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THURSDAY, OCTOBER 15, 2009

Volume 8 Issue 294



MONSTER BATTLE
SEE PAGE 6

Santa Monica Daily Press

We have you covered

THE ENOUGH WITH THE RAIN ALREADY ISSUE

Animal advocates shot at during protest

Reward offered for information on shooter

BY KEVIN HERRERA
Editor in Chief

WILSHIRE BLVD Members of an animal rights group were the victims of sniper fire during a protest here Saturday and are offering a $5,000 reward for information leading to the arrest of the shooter.

The Companion Animal Protection Society (CAPS) staged a protest in front of the Aquarium & Pet Center to protest the retailer's alleged sale of "puppy mill" dogs, or purebred pups that have been bred in inhumane conditions. That's when the shots rang out.

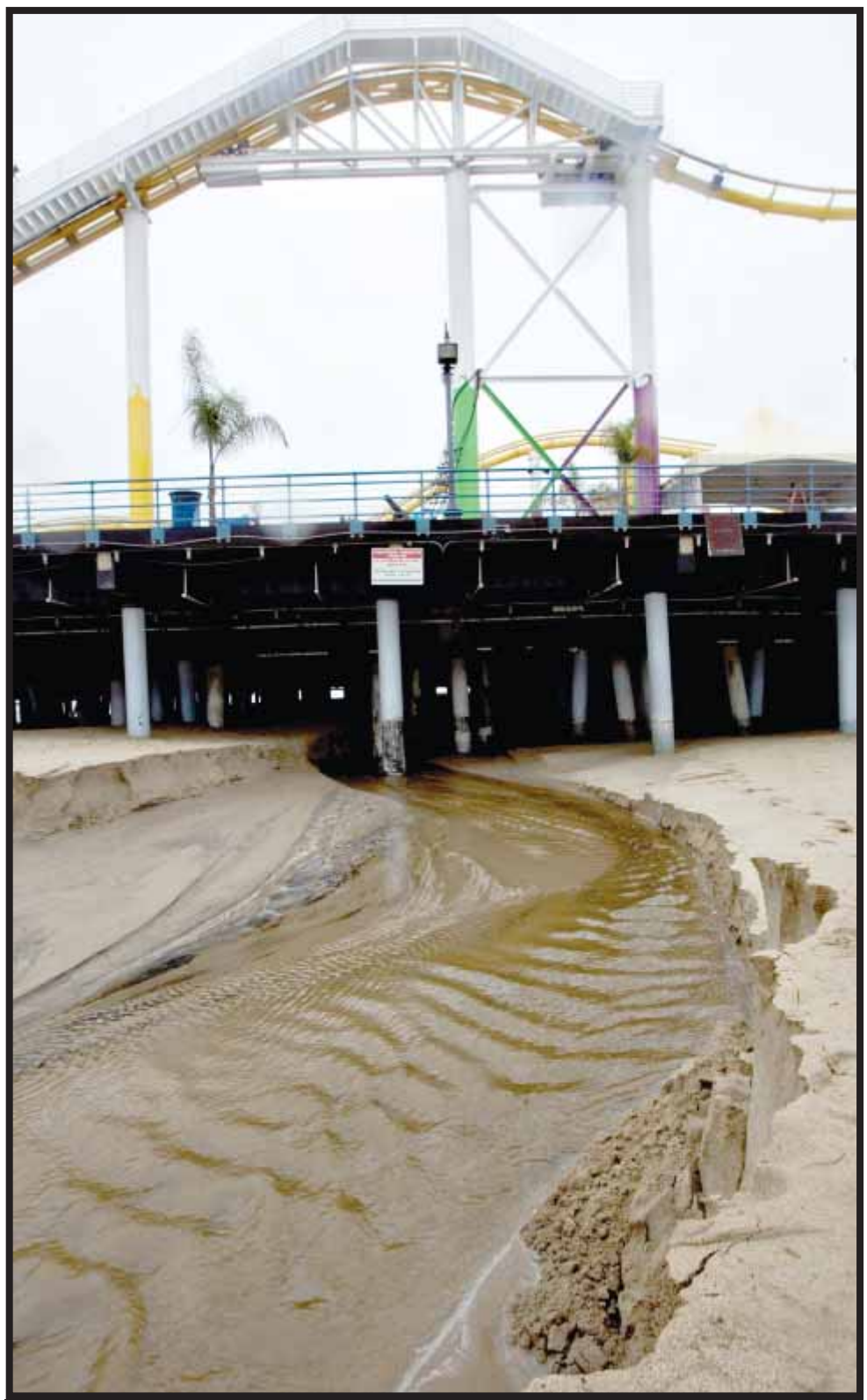
Three protesters were hit with what was later determined to be brass pellets fired from a high-powered air rifle. The protesters suffered minor injuries, said Sgt. Jay Trisler with the Santa Monica Police Department, which is asking for the public's help in identifying the shooter.

Carole Raphaelle Davis, the West Coast director of CAPS, said several protesters gathered in the afternoon along the sidewalk in front of the pet store to shout, wave signs and warn those passing by about puppy mills and the stores that sell them.

"It was extremely unsettling that in the middle of this peaceful protest, violence erupted," Davis said. "This was the first time violence has been a part of these protests and that is very frightening."

Davis said the attack occurred at a time

SEE SHOOTING PAGE 10



WATER WORLD

Brandon Wise *brandonw@smdp.com*

A river of rainwater flows from underneath the Santa Monica Pier out to the ocean on Wednesday. Skies cleared Wednesday afternoon and the sun is expected to shine for the rest of the work week with temperatures in the low 70s.

Charges filed against store

BY KEVIN HERRERA
Editor in Chief

CITY HALL The Santa Monica City Attorney's Office has filed criminal charges against the former owner and managers of Cozi Couch, a high-end custom furniture store in Santa Monica and Los Angeles that many customers have accused of not delivering merchandise that was paid for.

The misdemeanor complaint charges the defendants with grand theft, false advertising and doing business without a city business license, said Deputy City Attorney Adam Radinsky with the Consumer Protection Unit, which conducted an investigation into complaints by customers in conjunction with the state Bureau of Home Furnishings and the Santa Monica Police Department.

The four defendants in the case are Arman Hazarian, the owner of the business; and his three managers, Cory Iturribarria, Nelson Freytes and Jaime Seoane.

If found guilty, the defendants could face thousands of dollars in fines and jail time. The defendants were supposed to be arraigned Wednesday but that hearing was postponed until Nov. 12, allowing time for a possible settlement, Radinsky said.

An attorney representing the defendants did not return phone calls seeking comment.

"We have complaints from more than 50 separate individuals," Radinsky said. "The gist is most of them didn't receive what they purchased. A small number received partial orders."

The Santa Monica store, located at Seventh Street and Wilshire Boulevard, went out of business in March 2009.

At that time, disgruntled customers, some of whom filed civil lawsuits, staged at least one protest and called police when they saw a store employee moving furniture into a U-Haul truck under the cover of night. Officers arrived just as the employee drove off, dealing a blow to the customers' hopes of recovering their furniture or their cash.

"They prey on housewives — kind, nice, decent people — and play on their heartstrings," Joan Blackman, a Malibu resident, said during a protest months ago. Blackman came to Santa Monica clutching a pillow she

SEE CHARGES PAGE 11



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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Thursday, Oct. 15, 2009

Time for stories
Montana Avenue Branch Library
1704 Montana Ave., 11 a.m. — noon
Come hear stories for young readers ages 3-5.
This event takes place each week.

'Funny as a Rattlesnake'
Santa Monica Playhouse
1211 Fourth St., 8 p.m. — 9:30 p.m.
Barbara Bragg, Wyoming's untamed daughter, traces her pioneer family back to her great grandfather when Wyoming was still a territory and spins theatrical magic from her father's ghost stories of the old West to a sister who swallows stars. The two performances, Thursday and Sunday, are directed by Debra De Liso. Admission is $20 and includes a 30 minute pre-show reception. Reservations are necessary. Call (310) 394-9779 ext. 1 for more information.

What's new this week?
Fairview Branch Library
2101 Ocean Park Blvd., 1 p.m. — 2:30 p.m.
Join a free-wheeling review and discussion of the week's key news stories at home and abroad, moderated by Jack Nordhaus.
Call (310) 450-0443 for more information.

Taize style
First Presbyterian Church of Santa Monica
1220 Second St., 7 p.m. — 8:30 p.m.
Experience God anew in the style of Taize with a beautiful candle-lit and meditative service in the chapel. Rejuvenate your spirit at this wonderful relaxing evening service. Taize worship has gained great popularity it originated in France after World War II. Parking is available nearby, cost is free. Call (310) 451-1303 for more information.

Friday, Oct. 16, 2009

Rolling with the Rotary
Riviera Country Club
1250 Capri Drive, Pacific Palisades
The Rotary Club of Santa Monica has long enjoyed a reputation as being the hub for Westside men and women dedicated to improving their local and worldwide communities. It is a melting pot for cultural ideas from the diverse ethnic makeup of members. Those interested in attending their regular lunch should contact June M. Doy at (310) 917-3313.

Saturday, Oct. 17, 2009

Call in the artists
The Lubner Studio
4094 #B Glencoe Ave., Marina del Rey, 3 p.m. — 7 p.m.
A total of 32 artists will be featured during this group show featuring individuals who call The Lubner Studio home. For more information, call (310) 823-9725. This show also takes place on Sunday.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.





Brandon Wise *brandonw@smdp.com*

FOLLOWING THE LAW: **Third Street Promenade performer Bifford L. Scarborough plays the blues as a bicycle cop rides away after telling him to lower the volume earlier this year. The City Council on Tuesday voted to keep the performer permit process in place in high traffic areas like the promenade, but allow people to perform on sidewalks without one.**

Council relaxes street performer rules

BY MELODY HANATANI
Daily Press Staff Writer

DOWNTOWN A local ordinance regulating street performers in Santa Monica is set to be relaxed following an appellate court decision that ruled a similar yet more stringent permit system in Seattle was unconstitutional.

The City Council on Tuesday directed its staff to modify the street performer ordinances to allow the activity to take place on public sidewalks without a permit. The law would still require permits on the Third Street Promenade, Santa Monica Pier and Transit Mall, which runs along Santa Monica Boulevard and Broadway between Second and Fourth streets.

Officials said they believe the change would address possible conflicts that the local ordinance would have with the Berger v. city of Seattle decision while maintaining the original intent with the permit system, which is to ensure public safety in some of the busiest areas of Santa Monica.

"These are very extremely congested but constrained areas," Mayor Ken Genser said. "It's real essential that we have regulations in place that have reasonable restrictions on the size of the obstacles — the obstacles being the crowds generated by street performers or their equipment and I think we have done that."

The U.S. 9th Circuit Court of Appeals in June struck down a 2002 law that established new regulations for street performers in the Seattle Center, an 80-acre park and entertainment complex, requiring permits and limiting activity to designated spaces. The rules also allowed only passive solicitation, required performers to display a badge and prohibited anyone other than Seattle Center employees from engaging in "speech activities" within 30 feet of where visitors waited in line.

A balloon artist and Seattle Center regular, Mike Berger, filed a lawsuit challenging the regulations on the grounds they violated free speech protections. The U.S. District Court sided with Berger in 2005 and that decision was later appealed by the city of Seattle.

City officials had been following the case to see whether Seattle officials would petition to the U.S. Supreme Court for review, in which case they would have joined in efforts to urge judges to do so. Seattle officials have since decided to forgo the appeal, leaving the Berger decision to stand.

There are differences between the two ordinances that could protect the local version from being overturned in a legal challenge. Seattle's old law concerned a large open area, one that doesn't exist in Santa Monica, and involved a public park, whereas the local ordinance doesn't require permits for performances in those spaces, City Attorney Marsha Moutrie said.

It was concerns over public safety that led to the creation of a permit system. The affected areas — promenade, pier and Transit Mall — are unique in that they're in constrained spaces that draw high traffic.

SEE **PERFORMERS** PAGE 10

District to report on improvements in special education

BY MELODY HANATANI
Daily Press Staff Writer

SMMUSD HDQTRS It's been a long time coming, but parents with children in special education said they are seeing some progress in reforming the once troubled department.

Those improvements in a program that was once described as fostering a culture of secrecy and intimidation will be highlighted during the Board of Education meeting tonight when district staff will go over the changes in the department since the critical report by Lou Barber & Associates in the spring of 2008 and discuss ongoing efforts to restore trust and build a collaborative relationship with parents.

Released during the final few months of former Superintendent Dianne Talarico's administration with the Santa Monica-

SEE **SPECIAL ED** PAGE 12

Shriver apologizes for breaking cell phone regulation

THE ASSOCIATED PRESS

SACRAMENTO California first lady Maria Shriver says she's sorry for breaking a state law that requires drivers to use hands-free devices while talking on cell phones.

The celebrity Web site TMZ.com posted two photographs and a video Tuesday showing Shriver holding a phone to her ear while she was behind the wheel. That prompted Gov. Arnold Schwarzenegger to write about it on Twitter, where he said "there's going to be swift action."

On Wednesday, Shriver said she will donate her favorite old cell phone to a program that helps domestic violence. She added: "That's my version of swift action with a higher purpose."

Schwarzenegger joked about the incident during a speech Wednesday at a technology conference in San Francisco, saying, "I'm in big trouble."

He said he couldn't believe his wife was caught on camera three times "holding that phone in her hand like in the Stone Age."

Shriver's statement did not say whether she would use a hands-free device in the future. Her office had no further comment.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Tree debate alive and well

Editor:

Mr. Pineiro (Letters to the Editor, "Losing credibility," Oct. 12) may quibble about Herb Silverstein's language (Letters to the Editor, "Pruning or butchering," Sept. 29), but it is my hope that the residents of Santa Monica will go and see for themselves whether or not they believe the recent "pruning" of the ficus on Fourth Street has left them in as healthy a state as those elsewhere in the city. While it is true that these trees are likely, over the short term, to survive this extreme treatment, I believe they have been damaged aesthetically. Also, quite a number of landscapers, biologists, and not a few arborists have stated that they believe this "extreme pruning" – along with the way the roots are still sometimes attacked – is harmful over the long term, and unnecessarily invites infection to the larger number of wounds left behind.

The International Society of Arboriculture and the National Arborist Association both have standards which require pruning practices to promote the preservation of tree structure and health. I agree with Mr. Pineiro, "this is reality," and we are responsible for the care of our trees. If he doesn't care for "butchering," how about we just agree to stop hacking these living beings nearly to death?

Cosmo Bua
Santa Monica

Ignoring reality

Editor:

Bill Bauer stated in his column Oct. 5 (My Write, page 4, "City Hall responds to ACLU lawsuit") that according to City Hall, the ACLU defendants had warrants besides camping. Bauer states in his column that City Hall admits ACLU defendant Keith Greene was "arrested for sleeping outside a local shelter (OPCC)," but goes on to claim he also had three additional warrants. City Hall's municipal ordinance makes it a misdemeanor to camp on a public sidewalk. His three other warrants were all for sleeping outside OPCC. He had no money and there was no available shelter bed each and every time.

According to many homeless Side By Side members their camping ticket warrants get dropped at the Airport Courthouse because the judge there knows the homeless have no other choice but to lie down to sleep. Can Bauer or City Hall claim the homeless don't require sleep like every housed person? Apparently this city government believes their homeless citizens should obey the law and stay on their feet all day and all night.

In January of this year, City Hall's own homeless census counted 915 homeless people in Santa Monica at that time. Volunteers counted 480 homeless people on the ground that cold January night. The Westside winter shelter program takes in 50-100 of Santa Monica's homeless who otherwise would have brought the total way over their 480 count. According to Bauer, City Hall says there are "approximately 673 emergency shelter transitional and permanent housing beds available year round."

How can this be? There were 480 counted on the ground and their census counted 915 total. That is a difference of 435 not 673! How can there be a 238-bed difference in their own stated figures? City Hall knows there are at least 500 people sleeping on the ground here every night. City Hall knows all available shelter beds are full. City Hall knows there is a severe lack of shelter beds in every city in L.A. County. City Hall, not the police and not the county, define the laws regarding sleeping on the ground in Santa Monica.

Anti-homeless laws ignore humane, low-cost and potentially effective ways to re-enable people to make healthy decisions verses being criminally punished, ignored and disrespected.

Randy Walburger
Santa Monica



Life Matters

JoAnne Barge & Katrina Davy Send comments to editor@smdp.com

Diets don't work for food addicts

DEAR NEW SHRINK,

For most of my adult life I have struggled with weight and body image issues. Over the last two years I have gained over 50 pounds and can't seem to kick my unhealthy habits. I have tried a number of different diets and weight loss plans, all with only short-term results. During a recent doctor's visit, my physician asked me to think about the reasons I eat, and in particular the occasions or things that might cause me to overeat. This helped me to think about the underlying causes but do you have ideas of what I can do to take my mind off eating and help me to commit to losing weight for good?

Signed,
Overweight and Unhappy

DEAR OVERWEIGHT AND UNHAPPY,

Congratulations to your physician! Most people think that the incredible weight problem and epidemic of obesity here in America is simply the result of poor food choices and bad lifestyles. While this is certainly part of it, it is anything but the whole picture. People that go on and off diets, gain and lose weight and feel bad about themselves like you do, are most likely struggling with food addiction.

Diets don't work! The weight loss industry is one of the biggest industries in our country precisely because diets do not work for most people. Those who lose weight and keep it off are the ones who adopt a lifelong food plan that means "eating to live rather than living to eat."

If you find yourself feeling ashamed and embarrassed because of your eating — hiding your food, eating until you feel sick, vomiting or using other unhealthy ways to lose weight quickly or varying three sizes in your clothes closet — odds are you have a food problem. Weight, which is the consequence of your problem with food, is not the primary issue.

Food is meant to fuel the body and while we all enjoy our comfort foods from time to time, when you find yourself eating for the wrong reasons, i.e., to self-soothe, to avoid feelings of loneliness, emptiness sadness or anger, you have a food problem and you need help.

As one of my successful patients says, "I am a food addict!" "I have an emotional attachment to anything I put in my mouth. I was afraid of my feelings and would use food to avoid them." She now attends Overeaters Anonymous, and does not eat sugar one day at a time. She is also working on herself in therapy.

This is a bit like admitting you are an alcoholic, one drink is too many. There are countless success stories from people who have gone to Overeater's Anonymous. As long as they work the program, they not only lose weight but learn to identify and free themselves from the underlying causes of their food addiction. Members pick their own abstinence plan. Another one of my patients who is doing quite well has picked three meals a day, two snacks and nothing in between. The patient that I quoted above has chosen no sugar or white flour, one day at a time. For her, if she has one cookie or piece of cake, she will eat the whole box or cake. Eating right has led both to feeling better physically and psychologically. One had gained 60 pounds and the other 80. And yes, they have both lost and are losing weight. Both are feeling happy with themselves.

I realize that it is very hard to take the first step of admitting you are an addict and may need this kind of help. If you are, you will be so much happier for it, you won't be sorry. Ideally, you will get a therapist to help you process your feelings as well. If you have been afraid of them for a long time, relapse is less likely with the support of a good therapist although many do just fine with OA alone.

If you simply do not see this as an answer for you, Weight Watchers has a good success rate as well. They have meetings, education, weigh-ins and a lot of support, similar to OA.

The right therapist can help you with identifying fears or feelings that you have been avoiding and then along with their support, you may be able to stick with a lifelong food plan that you choose for yourself. The important thing is that you should not try to do it alone.

Good Luck! I promise you that this can work if you really want it.

DR. JOANNE BARGE is a licensed psychologist with offices in Brentwood. Please send your questions and responses to newshrink@gmail.com or visit us at www.NewShrink.com. All questions will be kept anonymous. Please let us help you with your life matters.

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POS: parent over shoulder
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Meredith Pro Tem

Meredith C. Carroll
Send comments to editor@smdp.com

Revisiting mistress opportunities

IT RECENTLY CAME TO MY ATTENTION THAT opportunity once knocked on my door but unfortunately I was upstairs at the time taking a nap with a pillow over my head.

In light of the David Letterman extortion incident, it dawned on me that at an earlier time in my life I should have tried and might have had a chance to become the "Other Woman." And not just any Other Woman (because I have standards), but the young Other Woman in a high profile sex scandal.

After every possible intimate, shocking and creepy detail of each sensational nooky story du jour is recited over and over for weeks and weeks on the nightly cable TV shows, the men involved always go back to doing what they did before (except for the ones who are occasionally shipped off to prison or forcibly shamed into resigning).

But the young Other Woman's life is never the same. She becomes eminently unemployable by traditional means. While she vows to keep her head up, mouth shut, legs closed and return to work at her entry-level desk job, the whispers at the water cooler of her harlot-like ways eventually grow too loud and she becomes too emotionally drained to maintain a nine-to-five office existence.

So instead she sells her story to the highest bidder among the weekly tabloids, takes it all off for the right price in one of the monthly skin magazines, fights in a celebrity boxing match, appears on a schlocky reality TV show or practices law with the degree she was able to earn because the high-profile married man with whom she was involved paid the tuition bills. In fact, if she plays her cards right, post-scandal she'll only have to work a handful of days in her life, which is key because, seriously, who's going to hire a lawyer who can't even ensure the contents of her own diary remain confidential?

My best shot at being the young Other Woman came and went in the mid 1990s. For a short time I did some side work as a personal assistant to a cast member on "Saturday Night Live." As part of the gig, it was necessary for me to be involved in almost all aspects of his life, including spending time at his apartment with his wife and baby. I'd be kicking myself now for having missed out on the chance to be a (retired) star in my own right if I hadn't since learned that he's gay.

If only Monica Lewinsky had made a name for herself a few years before that I could have had the perfect role model. After all, Monica and I are the same age, attended good colleges, have loving parents. Like Monica, my people know people. My cousins have cousins who know people. In fact, I'm sure if I tried I could have been a White House intern, too. And with enough liquid courage and the right G-string, I totally could have out-Monica-ed Monica. (Although I would have been classy enough to destroy the blue dress or at least bright enough to sell it before it was seized as evidence.)

Prior to that, emulating the Long Island Lolita, Amy Fisher, might have been an extraordinary option for me. (Never mind that I grew up on the other side of the Long Island Sound in Westchester County, where it's safe to say there aren't too many Joey Buttafuoco-types. He's 100 percent Long Island.) I'm sure my aim with a pistol would have been bad enough to maim but not kill, too. And 17 years later, Amy's still making money on her notoriety, whether it's through "stolen" sex tapes, starring in her own pay-per-view movies or performing regularly at a strip club. Some girls have all the luck.

Had I been on the receiving end of former Idaho Sen. Larry Craig's toe tapping (forgetting that it's pretty clear I'm not his type), I would have tap-tap-tapped right back and then type-type-typed it up into a tell-all tome (with the help of a ghost writer, of course).

And where has South Carolina Gov. Mark Sanford's Argentine girlfriend been hiding? Does she think she's better than all the other young Other Women by remaining silent on the affair? Such a waste. Former New York Gov. Elliot Spitzer's bimbo got it all wrong, too, by charging up front and not realizing the real money comes at the back end. Rookie mistake.

But all young Other Women, aspiring and otherwise, can take a page from Rielle Hunter's playbook (although she's not so young). She did and is still doing everything she can, including getting knocked up and hanging around like a bad case of the clap, until she can morbidly move up to John Edward's first lady status with Dave Matthews as her wedding band. While she's clearly one in a million, a girl can dream.

Follow **MEREDITH** on Twitter @MCCarroll and e-mail questions or comments to meredithccarroll@hotmail.com.

The Q Line

Scared of protection

Despite assurances from health professionals that the FDA approved H1N1 flu vaccine is safe, just like the regular flu vaccine, some in the community are worried about getting vaccinated.

So this week's Q-Line question asks:

Where do you stand? Will you get the vaccine or play the odds?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your answers in the weekend edition of the Daily Press.



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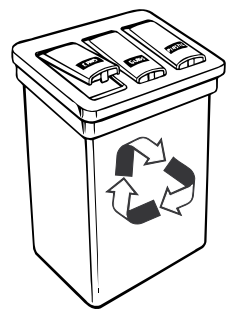
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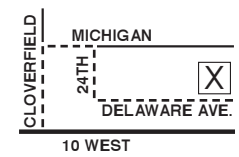
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Calorie counts open eyes

MEGAN K. SCOTT
Associated Press Writer

NEW YORK Alejandra Ramos has lost her appetite for the occasional carnitas burrito from Chipotle, the frozen frappucino from Starbucks and the blueberry muffin from Dunkin' Donuts.

And she's not happy about it.

"Once they put up the calorie counts, then suddenly I was like, 'I can't eat this, this is a whole day's worth of calories,'" said Ramos, 26, of her Chipotle burrito. At Starbucks, the culinary writer said, "I have ended up ordering a hot tea, which is nothing, or a bottle of water."

Blame New York City officials for her misery. The city requires chain restaurants to post calories alongside menu items, which means she has to face the music: That blueberry muffin has 510 calories.

After she read that, Ramos ended up giving the muffin to someone asking for change on the train.

"So those favorites of my childhood have now been ruined by the calorie counts," she said.

Menu labeling laws are popping up across the country. And if the health care reform bill passes, restaurants with at least 20 locations throughout the country will have to post calories on menus; other nutritional information, such as fat, sodium and carbohydrates will have to be in writing somewhere in the restaurant. (There's not enough room to fit everything on the menu board.)

Proponents say the information is needed more than ever. Americans eat about a third of their calories at restaurants, according to Margo Wootan, director of nutrition policy for the Center for Science in the Public Interest in Washington, D.C., which worked with legislators on the menu labeling provision. Two-thirds of Americans are overweight or obese.

Studies show that most people can't guess how many calories are in a menu item, and often underestimate, said Wootan.

At Dunkin' Donuts, for instance, Ramos would have been better off calorie-wise choosing the apple cheese danish (330 calories) or a ham, egg and cheese on an English Muffin (350 calories).

"People have a right to know what's in their food so they can make their own choices," said Wootan. "If someone is going to sell you a 3,000-calorie appetizer, they should tell you, so you can decide for yourself if you really want to eat 3,000 calories."

The proposal seems to have a lot of public support. The California Center for Public Health Advocacy commissioned a telephone poll in 2007 that found that 84 percent of respondents supported requiring chains to post calories on menus and boards. California became the first state to enact statewide menu labeling legislation, in September 2008.

While many restaurants voluntarily provide nutrition information online or in the establishment, diners often can't find it or don't see it.

Penny Shanks, 50, executive director of the Clarkston Chamber of Commerce in Michigan, recently spent more than 30 minutes online searching for nutritional information for a chain restaurant. She likes to choose what she orders before dining out to make sure it's healthy.

"It's hard when you eat out," said Shanks, who wound up ordering soup that day. "Portion sizes are large. It's kind of a mystery, how many calories, how much is fat, how much is carbs, all these little things you want to be concerned about."

With a split-second decision, "you can save hundreds, even thousands of calories by ordering just a little differently," said Wootan. For example, ordering a glazed doughnut instead of a honey bran raisin muffin at Dunkin' Donuts will save you 280 calories.

More than 80 percent of New Yorkers ordered differently when seeing calorie counts, she said, citing a survey from food service consultants Technomic Inc. More than half said it affected where they ate.

But other experts aren't sure that calorie counts will achieve the desired results.

The plan could backfire, said Stacey Rosenfeld, a New York psychologist who specializes in eating disorders. If you don't order what you want because it's high in calories, you might become dissatisfied and overeat later, she said.

Monster of a beverage dispute

JOHN CURRAN
Associated Press Writer

MORRISVILLE, Vt. Forget David and Goliath. This fight's between Matt and Monster.

The maker of Monster energy drinks has taken aim at a Vermont brewery that sells a beer called "The Vermonster," ordering it to stop selling, advertising and promoting the craft brew because it could confuse consumers.

The energy drink-maker, Hansen Beverage Co., wants tiny Rock Art Brewery to stop using the name "Vermonster" on the barley brew and to compensate it for its attorneys' fees.

Matt Nadeau, who owns the brewery with his wife, Renee, says he's been told by five trademark attorneys that the law is probably on his side, but that proving it through lengthy litigation could bankrupt him.

"This is just about principle," said Nadeau, 43. "Corporate America can't be allowed to do this, in this day and age. It's just not right."

The beer is made at Rock Art's small warehouse brewery in Morrisville, which employs seven people, and is sold in 22-ounce brown glass bottles. It hit the market in 2007, and is now sold in Vermont, Massachusetts, Pennsylvania, New Jersey, Connecticut and Arizona.

Based in Corona, Calif., Hansen sold over $1 billion worth of Monster drinks last year. The products carry a distinctive three-line logo designed to look like a claw mark.

"A lifestyle in a can," its Web site proclaims.

The dispute began last month, when a lawyer for Hansen Beverage sent an e-mail message to Nadeau's attorneys saying the brewer would "undoubtedly create a likelihood of confusion and/or dilute" Hansen's trademark.

The Hansen lawyer who wrote the e-mail, Diane M. Reed, declined to comment. A telephone message left for a Hansen spokeswoman wasn't returned.

Nadeau contacted Reed to say the products are in two different markets — beer and energy drinks — and offered to surrender any rights to use the name on an energy drink. According to Nadeau, Reed said that's not Hansen's concern, but that Hansen wants to enter the alcoholic beverage market.





Simple Real Food

Amanda Cushman
Send comments to editor@smdp.com

Fine dining with all the comforts of home

I WANTED TO SHARE MY DISCOVERY ONCE again of Josie on Pico Boulevard and 25th Street. I had all but forgotten that this place was there due to the location. The area has no other restaurants per se and is like a no man's land as far as commercial business goes. I whiz by there often and don't bother to look at what is around me (there isn't much), but I had a very delicious dinner there a couple of days ago.

The atmosphere is sophisticated and cozy with two rooms; the front room has banquets and is a bit larger than the back room, which is like a living room with a small bar and fireplace.

We went with a couple of friends to celebrate a birthday as it is that kind of special occasion type place — expensive, refined, terrific food and a good wine list.

We had an appetizer salad of mixed local baby greens with burrata and a simple mixed salad with bacon and avocado. Both salads were exceptional and perfectly dressed with a vinaigrette for one, green goddess for the other. Josie Le Balch, the executive chef and owner, specializes in organic, local ingredients with the use of seasonal produce.

We ordered two entrees: the Moroccan braised short ribs served with curried couscous and a lovely almond sauce and a grilled duck breast with a fabulous side salad of watercress, stilton, dried cranberries and pecans. The food is like enjoying a home cooked meal with a very talented chef in the kitchen, not your ordinary fare but homey and straightforward. Both entrees were very good and the flavors of the ribs in particular were subtle and rich at the same time.

We enjoyed a dessert of homemade apple strudel with elderberry ice cream and a plate of assorted cookies and truffles. This was a rich meal and full of flavor and the dessert was nothing to sneeze at. The strudel was fantastic and there was a perfect brownie included on the cookie plate. It was to die for!

All together it was a terrific meal, great atmosphere for a special date and the service was professional and just the right amount of attention was given to every detail. I would definitely return to Josie.

I have to add my own Moroccan recipes here as they are easy to make and great for guests.

AMANDA CUSHMAN is a culinary educator who has cooked professionally for 25 years. She teaches privately for groups of two to 20 students. She has developed hundreds of recipes for cookbooks as well as food magazines and Web sites. She can be reached amandascooking@gmail.com.

Lamb chops with Moroccan spices
Serves 4

Ingredients
1 tbs. ground coriander
2 cloves finely minced garlic
1 tsp. sweet paprika
1 tbs. ground cumin
1 tsp. cinnamon
1/2 freshly ground black pepper
1/4 tsp. cayenne pepper
1/2 tsp. salt
Juice of two lemons
5 tbs. olive oil
8 loin lamb chops or 12 small rib chops
1/4 cup finely chopped fresh mint

Procedure
1. In a small bowl combine the coriander, garlic, paprika, cumin, cinnamon, black pepper, cayenne pepper, salt, lemon juice and olive oil. Rub the mixture into the chops, coating evenly, and place on a baking sheet. Cover and marinate for two hours or up to overnight in the refrigerator.
2. Heat the grill. If the chops are refrigerated, bring to room temperature. Grill for four minutes per side.
3. Transfer to a warmed platter or individual plates and sprinkle with mint. Serve immediately with the couscous.

Couscous with currants and pine nuts
Serves 8

Ingredients
2 1/4 cups water or chicken broth
2 tbs. olive oil
1 tsp. ground cumin
1/2 tsp. salt
Fresh pepper, to taste
1/2 cup dried currants or dried apricots, chopped
1 10 ounce box instant couscous
1/3 cup toasted pine nuts
2 ounce feta cheese, crumbled
2 tbs. mint, chopped

Procedure
1. Combine the water, olive oil, cumin, salt and pepper in a medium saucepan and bring to a simmer over medium heat. Add the currants, nuts and couscous and stir once,
2. Remove from heat, cover and allow to sit for 5 minutes. Fluff the couscous and add the cheese and mint before serving.

Marshmallows get flavorful

MICHELLE LOCKE
Associated Press Writer

BERKELEY If you're still using plain old vanilla marshmallows at your campfire or in your cocoa, you're out of touch.

The next generation of marshmallow lovers is amping the flavor of their puffy confections, taking their s'mores to new heights with tricks like slicing and stuffing them. And the marshmallow industry is taking notice.

Long a fixture in the baking aisle, marshmallows have been making their way back to candy land lately, thanks in large part to swirled, flavored, stuffed and otherwise jazzed up versions intended to appeal to consumers ever on the prowl for new tastes.

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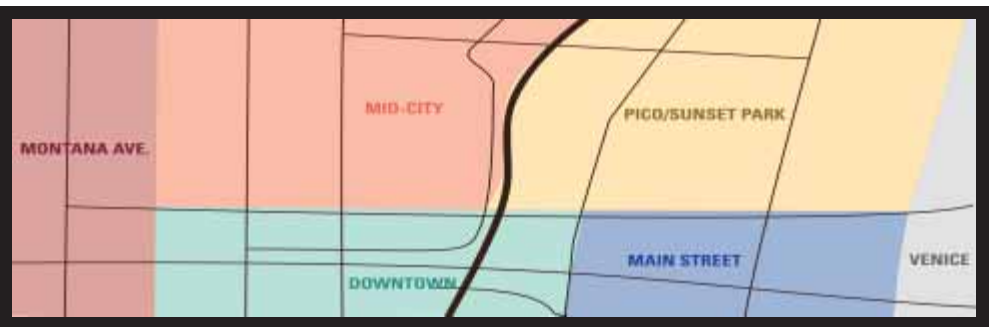
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Sushi Shogun 1315 Third Street	(213) 500-4989
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B B Q Garden 1707 Pico Blvd.	(310) 450-6494
The Bread Factory Inc 1900 Pico Bl	(310) 434-4653
Buddha Boba 1701 Pico Bl	(626) 674-8882
Bud's Famous Deli & Desserts 2727 Ocean Park Blvd.	(310) 450-6860
Cafe Bolivar 1741 Ocean Park Blvd.	(310) 581-2344
Campos Mexican Food Inc 2008 Pico Blvd	(310) 450-4477
Classic Pizza 2624 Pico Blvd	(310) 399-0452
The Counter 2901 Ocean Park Bl #102	(310) 399-8383
The Daily Pint 2310 Pico Blvd	(310) 450-7631
El Indio 2526 Pico Blvd	(310) 450-8057
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El Torito 3360 Ocean Park Blvd.	(310) 450-8665
El Texate 316 Pico Blvd.	(310) 399-1115
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Santinos 3021 Lincoln Blvd	(310) 779-1210
Sheraton Delfina 530 Pico Blvd	(310) 399-9344
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Tandoor India 2622 Pico Bl	(310) 581-9964
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Vitos 2807 Ocean Park Blvd	(310) 450-4999
Windows Restaurant 530 Pico Blvd.	(310) 399-9344
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Elvira's Cha Cha Chicken 1906 Ocean Ave.	(310) 581-1684
The Enterprise Fish Co 174 Kinney St.	(310) 392-8366
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Urth Caffe 2327 Main St.	(310) 749-8879
Via Veneto 3009 Main St.	(310) 399-1843
The Victorian Baker Cafe 2640 Main St.	(310) 392-4956
Wildflour 2807 Main St.	(310) 452-7739
World Café 2640 Main St.	(310) 392-1661
Yose Restaurant 2435 Main St.	(310) 255-0680

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Abbot's Pizza Co 1407 Abbot Kinney Blvd	(310) 396-7334
Agra Indian Kitchen 2553 Lincoln Blvd.	(310) 396-8749
Axe 1009 Abbot Kinney Blvd.	(310) 664-9787
Azteca Restaurant 835 Sunset Ave.	(310) 396-6576
Baby Blues BBQ 444 Lincoln Blvd.	(310) 396-7675
Beechwood 822 W. Washington Blvd.	(310) 448-8884
Benice 1715 Pacific Ave.	(310) 396-9938
Big Daddy and Sons 1425 Ocean Front Walk	(310) 508-2793
The Brig 1515 Abbot Kinney Blvd.	(310) 399-7537
The Brick House Cafe 826 Hampton Dr.	(310) 581-1639
Cafe 50's 838 Lincoln Blvd.	(310) 399-1955
Casablanca Restaurant 220 Lincoln Blvd.	(310) 392-5751
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California Pizza Kitchen 3345 Fiji Way	(310) 301-1563
Casa Escobar 14160 Palawan Way	(310) 822-2199
Chart House 13950 Panay Way	(310) 822-4144
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Owner denies claims

FROM **SHOOTING** PAGE 1

when there is a "highly charged atmosphere" when it comes to animal rights. The Santa Monica City Council recently voted in favor of banning cat declawing and Gov. Arnold Schwarzenegger vetoed a bill that would have put caps on the number of animals used in puppy mills, becoming the only governor in the six states where puppy mill legislation passed this year to override it with a veto. Jeffrey Prang, a City Councilman from West Hollywood, which has also banned cat declawing, is working on an ordinance to ban the re-selling of any pets except bred or rescued animals in that city.

Davis said employees with the Aquarium & Pet Center threatened the protesters and were seen laughing after the shots were fired.

The store's owner, Scott Lee, said his employees were not involved in the attack and does not purchase animals from mills.

"We get ours from local breeders … ," Lee said. "[The accusations are] not true."

Lee has owned the pet store since 1985 and said he has a loyal customer base.

"I try my best to avoid problems," he said.

The Humane Society of the United States said many dogs bred in mills have immediate health problems and can harbor genetic diseases that surface years later. There is a pledge available on the society's Web site that pet stores can sign to show their opposition to the use of mills.

Mills are licensed by the United States Department of Agriculture.

Anyone with information on the shooting is urged to contact the SMPD at (310) 458-8495.

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Performers support permits

FROM **PERFORMERS** PAGE 3

"The street performers contribute both to the wonder of the spaces … but also contribute to crowding problems," Moutrie said. "What happens to the good performers … is rings of people stand still around the performers to watch them do their work."

Moutrie presented the council with several options to consider, including completely abandoning the permit system, maintaining the status quo, or modifying the requirements to respond to the court's concerns over free speech.

More than a dozen street performers addressed the council regarding the permit system, the majority of whom asked that the existing regulation remain in place to keep the peace.

"I feel if you get rid of the permit, you will have one performer on top of the other and it's going to make it more crowded," Mark Michalski, a balloon artist, said.

The existing ordinance requires performers to fill out an application with their name, address, proof of identity and detail of their act and instrument. The permits must be renewed every year and displayed during the performances.

Street artists also have to comply with other regulations concerning noise and spacing, keeping a distance from other performers and maintaining safe circulation in case of an emergency. Performers are also not allowed to stay in a specific location or within 125 feet for more than two hours during a six-hour period.

Vadim Brunell, a performer on the promenade the past seven years, said that the absence of a permit system would result in anarchy because the street artists could sit wherever they like, play as long as they want and interfere with other musicians.

"(If) you would like to discontinue the permit system, I strongly recommend to at least keep the rotation rules and distance between the performers," he said.

The system hasn't been embraced by all. Vincent Garofalo, a vendor on the promenade for the past 10 years, said it's time to move forward without a permit.

Garofalo said he operates without a permit and refuses to rotate for constitutional reasons.

"The permit system is not a popularity contest. Whether some performers like it or not, it's a constitutional and civil issue as we've seen in the Berger case," he said. "It would only take one performer to challenge that and I think a judge would issue a restraining order or something to stop the permit system."

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Brandon Wise *brandonw@smdp.com*

PROTEST: **Dennis H. Devermont (left) stands with four other dissatisfied customers outside the Cozi Couch furniture store on Seventh Street and Wilshire Boulevard earlier this year. The City Attorney's Office recently filed charges against the furniture store's owner and managers.**

Cozi Couch had numerous complaints

FROM **CHARGES** PAGE 1

hoped to match to an ottoman to replace the one the store never gave her.

"You get so angry!" Blackman said.

There were rumors that the owner had fled the country and state investigators said they were having difficulties tracking down people connected with the store.

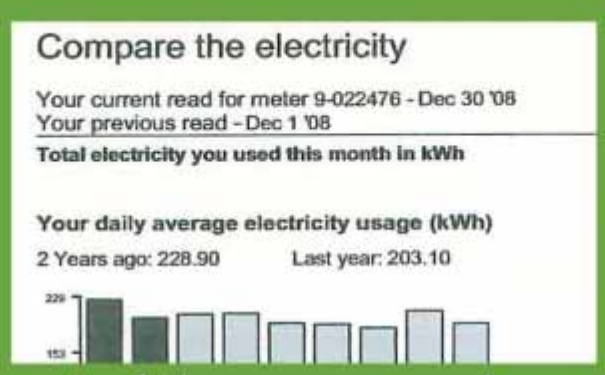
The plot became murkier with the sudden closure of the Santa Monica store, the last of the Cozi Couch outlets in the Southern California area to close its doors. According to real estate agent Rudy Quintanar of Lee & Associates, Hazarian was plagued by rent problems that led to the company's eviction from the Wilshire location.

The company had an F-rating with the Better Business Bureau earlier this year. According to its Web site, the Better Business Bureau assigns an F when they "strongly question a company's reliability," particularly when there are a number of complaints and the complaints contain serious allegations.

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District to keep better track of contract expenditures

FROM SPECIAL ED PAGE 3

Malibu Unified School District, the report described concerns by parents about the contentious negotiations with district officials over their children's individualized education plans, specifically the former practice of imposing a moratorium on confidentiality clauses. The report listed 27 recommendations for the district to create a culture of inclusion and better manage its finances related to special education spending.

Included in a report to the Board of Education is an extensive list that details activities since spring 2009 and whether they fall in line with recommendations made in the independent audit or by the Special Education Collaborative Working Group, which earlier this year reviewed old studies and strategic plans and compiled a list of 40 suggestions to improve the department.

That checklist shows that a number of steps have been taken toward implementing those recommendations, holding educational forums with parents, training the management team on special education policies and regulations, and monitoring the IEP process through feedback forms.

"It's not so much what we have done, but what more can we do to make it better," Chief Academic Officer Sally Chou said.

The next forum will be held on Oct. 24 at John Adams Middle School, focusing on creating unity through collaboration and featuring keynote speaker Doug Fisher, a researcher and professor in the field of reading and the brain.

The event will be hosted by the district and Santa Monica-Malibu PTA Council's Special Education Committee, which formed last year in response to the issues in the troubled department.

The PTA last year formed a Parent Resource Network that designated a volunteer special education point person at six different schools, offering advice and assistance to parents. Another five schools were added this school year.

There are two parent volunteers at each school.

"We're there mostly to listen and I think that means the world to people to know they are not in this alone," said Christy Hobart, the chair of the Special Education Committee and parent resource volunteer at Franklin Elementary School.

The PTA is also planning on hosting a series of parent education nights on different topics concerning special education.

Hobart, who has a child in special education, called the changes in the program "day and night" from last year.

> **IT WAS TRULY AWFUL AND NOW I HAVE TO SAY THAT I THINK WE'RE ALL WORKING TOGETHER."**
>
> **Christy Hobart**

"It was truly awful and now I have to say that I think we're all working together," she said.

The district is in the process of adding more changes, including creating a tracking system that will better monitor contract expenditures for special education services that aren't offered in-house.

"They are just putting all the contracts into a spreadsheet so when invoices come in we can check them against the contracts and make sure that when new students are added, we have enough money in contracts to support (them)," Chou said.

The district is also creating Instructional Leadership Teams consisting of general and special education teachers at each site. The teams will be responsible for professional development activities at their respective schools.

The district recently received a $300,000 grant from the RGK Foundation to launch the leadership team program.

Chou said that there have also been strides in integrating general and special education students.

"We have students that are in general education classrooms and they participate in general education student activities," she said. "There is some team teaching between special education and general education teachers."

Theresa Harris, the chair of the Special Education District Advisory Committee, said she sees an acknowledgment in the district administration to past problems and a willingness to make improvements.

"You can see it with the work that's been done with the PTA in particular — the forums in the fall and the spring, the backing of the Parent Resource Network," Harris said.

She noted that parents are also reporting improvements in the IEP process.

"They feel they are being respected and listened to in ways that have not been the case previously," she said.

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Dow closes above 10,000 for first time in a year

TIM PARADIS
Associated Press Writer

NEW YORK When the Dow Jones industrial average first passed 10,000, traders tossed commemorative caps and uncorked champagne. This time around, the feeling was more like relief.

The best-known barometer of the stock market entered five-figure territory again Wednesday, the most visible sign yet that investors believe the economy is clawing its way back from the worst downturn since the Depression.

The milestone caps a stunning 53 percent comeback for the Dow since early March, when stocks were at their lowest levels in more than a decade.

"It's almost like an announcement that the bear market is over," said Arthur Hogan, chief market analyst at Jefferies & Co. in Boston. "That is an eye-opener — 'Hey, you know what, things must be getting better because the Dow is over 10,000.'"

Cheers went up briefly when the Dow eclipsed the milestone in the early afternoon, during a daylong rally driven by encouraging earnings reports from Intel Corp. and JPMorgan Chase & Co. The average closed at 10,015.86, up 144.80 points.

It was the first time the Dow had touched 10,000 since October 2008, that time on the way down.

"I think there were times when we were in the deep part of the trough there back in the springtime when it felt like we'd never get back to this level," said Bernie McSherry, senior vice president of strategic initiatives at Cuttone & Co.

Ethan Harris, head of North America economics at Bank of America Merrill Lynch, described it as a "relief rally that the world is not coming to an end."

The mood was far from the euphoria of March 1999, when the Dow surpassed 10,000 for the first time. The Internet then was driving extraordinary gains in productivity, and serious people debated whether there was such a thing as a boom without end.

"If this is a bubble," The Wall Street Journal marveled on its front page, "it sure is hard to pop."

It did pop, of course. And then came the lost decade.

The Dow peaked at 14,164 in October 2007, then lost more than half its value after the financial meltdown last fall. At its low point, the average stood at 6,547.05. The breathtaking rally since then brings stocks to roughly break-even for the past 10 years.

So where does the market go from here?

Some market watchers see 10,000 as an illusion because there are still lingering threats to an economic recovery — rising unemployment, weak consumer spending and a battered housing market.

The investors who have driven stocks higher since March are the pros: hedge funds and institutions whose furious selling hastened the collapse of the market in the first place.

And red flags are showing up in the technical charts that professional investors use as they make their trading decisions. The Dow sits about 18 percent above its average of the past 200 days.

"The market by all technical indicators is completely overbought, just like back in March it was completely oversold," said Rich Hughes, co-president of Portfolio Management Consultants in Los Angeles.

On the other hand, Wall Street analysts say 10,000 is more than just a number — it can have legitimate psychological implications.

A recovering stock market soothes the psyche as people watch their portfolios and 401(k) retirement accounts being replenished. And if people start spending again, that may persuade more investors, including some reluctant pros, to go back into the market.

"Psychology plays a huge role in investing, so when you're trying to overcome the huge levels of panic and fear that we've seen over the last year, psychology shouldn't be discounted," said Carl Beck, a partner at Harris Financial Group.

Many investors, especially individuals, are afraid they'll put money into the market only to watch it disappear if stocks plunge again. It's happened before: In 1975, stocks rose 53 percent in less than four months after a recession. Then they lost 11 percent before climbing again in early 1976.

If stocks follow historical patterns, they could be nearing their peak. Assuming the recession technically ended this summer, as many economists believe, the Dow's surge since March puts it near where past rebounds have started to fade.

On top of that, there are still plenty of problems that could trip up the market. Companies posted better-than-expected earnings in the second quarter, but mostly because of cost-cutting, not the sales increases needed to keep growing.

Individual investors remain cautious. In August, well into the rally, they put $11 into bond funds for every dollar they put into stock funds, according to the Investment Company Institute, the mutual fund trade group.

But they appear to slowly be coming back to stocks. Retail brokerage TD Ameritrade reported an average of 431,000 trades a day in August, up from barely more than 300,000 when the market was sliding in January and February.

If the market can hold Wednesday's milestone, investors should grow even more confident.

"It wouldn't surprise me if it made Joe Main Street more comfortable," David Kelson, portfolio manager of Talon Asset Management in Chicago.

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Tax dodgers apply for IRS amnesty

STEPHEN OHLEMACHER
Associated Press Writer

WASHINGTON Some 7,500 international tax dodgers have applied for an amnesty program that promises no jail time and reduced penalties for tax cheats who come forward, the Internal Revenue Service announced Wednesday.

The tax dodgers were hiding money in more than 70 countries and on every continent except Antarctica. Accounts ranged from just over $10,000 to more than $100 million.

Response to the program has been unprecedented, IRS Commissioner Doug Shulman said.

"The whole idea of this program was to get people in and get them on the right side of the law," Shulman said.

The IRS long has had a policy that certain tax evaders who come forward before they are contacted by the agency usually can avoid jail time as long as they agree to pay back taxes, interest and hefty penalties. Drug dealers and money launderers need not apply. But if the money was earned legally, tax evaders can usually avoid criminal prosecution.

Fewer than 100 people apply for the program in a typical year, in part because the penalties can far exceed the value of the hidden account, depending on how long the account holder has evaded U.S. taxes.

In March, the IRS began a six-month amnesty program that sweetened the offer with reduced penalties for people with undeclared assets. The program was extended once, until Thursday. Shulman said it will not be extended again.

The program is part of a larger effort by the Obama administration to crack down on Americans who evade U.S. taxes by hiding assets in overseas accounts. In August, the U.S. and Switzerland resolved a court case in which Swiss banking giant UBS AG agreed to turn over details on 4,450 accounts suspected of holding undeclared assets from American customers.

Shulman said the IRS is stepping up efforts to track the flow of illicit money from Europe to Asia, Central America and the Caribbean. The agency is also opening new offices in Beijing, Panama City and Sydney to pursue criminal cases. Staffing is being increased at other offices, he said.

Shulman said the IRS is still processing applications for the amnesty program. It is too early to know how much money will be recovered, he said.

Shulman said accounts included money from inheritances, profits skimmed from U.S. companies and profits earned overseas. Some of the tax cheats had single accounts while others had multiple accounts in different countries. Some set up corporations to make it harder to identify them, he said.

"These taxpayers are now back in the U.S. tax system," Shulman said.

Shulman said the IRS will use information from the tax cheats who have come forward to go after bankers and tax advisers who helped them hide assets. The IRS is prohibited by law from disclosing the identities of the tax cheats unless criminal charges are filed.

Tax advisers have said the program, combined with the high-profile UBS case, has generated a lot of calls from nervous tax dodgers. Shulman said applications steadily picked up as the latest deadline approached.

Sen. Carl Levin, D-Mich., applauded the IRS program but said Congress needs to do more to crack down on international tax dodgers. Levin has worked on the issue as chairman of the Senate Permanent Subcommittee on Investigations. He estimated the U.S. loses $100 billion a year in tax revenue because of international tax cheats.

At least one advocacy group was unimpressed with the results of the IRS program.

"The IRS needs to put away the celebratory firecrackers," said Dean Zerbe, special counsel for the National Whistleblowers Center. "The amnesty program has gotten at best a thimble of the offshore tax cheats."

The center is unhappy with the way the IRS and the Justice Department handled the case of UBS whistleblower Bradley Birkenfeld. In August, Birkenfeld was sentenced to more than three years in federal prison, even though prosecutors said the information he provided was crucial to the UBS case.

Prosecutors gave the 44-year-old U.S. citizen credit for voluntarily disclosing illegal tactics by Swiss banking giant UBS AG and others. But they said Birkenfeld initially refused to confess his own misconduct and hoped to collect a cash reward under U.S. whistleblower laws.

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MLB PLAYOFFS

Freeway Series fever?

BY BETH HARRIS
AP Sports Writer

LOS ANGELES Ssshhhh, don't let it get out, but the prospect of a Freeway World Series is a tantalizing prospect to Torii Hunter, of all people.

With the Angels and Dodgers in their respective league championship series for the first time in the same season, Angelenos and their counterparts in Orange County are chatting up the idea.

"I hope we're one of those teams," Dodgers manager Joe Torre said Tuesday.

The teams separated by 31 miles of freeway both swept their division series, with the Angels dispatching longtime nemesis Boston and the Dodgers finishing off St. Louis.

Taking the onramp to a Freeway World Series would require the Angels to get by the Yankees, beginning Friday in New York.

"That's a dream world," Angels leadoff hitter Chone Figgins said about an all-LA matchup. "Hopefully, they'll win on their side, and we can get the first game in our series and go from there."

The Dodgers would need to beat Philadelphia, something they failed to do a year ago. They open today at Dodger Stadium, where Vin Scully's soothing voice will broadcast the action and former manager Tom Lasorda will be sitting behind home plate.

"You kind of catch yourself rooting for the Dodgers, and I'm sure the Dodgers are rooting for us," Hunter said during a workout in Anaheim. "It'd be kind of awesome to have a Freeway Series."

The teams have a few things in common, starting with Los Angeles being the official name of the clubs, even if the Angels play in another county and survived a court battle to keep it.

They both have former catchers as managers. The Angels' Mike Scioscia played on the Dodgers' 1988 World Series title team, the last time the Dodgers have been in the championship. The Dodgers' Torre was an All-Star catcher back in his day, who last managed a World Series champion in 2000, with the Yankees.

Mickey Hatcher, the Angels' hitting coach, and Alfredo Griffin, their first base coach, both starred alongside Scioscia in '88.

Scioscia's dislike of looking ahead is well-known, so he wouldn't bite on the chance of facing his old team for baseball's biggest prize.

"Believe me, our plate is full," he said. "As long as you keep winning, it's a lot of fun. We're going to have to keep our play at a certain level to even make it a conversation."

Over at rainy Dodger Stadium on Tuesday, Torre was equally reluctant to engage in the talk.

"For me to come out here and try to dream about who I'd like to play, I've got to play Philadelphia," he said. "Whoever comes out from that other series is hopefully somebody we're going to play. I just don't look past that."

Last week, Torre said his family and friends on the East Coast are rooting for the Dodgers to face the Yankees in the World Series.

"When my so-called friends and relatives talk about that, I really dismissed them in a hurry," he said. "I just tell them we have a lot more work to do."

If the Angels and Dodgers do meet, they each boast potential Hall of Fame sluggers in Vladimir Guerrero and Manny Ramirez, who has his own stadium section dubbed "Mannywood." There's a rockpile in center field in Anaheim that Guerrero likes to homer into.

A Freeway World Series might be hardest of all on the parents of Jered and Jeff Weaver. Jered will start Game 2 of the ALCS for the Angels, while brother Jeff is a former Dodgers starter who now works out of the bullpen.

Longtime fans of both teams will recall they once shared a home field.

The Angels began as an expansion team in 1961, playing at the old Wrigley Field. The Dodgers moved from Brooklyn after the 1957 season and played in the Los Angeles Coliseum.

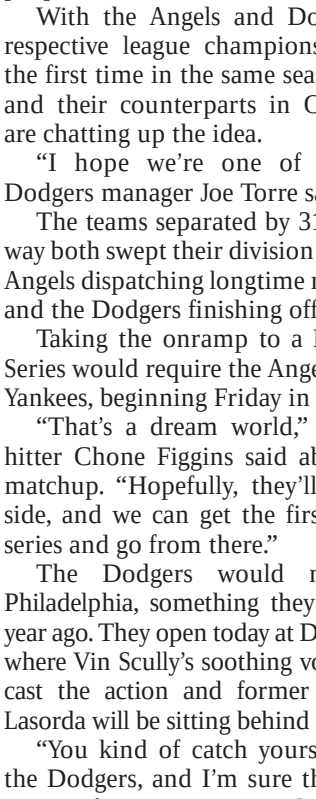
In 1962, both teams relocated to the current site of Dodger Stadium, only the Angels called it Chavez Ravine on the days they were playing. Interleague play was still decades away, so there was no confusion about the stadium's identity.

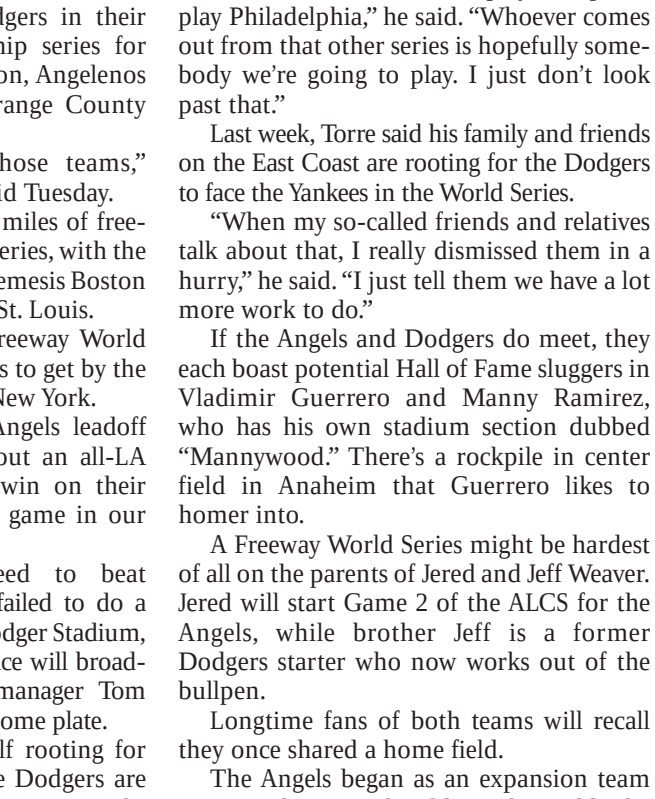
In 1966, the Angels moved down Interstate 5 to Anaheim Stadium (where football was once played and is now baseball-only Angel Stadium).

That's where a Freeway World Series would begin and end because the American League won the All-Star game in July.

"I'm pretty sure it's never been done before," said Hunter, who came to Anaheim from Minnesota. "But we can't get too far ahead of ourselves."

Ah, but in a town that manufactures movie fantasies, everyone can dream.







Surf Conditions **Water Temp:** 66°

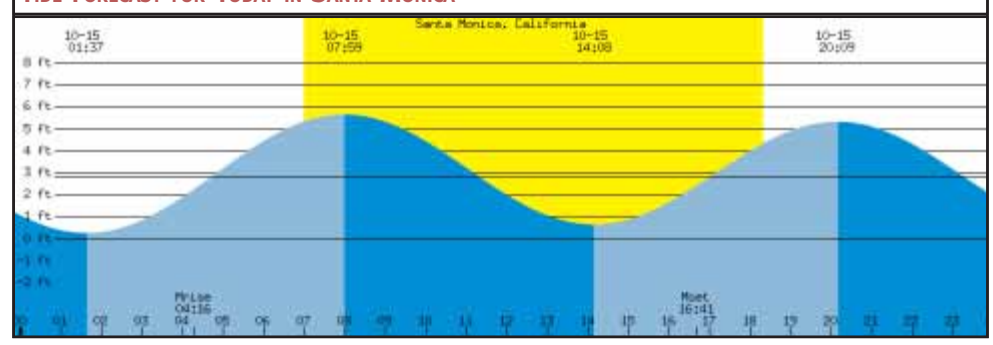
Swell Forecast

Looks like wind swell will be mostly from the WNW (280° or so), bringing head high+ sets to most west facing breaks. Size could run 2-3 feet overhead at direct west facing breaks.

Long Range Synopsis

Should see the peak of the Pitcairn southerly swell, around chest high max for south facing breaks.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous four weeks up to the ending date of **October 6, 2009**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - www.healthebay.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 28 days)

- Number of sewage spills -- 1
- Number of beach closures due to a sewage spill -- 1
- Number of wet days -- 8
- Number of A grades for dry/wet weather -- 36 / ns
- Number of (C,D,F) grades for dry/wet weather -- 4 / ns

The Beach Report Card is made possible by simplehuman, Goldhirsh Foundation, the James Irvine Foundation, Ford

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	ns
El Pescador State Beach, between Lechasa and Las Alisos creeks.	A+	ns
Encinal Canyon at El Matador State Beach.	A+	ns
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	A	ns
Latigo Canyon Creek mouth.	A+	ns
Solstice Canyon at Don Blacker County Beach.	A	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A	ns
Surfrider Beach at Malibu Colony fence.	C	ns
Surfrider Beach (breach location)- daily.	A	ns
Malibu Pier - 50 yards east.	F	ns
Carbon Beach at Sweetwater Canyon.	A+	ns
Las Flores State Beach at Las Flores Creek (paint zero).	A+	ns
Big Rock Beach at 19948 PCH stairs.	A	ns
Pena Creek at Las Tunas County Beach.	A+	ns
Tuna Canyon.	ns	ns
Topanga State Beach at creek mouth.	B	ns
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	D	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A	ns

LOCATION	DRY	WET
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	ns
Will Rogers State Beach at Pulga Canyon storm drain.	A+	ns
Will Rogers State Beach at Temescal Canyon drain.	A+	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A+	ns
Santa Monica Beach at Montana Ave. drain.	A+	ns
Santa Monica Beach at Wilshire Blvd. drain.	A+	ns
Santa Monica Municipal Pier.	F	ns
Santa Monica Beach at Pico/Kenter storm drain.	A	ns
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	ns
Ocean Park Beach at Ashland Ave. drain.	A+	ns
Venice City Beach, at the Rose Ave. storm drain.	A+	ns
Venice Beach at Brooks Ave. drain.	A+	ns
Venice Beach at Windward Ave. drain.	B	ns
Venice Fishing Pier - 50 yards south.	A+	ns
Venice Beach- projection of Topsail St..	A+	ns
Marina del Rey, Mothers' Beach- lifeguard tower.	A	ns
Dockweiler State Beach at Ballona Creek mouth.	B	ns
Dockweiler State Beach at Culver Blvd. drain.	A+	ns
North Westchester Storm Drain at Dockweiler State Beach.	A+	ns
Dockweiler State Beach at World Way (south of D&W jetty).	A	ns
Dockweiler State Beach at Imperial Hwy drain.	A+	ns
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	ns
Dockweiler State Beach at Grand Ave. drain.	A+	ns

LEGEND

DRY -- each location is graded on an A - F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

Heal the Bay's Beach Report Card® is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A–F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

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MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(323) 466-FILM

Call theater for information.

AMC Loews Broadway 4
1441 Third Street Promenade

Free Style (PG) 1hr 34min
1:05, 3:20, 7:50, 10:05

From Mexico With Love (PG-13) 1hr 36min
2:35, 4:55, 7:15, 9:35

Capitalism: A Love Story (R) 2hr 7min
1:25, 4:15, 7:00, 9:50

Surrogates (PG-13) 1hr 29min
1:00, 3:10, 5:25, 7:35, 9:45

AMC 7 Santa Monica
1310 Third St.
(310) 289-4262

Capitalism: A Love Story (R) 2hr 7min
1:50, 4:40, 7:30, 10:20

Cloudy With a Chance of Meatballs (PG) 1hr 21min
1:30, 4:20, 6:45, 9:15

Invention of Lying (PG-13) 1hr 40min
2:10, 4:50, 7:20, 9:50

Paranormal Activity (R) 1hr 39min
12:40, 2:50, 5:00, 7:10, 9:40

Toy Story & Toy Story 2 in 3D Double Feature (G) 2hr 49min
1:00, 4:45, 8:30

Zombieland (R) 1hr 21min
12:30, 2:00, 2:45, 4:30, 5:15, 7:00, 7:45, 9:30, 10:10

Laemmle's Monica Fourplex
1332 Second St.
(310) 394-9741

Bright Star (PG) 1hr 59min
1:20, 4:10, 7:00, 9:50

Good Hair (PG-13) 1hr 50min
1:40, 4:40, 7:30, 10:00

More Than A Game (PG) 1hr 42min
1:50, 4:30, 7:20, 9:55

The Boys Are Back (PG-13) 1hr 55min
1:30, 4:20, 7:10, 9:40

Mann's Criterion Theatre
1313 Third St.
(310) 395-1599

Couples Retreat (PG-13) 1hr 47min
11:30 (am), 1:10, 2:10, 3:50, 4:50, 6:30, 7:30, 9:20, 10:20,

The Informant! (R) 1hr 48min
11:40 (am), 2:20, 5:00, 7:40, 10:30

Inglourious Basterds (R) 2hrs 32min
12:00, 3:20, 6:40, 10:00

Fame (PG) 1hr 47min
1:30, 4:20, 7:10, 9:50

Whip It (PG-13) 1hr 51min
1:20, 4:10, 7:00, 9:40

For more information, e-mail news@smdp.com

Be your own person, Pisces

ARIES (March 21-April 19)
★★★★ Intensity marks your interactions. Someone clearly cares and wants to let you know. How appropriate that might be is another issue. Of course, you don't want interference at work. You might be better off acknowledging this person. Tonight: Don't push yourself too hard.

TAURUS (April 20-May 20)
★★★★★ An indulgence on your part could lead to more demands. You wonder for what and why. Investigate options that appear out of the blue. Your understanding and insight help an associate see that there are alternatives. Tonight: Be naughty.

GEMINI (May 21-June 20)
★★★★ Stick to basics. An adjustment within a relationship might be more necessary than you think. Go with the flow and don't fight the inevitable. Your ability to move past another's contrary attitude allows growth. Tonight: Indulge a child or love one.

CANCER (June 21-July 22)
★★★★★ Return calls and stay on top of your game. Be aware of your present limits, and don't worry as much about what others think. You move in a new, positive direction when listening to the inevitable conversations among co-workers. Go past the mundane. Tonight: Add in more fun.

LEO (July 23-Aug. 22)
★★★ Understanding the implications of an agreement helps you move past a problem. You really don't need to worry about a financial issue if you are on top of your game. Opposition occurs out of the blue, and you cannot calm down a partner. Tonight: Go with surprise.

VIRGO (Aug. 23-Sept. 22)
★★★★ You greet excess positively right now, as you have been holding yourself back too much. You need to let go, which you probably have. To rope yourself in could be close to impossible. Others could be unpredictable. Tonight: Do whatever makes you smile.

LIBRA (Sept. 23-Oct. 22)
★★★ Take your time and don't feel compelled to do anything in any specific manner. Pressure builds around the home front and what you perceive is going on. Get ready for winter, and schedule a checkup for your heating system. Tonight: Take some much needed personal time.

SCORPIO (Oct. 23-Nov. 21)
★★★★ It's a good idea to focus on a meeting in order to make your point. You might think that a meeting or presentation is a piece of cake. Your ability to regroup and think on your feet counts. Tonight: Where the crowds are.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ If you can relax and not react, you could stay on top of your game. Evaluate and consider what someone seems to be offering. Can you trust this person? Will he or she come through for you and live up to his or her agreement? Tonight: A must appearance.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ Keep reaching out for someone you care about. You might be shocked by what develops if you relax and just let events flow. Nervous energy surrounds you. Don't add to the increasing stress levels. What appears to be upsetting at first will work out. Tonight: Hang out with favorite people.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Deal with a partner directly. You might want to exert pressure on someone or manipulate him or her. Let go of this desire and simply let this person figure out who holds the cards. He or she wants to work with you anyway. Tonight: Dinner for two.

PISCES (Feb. 19-March 20)
★★★★ By now, one would think that you cannot influence several people in your life. You see a way to make both of your objectives happen even though it seems impossible to those who use black-and-white thinking. Tonight: Be your own person.

Happy birthday

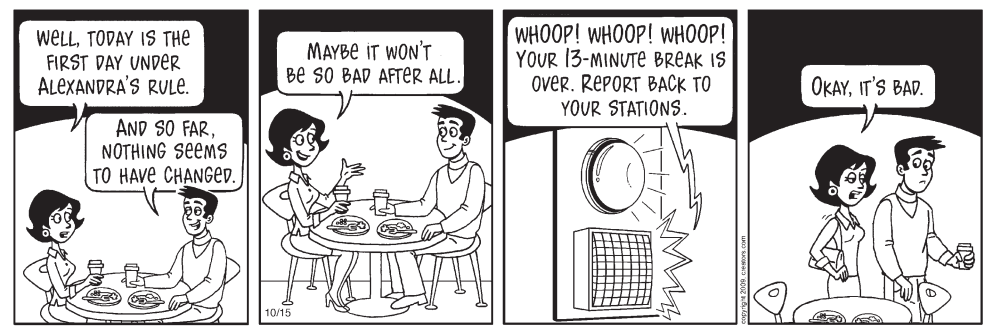
This year, you move in new ways and make what you want happen. Refuse to get into power plays. Learn to walk away from such manipulations. Some people in your life could be stunned by your firm "no" and independence. If you are attached, and this is part of your relationship, by you saying no, you have taken the first step to a better relationship. With your time and patience, your significant other will learn to relate on new terms. If you are single, remain centered about what you want from a relationship. Be careful, as there is a likelihood you could choose a person who is emotionally unavailable. VIRGO reads you too well -- nearly!

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

Girls and Sports
By Justin Borus and Andrew Feinstein



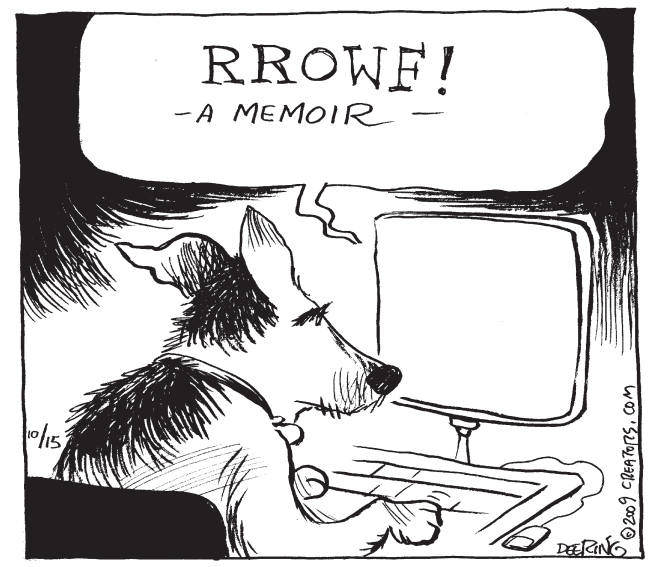
The Meaning of Lila
By John Forgetta & L.A. Rose



Garfield
By Jim Davis



Strange Brew
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- Fun entertainment
- Support resources

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Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★★

		5		8		7		
				3				
2			1		5			4
		6				3		
4	9			6			8	2
		1				4		
9			2		7			6
				1				
		3		9		5		

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

3	9	8	5	2	4	1	7	6
5	7	4	1	6	9	2	3	8
2	1	6	8	7	3	4	5	9
6	2	1	7	9	5	8	4	3
7	8	5	3	4	6	9	1	2
4	3	9	2	1	8	7	6	5
1	4	3	6	8	2	5	9	7
9	6	2	4	5	7	3	8	1
8	5	7	9	3	1	6	2	4

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MYSTERY PHOTO

Maya Sugarman *news@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*.

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Tater
5 Sandbox toys
10 Fixed the piano
12 Bert's buddy
13 Come into being
14 "Superman" star
15 Harden
16 Geometric shapes
18 Kin of "pssst!"
20 Hogwash
21 Terminate
23 Lennon's wife
24 Angel's topper
26 "Jane —"
28 Young seal
29 Cooking mint
31 Mischievous one
32 2007 Broadway musical
36 Geometric shapes
39 Jazz style
40 Love to pieces
41 Grammar topic
43 Wanders
44 Glossy fabric
45 Barrymore and Carey
46 Title paper

DOWN

1 Secret store
2 Liquefy
3 Oneness
4 — Plaines
5 Home to Machu Picchu
6 Geometric calculation
7 Wrong
8 Salesman's prospect
9 Looks after
11 Old autos
17 Status —
19 Fashion monogram
22 Winged horse
24 Cigar holder
25 Sanction
27 Longing
28 Enterprise captain
30 Fireman's tool
33 Let up
34 Motherless calf
35 Overturn
37 Rowing team
38 Smaller amount
42 Blue

B	A	R	T	O	N	■	A	H	A	B
A	M	O	E	B	A	■	S	I	L	O
G	I	Z	M	O	S	■	S	T	A	Y
■	■	■	P	E	A	N	U	T	■	■
A	L	S	O	■	■	I	R	I	S	H
L	E	I	■	S	E	V	E	N	T	Y
L	E	T	■	A	G	E	■	G	A	P
O	C	T	A	G	O	N	■	U	K	E
W	H	I	T	E	■	■	S	P	E	D
■	■	N	E	S	T	L	E	■	■	■
S	A	G	A	■	W	A	R	S	A	W
O	N	U	S	■	I	N	V	I	T	E
T	Y	P	E	■	N	E	E	D	E	D

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 2, P.O. Box 536475, Orlando, FL 32853-6475

1	2	3	4	■	■	5	6	7	8	9
10				11	■	12				
13					■	14				
15			■	16	17					
18			19			■	■	20		
■	■	■	21			22	■	23		
■	24	25			■	26	27			■
28			■	29	30			■	■	■
31			■	■	32			33	34	35
36			37	38			■	39		
40					■	41	42			
43					■	44				
45					■	■	46			

10-15

DAILY LOTTERY

MEGA MILLIONS: 17 31 34 45 51
Meganumber: 24
Jackpot: $200M

SUPER LOTTO PLUS: 2 6 11 16 43
Meganumber: 12
Jackpot: $7M

Fantasy 5: 9 13 19 21 31

DAILY 3: MIDDAY: 1 7 7
EVENING: 5 5 7

DAILY DERBY:
1st: 06 Whirl Win
2nd: 11 Money Bags
3rd: 05 California Classic
RACE TIME: 1:42.13

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

■ Canadian medical appliance manufacturer X4 Labs, which sells a penis-elongating traction device for around $400, disclosed in August that it is making a solid gold version on contract for a Saudi businessman. The buyer claimed he required gold only because of allergies, but then also ordered it ornamented with diamonds and rubies, according to an August Agence France-Presse report. X4's cachet as a medical-appliance supplier is expected to get the device past Saudi customs, which normally bans sex toys.

■ Four apparently quite bored people in their early 20s were arrested in September in Bennington, Vt., after a Chili's restaurant burglar alarm sounded at 4:30 a.m. According to police, the four intended to remove and steal the large chili on the restaurant's sign, using a hacksaw and power drill. However, not possessing a battery-operated drill, they had strung extension cords together running to the nearest outlet they could find, which was 470 feet away, across four lanes of highway and through a Home Depot parking lot.

TODAY IN HISTORY

1938 The District of Columbia formally adopts a design for its flag.

1939 The New York Municipal Airport (later renamed La Guardia Airport) is dedicated.

1944 The Arrow Cross Party (very similar to Hitler's NSDAP (Nazi party)) takes over the power in Hungary.

1945 World War II: The former premier of Vichy France Pierre Laval is shot by a firing squad for treason.

1946 Nuremberg Trials: Hermann Göring poisons himself the night before his execution.

1951 Mexican chemist Luis E. Miramontes conducted the very last step of the first synthesis of norethisterone, the progestin that would later be used in one of the first two oral contraceptives.

1970 The domestic Soviet Aeroflot Flight 244 is hijacked and diverted to Turkey.

WORD UP!

pukka \PUHK-uh\ , adjective:
1. Authentic; genuine.
2. Superior; first-class.

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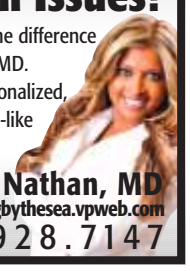
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Santa Monica Canyon	$2,447,000	$4,810,000
North of Montana	$2,995,000	$1,349,000
Between Wilshire & Montana	$1,883,500	$899,000
South of Wilshire	$849,500	$599,999
Sunset Park	$1,250,000	$629,000
Ocean Park	$1,433,500	$992,000

Statistics Updated Every Monday

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