the 2006 fiscal year.

Figures for the same period from Border Patrol sectors covering Texas and New Mexico showed an increase, from 140 deaths in the 2005 fiscal year to 175 during the 2006 fiscal year. Sectors covering California's part of the border showed a slight increase, from 48 to 52.

In Arizona, where the change was most noticeable, Border Patrol spokesmen attributed the decline to several factors, including an increased federal presence on the border

that they say deterred some people from crossing and that put more agents in position to rescue migrants in trouble. An official also cited a wetter summer that brought with it lower temperatures.

"We keep hammering the point about the dangers of the desert," said agent Jesus Rodriguez, a Border Patrol spokesman in Tucson. "We try to just hammer it home. It's not a picnic to walk in the desert."

Rodriguez said many of the deaths in the patrol's Tucson sector, which covers most of the Arizona-Mexico border, were attributed to the heat.

The areas where most migrants cross in Arizona typically have temperatures in the triple digits during parts of the spring and all summer. Rodriguez said the ground temperature can hit around 140 degrees.

Other causes of death included drowning, exposure to the cold and car accidents. In early August, an alleged smuggler rolled his vehicle near Yuma in far southwestern Arizona, killing 10 illegal immigrants and an unborn child.

The Rev. Robin Hoover of the group Humane Borders, which sets out water in the Arizona desert to help illegal immigrants in distress, said the wet summer was the primary reason deaths were down in the state. Storms helped bring desert temperatures down and left standing water that migrants could drink, Hoover said.

"All I've got to say about that is water does save lives," said Hoover, "whether it's from God or us or anybody else."

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IRVINE

Irvine's sister isn't playing nice

A sister city arrangement still has Irvine in quite a pickle.

A letter from the Xuhui District of Shanghai, China, which Irvine tried to partner with as a sister city, says Irvine must end its longtime friendship with Taoyuan, Taiwan, if Irvine wants to be friends with the Shanghai district.

The city has already said it wants a politics-free sister city relationship with both communities. On June 27, Irvine banned use of the terms "two Chinas" or "one China, one Taiwan" and stipulated that Irvine recognizes "that there is only one China."

City leaders figured that settled the dilemma. Then, the Shanghai district's Aug. 28 letter showed up.

"We sincerely hope that we can continue our sister-city relationship based on the One China Policy. We understand that what is needed now is more time and our mutual respect and efforts to reach this consensus," wrote Lin Longbin, deputy director of the Xuhui District foreign affairs office.

Councilman Steven Choi said he was disappointed in the Xuhui response. The issue has been placed on the Oct. 10 council agenda.

"It has no relevance in this relationship," Choi said about the "One China" policy that is the basis for U.S. relations with China. "Sister cities are created to promote understanding from people to people, not to get engaged in political or foreign policy issues."

Irvine's sister city arrangements became tangled in May when a city employee signed an agreement with the Xuhui District of Shanghai, in China.

The agreement stated Irvine, which has a Taiwanese community of nearly 2,800 residents, basically will not recognize Taiwan. Irvine has had a 16-year sister city relationship with Taoyuan, Taiwan.

LOS ANGELES

Judge tells executive he's not helping himself

A challenge to a U.S. Justice Department policy that urges companies to cooperate in investigations instead of protecting its employees should not absolve a former public relations executive convicted of overbilling the city, a judge has ruled.

U.S. District Judge Gary Feess did not rule Monday on former Fleishman-Hillard Inc. executive Douglas Dowie's motion that his conviction be overturned. But he said that Dowie's argument that another court's declaration that the so-called "Thompson memorandum" is unconstitutional will not help his case.

The policy was attacked last June in a ruling in the government tax fraud case against the accounting firm KPMG LLP. A judge ruled KPMG employees' rights were violated when the company stopped paying his legal fees in order to comply with the Thompson memorandum. Attorneys for Dowie, who once headed the Fleishman-Hillard office, argued that his indictment should be reconsidered because the public relations firm stopped paying his legal fees.

But prosecutors argued the government didn't ask Fleishman-Hillard to stop paying Dowie's fees to comply with the "Thompson memorandum." The firm cut Dowie off only after he sued it for wrongful termination, prosecutors said.

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Police say Amish school shooter told wife he was a molester

BY MARK SCOLFORO

Associated Press Writer

QUARRYVILLE, Pa. — A man who laid siege to a one-room Amish schoolhouse, killing five girls, told his wife shortly before opening fire that he had molested two young relatives decades ago and was tormented by "dreams of molesting again," authorities said Tuesday.

Charles Carl Roberts IV, 32, appeared to have planned to molest the girls at the school, but police have no evidence that he actually did, State Police Commissioner Jeffrey B. Miller said.

He said Roberts had sexual lubricant with him and flex-ties that he had bought seven days earlier, and that he chained the girls together in a line at the blackboard after

sending the boys and adults away. Roberts also had weapons and supplies indicating he was prepared for a long stand-off, he said.

"He states in his suicide note that he had dreams about doing what he did 20 years ago again," Miller said.

Miller said police could not confirm the claim about molesting young relatives when Roberts would have been a just a child himself, and he said Roberts' family members knew nothing of molestation in his past.

Roberts left one note for his wife, one for each of his three children and a note and checklist in his truck, Miller said. The note to his wife talked about his anguish over the loss of the couple's newborn daughter, Elise, in 1997, Miller said.

"The note that he left for his wife talks

about the good memories together, the tragedy with Elise, it focuses on his life being changed forever ... over the loss of Elise, his hatred toward himself, his hatred towards God as a result of that event, and he alludes to this other reason for this anger but he can't discuss it with her and it happened 20 years ago," Miller said.

When Roberts spoke with his wife by cell phone from inside the school, more than half an hour after he had walked in, he "told her he had molested two minor relatives 20 years prior and that was how she put all of that together," Miller said.

The girls were shot "execution style" shortly after police arrived, Miller said, and Roberts was dead by the time officers broke windows to get inside. It was the nation's third deadly

school shooting in less than a week.

Miller identified the victims, two of whom died on Tuesday, as Naomi Rose Ebersole, 7; Anna Mae Stoltzfus, 12; Marian Fisher, 13; Mary Liz Miller, 8; and her sister Lina Miller, 7.

Five other children remained hospitalized, four of them in critical condition.

State police spokeswoman Linette Quinn said the two girls who died early Tuesday had suffered "very severe injuries, but the other ones are coming along very well."

Roberts, a father of three from the nearby town of Bart, was not Amish and did not appear to be targeting the Amish specifically, Miller said. He said Roberts seemed bent on killing young girls and apparently figured he could succeed at the lightly guarded schoolhouse.

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Bush seeks high-seas ban on destructive bottom trawling

BY JOHN HEILPRIN

Associated Press Writer

WASHINGTON — President Bush called for a halt to destructive fishing on the high seas Tuesday and said the United States will work to eliminate or better regulate practices such as bottom trawling that devastate fish populations and the ocean floor.

Bush directed the State and Commerce departments to promote “sustainable” fisheries and to oppose any fishing practices that destroy the long-term natural productivity of fish stocks or habitats such as seamounts, corals and sponge fields for short-term gain.

He said the U.S. would work with other nations and international groups to change fishing practices and create international fishery regulatory groups if needed.

The memo was issued a day before United Nations negotiations open in New York on an effort to ban bottom fishing anywhere it's unregulated. While Brazil, Chile, Germany, the Netherlands, South Africa and, now, the U.S. have expressed support for regulating bottom trawling on the high seas, Spain, Russia and Iceland are among those that oppose it.

The U.S. allows but regulates bottom fishing

in U.S. waters. The practice involves boats dragging huge nets along the sea floor scooping up orange roughy, blue ling and other fish while bulldozing nearly everything else in their path.

“It's like clear-cutting the forest to catch a squirrel,” said Joshua Reichert, head of the private Pew Charitable Trusts' environment program, which has been leading an international coalition of more than 60 conservation groups against the practice.

“The White House ... has once again come out strongly in support of ocean conservation, proving that there is bipartisan support for ending the destruction of the world's oceans,” Reichert said.

Bush created a national monument in June to protect the Northwestern Hawaiian Islands and surrounding waters, an archipelago 1,400 miles long and 100 miles wide in the Pacific Ocean.

His position on high-seas fishing represents a last-minute shift going into an election, in part due to mounting pressure from the conservation groups, key Republican senators such as Ted Stevens of Alaska, Richard Lugar of Indiana and John Warner of Virginia, and U.S. allies such as Britain, Norway, Australia and New Zealand.

Unrelenting drought is taking a toll on farming and ranching families

BY ROXANA HEGEMAN

Associated Press Writer

WICHITA, Kan. — Charlie Griffin gets two or three calls daily from farmers struggling with bills they cannot pay.

“Often the first thing out of someone's mouth is, ‘I don't know where to turn,’” said Griffin, director of the Kansas Rural Family Help Line.

Widespread drought is taking a psychological, as well as financial, toll on American farmers and ranchers.

The summer of 2006 was the second warmest in the continental U.S. since records began in 1895, according to the NOAA National Climatic Data Center. Despite some rainfall last month in parts of the country, moderate to extreme drought conditions continue in about 40 percent of the country.

It's difficult to quantify how deeply the drought is affecting Kansas farmers. While the number of calls to the help line is running about the same as in past years, Griffin said, the drought has risen to the top of the average farmer's list of worries.

Calls to the help line typically increase as winter approaches and farmers start going over their account books.

“That is the time when a lot of farmers go through some seasonal depression, and some of them could benefit from assistance from a mental health professional,” Griffin said.

Cattle rancher Barrett Broadie said he's fortunate to have an off-farm job working for a cattle auction company to help pay bills and make his land payment.

“For a lot of these families, there is nothing they can do,” he said. “Psychologically, that is as tough on them as anything.”

Broadie, 36, keeps about 220 cows year-round and usually runs another 400 or more head on wheat pasture every winter. Last year, the drought-stressed pastures were so poor he could only run 200 head on pasture, cutting his profits in half.

“It makes it hard to make payments,” he

said.

In north Kansas, grain grower Dan Engler struggles with crops decimated by drought over the past seven years.

His off-farm job as an insurance crop adjuster helps, but his pickup truck has 217,000 miles on it and much of his farm equipment is aging. He laid off his hired hand, and depends more on his children and grandparents as unpaid farm labor. To cut insurance costs, he raised the deductible on their automobile, farm and health care policies.

“We have stretched all we can. There is really not much else that we can stretch,” he said.

Engler, 42, farms several thousand acres of corn, soybeans, wheat and sorghum. Higher prices for fuel and fertilizer have driven his operational costs up an additional \$35,000 this year, he said.

“How can you in a drought situation — when you don't have a crop — produce that \$35,000?” Engler asked.

He said seven young farmers he knows quit farming since he came to Kansas and took over his wife's farm in 1998.

Some relief may be in the offing in some areas. The National Weather Service's Climate Prediction Center has forecast some improvement across the Great Plains through December. The drought may also ease somewhat in the South and Southeast.

Whether the areas will get enough moisture to aid crops is uncertain.

Farm lobbyists continue to ask Congress for drought disaster assistance. They recently told members of the Senate and House agriculture committees that farmers are facing a two-prong disaster: the drought and high fuel and fertilizer prices.

“I think there is a good chance that Congress might pass a disaster package — the question is when that will occur,” said Dusti Fritz of the Kansas Wheat Commission. “Our message to congressmen was that we need it now and we need it before the October recess. But the message we heard back was that it was unlikely to happen that quickly.”

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New Libeskind museum wing defies tradition, attempts to trump Rockies

BY ROBERT WELLER

Associated Press Writer

DENVER — Architect Daniel Libeskind has upstaged the Rockies with his new wing of the Denver Art Museum, as jagged as the nearby peaks that inspired it.

New condominiums facing the museum sold faster than units with mountain views, something developer George Thorn had never seen in his 35 years in the business. The homes were built as part of the museum project and some are almost close enough to reach out and touch.

"It looks like the Titanic is about to run over you," Thorn said. The most expensive units go for \$1.5 million.

And with Libeskind's contribution, the area has become paradise for lovers of architecture.

"Where else can you see buildings by Ponti, Libeskind and Graves out your window?" Thorn asked.

Gio Ponti designed the existing castlelike museum, completed in 1971, and Michael Graves fashioned the seven-story Denver Public Library, which musters together squares, towers and cylinders in Western desert colors and opened in 1995. All three are within 100 yards of each other.

"I was inspired by the mountains. But at the same time I wanted to create a linkage, a conversation, a dialogue between the buildings," said Libeskind, who recalled living in Milan, Italy, next to Ponti's Pirelli Tower, and seeing his Denver museum on the cover of a magazine. "I thought it was amazing."

Sculptor Louise Bourgeois' famed 11-foot-high spider sits next to the museum's doors.

The soaring titanium-clad Libeskind wing, which opens Saturday, has already helped the museum negotiate its first-ever traveling exhibition from the Louvre Museum.

"We've never been able to have a relationship with a museum as large and as important as the Louvre," said Lewis Sharp, Denver museum director. "Artisans & Kings: Selected Treasures From the Louvre" will be on view from Oct. 6, 2007-to Jan. 6, 2008. It will include sculptures, antiquities, paintings and drawings by Rubens, Titian, Velasquez and Durer, as well as decorative arts and porcelain.

In museum circles it is called the Bilbao Effect — that a museum's building is as important as its collection — a reference to

the Guggenheim Museum in Bilbao, Spain, often called Frank Gehry's masterwork.

But Denver had been taking chances long before Gehry's building was completed in 1997. Ponti's building shocked many, and remains controversial. Denver International Airport's teepee-like structure opened to ridicule in 1995. The new library opened the same year and some people still shake their heads when they see it for the first time.

Still, said Sharp, "Great art looks great no matter where you put it. That doesn't mean you cannot create an environment that it will look better in and will engage people."

He said that curators are no longer content to put their collections in rectangular or square boxes.

A glass walkway connects the two museum wings. Libeskind's wing rises from two stories to four as it moves from south to north. From a different angle it can look like an unfolded fan of shards.

Most of the art works aren't hanging on "Daniel's walls," as the staff calls the interior walls, suspended from the ceiling or projected from the slope in some other way so they don't require the viewer to stand on tip toes or bend over to see it in its proper perspective.

There's none of the intended disorientation of Libeskind's Jewish Museum in Berlin.

"There are no bizarre things here," Daniel Kohl, the museum's interior designer, said. "It is a very classical museum. It is serene. We asked Daniel to give us large spaces that we can tailor over the years."

Kohl built moveable interior walls that can be reconfigured as needed. The walls are all white and floors black Douglas fir hardwood.

"I think there is a place for color in galleries. We certainly will be adding more color to the Libeskind building as we go forward. It is such a bold building that we wanted to begin the building celebrating the architecture," said Sharp.

There was a compelling need for more room. The Ponti building was built before traveling exhibitions became popular, and lacked the necessary amenities and space. In some cases the museum had to be closed while exhibitions were installed.

Now, with the \$67 million project, it has 22,000 feet available of easily accessible space, enough room to handle any exhibition that has toured the nation in the past decade, Sharp said.

Channel Islands hunting bill leaves fate of animals unclear

BY ERICA WERNER

Associated Press Writer

WASHINGTON — A newly approved bill mandates that trophy game remain on a Southern California public island in defiance of a court settlement and the position of the National Park Service.

But what exactly will happen with the animals and the private hunts now run on 53,000-acre Santa Rosa Island is unclear.

Russell Galipeau, superintendent of Channel Islands National Park, said the park service does not want the animals and does not believe the legislation allows hunting to continue indefinitely.

But that is the intent of the measure's author, House Armed Services Committee Chairman Duncan Hunter, R-Calif. He

wants wounded veterans to be able to hunt at no cost and said Tuesday the next step is for federal officials to meet with a nonprofit group called Wounded Warrior Project to come up with a plan.

Wounded Warrior Project was enlisted by Hunter after another group, Paralyzed Veterans of America, decided Santa Rosa was too inaccessible and dropped its backing of the idea.

Wounded Warrior Project's national policy director Jeremy Chwat said that apart from providing a letter of support, he wasn't aware of any further involvement by his group.

Meanwhile, legal action was being considered by an environmental group that agreed to a federal court settlement mandating that the animals be removed in 2011 and the hunting end.

Weller look-alike adds a new twist

WELLER, from page 1

over his car.

The first witness called on Tuesday, Elizabeth Howland, contacted defense attorney Mark Overland last week after reading newspaper reports about trial testimony by David Eisenman. Eisenman said he saw a red sedan driven by an elderly, white-haired gentleman steering erratically on San Vicente Boulevard near Bundy Drive around 10 a.m. on July 16, 2003. Eisenman later called police after seeing news reports about the Weller crash, and told officials about his experience with the red car.

Howland testified Tuesday that her father, who drove a burgundy 1991 Lincoln and lived four blocks west of the intersection of San Vicente Boulevard and Bundy Drive, drove Howland's son to a motorcycle repair shop on the morning of July 16, 2003.

Jurors were shown photos of a 1991 Lincoln, as well as Howland's father, who bears a resemblance to Weller. They did not hear testimony that Howland also spoke to her father the afternoon following the Farmers' Market crash and that he claimed he had nearly been cut off that morning while driving. That testimony was ruled inadmissible hearsay by Judge Michael Johnson in a preliminary hearing.

The defense then called Jack Scully, a private investigator who testified that he had interviewed a man who heard Weller say that he "was trying to push the brake, but nothing had happened."

On cross-examination Deputy District Attorney Ann Ambrose asked Scully what the witness had said about Weller's appearance immediately after the crash.

"He said the driver appeared calm, normal, as if nothing had happened," Scully said.

The final witness, Thomas Shelton, was called back to the stand to continue his testimony from last week. Shelton works in professional accident reconstruction, and reviewed the Multi-disciplinary Accident Investigation Team's (MAIT) materials in an "independent review."

Shelton said he concluded that the accident was caused by pedal error, the result of "unanticipated acceleration coupled with the panic of the driver."

"The only thing left ... was that in the case of this collision, it was a result of pedal error made by Mr. Weller after the collision with the Mercedes," he said.

The defense has tried to portray Weller's low-speed collision with a Mercedes Benz at

the corner of Fourth Street and Arizona Avenue, just before the Farmers' Market incident, as an initiating factor in the crash, causing Weller to panic and mistakenly accelerate when he meant to brake.

Still, Shelton acknowledged on cross-examination that in all his years as a California Highway Patrol accident investigator, he had only seen five cases of "pedal error" among the thousands he had probed.

Shelton described the only case of "pedal error" that he had personally investigated and observed the driver at the scene. He said the driver was "non-responsive" and unable to talk about the accident.

Ambrose has tried to show that Weller was actively steering the car as he drove down Arizona Avenue, a claim confirmed, at least in part, by expert witness testimony. Shelton indicated that Weller did not have control.

"He did not have control of the Buick, from the standpoint that he was trying to stop the vehicle but was pressing the accelerator instead," Shelton said.

The jury saw a PowerPoint presentation showing steering wheel positions and how much active steering -- about 18 degrees to either side -- Shelton said would have been required to make the moves Weller's Buick made as it crashed through the market. His testimony contradicted prosecution witness and MAIT investigator Richard Wong's previous statements that Weller's movement over the raised center of the road would have required "active steering input."

The jury also watched an animator's reconstruction of what the accident would have looked like from the driver's perspective, to show the speed of the events.

Shelton's testimony contradicted several key prosecution claims. He said that Weller's collision with the Mercedes did not meet the criteria for a "hit-and-run" accident, something Ambrose has asserted led to Weller's fleeing down Arizona Avenue. He also said that drivers' hands are knocked off the wheel when an airbag deploys, something he witnessed in experiments conducted with officers in 1991.

Ambrose eventually questioned Shelton about his fee for appearing in court -- \$250 per hour -- and his familiarity with the elements of the case, establishing that he did not personally interview any of the witnesses.

In fact, Shelton only went to the Farmers' Market on July 25, 2003 -- more than a week after the accident and not on the same day of the week.

a brick manufacturing plant and a large bean storage warehouse, both located on the eastern edge of town, according to the SMMUSD. The school was originally located on 20th Street between Santa Monica Boulevard and Arizona Avenue before moving to its current location on Chelsea Avenue and Santa Monica Boulevard in 1923.

Brush with the past

McKINLEY, from page 1

Irene Gonzalez plans to host a series of events celebrating the centennial. McKinley was founded in 1906 to handle an influx of new residents thanks to the establishment of

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Some real troopers



Fabian Lewkowicz/Daily Press

The California Army National Guard-Team Los Angeles (at left) runs for two miles during their yearly diagnostic Physical Training (PT) test on Tuesday at Santa Monica Beach. The test is composed of three parts — a two-mile run, a push-up test and a sit-up Test. (Right) The team stretches after performing the mandatory drills.

Hit-and-run suspect leads LAPD on chase into Santa Monica

CHASE, from page 1

The crash at Berkeley Street and Broadway occurred around 11:10 a.m., according to Los Angeles Police Officer Karen Smith. The driver was taken into custody by LAPD officers on suspicion of felony hit-and-run.

Paramedics took the injured driver to a local

hospital, but her condition was not immediately known. The driver of the SUV was treated for minor injuries and released at the scene, said Smith.

The motorist in question, whose name was not made available as of press time, was said to have fled the scene of an earlier accident at the corner of Santa Monica Boulevard and Butler Avenue in West Los

Angeles, where at least one victim complained of injuries.

Witnesses at the scene flagged down a police officer driving in an unmarked vehicle, who subsequently radioed for assistance as he followed the female motorist. The chase lasted for about a minute before the female motorist lost control and slammed

into a black SUV, said Smith.

Santa Monica police responded to the scene of the second accident, at Berkeley Street and Broadway, said Lt. Frank Fabrega, adding that SMPD is only handling the investigation of the crash that occurred in Santa Monica. LAPD is conducting the investigation into the alleged hit-and-run.



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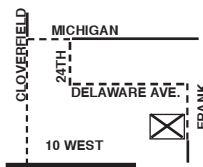
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CEPS moves to educate voters

CEPS, from page 1

advocate and CEPS member Gleam Davis, who is running for one of three available seats on the City Council.

In the race to fill four seats on the Santa Monica-Malibu School Board, CEPS is backing school board member Emily Bloomfield and challengers Kelly Pye and Barry Snell.

For the Santa Monica College board of trustees, where there is four seats on the line, CEPS will promote incumbent Nancy Greenstein; Louise Jaffe, a member of SMC's general advisory board; Tom Donner, SMC's former finance director; and David Finkel, an adjunct professor of political science at SMC and a former City Council member.

CEPS also endorsed Measure BB, the school district's \$246 million bond measure to improve school facilities.

The election is Tuesday, Nov. 7.

Candidate evaluations followed a three-step process. First, they were asked to answer a comprehensive list of questions developed to touch upon a broad spectrum of educational concerns specific to the SMMUSD.

The full list of questions, as well as each candidate's complete answers, are available to the public at www.excellentpublicschools.org.

Candidates were then invited to meet with CEPS steering committee members on Sept. 27-28 for individual interviews. CEPS members then reviewed all answers, as well as incumbents' records, and steering committee members voted on endorsements and ratings.

CEPS voted in June to endorse Davis, but opted against endorsing two other candidates, instead choosing to rank the council

hopefuls based upon their support for public education, said Shari Davis, CEPS chair.

"Gleam Davis understands that value of having excellent public schools, and the benefits our whole community reaps when high-quality K-12 schools, early childhood education and community college opportunities are a top priority," Davis said. "Numerous policy decisions come before the Santa Monica City Council related to educating and enriching the lives of the children in our community."

Incumbents Bob Holbrook and Kevin McKeown, along with newcomer Terry O'Day, a member of the Planning Commission, were rated as "reliable" supporters of education, with all three demonstrating and understanding of the needs of public schools, Davis said. All three told CEPS that, if elected, they will continue to provide financial support to schools in the future.

Incumbent Pam O'Connor was rated as "unreliable." The rating was based on O'Connor's "public disdain" for the movement led by CEPS in 2004 that forced City Hall to contractually fund local schools, Davis said.

CEPS sponsored an amendment to the city charter that would have required City Hall to contribute funds to local schools, but later abandoned that effort in exchange for a compromise with city officials. The compromise became official in 2005, with City Hall agreeing to contribute at least \$6 million a year for five years.

O'Connor's alleged lack of commitment to support future funding also played a factor in CEPS' rating, Davis said.

O'Connor said she supports City Hall's funding of public education, casting a vote in favor of the plan.

"I have a track record of supporting public education, but I was not going to promise (CEPS) that I would do what they say," O'Connor said. "I am the only incumbent running who voted for (the funding agreement)."

Holbrook was not present when the council approved of the funding measure. McKeown, who works for the school district providing technical support, excused himself because of a conflict of interest.

HITTING THE BOOKS

Bloomfield, the mother of three SMMUSD students, secured the CEPS endorsement because of her strong connection to the district and her commitment to closing the achievement gap, Davis said.

"Pye has made a name for herself as an outspoken voice for low-income students in the district in her years of service to PTA, site governance and various education groups," a statement from CEPS read. "She stresses partnership and collaboration as her mission on the Board."

"Snell is also a high-profile volunteer who has worked with PTA and school site groups to bring minority parents, especially African-American fathers, into the loop at Santa Monica High School and the middle schools."

OFF TO COLLEGE?

The lone incumbent running for the college board, Greenstein is seen by CEPS as a dedicated community member whose leadership on the board has helped the college progress after recent cutbacks.

Jaffe's commitment to lifelong learning was a key factor for CEPS, as well as her work to provide new resources for students,



Strut

Fabian Lewkowicz/Daily Press

Runway model Kristina Proulx struts down the makeshift red carpet on the Third Street Promenade last week as part of an Office Max promotion for Tul, a writing pen. Models Eric Weldon (left) and Aria Mae seem to like her style.





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Waiting for home prices to drop is test in patience



**DAYS ON
THE MARKET**
BY JODI SUMMERS

BY THE NUMBERS

All Homes	#Sold Aug-05	#Sold Aug-06	Pct. Chng	Med(K) Aug-05	Med(K) Aug-06	Pct. Chng
Los Angeles	11,653	9,193	-21.1%	\$494K	\$517K	4.7%
Orange Co.	4,708	3,203	-32.0%	\$617K	\$633K	2.6%
San Diego	5,379	3,666	-31.8%	\$493K	\$482K	-2.2%
Riverside	6,452	4,879	-24.4%	\$388K	\$415K	7.0%
San Bernardino	4,522	3,611	-20.1%	\$344K	\$365K	6.1%
Ventura	1,578	1,076	-31.8%	\$592K	\$598K	1.0%
So. Calif.	34,292	25,628	-25.3%	\$476K	\$489K	2.7%

Information courtesy of DataQuick information services.

The numbers just keep growing. At last check, California home sales were down almost a third from a year ago, with numbers falling for the 10th straight month. But, as curiosity would have it, the median existing-home price rose 1.6 percent in L.A. County to \$576,360. Those in the know say price levels are reaching a plateau.

"We experienced the greatest year-to-year sales decline since August 1982, when sales fell 30.4 percent," states Vince Malta, president of the California Association of Realtors. "This is another indication that we're in the initial stages of a long-anticipated adjustment in the market."

The most recent round of the UCLA Anderson Forecast notes that the housing market will not crash unless the job market weakens significantly, though home prices are expected to stagnate for at least five years during this down cycle.

Edward Leamer, director of the Anderson Forecast, observed that "the forecast calls for the market prices of homes to hold steady over the next five years, which equates to a drop of about 15 percent to 20 percent in real terms because of projected inflation."

According to national projections through 2010, the forecast notes that Washington, D.C. could face price depreciation of about 7.5 percent in real terms, while prices in real terms could drop 7.1 percent in California, 6 percent in Hawaii, 5.9 percent in Rhode Island, 5.8 percent in Maryland and Nevada, and 5.2 percent in New Jersey during that period.

San Diego is already feeling the pinch. Home sales are off around 32 percent from the same point last year, while the median home price lost 2.2 percent, to \$482,000.

The Anderson Forecast suggests it could take 6.3 years to 16.5 years to work off excess home-price appreciation in California.

"Many view this as a great conundrum: Prices continue to rise, even set records, as sales continue to slow. It happened for two years in San Diego before prices finally fell," observes Marshall Prentice, president of DataQuick information services. "We view this as the normal winding down of a real estate cycle, where declining demand gradually erodes price growth until it halts or reverses. We expect more markets to see prices flatten or decline a bit in the second half of this year."

PMI Mortgage Insurance Co., a subsidiary of The PMI Group Inc. notes that the major real estate markets at the greatest risk of a price decline are San Diego-Carlsbad-San Marcos, Calif.; Nassau-Suffolk, N.Y.; Boston-Quincy, Mass.; Santa Ana-Anaheim-Irvine, Calif.; and Sacramento-Arden-Arcade-Roseville, Calif.

The Anderson Report observes that price corrections can be slow affairs that lag behind a drop in sales. Homeowners "hold their homes on their personal balance sheets at the old price levels that applied back when their neighbors sold at the peak of the market," notes Leamer. "It is only after a couple of years of weak sales, and maybe some job losses, too, that the resolve weakens and home prices begin their very slow march south."

Unlike the recession of 1990, "manufac-

turing is not positioned to add to the loss of jobs that will occur in construction and real estate finance, and absent the loss of jobs in manufacturing the housing downturn will be considerably softened — softer, but longer lasting. Instead of a rapid and painful adjustment, expect a slow and aggravating one," the report states.

In 2005, the construction sector created 61,000 jobs in California; growth in construction employment has slowed this year. The construction sector may lose about 100,000 jobs through 2008, and building permits are expected to bottom out in 2008 "as activity returns to levels seen in 2000."

California foreclosure activity is rising at the fastest pace in 14 years, but defaults remained below historically normal levels, DataQuick reveals. On average, lenders filed 32,762 notices of default in each quarter over the past 14 years. Last quarter's 20,752 total was the highest since 25,511 were filed in first-quarter 2003.

"This is an important trend to watch, but doesn't strike us as ominous," states Prentice. "The increase was a statistical certainty because the number of defaults had fallen to such extreme lows. We would have to see defaults roughly double from today's level before they would begin to impact home values much."

Though some areas of Southern California will have price declines, a separate Anderson Forecast report, "The California Report," confirms that there is no recession expected for the state. "We are still firmly convinced that the national economy is the primary driver at the state level: statewide home prices (in California) are unlikely to decline significantly unless there is a recession," according to that report. "Real estate sectors will continue to decline, but without significant declines in another sector the net result will be a slowdown, not a recession."

About 23 percent of first-time home buyers in California are able to afford a median-priced home in 2006, compared with 30 percent a year ago, according to the California Association of Realtors.

The minimum household income first-time buyers needed to purchase a home at \$482,000 in California was \$98,720, based on an adjustable interest rate of 6.48 percent and assuming a 10 percent down payment.

In summary, real estate analysts and pundits conclude, "The economy is about to enter a period of several quarters of sluggish growth with inflation above the comfort level. The Fed will respond by gradually cutting the funds rate to 4.5 percent. Although not a recession, the unemployment rate will modestly increase and those sectors of the economy tied to residential construction will be in a cyclical decline."

Jodi Summers is Director of the Investment Division at Boardwalk Realty. E-mail her at jodi@boardwalkrealty.com or call (310) 309-4219.



THE HOA ADVISOR
BY MICHAEL CHULAK

Closing the deal on condo buys

Q I am a new real estate agent and would like to specialize in selling condominiums. What types of disclosures are required to be made before a condominium can be sold?

A Before a separate interest (unit in a condominium, lot in a planned development or right to occupy in a stock cooperative) can be sold, the owner is required to provide the following to the prospective buyer:

- (1) CC&Rs, Bylaws and Association Rules;
- (2) A statement from the association’s representative as to the amount of the regular and special assessments, fees and, if applicable, the amount of any unpaid assessments and/or other charges;
- (3) Any change in the association’s regular and special assessments and fees which have been approved, but have not yet become due and payable;
- (4) If applicable, a list of preliminary construction defects;
- (5) If applicable, any settlement agreement between the association and builder regarding construction defects;
- (6) The association’s operating budget, which must include a summary of the association’s reserve study;
- (7) A review of the association’s last financial statement, prepared by a licensee of the California State Board of Accountancy, if the annual gross income of the association exceeded \$75,000;
- (8) A statement describing the association’s policies and practices in enforcing lien rights or other legal remedies for default in payment of its assessments;
- (9) A summary of the association’s insurance coverages.

In addition, sellers are required to disclose to any prospective purchaser any fact materially affecting the value and desirability of the property, including but not limited to, the physical conditions of the property and previously received reports of physical inspections.

Lastly, real estate agents are required to conduct a reasonably competent and diligent visual inspection of the property offered for sale and to disclose to the prospective purchaser all facts materially affecting the value or desirability of the property that an investigation would reveal.

As you can see, the duty to disclose is extensive. It is recommended that you utilize the applicable standard California Association of Realtors forms and that you take your duty to disclose seriously.

Q I am purchasing a condominium. What should I review and approve before I make the decision to commit to a purchase?

A All of the items set forth in the answer above, plus the following:

- (1) An inspection report from a licensed and independent home inspector;
- (2) A structural pest control report;
- (3) Minutes of meetings of the Board of Directors for the last 12 months.

Q I am considering running for election to the board of directors of my homeowners association. What types of protections are available to protect me against legal liability for negligent acts?

A Under the California Civil Code, a director cannot be held personally liable if the director is acting:

- (1) As a volunteer (not paid);
- (2) Within the scope of the director’s authority;
- (3) In good faith;
- (4) In the absence of willful, wanton or gross negligence;
- (5) The association has both general liability and directors/officers liability insurance coverage (\$500,000 minimum for 100 units or less, or \$1 million minimum if over 100 units).

Notwithstanding the above, the association may be held liable for negligent acts of the board of directors.

In addition, the California Corporations Code also provides immunity if the director is acting:

- (1) In good faith;
- (2) In the best interest of the corporation;
- (3) In accordance with the business judgment rule;
- (4) As a volunteer (not paid).

Immunities are not absolute. You should contact legal counsel for additional information and obtain comprehensive insurance coverage from a knowledgeable insurance broker.

Michael T. Chulak is the founder of Michael T. Chulak & Associates, a Law Corporation. Send questions to info@MTCLaw.com. For more information, visit www.MTCLaw.com and www.HOAQandA.com.

Closing Costs and 1031 Exchanges



IN YOUR SPACE
BY CHRISTINA S. PORTER

When involved in a 1031 exchange, generally, expenses that are considered non-recurring, such as real estate commissions, will reduce the value requirement of the replacement property and not create a tax liability.

Expenses that can create a tax liability, and not permitted to reduce the value of the replacement property if paid with exchange funds, generally, are expenses that are recurring such as property taxes or insurance.

Examples of non-recurring expenses related to the purchase, sale and exchange are considered allowable and can include the following:

- Real estate commissions
- Referral Fees
- Title insurance premiums
- Closing or escrow fees
- Recording Fees
- Legal or Attorney Fees
- Tax Advisor or Accounting Fees
- Transfer taxes

- Notary fees

Expenses that are considered not part of an exchange and are generally disallowed can include:

- Loan Fees
- Loan Points mortgage insurance costs
- Property taxes
- Prorated Rent
- Insurance Premiums
- Security Deposits
- Payoff of credit card debt
- Lender’s title insurance
- Credit Reports

Non-exchange expenses paid with exchange funds are taxable, but can be offset by other items such as prepaid taxes. One option is to pay recurring expenses with non-1031 funds to avoid creating taxable boot in the 1031 exchange.

Items such as prorated tax payments or security deposits owed to the buyer can be treated as non-recourse debt if handled properly and can be offset against debt assumed on the new replacement property.

Investors should carefully review all aspects of their 1031 exchange with their tax and or legal advisor fully understand and plan for possible tax consequences.

Contact **Christina Porter** at (877) 4TM-1031 or at christina@tm1031exchange.com. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies.

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Mexico sees U.S.-border wall as 'useless'

BY MARK STEVENSON

Associated Press Writer

MEXICO CITY — President Vicente Fox's spokesman said Tuesday that an extended U.S. border fence was "useless and unworkable," and he predicted that the two countries would reach some form of immigration accord "sooner or later."

In a diplomatic note sent to the United States on Monday, Mexico harshly criticized a U.S. Senate vote authorizing 700 miles of

new fencing along the border. The project will cost an estimated \$1.2 billion.

It must be signed into law by President Bush to become law, and Mexico is lobbying him to veto it.

Fox spokesman Ruben Aguilar said Mexico still wants comprehensive immigration reform that would allow more people to migrate to the United States legally.

Aguilar said the border fence would affect the environment and ecology, and even the

reproduction of some species.

But he said Mexico had no plans to file the kind of environmental lawsuit that was used to temporarily block another big U.S. border project, the lining of the All-American Canal, just north of the U.S.-Mexico border. The irrigation canal delivers Colorado River water to farms in California's Imperial Valley.

A 23-mile section of the canal has leaked river water into a groundwater aquifer shared with Mexico for decades, and plaintiffs in the

case claimed that farmers and wildlife south of the border now depend on the seepage.

U.S. authorities want to line the earthen structure with concrete to save water. The 9th U.S. Circuit Court of Appeals in August ordered work on the canal to stop while an appeal is heard in a lawsuit aimed at blocking the project.

"For the moment, a measure like the one used in the case of the All-American Canal is not being contemplated," Aguilar said.

Rumsfeld listens to concerns about Chavez weapons buildup

BY LOLITA C. BALDOR

Associated Press Writer

MANAGUA, Nicaragua — Defense Secretary Donald H. Rumsfeld passed on an offer of Venezuelan tobacco, but tried to smoke out the government of President Hugo Chavez on the country's recent military buildup.

"I don't know of anyone threatening Venezuela, anyone in this hemisphere," said Rumsfeld, who is attending a meeting here of Western hemisphere military leaders.

Other countries in the region are worried that the weapons could end up in the hands of terrorists, Rumsfeld told reporters Monday, adding, "I can understand neighbors being concerned."

While he raised questions about the buildup, he also exchanged greetings with Venezuelan defense minister Gen. Raul Isaias Baduel, who also is attending the meeting.

"I have spoken to Mr. Rumsfeld to convince him that he should try smoking Venezuela's good tobacco," Baduel told the

Associated Press. "He said he doesn't smoke, that his wife wouldn't let him."

Baduel also said his country's recent military spending spree wasn't "an arms race," despite Washington's protests.

Rumsfeld also did not meet with Chavez, who has repeatedly charged that United States is planning to invade his country, a claim American officials dismiss as preposterous. And he said Sunday that he's heard the Bush administration is plotting to assassinate him or topple his regime.

U.S. Army Gen. Bantz J. Craddock, chief of U.S. Southern Command, called the accusation "mindless" and "way over the top." But he also agreed that Venezuela's recent deal to buy roughly \$3 billion worth of arms from Russia — including rifles, jet fighters and helicopters — is triggering "more concern from more countries."

Craddock and other officials said Monday that they don't see a credible threat in Venezuela's call for the creation of an anti-U.S. military coalition with other leftist countries in the region. Craddock said Brazil's defense

minister told the gathering he doesn't see a need for a regional military organization.

Gen. Moises Omar Hallesleven, the commander of the Nicaraguan military, told U.S. reporters he is not concerned about the Chavez effort.

Venezuela, he said through an interpreter, has very weak influence in the region. Hallesleven also vowed that as long as he is its leader, the Nicaraguan military will remain apolitical and professional — even if Sandinista leader Daniel Ortega wins the upcoming presidential election.

Chavez grabbed headlines recently when he called Bush "the devil" and slammed U.S. leaders for trying to block his country from taking a seat on the U.N. Security Council.

U.S. officials have long considered Chavez a destabilizing force. And they have suggested that Venezuela would make the Security Council unworkable if the nation were to win its bid against U.S.-backed Guatemala for a rotating council seat.

Rumsfeld, in his formal remarks to the gathering, also made a reference to the other

main U.S. antagonist in the region: Cuba.

He said he hoped that one day soon "the final holdout in our hemisphere against the democratic sweep of history will give its citizens the right to choose their own destiny and will participate in our conference."

Rumsfeld also called for more regional cooperation in the fight against terrorism.

"These new challenges can be solved only if we work together to protect our free democratic institutions and to provide economic opportunities for our people," Rumsfeld said.

The military conference, along with a NATO defense ministers meeting and other military visits in the Balkans last week, have largely kept Rumsfeld out of Washington for the past week, where there is renewed debate on his stewardship of the Iraq war.

He said he will not resign, and told reporters he has not read, and likely won't read, the new book, "State of Denial" by Washington Post assistant managing editor Bob Woodward, that is critical of his stewardship of the war.

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Americans win Nobel Prize in physics for making bang

BY KARL RITTER

Associated Press Writer

STOCKHOLM, SWEDEN — Americans John C. Mather and George F. Smoot won the 2006 Nobel Prize in physics on Tuesday for work that helped cement the big-bang theory of the universe and deepen understanding of the origin of galaxies and stars.

Mather, 60, works at the NASA Goddard Space Flight Center in Greenbelt, Md., and Smoot, 61, works at the Lawrence Berkeley National Laboratory in Berkeley, Calif.

Their work was based on measurements done with the help of NASA's COBE satellite launched in 1989. They were able to observe the universe in its early stages about 380,000 years after it was born. Ripples in the light they detected also helped demonstrate how galaxies came together over time.

"The COBE results provided increased support for the big-bang scenario for the origin of the Universe, as this is the only scenario that predicts the kind of cosmic microwave background radiation measured by COBE," the academy said in its citation.

The big-bang theory states that the universe was born billions of years ago from a rapidly expanding dense and incredibly hot state.

Reached at his home in Berkeley, Smoot told The Associated Press he was surprised when he got the call from the Nobel committee in the middle of the night.

"I was surprised that they even knew my number. After the discovery I got so many calls I unlisted it," he said.

"The discovery was sort of fabulous. It was an incredible milestone. Now this is a great honor and recognition. It's amazing," he said.

Mather said he was "thrilled and amazed" at receiving the prize.

"I can't say I was completely surprised, because people have said we should be awarded, but this is just such a rare and special honor," Mather said in a telephone interview with the Nobel committee.

He said he and Smoot did not realize how important their work was at the time of their discovery.

With their findings, the scientists transformed the study of the early universe from a largely theoretical pursuit into a new era of direct observation and measurement.

"The very detailed observations that the laureates have carried out from the COBE satellite have played a major role in the development of modern cosmology into a precise science," the academy said.

Last year, Americans John L. Hall and Roy J. Glauber and German Theodor W. Haensch won the prize for work that could improve long-distance communication and navigation.

This year's award announcements began Monday with the Nobel Prize in medicine going to Americans Andrew Z. Fire and Craig C. Mello for discovering a powerful way to turn off the effect of specific genes, offering new hope for fighting diseases as diverse as cancer and AIDS.

The winner of the Nobel Prize in chemistry will be named Wednesday. The Bank of Sweden Prize in Economic Sciences in Memory of Alfred Nobel will be announced Oct. 9. The winner of the peace prize will be announced Oct. 13 in Oslo, Norway.

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Wednesday
Mario's War
8:00
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La Febebbre, The Cainman
7:30
Friday
Viva Zapatero, Anche Libero
Va Bene
7:30

AMC LOEWS BROADWAY 4
1441 3rd Street
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The Black Dahlia (R)
2:15, 5:00, 7:45, 10:30
Hollywoodland (R)
2:00, 4:45, 7:30, 10:15
The Illusionist (PG-13)
2:30, 5:15, 7:50, 10:20
Invincible (PG)
2:45, 5:30, 8:00, 10:45

AMC 7 SANTA MONICA
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Crank (R)
7:30, 9:45
Everyone's Hero (G)
2:20, 4:50
Gridiron Gang (PG-13)
1:30, 4:20, 7:15, 10:20
The Guardian (PG-13)
12:40, 2:10, 3:40, 5:10, 7:00, 8:30, 10:10
The Last Kiss (R)
2:00, 4:40, 7:20, 9:40
Open Season (PG)
12:50, 1:50, 3:00, 4:30, 5:30, 7:10, 7:50, 9:30, 10:00

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The Last King of Scotland (R)
1:00, 4:15, 7:00, 9:50
The Science of Sleep (R)
1:45, 4:30, 7:20, 10:00

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A Guide to Recognizing Your Saints (R)
11:30am, 1:55, 4:30, 7:10, 9:40
Half Nelson (R)
11:30am, 2:05, 4:40, 7:20, 9:55
Little Miss Sunshine (R)
12:00, 2:30, 5:05, 7:40, 10:10
The U.S. vs. John Lennon (PG-13)
11:45am, 2:15, 4:50, 7:30, 10:00

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

‘Cocaine’ is back Sober Clapton channels a hit

ERIC CLAPTON is playing "Cocaine" in concert again.

The recovering drug addict and alcoholic, who founded the Crossroads Centre addiction recovery center on the Caribbean island of Antigua, stopped performing the song written by J.J. Cale when he first got sober.

"I thought that it might be giving the wrong message to people who were in the same boat as me," Clapton recently told The Associated Press.

"But further investigation proved ... the song, if anything, if it's not even ambivalent, it's an anti-drug song. And so I thought

that might be a better way to do it, to approach it from a more positive point of view. And carry on performing it as not a pro-drug song, but just as a reality check about what it does."

Clapton's band shouts out "dirty cocaine" during the song.

"It's one of those songs that

you can take it any way you like," Clapton told the AP. "But it very clearly says in the opening verse, 'If you wanna get down, down on the ground,' I mean, that's, I think, the focal point of the song. That's what the song's about, is that, you know, there's a price."

Clapton also said he missed

playing "Cocaine," with its signature guitar riff, "just purely from a musical point of view."

Clapton, 61, is on the North American leg of his world tour. His duet CD with Cale, "The Road to Escondido," is scheduled for release Nov. 7

ASSOCIATED PRESS

Lavigne spitting mad at the paparazzi

AVRIL LAVIGNE has agreed that spitting at the paparazzi is probably not a good thing to do.

Lavigne issued a statement apologizing after she and her husband, Deryck Whibley of Sum 41, clashed with some of the pesky photographers in Los Angeles.

According to reports,

Lavigne spat in two separate incidents last week. Lavigne apologized for her "behavior with the paparazzi."

However, her apology, posted on her Web site, indicated she "meant no offense" to her fans — not the paparazzi. She said she will always go out of her way for fans.

She also said her behavior was "a reaction to the persistent attack from the paparazzi" and she said "it's trying at best dealing with their insistent intrusions."

Lavigne and Whibley married in July after having dated since early 2004

Lavigne is among the ensem-

ble in Richard Linklater's upcoming adaptation of the best-seller "Fast Food Nation," about fast-food culture, due to open in November. She was also the voice of Heather the opossum in "Over the Hedge." Her last album release was "Under My Skin" in 2004.

AP

Wake him up before he goes-goes

GEORGE MICHAEL was arrested on suspicion of possessing marijuana after police found him slumped over the steering wheel of his car in London, authorities said Monday.

Michael was arrested after police responded to complaints

that a car was blocking an intersection in North London at 3:22 a.m. Sunday. He received a caution for possession of cannabis and was released on bail on a charge of being unfit to drive. He has a November court date.

Just a week earlier, Michael gave

his first solo concert in 15 years. The Spain show kicked off his new tour, "25 Live," which is scheduled for 28 European cities this fall.

Michael rose to fame in the 1980s as half of the duo Wham! before starting his solo career.

Police had earlier warned

Michael for possession of cannabis in February.

In April, he hit three parked cars. He later acknowledged in an interview that he was a "terrible driver" and said he was trying to maneuver out of a parking spot.

AP

'SLAVE' TO JUSTICE

Audioslave guitarist TOM MORELLO was arrested during a protest for hotel worker rights last week in Los Angeles.

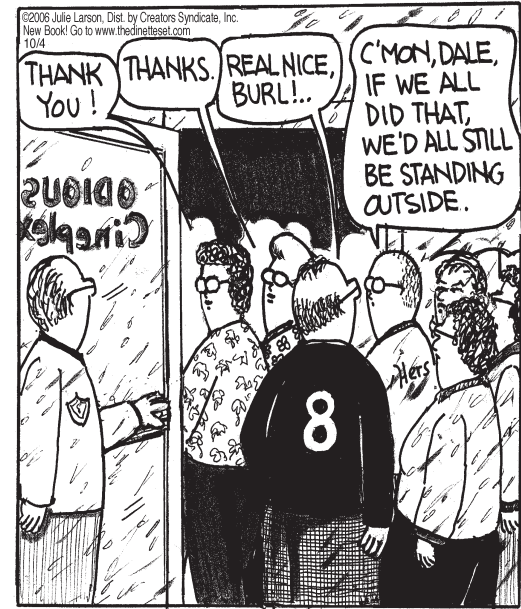
According to Morello's social activism Web site, Axis of Justice, he was one of about 400 protesters arrested during a march last Thursday to raise awareness for immigrant hotel workers' rights.

He was charged with unlawful assembly for refusing to move from the main entry road into Los Angeles International Airport.

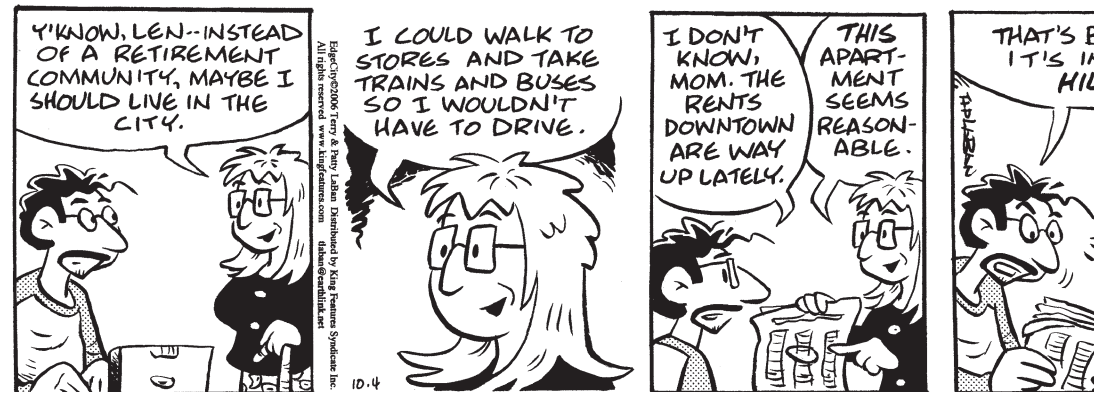
Morello, 42, spent the evening in lockup and was released Friday morning. "Bail was high," he said — each arrestee had to pay \$5,000.



The Dinette Set by Julie Larson



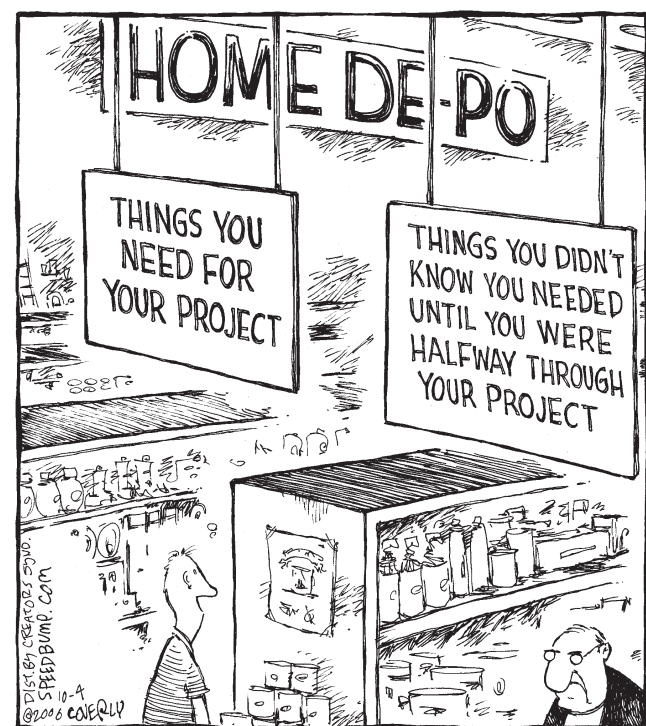
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By THOMAS JOSEPH

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- 12 Track bet
- 13 Honey drink
- 14 Current fashion
- 15 Moose's cousin
- 16 Covered with gold
- 17 Choose
- 19 Express despair
- 22 Praise
- 24 Handle
- 26 Newspaper section
- 27 Invasion
- 28 Witch trial town
- 30 Colorful flower
- 31 Pupil's place
- 32 Busy
- 34 Reason to pack
- 35 Binary base
- 38 Medieval weapon
- 41 Rough guess
- 42 Marigold color
- 43 Choir voice
- 44 United
- 45 Rose on the diamond

DOWN

- 1 Vatican surrounder
- 2 Skater's move
- 3 Household whistler
- 4 Break off
- 5 Excavation find
- 6 Glorifies
- 7 Cartoonist Groening
- 8 Hole in one
- 9 "— not for me to say"
- 10 Basketball's Holman
- 16 Hair goop
- 18 Misplace
- 19 Atlantic jellyfish
- 20 Singer Redding
- 21 Murder mystery find
- 22 Facility
- 23 Inside pic
- 25 Pitching stats
- 29 Desert sight
- 30 Baby boxer
- 33 Vetoed

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P/T NANNY for 2 children in Westchester. n/s, needs own car, English and ability to help with elementary homework a must, laundry, light cleaning, and cooking. 3pm-6pm Tue- Fri. Please send resume to: c/o Pump Salon 1431 Ocean Avenue, Suite B, Santa Monica, CA 90401 Attn: Lisa

PART TIME sales associate wanted for American Cancer Society Discovery Shop in Santa Monica. 10-12 hrs. per week. Must be flexible. Fax Resume to (310)458-6494

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Employment

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BRENTWOOD \$925/MO studio/bath Carpet, laundry, refrigerator, stove, patio, lots of closet/storage space, parking, water/trash removal paid. See pictures and Tour online. We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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MARINA DEL REY Apartment \$1290 studio/1bath. Pet OK, Distinctive floor plans, parking, laundry, A/C, balcony, fireplace, gas, spa, pool .See pictures,Tour online. We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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

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SANTA MONICA \$1295.00. 1 bdrm, 1 bath, "Lower Unit". Stove, refrigerator, gas paid, parking, NO PETS. 2535 Kansas Ave., #102. Open Daily for Viewing 9am-7pm, Additional info in unit. Mgr. #101.

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*Rates subject to change
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3 Units	\$645,300
3 Units	\$645,300
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Notices

NOTICE TO CREDITORS
OF BULK SALE
(Sections. 6104-6105 U.C.C.)
Escrow No. 46061-TL

Notice is hereby given to creditors of the within named seller that a bulk sale is about to be made of the assets described below.

The name(s) and business address(es) of the seller are:
Daniel Lim and Mee Sook Lim, 2021 Santa Monica Boulevard #3, Santa Monica, CA 90404.

The location in California of the chief executive office of the seller is: N/A.

As listed by the seller, all other business names and addresses used by the seller within three years before the date such list was sent or delivered to the buyer are: "None".

The name(s) and business address of the buyer are:

Little Jay, Inc., a California Corporation, 2021 Santa Monica Boulevard #3, Santa Monica, CA 90404.

The assets to be sold are described in general as: Furniture, fixtures, equipment, goodwill, trade-name, leasehold, improvement and interest and covenant not to compete and is located at: 2021 Santa Monica Boulevard #3, Santa Monica, CA 90404.

The business name used by the seller(s) at that location is: Sunshine Cafe & Grill.

The anticipated date of the bulk sale is Oct. 23, 2006 at the office of United Escrow Co., 3440 Wilshire Blvd., #600, Los Angeles, CA 90010. This bulk sale is subject to California Uniform Commercial Code Section 6106.2.

If so subject, the name and address of the person with whom claims may be filed is United Escrow Co., 3440 Wilshire Blvd., #600, Los Angeles, CA 90010, and the last date for filing claims shall be Oct. 20, 2006, which is the business day before the sale date specified above.

Dated: September 13, 2006

LITTLE JAY, INC., A CALIFORNIA CORPORATION
BY: JAMES PARK President/Secretary
10/4/06
CNS-1028935#
SANTA MONICA DAILY PRESS

NOTICE OF TRUSTEE'S SALE Trustee Sale No. 9231-40 Title Order No. 6272791 APN 4270-005-023 TRA No. 0008604 You are in default under a Deed of Trust dated 08/19/1985. Unless you take action to protect your property, it may be sold at a public sale. If you need an explanation of the nature of the proceedings against you, you should contact a lawyer. On 10/18/2006 at 10:30AM, Chicago Title Company, a California corporation as the duly appointed Trustee under and pursuant to Deed of Trust recorded on 8/30/85 as Document No. 85-1014904 of official records in the Office of the Recorder of Los Angeles County, California, executed by: William Mark Forrest and Elizabeth Jane Forrest, husband and wife, as Trustor, Wilho Miller and Edith Miller, husband and wife as community property, as Beneficiary, will sell at public auction to the highest bidder for cash (payable at time of sale in lawful money of the United States, by cash, a cashier's check drawn by a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in section 5102 of the Financial Code and authorized to do business in this state). At: the west side of the Los Angeles County Courthouse, directly facing Norwalk Blvd., 12720 Norwalk Blvd., Norwalk, CA all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County, California describing the land therein : The Southwest 50 feet of lot 91 of tract 1980, as per map recorded in book 21, page 152 of maps, in the office of the County re-

Notices

corder of said County. Beneficiary Phone: (213) 626-5061 Beneficiary: Elaine J. Diner, successor trustee, c/o Robert P. Khoury, ESQ., 626 Wilshire Blvd., Suite 900, Los Angeles, CA 90017-2922. The property heretofore described is being sold "as is". The street address and other common designation, if any, of the real property described above is purported to be: 2917 Pearl Street, Santa Monica, CA 90405. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, if any, under the terms of the Deed of Trust, estimated fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to-wit: \$54,377.89 (Estimated) Accrued interest and additional advances, if any, will increase this figure prior to sale. The Beneficiary may elect to bid less than the full credit bid. The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the county where the real property is located and more than three months have elapsed since such recordation. Date: 9/20/06 Sale Line Phone Number: (714) 259-7850 Chicago Title Company, Foreclosure Department, 560 E. Hospitality Lane, San Bernardino, CA 92408 (909) 884-0448 Teresa M. Drake, Asst. Vice President ASAP# 792504 09/27/2006, 10/04/2006, 10/11/2006.

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Vehicles for sale



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\$5,595
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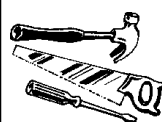
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