

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

15, 35, 18, 31, 20

DAILY 3

Afternoon picks: 9, 8, 6

Evening picks: 7, 4, 5

DAILY DERBY

1st Place: 2, Lucky Star

2nd Place: 6, Whirl Win

3rd Place: 12, Lucky Charms

Race Time: 1:43.30



NEWS OF THE WEIRD

by Chuck Shepard

In August, bookstores began selling "Revolve," a glossy, 392-page softcover title that directs a thought-by-thought rendition of the New Testament to its target audience of teenage girls, alongside text on typical teen-magazine subject matter such as beauty, fashion secrets and dating. (For example, proper etiquette, according to "Revolve" founder Laurie Whaley, requires the boy to initiate a relationship: "There's no indication from Scripture that Mary Magdalene ever (called) Christ.")



QUOTE OF THE DAY

"Status quo. Latin for the mess we're in."

— Jeve Mooreman



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Dude, get out of my face!



Carolyn Sackariason/Daily Press

Author, movie producer and director Michael Moore gets into a heated discussion with Los Angeles radio talk show host Larry Elder outside of Borders Books on Thursday.

Elder, who has been refused an interview by Moore, questioned Moore on his political views outside the Promenade bookstore, where the author was signing his new book, "Dude, Where's My Country?" The two went back and forth arguing politics for a few minutes before Moore's representatives told him to go inside the store, where his fans were waiting for him. Elder wasn't allowed in with his audio equipment.

Man from Palisades pleads guilty to fraud

By The Associated Press

A Pacific Palisades resident and the former chief executive officer of a publicly traded Southern California company that sold computer peripherals pleaded guilty this week to federal charges related to a scheme to fraudulently inflate the company's revenues, the United States Attorney's Office announced.

Sultan Warris Khan, 58, who was the president, chief executive officer and chairman of the board of directors of NewCom, Inc., pleaded guilty to orchestrating an extensive accounting fraud scheme, according to the U.S. Attorney's office.

NewCom was based in Westlake Village from 1994 through 1999. NewCom was a subsidiary of Aura Systems, Inc., based in El Segundo, California, from 1994 through September 1997.

Appearing in United States District Court in Los Angeles, Khan pleaded guilty to conspiracy, filing false quarterly reports with the SEC, wire fraud and money laundering. In his guilty plea, Khan admitted that he and the company's executive vice-president, Asif Mohammad Khan (no relation), conspired to falsely

See FRAUD, page 7

City councilman's support dwindling amid investigation

Feinstein eyeing seat on air quality board, needs to be re-elected

(Editor's note: This is the first article in an ongoing series on the criminal investigation of City Councilman Mike Feinstein. Saturday's article will focus on his bid for a seat on the governing board of a regional air quality agency.)

BY JOHN WOOD
Daily Press Staff Writer

While he's being investigated for allegedly misappropriating \$10,000 in Green Party funds, City Councilman Mike Feinstein appears to be losing political support.

It's been three months since police seized Feinstein's bank records and turned the case over to the LA District Attorney's Office. An announcement on the status of the investigation is expected at the end of the month.

Feinstein, a Green Party mem-

"I'm pretty sure that SMRR won't support him,"

— BOB HOLBROOK
City Councilman

ber, will run next week for a four-year post on a regional air quality board. In order to serve the full term, he would need to retain his seat on the City Council through 2007. But doing that may prove difficult. Feinstein is up for re-election next fall and the backing of the powerful Santa Monicans for Renters Rights group, which he has traditionally garnered, is anything but certain.

While the ongoing criminal investigation is an issue for some SMRR members, Feinstein's

See FEINSTEIN, page 6

Playhouse lawsuit hits court of appeals

BY CAROLYN SACKARIASON
Daily Press Staff Writer

The fate of an 8-year-old Santa Monica boy's playhouse will be decided by the state court of appeals by the end of this year. It's a battle which pits a Santa Monica family against City Hall.

At the center of the bizarre controversy is a backyard playhouse built for Jacob Levy, 8. The handling of the playhouse has raised questions about how politicians hold sway over staff, and how citizens are treated by government agencies.

Lawyers representing both City Hall and the family of David and Beth Levy squared off earlier this month with oral arguments.

The Levys sued City Hall in September 2000 after building inspectors backed away from their

finding that the playhouse was a legal one-story structure. The reversal of that decision came after a neighbor of the Levys — Tunde Garai — complained to then-mayor Ken Genser.

But City Hall claims Genser only asked staff to check on the legality of the playhouse.

Several months after the lawsuit was filed, city officials changed their minds again. This time, they said the playhouse could stay. But the condition they attached caused the case to go to court. The city would legally treat the playhouse as a "non-conforming use," under which the city reserved the right to change its mind yet again if someone else complained.

The Levys, who felt mistreated

See APPEAL, page 7

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JACQUELINE BIGAR'S STARS

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

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

HAPPY BIRTHDAY for Friday, October 17, 2003:

You are unusually stubborn and want what you want when you want it. This year, you might need to lighten up some and understand where others are coming from. You cannot successfully buck the establishment. Put your effort into work, and you will gain enormously. You also will see caring flow toward you if you stay focused on the person rather than the events around the relationship. If you are single, you will meet someone special this year, but you can also be sure that you're not seeing this person realistically. Toss off your rose-colored glasses. If you are attached, the two of you enter a very romantic year together. Don't get hung up in power plays. CANCER drives a hard bargain.

ARIES (March 21-April 19)

★★★ No one knows better than you that it's Friday. You will buckle down to the tasks at hand, determined to get the job done. In fact, you might do such a good job of screening out others that someone could get annoyed. Tonight: Finally, a good time is had by all.

TAURUS (April 20-May 20)

★★★★★ Verify information, as difficult as it might seem to absorb. You might not like what you hear, but you do know what has to happen. Allow greater creativity and fun into your life later on. Not everyone agrees with you, especially an associate. Tonight: Kick up your heels.

GEMINI (May 21-June 20)

★★★ Dealing with misinformation could take up a large part of your day. You might need to take a strong stand with someone you care about, as uncomfortable as that might be. Understand that you do need to say "no" sometimes. Tonight: Indulge and treat yourself.

CANCER (June 21-July 22)

★★★★★ With the Moon in your sign, the cards are on your side of the table. Still, you might be unusually firm and direct about how you are feeling with a family member or a roommate. Listen, though, because there might be logic to this person's side. Tonight: Your night to play and party.

LEO (July 23-Aug. 22)

★★★ Sit back and take your time. You might find someone to be unduly sharp or difficult. Be reasonable in how you deal with this person. Express your feelings, but don't be surprised if there is unusual flak. You clear the air later on. Tonight: Follow a playmate's advice.

VIRGO (Aug. 23-Sept. 22)

★★★★★ Reach out for an important group of people, whether it is many or few. A discussion could be hard, but it makes a big difference in what goes down. You might not have all the money facts clear. Ask for what you need. Tonight: How 'bout a night to yourself?

LIBRA (Sept. 23-Oct. 22)

★★★★ A "must" stand could have an impact on others, as well as you. Understand that although you might be uncomfortable, you are making a difference by clearing the air. A late lunch helps others open up to you. Talk about your feelings. Tonight: It could be memorable.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ Keep reaching out for more information, especially if you don't feel comfortable with what you are hearing. Your ability to make waves and make others respond comes out. Don't doubt yourself at this immediate juncture. Tonight: Take off ASAP.

SAGITTARIUS (Nov. 22- Dec. 21)

★★★★ Work with someone else and you will find that though there are differences, the going will be easier. Swapping ideas often only makes an idea tighter and more effective. You might be less sure of yourself than normal. Tonight: Let go and play.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Others defer to you, though not easily. You have a way of handling difficult people that can surprise them. The ideas that you present are grounded. You can and do make a difference. Confusion surrounds a boss or superior. Tonight: Say "yes" to an invitation.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Listen to what happens behind the scenes. You might want to share more of what is going on with you right now. Open up to discussions that involve both a co-worker and information you are hearing from a distance. Tonight: Kick up your heels as if there is no tomorrow.

PISCES (Feb. 19-March 20)

★★★★★ Your ability to add to a situation is very strong. Your interest, however, might be making an arrangement concrete rather than nebulous. You might have difficulty with a partner as you seek out answers. Tonight: Let the good times roll.

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LOCAL

Samohi Vikings take to sea

By Daily Press staff

"TAR PITS" SURF BREAK, CARPINTERIA STATE BEACH — The surf club at Santa Monica High School has been resurrected after 10 years of being dormant.

Seventeen student athletes from the newly founded Samohi Surf Club competed with seven other high schools last weekend in the high school's first interscholastic surf competition in more than a decade.

Surf was up — 3- to 5-footers with fair to good form — on a sunny day, while Samohi was bested in the first-round team competition against powerhouse San Marcos High School. Four Viking surfers — Zoe Mosk (women's short board), K.C. Rea (women's long board), Jack Jacobs (men's long board) and Ian Quick (men's body board) — moved into advanced individual rounds. Mosk, Rea and Quick finished sixth or better and brought home trophies in their respective competitions against some of the best high school surfers in Southern California. All four Viking finalists claim Santa Monica's Bay Street as their "home break" and Carpinteria was the first interscholastic surf competition for each.

"I am really proud of our entire club and the team that traveled to Carpinteria," said coach and faculty advisor Bill Pence, who teaches chemistry at Samohi. "It was a major victory just getting our Vikings into salt water. When I joined the faculty at

Samohi last year, I couldn't believe there was no surf club on a campus within walking distance of some great surfing."

With help from parent and assistant coach Christopher Dill, the surf club was launched by Pence this fall. More than 50 students signed up.

"I knew there were surfers here and we found them," Pence said. "And we have a number of students who have joined the club to learn surfing. It might be the hardest sport to learn, but as a lifetime surfer, I think it is the greatest sport."

Additional Viking women at Carpinteria included: Ashley Boyd, Kendall Dill, Sarah Kennedy, and Nila Ward. Viking men included: James Adams, Chris Colajezzi, Gabe Dill, Noel Goetz, Darryl McElanahan, Andrew McNab, Tim Plumridge, Franco Quevedo, Sam Vinstein and Nick Winnie.

The Samohi Viking Surf Team is sponsored by ZJ's Boarding House surf store and the Library Ale House — both local businesses on Main Street — and outdoor apparel giant Patagonia.

The Carpinteria competition was under the auspices of the Interscholastic Surfing Federation, and Samohi will face the same seven high schools at four upcoming tournaments — one each month through February. The next competition will be held at Zuma Beach at 7 a.m. on Nov. 8 at Tower 7. There also will be community events planned for surf club members.



Photo courtesy

Members of the resurrected Samohi Surf Club (left to right) Jack Jacobs, K.C. Rea, Ian Quick and Zoe Mosk gather after competing against San Marcos High last week.

Road rage: Cruise city's past

By Daily Press staff

Santa Monica is rich in landmarks ... if you know where to look.

On Sunday, Nov. 9, the Santa Monica Conservancy is sponsoring a narrated bus tour from 1:45 p.m. to 4:30 p.m. of notable

designated landmarks in Santa Monica.

Aboard a specially chartered Big Blue Bus, participants will see and hear about the most significant landmarked homes, commercial, religious, and civic structures, as well as trees and signs — the arched neon entryway to the Santa

surf report

It's looking good this weekend. Look for a mix of fading S and SW swells today. The good summer breaks see waist- to chest-high surf, while standout spots are a little better. A new NW swell also starts to fill in, with better spots picking up waist- to shoulder-high surf.

OUTLOOK: Saturday, the swell will fill in more and the best breaks start to see overhead sets. It peaks on Sunday. Nice one.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

68°

Sunrise: 7:07 a.m.
Sunset: 6:23 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	3:59	1.2	4:42	0.5	10:10	5.6	10:49	4.4
SUNDAY	4:19	1.6	5:17	0.5	10:31	5.6	11:28	4.0
MONDAY	4:37	2.0	5:56	0.6	10:53	5.5	N/A	N/A
TUESDAY	4:52	2.4	6:43	0.8	12:14	3.6	(11:17)	5.3
WEDNESDAY	4:59	2.8	7:47	1.1	1:20	3.2	(11:45)	5.1
THURSDAY	N/A	N/A	9:17	1.1	N/A	N/A	12:22	4.8
FRIDAY	N/A	N/A	10:47	1.0	N/A	N/A	1:32	4.5

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Monica Pier being one of the city's preserved signatures.

Dr. Ken Breisch, adjunct associate professor in the school of architecture at the University of Southern California and director of its graduate program in historic preservation, will narrate the tour. There will be refreshments onboard, complementing Breisch's knowledge and insights. Participants will receive a tour book as well.

The Santa Monica Conservancy recently co-sponsored a successful house tour on La Mesa Drive attended by 400 people. The bus tour, which will be even more comprehensive, promises to be just as popular. Seating, however, is limited,

and advance reservations are necessary.

Tour fees are \$20 per person for Santa Monica Conservancy members and, for non-members, the \$35 fee includes automatic membership in the conservancy.

The Santa Monica Conservancy is a nonprofit, non-partisan organization founded in 2002. Its mission is to increase public awareness of Santa Monica's historical, cultural and architectural resources, as well as to promote the preservation of those resources and to encourage new development that is sensitive to the historic character of its neighborhoods.

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LETTERS

It's time a for a regime change

Editor:

(President) Bush says "If the people don't think I'm doing my job, they'll find somebody else." Don't worry, George, we will.

Mike Kirwan
Venice

Headline does not reflect story

Editor:

The SMDP's Oct. 16 edition had a headline that had no correspondence to the facts of the story. Although your page five headline said "Strikers demand better benefits," the story said that workers at local grocery stores want a new contract that "keeps health and retirement benefits at their current levels ..."

Your article also failed to note that only the Vons workers are on strike. Union members who work at Albertsons and Ralph's are not permitted to work by management as long as the union is striking Vons. Picketers in front of Albertsons and Ralph's are "locked out." They are not on strike.

As a picketing clerk at the Lincoln Boulevard Ralph's explained to my children, the grocery clerks and corporate management are fighting over whether the workers will have to pay more for their benefits.

The outcome will be a precedent for every other family that receives health insurance as a part of an employment compensation package.

Abby Arnold
Santa Monica

(Editor's note: On page five, second column, the story states that Albertsons and Ralphs locked out their employees because executives consider a strike against one company a strike against all three).



Member: AAEC #, NCS #, SCS #

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

City Hall's customer service on resident requests dismal



**MY
WRITE**
By Bill Bauer

Kathryn Morea's letter to the editor (SMDP, Oct. 13, page 4) about how the city discriminates against residents when granting preferential parking permits is right on target.

Morea lives on Ninth Street — the only street in the area that doesn't have full permit parking. Despite three years of petitioning by her and neighbors for a change, the city has done nothing.

Ninth Street between Michigan Avenue and Pico Boulevard is comprised mostly of hundreds of apartments and condos. There is not nearly enough parking to accommodate resident demand. Only 23 spaces on the west side of the street are permitted for part-time resident parking.

It seems the city thinks it's a good idea to leave the other 62 diagonal spaces on the east side unrestricted for use by Santa Monica High School students, business and visitors — even though the vast

majority of the city's other preferential zones are completely restricted and do not address "non-resident" parking.

For some reason the city has dug in its heels. Although the street meets the criteria for permit parking on both sides, numerous requests to rectify the situation on Ninth Street have been stonewalled.

But it's not unusual for the city to ignore citizen complaints. A prime example is the homeless issue.

The city has turned a deaf ear to complaints. Eager to provide more homeless services while ignoring resident quality of life issues, the city carries on as if nothing is wrong. Their stock answer to citizen complaints: "You'll learn to like it."

Take speed bumps on many residential streets in Sunset Park between Pico and Ocean Park boulevards, for example. When they were installed years ago, they were either too high or sloped wrong. Vehicles bottomed out driving over them even when going slow.

Many of the bumps were removed and rebuilt, but they're still not right.

The police and fire departments claim that they continue to slow emergency vehicles enough to make them lose a minute or more of time driving the two blocks.

Paramedics stationed at fire station No. 5, south of Ocean Park Boulevard, respond to emergency calls from the neighborhood north of Pico Boulevard. The loss of a minute of time on an emergency run could result in death for someone in dire need of help.

Speed bumps in Los Angeles are much less bone jarring and teeth rattling than bumps here in Santa Monica. So a private engineer a couple of years ago surveyed the Sunset Park bumps and determined that the vast majority of them were still not to proper specification.

The problem has still not been fixed, in spite of the possibility of a loss of life. The speed bumps are yet another monument to the city's stubbornness, arrogance and stupidity.

Next Thursday, the Rent Control Board meets to decide whether to allow landlords to pass along to their tenants the cost of Measure S, the \$225 annual school property tax increase approved by voters in June — as they have done with other tax and bond costs in the past.

You can bet a month's rent that "S" costs will be passed on by the RCB, which is composed entirely of Santa Monicans for Renter's Rights politicians. They're

going to do landlords a big favor by making renters pay for yet another SMRR-supported tax.

Last June, RCB chair Betty Mueller was quoted in "Yes on S" election mailers: "It will only cost the average renter less than \$3 per month." This raises a question as to whether the RCB had met behind closed doors — and illegally — five months ago to discuss and approve a course of action on an item that was agendized just two weeks ago.

SMRR heavily backed the parcel tax increase and, according to landlords I talked to at the time (and disclosed in my June 20 column), the word was the RCB would allow a pass along if they supported the school measure.

Some landlords already have notified tenants of a rent increase effective Jan. 1, 2004.

It looks as if SMRR will make good on their pre-election deal and "officially" pay back a political favor while us renters, who SMRR claims to speak for, will once again take it in the shorts.

(Bill Bauer is a longtime Santa Monica resident and by choice, can't be reached by phone or e-mail).

YOUR OPINION MATTERS!

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LOCAL

The Q-Line

Promenade needs local 'mom and pops'

Here are your responses to this week's Q-Line question: "Do you think the Promenade is too homogenized? Will limiting storefronts fix the perceived problem?"

■ "There are too many company-owned stores on the Promenade. We don't have any stores where a low-income person can shop. Also we should not have any stores or restaurants with outside seating which blocks the pathways for the customers who have to walk in the street. I think Santa Monica is going to pot."

■ "I think it is too homogenized, and it's too bad that the City Council has tried so hard over the years to get rid of the small businessmen and now they want them back. When are they ever going to learn? It's unreal anymore. I hope for the best and would like to get the town back to the way it used to be."

■ "The majority of buildings along the Third Street Promenade are owned by local real estate entities. The reason why small or local businesses cannot function on the Promenade is the cost of rents. Levis-Strauss is paying \$45,000 per month — that's not an easy nut to crack."

■ "Laissez-faire."

■ "Limiting the storefronts will not improve the Promenade. Santa Monica's City Council is the city's worst enemy, along with the homeless. The truth is

Santa Monica can't compete with the Grove and I'm sure that a lot of people have been going there. Even after they clean the Promenade, it still smells, and who wants to walk down the Promenade when it reeks like a toilet? They need to do something about the homeless. Maybe then something will change about the Promenade. The Promenade is a dead horse and nothing can revive it. The City Council needs to get off their butts and do something other than spend money and make excuses for the homeless because come March, or whenever the primaries are, I think we might see a big change. With Arnold elected, people are sick and tired of the attitude of this City Council, and I think a lot of them may be voted out. They need to take a good look at themselves before they fall on their arses (sic)."

■ "Is the Promenade too homogenized? Yes, but I don't think that limiting storefronts will fix the problem. They have already driven out long-term Santa Monica businesses — from the Pep Boys to Nana to the small restaurants. No one is left and no one can afford to get back in, so this is not a solution."

■ "No, the Promenade is not too homogenized and limiting storefronts is

ridiculous. People don't come from all over the LA area, in fact from all over the world, to see a ma and pa store. Unfortunately, whether people of Santa Monica — and I am a resident of Santa Monica — get it or not, they come here because the shopping is among the best in the LA area. They come here, believe it or not, for the Pottery Barns, the Gaps, the Old Navys, the Abercrombies, Banana Republics, etc. Rarely, if ever, do they come for a store which probably couldn't afford to get a lease the way the mall is right now, anyway. The only businesses that can afford to continue to be there are the chain stores, again, perhaps unfortunately, perhaps not. It's time for people in Santa Monica to not try to make the world the way it should be, but to take a look at the way the world really is and try to make that a better place."

■ "I think this is another example of micro-management by the City Council. The 50-foot-wide rule is a stupid attempt to keep out retail chains. I don't know what the answer is. I don't think it will fix the problem. I think the problem is

that the Promenade is more like an arcade fun zone rather than a serious business area. I'm not sure why. I'm a long-time Santa Monica resident and avoid going to that area whenever possible. It's just too full of tourists, homeless and street performers for my taste."

■ "Even though it is homogenized, it needs to be pasteurized to protect residents and visitors from undesirable elements."

■ "It really doesn't matter. Perhaps the location of some big chain stores in the area might help. They may have some plow to take care of the bum problem in this city. In any event, the Promenade is pretty much on a decline and local residents probably don't go there very often, and if they do, it's probably only to catch a movie. I certainly wouldn't shop there or go there for any other purpose."

■ "I believe the Promenade is getting too homogenized and I believe limiting storefronts will fix the problem."

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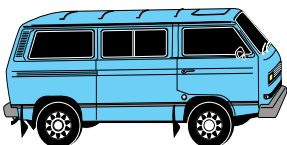
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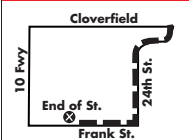
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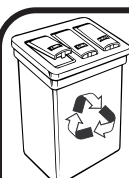


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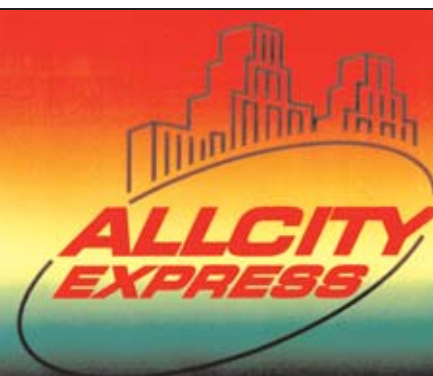
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LOCAL

Support for Feinstein appears to be weakening

FEINSTEIN, from page 1

recent political moves are the source of discontent for others in Santa Monica's ruling party.

"Ethics are important to me. Honesty is important to me. Honoring those who care about the quality of life in Santa Monica, as opposed to those who care about their pocketbooks, is important to me," said Ellen Brennan, a SMRR member and a local stockbroker. "It feels like he's lost his original purpose, and the kinds of decisions and kinds of votes he's making now seem to have more to do with his political advantage, rather than the interests of the people that elected him."

SMRR co-chair Denny Zane and several other members said the criminal investigation doesn't carry much weight when it comes to their support of Feinstein, who many describe as an apt and energetic politician.

Zane said it's too soon to say what candidates SMRR members will decide to endorse next fall. But he said Feinstein did fuel some discontent in the organization by breaking with SMRR's endorsement of City Council candidate Abby Arnold in 2002 to back Josefina Aranda, a non-SMRR candidate.

"Certainly Mike's decision to support, to urge, a candidate who tried, but failed to win a SMRR endorsement, and then she, at Mike's urging, ran separately, will be on people's minds," Zane said.

While they are hesitant to comment on the current investigation, several SMRR members, who asked not to be identified for political reasons, said they didn't plan to endorse Feinstein next fall.

Brennan said most people are keeping their opinions to themselves because publicly expressing them could have negative consequences.

"The political process in Santa Monica is really an art, not a science," she said. "It's kind of like a poker game — people don't want to show their hand. It's very tricky, treacherous at times."

Feinstein also is keeping tight-lipped about the matter, avoiding requests by Green Party members to account for the missing money for more than two years. He also won't comment to the Daily Press. However, he is trying to internally resolve the issue with Green Party members, according to officials.

The investigation has driven a wedge between Feinstein and some members of the local, state and national Green Party. The Green Party of California, which asked Feinstein to stop conducting party business until the money is accounted for, is currently reviewing Feinstein's conduct.

"It's been almost three years," said Bob Morris, former treasurer for the Green Party of LA County. "I think most everybody in the Green Party long ago stopped hoping that Mike would be forthcoming on this and explain what he did with the money."

Feinstein became the focus of a criminal investigation after he failed to account for a Jan. 18, 2001 \$10,000 donation to the GPLAC, which he allegedly deposited into a personal account. Though the focus is solely on the \$10,000 check, Green Party members have said Feinstein allegedly took a total of \$30,000 to run an unsanctioned Green Party office at 2809 Pico Blvd.

Green Party officials first tried to work

out the dispute internally. They asked Feinstein in August of 2001 to provide bank documents showing what the money was used for. But after waiting more than a year and a half for bank statements, Morris lodged a criminal complaint with local police earlier this year.

Santa Monica Police Department Lt. Mike Beautz began investigating the matter in March. He interviewed the \$10,000 donor — former Green Party member Bill Pietz — and fellow Green and City Councilman Kevin McKeown, who has been alienated from Feinstein because of the dispute.

**"I think most
everybody in the Green
Party long ago stopped
hoping that Mike would
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and explain what he did
with the money."**

— BOB MORRIS

 Former treasurer
 Green Party of LA County

Santa Monica Superior Court Judge Bernard Kamins signed a search warrant in June and local police seized Feinstein's bank records. Those documents are being reviewed by Deputy District Attorney Richard Ceballos.

Feinstein supporters have maintained that the situation is a misunderstanding. They said Feinstein spent the money on Green Party business and did not take it for his own personal use.

Glen Koontz, Feinstein's Washington, D.C.-based attorney, declined to say why Feinstein didn't turn over his bank records, but said he has cooperated fully with investigators. Koontz, who practices both civil and criminal law, wouldn't say when he was retained by Feinstein.

"I'm unaware of any factual basis of what charges could be levied against Mr. Feinstein because he's done nothing wrong," Koontz said. "Mr. Feinstein has been open and above board at all times."

Ross Mirkarimi, a spokesman for the California Green Party, said Koontz is in touch with his colleagues and the two sides are attempting to resolve the matter. In the meantime, Feinstein's conduct is being reviewed and his participation in state party matters has been stymied, Mirkarimi said.

While the matter plays itself out in both political and legal forums, local officials are questioning if Feinstein can hold on to his City Council seat next fall without the SMRR endorsement.

"I'm pretty sure that SMRR won't support him," said City Councilman Bob Holbrook, who is a non-SMRR member and is considered one of the more conservative City Council members. "Anything could change, but they're pretty angry with him ... and if he doesn't have their support, he doesn't have Green Party support. I don't know how he can do it."

"To have a meaningful campaign he would probably need about \$100,000," Holbrook added. "If he can get that money together, he'll be viable."

LOCAL



Fate of playhouse could go to the Supreme Court

APPEAL, from page 1

by City Hall, complained that there was no public forum in which to appeal the decision. Their subsequent lawsuit sought to make the playhouse legal, as well as mandate that City Hall create an appeals process for building department decisions.

During the past two years of legal wrangling, City Hall officials have allowed the playhouse to stay indefinitely. It's now regarded as a legal 12 1/2-foot tall structure, said Chris Harding, the Levys' attorney. An appeals process also has been initiated, he added.

"There is due process now and had we had that then, this wouldn't have happened," Harding said. "We accomplished part of what we set out to do."

Now the issue before the three-judge panel is whether Genser violated the law when he communicated with city staff. City law mandates that elected officials not order or request a city employee to carry out any action. It also states that all inquiries go through the city manager first, the Levys argue. The law exists so that city employees don't feel their jobs are on the line if they ruffle the feathers of an elected official.

The Levys argue that the city charter gives public officials ample communication channels to advocate for their constituents — through the city manager, city attorney and public hearings. But Genser used none of them, they complain. They contend the city violated its own laws because Genser influenced city staff to change their minds and rule the playhouse was two stories, making it illegal under zoning codes. (The first "story" was open — a space under the elevated playhouse).

Genser and the city say he didn't pressure staff at all. They have found nine other cities to support them in court. City attorneys argued that public officials shouldn't be prevented from responding to legitimate requests from constituents and citizen-free expression shouldn't be impaired.

West Los Angeles Superior Court Judge Cesar Sarmento denied the city's motion to dismiss the case in March 2002, saying the Levys had proven the merits of their case sufficient enough to go to trial.

But the city appealed the judge's decision to the appellate court, which will decide whether or not the case should go to trial. Once the panel decides, either side can appeal the decision to the California Supreme Court, Harding said.

NewCom's CEO pleads guilty to money laundering

FRAUD, from page 1

inflate NewCom's sales revenue.

Sultan Khan admitted that he aided and abetted the making of false statements in quarterly reports that NewCom filed with the United States Securities and Exchange Commission. The reports are required to contain accurate financial statements describing the results of the company's operations. Sultan Khan admitted that he caused NewCom to record revenue from fictitious sales that never occurred. Sultan Khan, with the help of Asif Khan, subsequently caused NewCom employees to create or forge false paperwork to substantiate the bogus sales. As a result, NewCom's gross revenue was overstated by more than \$20 million in fake sales in its filings with the SEC for the fiscal quarters ending Aug. 31 and Nov. 30, 1998.

Asif Khan, 58, of Westlake Village, the executive vice president and a director of NewCom, also has agreed to plead guilty, and was scheduled to appear in federal court in Los Angeles Thursday to enter guilty pleas pursuant to a written plea agreement. In addition to charges related to the false filings with the SEC, Asif Khan has agreed to plead guilty to a charge that he fabricated phony invoices for products in an effort to deceive NewCom's accountants during an audit of the company's books, U.S. Attorney's office officials said.

Sultan Khan also pleaded guilty in relation to a scheme in which he and Asif Khan embezzled more than \$1 million from NewCom and laundered the proceeds of their fraud through a law firm's client trust account. Sultan Khan admitted that he and Asif Khan caused NewCom to purchase computer products from a vendor who then paid a portion of the vendor's profits to the Khans. The Khans

routed these payments through the client trust account of their attorney, and they subsequently used the funds for their personal benefit without disclosing this scheme to NewCom or the company's board of directors, according to the U.S. Attorney's Office.

Sultan Khan pleaded guilty before United States District Judge Florence-Marie Cooper. As a result of his guilty pleas, Sultan Khan faces a statutory maximum prison term of 85 years. The plea agreement filed with the court contemplates a sentence of between 70 to 108 months in federal prison, although the court may choose to sentence him to either a higher sentence or a lower sentence depending upon a series of factors. Judge Cooper scheduled sentencing for Feb. 23, 2004.

A third NewCom executive, Steven C. Veen, 48, of Downey, NewCom's former chief financial officer, is scheduled to go to trial on Oct. 22. Veen faces charges that he signed false financial statements filed with the SEC and made false statements under oath in a deposition held before the SEC during a subsequent SEC investigation into the matter.

A fourth man charged in this case previously pleaded guilty to conspiracy to commit fraud. Alexander Remington, 47, of Duluth, Ga., the owner of Micro Equipment Corp. and a former director of NewCom, admitted assisting the Khans in defrauding a finance company in transactions between NewCom and Micro Equipment Corporation. Remington is scheduled to be sentenced by Judge Cooper on Dec. 8.

The investigation into NewCom and its executives was conducted by the Federal Bureau of Investigation and IRS Criminal Investigation.

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Entertainment

Where's the heart in 'Veronica Guerin'?

Review

BY DAN DUNN

Special to the Daily Press

If you knew nothing about the real Veronica Guerin going in to this film, you'd leave knowing she was a courageous journalist from Dublin whose relentless pursuit of the city's drug kingpins eventually produced stronger drug laws in Ireland, but also got her killed in 1996. However, you won't find out what drove Guerin, a wife and mother, to cover her beat to death because when it comes to digging below the surface, "Veronica Guerin" the movie isn't nearly as dogged as its namesake. Director Joel Shumacher delivers the flesh and bones of Guerin's noble crusade, but the heart is missing. We know what she did, but can only guess at what drove her to do it even after her child was threatened and she was shot through the leg in the first, failed attempt on her life.

Cate Blanchett throws everything she's got into the role of the intrepid scribe whose vivid portraits of a dangerous world most of Ireland had never seen before made her a media star. Blanchett plays it uncompromisingly earnest, and makes us believe that Guerin was indeed a true believer. Yet, Blanchett's efforts are hindered by a narrative that is more concerned with connecting the historic dots than it is with viscerally connecting us to the lead character. And while Guerin was no doubt an accomplished journalist, you wouldn't know it from watching her in action in this film. Before they made her out to look like a hack, somebody should have told the filmmakers that, unlike most entertainment reporters, big-city investigative journalists covering the underworld usually do more than show off their legs and flirt when they're chasing the big stories.

As John Traynor, Guerin's main underworld contact, Irish actor Ciaran Hinds delivers a performance reminiscent of Ray Winstone's memorable turn in "Sexy Beast." Gerard McSorley is flat-out chilling as crime boss John Gilligan, who provides Guerin's only discernible motive for extreme action (beyond career ambition) when he savagely beats her as she attempts to interview him outside his home.

(Rated R for violence, language and some drug content. Running time: 98 minutes)

All-star lineup comes through in 'Jury'

Review

BY DAN DUNN

Special to the Daily Press

A stellar cast carries the day in "Runaway Jury," an imaginative courtroom drama based on a novel by John Grisham ("The Firm," "A Time To Kill"). Dustin Hoffman, Gene Hackman, Rachel Weisz and John Cusack are the big names deftly working all sorts of angles in this Gordian knot of a thriller about a ruthless trial consultant pitted against a high-minded attorney, and an opportunistic couple that offers to deliver the jury to the highest bidder.

A young widow seeks retribution from a powerful weapons manufacturer after her husband is gunned down at his office. Her attorney, Wendall Rohr (Hoffman), is a courteous Southern gentleman who's not afraid to take on the corporate heavies, confident he can rouse any jury's sympathies. Ah, but Wendall is in for a surprise — the gun com-



Dustin Hoffman and Gene Hackman in 'Runaway Jury'

pany has hired legendary jury fixer Rankin Fitch (Hackman), a master manipulator with an uncanny knack for securing his clients the verdicts for which they pay him so handsomely.

Fitch and Rohr soon realize, however, that they're not the only ones out to influence the trial. A juror, Nick Easter (Cusack), and his crafty partner

Marlee (Weisz) assure both sides that they control the tribunal, and open the bidding for the verdict at \$10 million. This sting doesn't sit well with Rohr, whose morality is put to the test, or Fitch, who's not the sort of man to be hustled. Of course, all is not as it seems, as we discover when the third act unfolds and the players' real

motives are revealed.

A heist movie set in a courtroom isn't something you see every day, and it's a clever experiment that pays off handsomely. This is, arguably, the best adaptation of a Grisham novel yet. "Runaway Jury" is full of surprises, among them that the film marks the first on-screen collaboration of Hackman and Hoffman, who have known each other since the late 1950s. It's been a long time coming, and the pairing was worth the wait — especially when Rohr and Fitch square off in a courthouse bathroom. Cusack and Weisz both do fine jobs, though not even actors of their considerable talent can sell the hokey finale, where we're unwieldily reminded that guns are bad. It's the only misfire in a film that's otherwise dead on.

(Rated PG-13 for violence, language and thematic elements.)

Cusack, Weisz stand still to talk up 'Runaway Jury'

BY DAN DUNN

Special to the Daily Press

Rachel Weisz and John Cusack got together with a group of journalists recently to promote "Runaway Jury," a riveting thriller based on the novel by John Grisham. But once the tape recorders were rolling, the duo devoted little time to discussing their new courtroom drama, and instead argued their case for a return to a brand of filmmaking influenced primarily by creative visionaries as opposed to marketing executives and focus groups.

Cusack's been around a long time and has starred in such films as "The Grifters," "Eight Men Out," "Say Anything" and "High Fidelity." Weisz is a newcomer who burst onto the scene in the 1999 blockbuster "The Mummy," and has since appeared in "About A Boy" and "Confidence."

QUESTION: Rachel, I bet a lot of moviegoers would be surprised to learn that you're from London because you've played Americans in a majority of your films. And convincingly so. Do you ever feel cut off from your British roots?

RACHEL WEISZ: I'm still very English. I have a home there. My family's there. I have an agent there. I'm reading British scripts, and I'm going to do a British film next year. I don't feel cut off from my roots at all.

Q: How does one research the role of con artist?

RW: Unfortunately, criminals are very hard to come by. They tend not to be forth-



coming about their skills. If you're playing a doctor, doctors come out of the woodwork to show you how to be a doctor, but unfortunately, criminals aren't nearly as helpful.

JOHN CUSACK: But you can always meet with record executives, film executives, publicists — the whole deal.

Q: You worked with Dustin Hoffman and Gene Hackman on "Runaway Jury," two legends who rose to prominence dur-

ing Hollywood's so-called "Golden Age" in the 1970s. How would you compare that era to today?

JC: You look at Dustin's career, for example. He makes "Midnight Cowboy" in the '70s, and that's an X-rated movie, a big studio release that won Best Picture before the Oscars were bought and paid for by Dreamworks and Miramax and all the rest. That's inconceivable today. I think those movies still get made, but they have to fight and claw and scratch for screens, and if they don't get a tidal wave of press right off the bat, they can't hold screens. But I guess, on another level, they have a second and third life on the DVD and foreign territories, so they can get discovered later.

RW: This film ("Runaway Jury") is actually about something. It does have substance, so in that way it kind of reminds me of some of the movies from the '70s.

Q: What, in your opinion, has contributed most to the homogenization of current studio films?

JC: It has to do with the testing of movies. If you test (screen) movies, then everybody in the test audience becomes a critic, and gets to give input as to what should be changed. Then (the studios) start to kind of dumb the movies down to the greatest common denominator of understanding.

RW: And you lose the director's point of view.

JC: That's right. Instead of one person's point of view, you're trying to appeal to every demographic, and that's a problem.

ENTERTAINMENT



'Texas Chainsaw Massacre' predictably fun, not so scary

Review

BY DAN DUNN
Special to the Daily Press



This remake of Tobe Hooper's seminal 1974 horror classic succeeds in mimicking the look and feel of the original, but it comes up a little short in generating the excruciating sense of fear that permeated TCM, Pt. 1. Sure, you'll scream and pop out of your seat a few times, but

getting to sleep at night shouldn't be all that difficult. Chalk it up to kill overkill. Slasher flicks were radical in the Nixon-era; today they're old hat.

Jessica Biel ("7th Heaven") and Eric Balfour ("Six Feet Under") headline a cast of comely newcomers who find themselves in the middle of Nowhere, Texas, where they proceed to commit every blunder in the "Horror Movie Cliché" handbook: Hey, there's a whacked-out hitchhiker with a gun in the middle of the road — let's pick her up! Need some help with the dead body in the back of the van? Try knocking at that sinister-looking farmhouse. A chainsaw-wielding maniac wearing a mask made from human skin is on the loose? We'll split up in the woods and see if that throws him off our trail.

Predictability aside, this is a fun film. Biel hits all the right high-notes when she screams, and does an impressive job remaining runway-ready-hot even while



covered in blood and running for her life through a slaughterhouse. Veteran character actor R. Lee Ermey ("Full Metal Jacket") is alternately terrifying and hilarious as the sleazy sheriff who operates way outside the law. And, of course, from the moment we hear the hair-raising buzz of the chainsaw, we're reminded why Leatherface is one of the scariest superhuman villains of all time.

(Rated R for strong horror violence/gore, language and drug content. Running time: 98 minutes)

'Sitting Ducks' fit bill at Third Street Promenade

By Daily Press staff

A Santa Monica gallery will be a sitting duck of sorts beginning today.

An exhibition of original and limited-edition artwork by best-selling poster artist Michael Bedard opens at 7 p.m. today and runs through Nov. 16 at the Vintage Animation Gallery, 1404 3rd St. Promenade in Santa Monica.

Bedard is best known for his 1980 "Sitting Ducks" painting featuring big-billed ducks sipping poolside drinks while frozen in a momentary state of denial as they notice an ominous group of bullet holes above their heads.

Bedard's first duck daydreams were attempts to stay sane during shifts on a Detroit factory assembly line. But three decades later, Bedard's paintings, posters and sculptures of his signature ducks in various tenuous circumstances have generated more than \$70 million.

"I have learned that accidents in both my art and my life have opened up possibilities beyond what I had previously imagined," Bedard said. "Accidents can be looked at as gifts that lead us from predictable places to unexpected surprises."

Bedard's pieces have gained international recognition for their intelligent brand of humor. And his often allegory art carries themes of vulnerability and bravado required to bluff one's way through the

complications and threats of modern life.

Bedard's ducks recently also have been appearing outside the canvas.

The "Sitting Ducks" artwork has prompted an award-winning children's book and animation series by the same name. Both book and cartoon tell stories of unlikely food-chain-friendships between animals.

Bedard's first illustrated children's book tells a story of a duck that, with the aid of an alligator, inspires the ducks of Ducktown to escape their destiny in an alligator-eat-duck world. With more than 130,000 copies sold worldwide, The New York Times selected the book as a "top children's gift pick" of the year.

The "Sitting Ducks" animated series debuted last spring on the Cartoon Network, and the show is currently being developed as the basis of an interactive video game to be released this winter for PlayStation 2.

Bedard also served as the creative force behind the Emmy Award-winning TV special "The Santa Claus Brothers," depicting the hapless adventures of Santa and Mrs. Claus' three sons. The show's voice-over cast includes actors from TV shows "Malcolm in the Middle," "Sabrina the Teenage Witch," "Spin City" and "Mad TV."

Bedard, a native of Canada, currently lives in Malibu with his family and dogs.

LITERARY BRIEFS



SMC faculty writers featured in literary series

By Daily Press staff

Tapping into its own wealth of talent, Santa Monica College will stage an evening of fiction and poetry readings and discussions by five of its English professors as part of the college's new literary series.

Dubbed "An Evening with SMC Authors and Poets," the event will feature SMC English professors Daniel Cano, Carol Davis, Wil Doucet, Robert Klein and Mario Padilla. This is the second in SMC's literary series, which kicked off in September as part of the college's celebration of the completion of a \$23.6 million library expansion and modernization project.

Cano, who has taught at SMC since 1988, has published two novels, "Pepe Rios" and "Shifting Loyalties." He has been a visiting lecturer at the University of California San Diego and has received a fellowship from the Institute for Educational Leadership in Washington, D.C.

Davis' poems have appeared in such magazines as "Mid-American Review," "New American Review" and "Bellingham Review," as well as in anthologies, including "Nice Jewish Girls." This year she received a Barbara Deming Memorial Fund/Money for Women grant for her manuscript, "Into the Arms of Pushkin: Poems of St. Petersburg."

Doucet, who has taught English at SMC for four years, has published poems in several literary and poetry journals, including "The Pacific Review," "The Fold," and "The Purple Heart Journal." He is a co-founder and facilitator of the Dyamsay Writers' Workshop in Santa Monica and the Third Root Writers' Workshop and Artist Showcase in the Pomona Arts Colony.

Klein is the author of the critically acclaimed science fiction-fantasy novel, "The History of Our World Beyond the Wave," which was on the Los Angeles Times' "Top 100 Books" for 1998. In 2001, Warner Books published a collection of his short stories, "Mrs. Rahl's Closet" and "Other Mad Tales." He is co-owner of Sam Johnson's Bookshop in West Los Angeles.

Padilla's poetry and fiction have appeared in numerous periodicals, including "The Antioch Review," "New Letters," "Atlanta Review" and "Inkwell Magazine," as well as in two anthologies. His current unpublished manuscript, "Postcards," was a recent finalist in three national book awards in 2002-03: Atlanta Review, Red Hen Press and New Millennium Writings.

The series is co-sponsored by the SMC English Department and the SMC Associates, a private organization that funds speakers and special programs on campus.

The free event is open to the public and will begin at 7 p.m. on Friday, Oct. 24 in the SMC Concert Hall at 1900 Pico Blvd. For information, call (310) 434-4003.

SMC Review provides non-fiction and fiction

By Daily Press staff

Santa Monica College has announced the release of the fall edition of the Santa Monica Review, its acclaimed bi-annual national literary arts journal that showcases the voices of both established authors and emerging writers.

"The newest issue includes short stories by a handful of terrific authors who also happen to be writing teachers, as well as current students of creative writing, some from area schools," said Andrew Tonkovich, Santa Monica Review editor.

"This was purely by accident," he said. "It was only after putting together the issue that I realized I'd located students and teachers from college and university workshops ... I was impressed with the quality and range of writing — voice, style, topic, humor — shown by the writers."

Among the 10 pieces in the issue are short stories by Benjamin Weissman ("Dear Dead Person"), who teaches at the Art Center College of Design in Pasadena and Katherine Haake ("No Reason on Earth"), an instructor at California State University at Northridge. John Mandel, who debuts work in this issue, teaches at California Institute of the Arts. Novelists Janet Kauffman ("Rot") teaches at Eastern Michigan University and Gary Fincke ("Writing Letters for the Blind") is the Writers' Institute director at Susquehanna University in Penn.

The issue includes a further installment of former Peace Corps worker Eran Williams' Africa memoirs and another in Elizabeth Losh's series of fictional stories considering human bodily fluids. Losh directs the Humanities Core Program at the University of California at Irvine, and Williams is an MFA creative writing candidate at San Jose State University.

Two local student writers are showcased: Sarah Winterfield of Santa Monica College, and Lindsay Fitz-Gerald from UC Irvine's esteemed MFA creative writing program.

Founded by SMC English instructor Jim Krusoe (Blood Lake, Iceland), the Review has presented readers works of fiction, nonfiction, poetry, interviews and essays, including works by well-known authors such as Harold Pinter, Gary Soto, Lynn Freed and Alan Cheuse.

The issue, which is now the college's 15th, is available for sale at the SMC Bookstore, Dutton's Brentwood, Beyond Baroque in Venice, and other Los Angeles-area booksellers. Copies also are available by mail and by subscription through Santa Monica Review, Santa Monica College, 1900 Pico Blvd., Santa Monica, Calif., 90405. Copies are \$7 per issue or \$12 for a one-year subscription. Submissions may be made to the same address. For information, go to http://www.smc.edu/sm_review.

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STATE

CALIFORNIA BRIEFS

Watts Towers get clean bill of health

By The Associated Press

LOS ANGELES — The Watts Towers, the folk art landmark built by hand over decades by an Italian immigrant, remain structurally sound, city and state officials say.

Reports detailing a recent examination of the towers suggested no imminent risk of collapse. Thursday's reports also highlighted ways to help preserve and extend the life of the spiraling steel towers, adorned with tile, seashells, glass and other bric-a-brac pressed into mortar.

The towers, a national landmark severely damaged by the 1994 Northridge earthquake, require constant upkeep. Officials contracted by California State Parks recommended a long-term maintenance plan be developed.

Simon Rodia built the 17 structural forms between 1921 to 1955. The city called the towers unsafe and ordered them demolished in 1957, but relented when they passed a stress test.

By the time Rodia died in 1965, his towers had been declared a city cultural heritage monument. They have since been named a National Historic Landmark as well.

Officials spent nearly \$2 million to restore the towers after the Northridge quake.

Council mulls tax to pay for more cops

By The Associated Press

LOS ANGELES — The City Council, desperate for money to hire more police officers, may ask voters next year to approve a new tax to fund police salaries.

"If we're truly committed to making Los Angeles the safest big city, we have to be willing to consider all our options," Council President Alex Padilla said Wednesday in calling for a study on the feasibility of a real estate parcel tax on the March or November 2004 ballot.

The full council will vote next week on whether to proceed with the study.

Mayor James K. Hahn said he was concerned "it's sending the wrong message to Sacramento that they can take money away from local government and then we're saying, 'Don't worry about it because we'll make it up by taxing our own citizens.'"

The city failed in 1992 and 1993 to get the needed two-thirds approval from voters to tax themselves for more police protection.

The Police Department has about 9,250 officers, or about one officer per 404 residents — far fewer police per capita than other large U.S. cities. New York City has about 36,000 officers, or about one per 220 residents.

"The public has said loud and clear: We want public safety," said Councilman Eric Garcetti, who co-sponsored the motion with Padilla to study a tax.

Animal sanctuary taking on more than can chew?

By The Associated Press

LOS ANGELES — The troubled Wildlife Waystation, the nonprofit animal sanctuary that is home to about 600 tigers and other exotics near Lake View Terrace, is facing new charges of unsanitary and overcrowded conditions.

A federal complaint claims the 160-acre refuge violated the federal Animal Welfare Act and violated the terms of a cease-and-desist order that was part of a settlement it reached last year with the U.S. Department of Agriculture.

Waystation consultant Bob Lorsch said the charges were part of a USDA "vendetta" against the facility and founder Martine Colette. Nearly all of the allegations, he said, were false or dealt with problems that have been corrected.

"Today, it's a first-class facility," Lorsch said.

The complaint, filed last month with the secretary of Agriculture in Washington, is the latest in a string of troubles plaguing the sanctuary. Two years ago, the facility was closed to the public and barred from taking in new animals after other health and safety violations were leveled by the USDA, Los Angeles County and the California Department of Fish & Game.

The facility's conditional-use permit has now expired, but Lorsch said the Waystation is hoping to get it back early next year. Its federal license to exhibit animals was pulled in October 2002, preventing it from allowing visitors.

The 24-page USDA complaint alleged that the sanctuary failed to employ a veterinarian who could provide adequate care, exhibited and transported animals without a license, failed to provide adequately trained staff, showed adult tigers and primates to the public "without any distance or barriers" between them and kept primates in "overcrowded and structurally unsound enclosures."

Duck the soup: Freon leak closes kitchen

By The Associated Press

INDIO — Ten people overcome by a strange odor at a soup kitchen were treated for dizziness and about 500 people missed a meal during a three-hour evacuation of Martha's Village and Kitchen.

The odor was later traced to a leak of the refrigerant freon from an air conditioner. "It smelled like what they wash your clothes in jail," said Penny Watson, one of the 120 residents of Martha's Village.

About 200 people fled the shelter after employees, volunteers and residents noticed the odor about 8:15 a.m. Wednesday and some people reported feeling ill. Paramedics and firefighters treated 10 people for mild nausea, dizziness and headaches.

"Symptoms dwindled after (those who felt sick) were taken outside in fresh air," said Mark Braley of the Riverside County Fire Department.

"We couldn't feed lunch today," shelter spokeswoman Sue Baker said. "Close to 500 people come for lunchtime and we had to turn them away."

STATE



Interior Secretary to grant final approval to historic state water pact

BY SETH HETTENA
Associated Press Writer

BOULDER CITY, Nev. — U.S. Interior Secretary Gale Norton will sign a pact that ends years of bickering over the Colorado River and fulfills a promise that California made 70 years ago to limit its use of the river it shares with six other states.

The agreement to be signed Thursday on the Hoover Dam secures the water future for fast-growing Southern California through the nation's biggest transfer of water from farms to cities.

More than 30 million acre-feet of water, more than enough to fill Lake Mead, the nation's largest man-made lake, will move from farms to cities over the 75-year life of the deal.

Much of that water is coming to San Diego. The Imperial Valley, the state's biggest user of Colorado River water, will sell as much as 90 billion gallons worth each year to San Diego — roughly a third of the city's future water needs.

Norton said the "monumental" deal is a roadmap for future water trades in the West, which will face increasing demand for scarce resources in years to come.

"This puts in place the basic building block of future agreements to meet water needs," Norton said in an interview Wednesday with The Associated Press.

Approval of the long-awaited deal also restores California's privileges to draw additional Colorado water for 15 years. The Interior Department revoked those privileges when California missed a Dec. 31 deadline to reach a deal. Nevada, which was linked to the California deal, also lost 10 percent of its supply. With the new accord approved, Nevada will be allowed to draw water for fast-growing Las Vegas.

California is also committing itself to reduce its over-reliance on the Colorado River so other Western states can claim their full shares. The state promised to live within limits made when the Hoover Dam was built during the Great Depression. Over the years, however, the state has come to rely on excess water from the river as a major source of supply

for Southern California.

"We're following through with the promises that were made 70 years ago," Norton said. "Had we not resolved it now it could have been a serious obstacle to meeting the water needs throughout the Colorado River system for the long-term future."

Four Southern California water agencies, who have spent years squabbling over the deal, signed the deal last week with little fanfare. Norton's signature is the final authorization needed to implement the agreement.

Top officials from the four agencies planned to attend the signing ceremony, along with California Gov. Gray Davis, whose aides led a concerted effort to resolve a series of disagreements that nearly derailed the deal.

Norton acknowledged that the deal did not come easily. Imperial Valley, which rejected the deal in December, approved it earlier this month under enormous pressure from the federal government. The Interior Department had found the region's farmers were wasting Colorado River water and threatened to take away.

"Whenever you're doing something that is unique it takes a lot of time and a lot of effort," she said. "The complex issues made it perhaps more difficult than future arrangements might be."

It was a pair of Texas oil barons who started the state on a path that led to Thursday's ceremony on the Hoover Dam, which was built "to make the desert bloom," according to a plaque there. In the early 1990s, Lee and Edward Bass bought up Imperial Valley farms and tried to sell to San Diego the water rights that came with the land.

That plan fell apart, but San Diego liked the idea of a supply of water that would free it from its near total dependence on the Metropolitan Water District of Southern California in Los Angeles. In 1997, San Diego and Imperial struck a deal.

Interior Secretary Bruce Babbitt entered the picture the next year and made the water sale part of the department's goal of curbing California's overdependence on the Colorado.

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Handyman ties up women, then burned down house

By The Associated Press

NEWPORT BEACH — Police arrested a handyman who allegedly torched a home after tying up a homeowner and her personal assistant.

Officers called to the home Wednesday rescued a bound and gagged woman from the burning home and the other woman managed to free herself and get out of the house, which was destroyed by the two-alarm fire.

Kevin Duane Carpenter, 41, of Costa Mesa fled during the chaos by scrambling down a steep cliff behind the house, Sgt. Steve Shulman said. He was arrested at about 4:20 a.m. Thursday in a Costa Mesa motel and he was booked

for investigation of attempted murder and arson, Shulman said.

The motive for the attack wasn't known. Carpenter was hired by one of the victims to do handyman chores at the Galaxy Drive house, investigators said.

The names of the victims weren't disclosed.

When officers arrived, the house was engulfed in flames, Shulman said. Officers peeked through a window and caught a glimpse of Carpenter, who was lighting fires in house, the sergeant said.

When they went inside, the officers found the bound and gagged woman and carried her to safety. The assistant was also tied up, but she managed to free herself and telephone police.

STATE

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Apocalypse now for animals that are endangered on bases

(Editor's note: The Pentagon operates 425 military bases and other installations in the United States, and the 25 million acres set aside for military use equals about 1 percent of the nation's land area. Much of that is in the West.

But the Pentagon's land holdings also are home to more than 300 threatened or endangered species protected under the Endangered Species Act. That sets up a conflict between the military, which sometimes tears up the land in order to train realistically, and the wildlife that depend on their habitat being preserved.

The Defense Department is seeking exemptions from some environmental laws, arguing that it needs more freedom to effectively train the soldiers and develop the weapons that defend the country.

Associated Press reporters throughout the West have been looking at the relationship between the military and the environment — the legacy of the past, efforts being made now, and questions of the future.

The Daily Press will periodically run these articles this month.

BY ANDREW BRIDGES

AP Science Writer

weakening of the laws.

"Essentially, it's an administrative and legislative strategy to exempt them from key environmental laws that every American and every other agency has to comply with," said Susan Holmes, senior legislative representative for the environmental group Earthjustice.

The dispute comes at a time when military installations stand as rare islands on the land that represent some of the best, if not last, habitat for many of the nation's rarest species.

Although much of the land included in the nation's 425 military installations gets hammered by tanks and troops, they also include large buffers that remain pristine and untouched.

If it weren't for the break provided by Marine Corps Base Camp Pendleton, for example, Los Angeles and San Diego would likely merge into a single megalopolis, stretching 150 miles along the Southern California coast.

More than 300 threatened or endangered species of wildlife can be found today on the 25 million acres set aside for military use, the Pentagon estimates.

Camp Pendleton alone is home to 18 such species, or more than many national parks can claim. Two, the coastal California gnatcatcher, a bird, and the tidewater goby, a small fish, are found in the skinny stretch of brush and wetlands abutting Red Beach, despite its more than a half-century of use.

The presence of those and other species, squeezed onto Camp Pendleton by rampant development beyond its perimeter, could lead to the effective loss of 70,000 of the base's 125,000 acres, said base officials, who fear the land could be designated as critical habitat.

"This is ominous. This threatens the ability of this base to operate as a Marine Corps training base," said Stan Norquist, head of the natural resources department at Camp Pendleton.

Environmentalists dispute that claim and maintain the true figure is closer to 875 acres. Any other designated habitat on the base would be on farm fields or within San Onofre State Park, both of which lie within Camp Pendleton's boundaries.

WHITE HOUSE CLAIMS CALLED INTO QUESTION

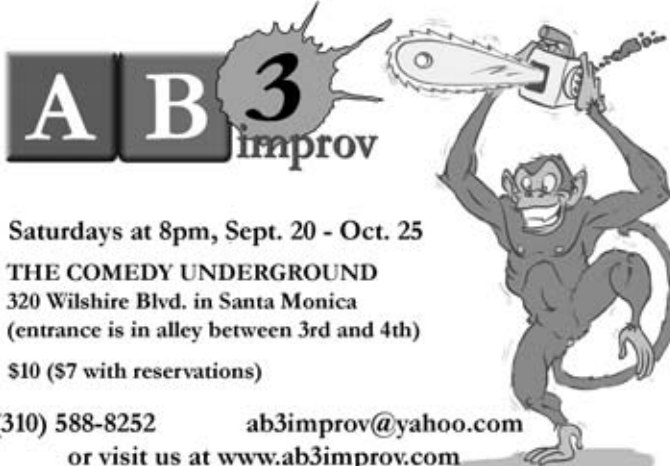
The White House-backed exemptions package, known as the Readiness and Range Preservation Initiative, was introduced last year and contained eight provisions.

Congress passed three of the provisions last year, including a temporary waiver from the 1918 Migratory Bird Treaty Act, which covers 850 species of birds, and an easing of requirements for land conservation and transfer of surplus property.

This year, the Pentagon reintroduced the remaining five as part of what is likely an ongoing campaign to win the exemptions it seeks.

As of October, just one of the five provisions, which would allow for the

See ENDANGERED, page 13



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STATE

Pentagon, environmentalists clash on U.S. bases

ENDANGERED, from page 12

exemption of some military land from critical habitat provisions of the Endangered Species Act, made it into the Senate version of the 2004 defense authorization bill. The House version also includes Navy-sought exemptions from the Marine Mammal Protection Act.

A Capitol Hill conference committee is hashing out the differences between the two versions this month.

The sought-after exemptions add to an already contentious conference, since the committee is also taking up proposals for tactical nuclear weapons and a buy-American mandate for the military.

The Department of Defense claims the environmental laws, coupled with population growth and development, have significantly restricted its use of land set aside for training and testing, including live-fire exercises. Such encroachment will worsen and could lead to a "death of a thousand cuts" to readiness unless Congress steps in, Pentagon officials have warned.

However, a 2002 report by the General Accounting Office failed to uncover any data to quantify the impact of that encroachment on military training and costs.

And former Environmental Protection Agency Administrator Christie Whitman, in Senate testimony earlier this year, could not cite a single case where military training had been held up by environmental laws. Opponents point out that the laws currently allow for case-by-case exemptions for the military.

"There's no justification for it at all. There is no evidence presented by the military that training has suffered because of environmental laws," said Daniel Patterson, a desert ecologist with the Center for Biological Diversity.

Camp Pendleton subsequently undertook its own effort to do so. It now claims, for certain exercises involving entire units, it can accomplish just 68 percent of the training tasks required of it.

"No one has ever suggested something is failing and Marines aren't ready, but it's getting harder, harder and harder," Norquist said.

Rep. Norm Dicks, D-Wash., and a longtime supporter of the military, opposes the proposed exemptions as redundant. The Defense Department already has authority to exempt itself from environmental law if national security is at stake, said his aide, George Behan.

"This is a solution in search of a problem," Behan said. Rep. Elton Gallegly, R-Calif., disagrees.

The Defense Department "has never exercised its authority to exempt itself because under current law the process is too cumbersome and time-consuming for the military to use it," said Gallegly aide Thomas Pfeifer.

Environmentalists fear the effort is part of a broader agenda to weaken the laws across the board.

"What's really going on with the push here is the Bush

administration wants to get rid of these laws, period," Patterson said.

The current House version seeks exemptions from two laws, the Endangered Species and Marine Mammal Protection acts. The Senate version covers only endangered species.

The House version alarms environmentalists the most. It would exempt the Pentagon from habitat-protection mandates outlined in the Endangered Species Act, if the military substitutes its own plans to ensure the survival of the affected species.

Pentagon officials said their plans are effective. Environmentalists say they are unfunded, rarely implemented and ineffective.

There is no evidence presented by the military that training has suffered because of environmental laws."

— DANIEL PATTERSON

Desert ecologist
Center for Biological Diversity

The Senate version differs in that it would require the U.S. Fish and Wildlife Service to review the plans before the Pentagon can implement them.

The House version would also exempt the Pentagon from restrictions that curtail the killing or harming of marine mammals, including dolphins and whales.

The Pentagon complains that the need to safeguard marine mammals hinders the development and testing of low-frequency sonar. The sonar is needed to detect the growing threat posed by quiet diesel submarines operated by North Korea, Iran and others, Pentagon officials said.

The Navy and environmentalists recently settled a lawsuit over the sonar that limited its peacetime use to areas along the eastern seaboard of Asia. The Navy also agreed to seasonal restrictions designed to protect whale migrations, and to avoid using the system near the coast. The restrictions do not apply during time of war, and are still subject to the judge's approval.

The suit by the Natural Resources Defense Council and other groups claimed the powerful sonar system harasses and can even kill marine mammals. In 2000, sonar tests in the Bahamas apparently caused the deaths of eight whales. Necropsies revealed hemorrhaging around the cetaceans' brains and ear bones — injuries consistent with exposure to loud noise.

SOMETHING'S GOTTA GIVE

On land, the military said it has been a good steward to the endangered and threatened species with which it

shares quarters. Officials frequently cite one of the rarest mammals found in the United States, the Sonoran pronghorn antelope.

The pronghorn's primary habitat in the United States lies within Arizona's Barry M. Goldwater Range, where pilots train in live-fire exercises.

On average, 7 percent of all scheduled bombing missions are scrubbed because pronghorn have been spotted near targets, said Air Force Col. James Uken, the Goldwater's range management officer. Another 26 percent are rerouted to secondary targets. The moves ensure the continued survival of the fewer than three dozen antelope that live in the region.

Environmentalists acknowledge the good work the military has done in places, but fear the sought-after exemptions could reverse its conservationist course. They cite examples of where the military has scored poorly on the environment as reason for defeating the Pentagon push.

One of the more recent cases was that of a July controlled fire that escaped control and scorched half of Hawaii's Makua Valley Military Reservation. The fire destroyed scores of rare plants and 150 acres of critical habitat, including four species found nowhere else on Earth.

"Ultimately, what's at stake is the military's legacy of conservation," Patterson said.

Although Congress has been reluctant to embrace the entire Pentagon initiative, the Defense Department has embarked on what likely will be a multiyear campaign to win the exemptions.

"We think encroachment impedes our ability to prepare for war," said Mike Collier, director of the training resources management division at Camp Pendleton. "They come into conflict and one has to give. What gives now? Military readiness."

Opponents of the push see the future of hundreds of endangered and threatened species at stake, calling them the potential losers of the battle over the Pentagon's training lands.

"Without the refuge provided by these bases, many of these species would slide rapidly toward extinction," said Jamie Rappaport Clark, the National Wildlife Federation's senior vice president for conservation.

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NATIONAL

USFS criticized for renting chopper in outhouse dispute

BY SCOTT SONNER

Associated Press Writer

RENO, Nev. — The Forest Service is being criticized for spending \$15,000 to rent a helicopter to empty sewage from a remote outhouse in northeast Nevada, work a citizens group had volunteered to do for free by using a washed out forest road that the group wants reopened.

A state assemblyman described the agency's surprise airlift of 5,500 pounds of sewage from the national forest outhouse as a "covert operation" and said he would seek government records to make sure all costs are revealed.

The outhouse debate is just the latest flare-up in an ongoing dispute over property rights, a closed road and protection of the threatened bull trout in the Jarbidge River.

"There's quite a bit of hostility toward the Forest Service for the way they handled the whole situation," Assemblyman John Carpenter, R-Elko, said Wednesday.

Agency officials defended Friday's aerial operation as they try to protect the bull trout and maintain recreational access to the mountain canyon in the Humboldt-Toiyabe National Forest near the Idaho border.

The helicopter was the only way to haul away the sewage given that a washed-out 1.5-mile stretch of the road is out of compliance with Forest Service standards and unsafe to travel, said Bill Van Bruggen, district ranger for the 6.3 million-acre national forest, the largest outside Alaska.

"That expense was really appropriate for the complexity of that issue in that situation," he said.

Carpenter said he intended to file a Freedom of Information Act request to ensure all costs were accounted for.

"They are always saying they don't have enough people to do what they need to do and they don't have any extra money. But when something like this comes along they seem to have plenty of money," Carpenter told The Associated Press from Elko.

Rep. Jim Gibbons, R-Nev., said Nevada taxpayers have every right to know just how much was spent by the Forest Service.

"The project was done with their hard-earned tax dollars, after all," he said.

The Forest Service had said earlier that the outhouse was not leaking and there was no immediate reason to clean it out. Agency officials said they anticipated criticism after not allowing a citizens group to do the work with a horse-drawn wagon and legion of volunteers. They said they do not expect the costs to exceed \$15,000.

Forest Supervisor Bob Vaught advised the group of his decision in a letter sent about the time the helicopter work began.

He cited the potential impacts to the Jarbidge River and the threatened bull trout — both from vehicles traveling the washed-out road and the threat of a sewage spill. He also told the AP that the transport of human waste, with its environmental and health hazards, "simply was not appropriate for volunteers."

The local group dubbed the "Shovel Brigade," environmental groups including Trout Unlimited, Elko County, the

state, the U.S. Fish and Wildlife Service and Forest Service have been wrangling over the South Canyon Road since it washed out in 1995.

The Forest Service originally intended to rebuild the road that leads to the outhouse on the edge of federally protected wilderness, but Trout Unlimited petitioned the agency to reconsider the potential effect on the bull trout.

"They are always saying they don't have enough people to do what they need to do and they don't have any extra money. But when something like this comes along they seem to have plenty of money."

— JOHN CARPENTER
Assemblyman

After the agency backed off, Elko County initiated its own efforts to rebuild the road, which it contends it owns. But Interior Secretary Bruce Babbitt declared the fish endangered in 1998 — later revised to threatened — and warned any damage to its habitat would subject the county to potentially hundreds of thousands of dollars in fines.

Local protests included a parade in 1999 with some 10,000 shovels that loggers, miners and others across the country sent to Elko to help the volunteers in their bid to rebuild the road by hand. And Gibbons brought a congressional field hearing to the town in July 2002 to criticize the Forest Service's decisions.

Forest Service officials acknowledged much of the road is passable and vehicles have been driving on it.

"We are not saying the road is closed. The road technically is 'open in disrepair,'" Van Bruggen said Thursday.

"The reason we did not use it is it does not meet Forest Service standards for a road to accommodate this sort of transportation of sewage," he said.

Elko County Commissioner Charlie Myers said Wednesday he wished Vaught would have given the county more notice of his plans for the helicopter, but said the agency clearly had the authority to do what it did.

"I think the volunteer group could have done it a lot cheaper, but whether or not at the same level of safety, I can't make that call. I certainly think it was Mr. Vaught's call," he told KELK Radio in Elko.

Van Bruggen acknowledged the outhouse has become a symbol of greater differences over jurisdiction of the road.

"There's nothing in Jarbidge that is really simple. That's just the way it is," Van Bruggen said. "It is an area that seems to be under a microscope by many groups."

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WORLD BRIEFLY

Palestinians nab suspects in bombing

By The Associated Press

JEBALIYA REFUGEE CAMP, Gaza Strip — Palestinian police arrested three members of a small militant group Thursday in connection with a deadly attack on a U.S. diplomatic convoy, security officials said.

Witnesses said militants and police exchanged fire for about 10 minutes during the raid.

The 10 suspects are members of the Popular Resistance Committees, a group of dozens of armed men, including many former members of the Palestinian security forces and disgruntled followers of Yasser Arafat's Fatah movement, said the officials.

No Palestinian group has claimed responsibility for Wednesday's bombing, which killed three U.S. security guards and wounded a fourth. It was the first deadly attack against U.S. official targets in the Palestinian areas and was likely to increase U.S. pressure on the Palestinian leadership to move against militants.

President Bush held the Palestinian Authority partially responsible, saying this week that "Palestinian authorities should have acted long ago to fight terror in all its forms."

Chinese astronaut keeps feet on ground

By The Associated Press

BEIJING — China's first astronaut in space returned safely to Earth on Thursday when his craft touched down as planned after 21 hours in orbit. Mission control in Beijing declared the landmark debut flight "a success" — and the government immediately started discussing the country's spacefaring future.

The capsule carrying Lt. Col. Yang Liwei touched down on the grasslands of Inner Mongolia in northern China at dawn Thursday, the official Xinhua News Agency said. Minutes later, Yang grabbed the capsule hatch with his hand, pulled himself out and waved at rescuers, though footage showed him appearing a bit dazed.

"It is a splendid moment in the history of my motherland and also the greatest day of my life," Yang, a 38-year-old former fighter pilot, said immediately after emerging, according to the government.

Within hours, officials announced that China's space dreams would continue with another Shenzhou mission, possibly within two years. They said China also had plans to eventually send up a space station, but they ruled out building a space shuttle.

Shenzhou 5 landed at 6:23 a.m., three miles from its target, the government said. Shenzhou 5 orbited the Earth 14 times.

Euthanasia battle could be put to rest

By The Associated Press

PINELLAS PARK, Fla. — One of the nation's longest and most bitter euthanasia battles approached an end with the removal of a feeding tube from a comatose woman, but her parents clung to hope for a legal reversal and Gov. Jeb Bush promised to help.

The tube was removed Wednesday from Terri Schiavo, 39, at the Tampa Bay-area hospice where she has lived for several years. She was expected to die within 10 days.

Schiavo's parents have been locked in a legal battle with her husband, Michael Schiavo, who says she would rather die than be kept alive artificially. She has been in a vegetative state since 1990, when her heart stopped because of

what doctors said may have been a chemical imbalance.

Bob Schindler said he and his wife, Mary, went in to see their daughter shortly after the tube was removed and gave her a kiss and hugged her.

Wednesday's removal came just hours after Bush told the Schindlers that he was instructing his legal staff to find some means to block a court order allowing Michael Schiavo to end his wife's life. But even the family's lawyer has said their legal remedies have been exhausted.

Bush, Schwarzenegger put heads together

By The Associated Press

RIVERSIDE — President Bush is promising to share with California Gov.-Elect Arnold Schwarzenegger his optimism for a safer world and an economic recovery as he embarks on a tour of Asia that will focus on trade and the war on terror.

Bush and Schwarzenegger were to meet privately in the president's hotel suite here on Thursday before they both head for nearby San Bernardino, where Bush was to give a speech designed to set the stage for his Asia trip.

Bush is hoping that an alliance with the movie actor turned GOP politician will help him build re-election support in the state.

Bush netted some \$1.75 million with a fund-raising luncheon in Fresno and a dinner fund-raiser here, bringing his overall re-election war chest to roughly \$84 million.

Feds sneak weapons through airport

By The Associated Press

BOSTON — Five federal agents posing as passengers succeeded in sneaking weapons through security checkpoints at Logan International Airport last week, officials said.

The Homeland Security agents smuggled certain "prohibited items" past federal screeners, said George Naccara, the airport's federal security director. He did not specify what the items were.

The two jetliners that were flown into the World Trade Center towers originated in Boston. Federal screeners were hired at airports nationwide to tighten security after the attacks.

A number of screeners were pulled aside on the spot and told they had failed to find illicit items, Naccara said.

"In individual cases (undercover agents) spoke to the screeners," he said.

The tests at Logan were part of a federal investigation at about 15 major airports around the country, he said, adding that security at Logan is "no better or worse" than at other airports.

The security lapses will help the airport improve safety, according to Jose Juves, a spokesman for the Massachusetts Port Authority, the agency that operates the airport but has no security responsibility.

Silicone implants may bust out of hiding

By The Associated Press

WASHINGTON — Silicone-gel breast implants may soon return to the U.S. market after an 11-year, near-total ban now that government advisers have recommended reluctantly that sales resume under very strict conditions.

Topping the list of requirements is that Inamed Corp., the manufacturer seeking an end to the ban, would have to operate a registry to track the health of all implant recipients. Women also would have to get annual doc-

tor's exams.

Women would have to be given detailed advice about the implants' known risks, including very high rates of repeated surgeries and lingering safety questions, before their operation, the advisers to the Food and Drug Administration said Wednesday.

And because most women who report pain, broken implants and other side effects do so within 10 years of getting the devices, Inamed would have to extend its current safety study from the current three years of tracking to a full decade.

The decision was approved on a 9-6 vote. The decision was far short of a ringing endorsement and even supporters were adamant about the need for continued research to settle lingering questions.

The FDA isn't bound by its advisers' recommendations but usually follows them. It has set no deadline for deciding Inamed's request.

House OKs tougher sanctions on Syria

By The Associated Press

WASHINGTON — The House approved new and tougher sanctions on Syria, arguing that the Middle East country continues to harbor terrorists intent on killing Americans in Iraq and perpetuating violence in Israel.

The 398-4 vote this week also made clear that Syria, long on the State Department list of state sponsors of terrorism, must also withdraw its 20,000 troops from Lebanon and end its quest for weapons of mass destruction if it is to escape U.S. punitive action.

"The Syrian regime has blood of Americans on its hands and we cannot and we will not allow this to go unpunished," said Rep. Ileana Ros-Lehtinen, R-Fla., chairwoman of the House International Relations Middle East subcommittee.

The administration in the past has opposed legislative action against Syria, arguing that the president already has the authority to impose sanctions. But it has dropped that opposition.

House Majority Leader Tom DeLay, R-Texas, a strong supporter of the measure, said Senate leaders assured him they would take up the bill. Senate Foreign Relations Committee Chairman Dick Lugar, R-Ind., plans to hold hearings on Syria by the end of this month, his office said.

Senators: Bush not protecting taxpayers

By The Associated Press

WASHINGTON — A bipartisan group of senators who want to convert half of President Bush's \$20.3 billion Iraqi rebuilding plan into loans say they want to protect U.S. taxpayers and help prod other countries to contribute funds.

A Senate showdown over the issue was possible Thursday, and loan supporters exhibited more confidence than the administration officials and Senate Republican leaders opposing them. The loan amendment was expected to be offered to the \$87 billion measure Bush proposed for U.S. military action and reconstruction in Iraq and Afghanistan.

The House was debating its own similar package, and approval by both chambers seemed likely by week's end. Congressional leaders hoped to rush a final version to Bush for his signature in time for the Oct. 23 and 24 meeting of donor nations in Madrid, Spain.

Bush sent Vice President Dick Cheney and Secretary of State Colin Powell to lobby GOP senators Wednesday. "I'm not overly confident, but I think people will listen" to arguments about the need for grants, not loans, said Senate Majority Leader Bill Frist, R-Tenn.

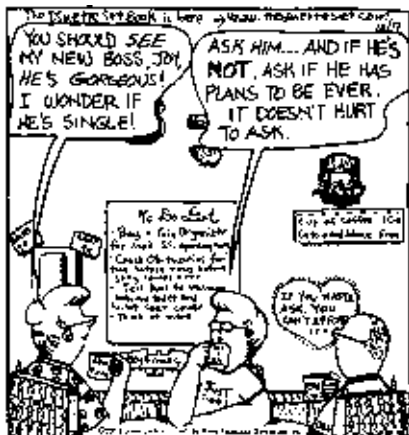
The administration said loans would feed Arab worries that the United States wants to control Iraq's huge oil reserves.

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- 11 Washington's successor
- 13 Haley book
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- 30 Bright bird
- 32 Response causes
- 34 Old auto
- 35 Woods with woods
- 36 Stockpile
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- 40 Put away

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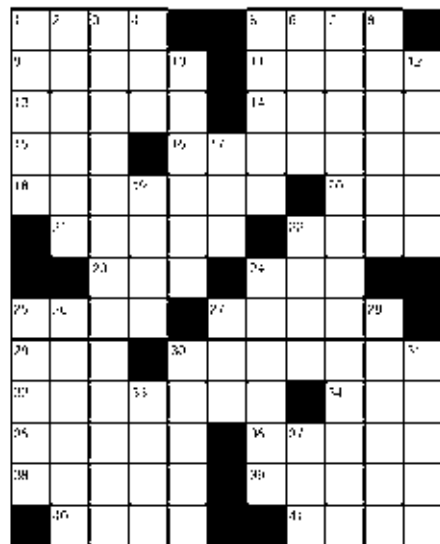
- 41 Light filler
- 1 Electric unit
- 2 Kind of clock
- 3 Disappear
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- 6 — fixe
- 7 Backslide
- 8 Actor Estevez
- 10 Mien
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- 17 Bible boat



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- 19 Links cry
- 22 Famed care of
- 24 Enthusiast
- 25 Visibility
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- 27 Malcolm's dad
- 28 Takes care of
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Announcements

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

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SANTA MONICA SCENE °CALENDAR EDITION

FRIDAY, OCTOBER 17, 2003

EVENTS

Bio energy healing
World renowned bio energy healer, Ze'ev Kolman, who is acknowledged by leaders of the International Institute of Human Sciences as "one of the greatest living healers on the planet today." An evening of inspiration and healing from 7 - 9 p.m on Monday, Oct. 20. Tickets cost \$25. RSVP (323) 571-1725. Le Meridian Hotel, 465 South La Cienega Blvd., Beverly Hills

Pumpkin patch and bake sale
Ghosts, Goblins and the Great Pumpkin will be haunting Canyon Charter School's ninth annual Pumpkin Patch and Bake Sale on Thursday, Oct. 16. More than 500 pumpkins of all shapes and sizes will be offered for sale, and there will be a contest for students and shoppers to guess the size of an enormous pumpkin - the winner will get to take it home. Purchases, including the "spooky delicious" array of home baked goods are tax deductible and proceeds benefit Canyon's Beautification Committee. The event will be held from 2 - 5 p.m. on Thursday, Oct. 16, and from 3 - 5 p.m. on Friday, Oct. 17. For more information, contact the school at (310) 454-7510, Debbie Alexander at (310) 454-2566 or Marla Gardner at (310) 393-8334. Canyon Elementary Charter School. 421 Entrada Dr.

CULTURE

A Hansel and Gretel Halloween
The Santa Monica Playhouse presents a light, sing-along musical that takes the audiences through the mysterious Black Forest. Suitable for all ages, this play is written and directed by Chris DeCarlo and Evelyn Rudie. Birthday parties are available. Tickets for kids 12 & under cost \$9; adults \$10; they are available at (310) 394-9779 ext. 2. Showings Saturday and Sunday at 12:30 p.m. and 3 p.m. Santa Monica Playhouse Main Stage 1211 Fourth Street

Author presentation
From 7:45 p.m., Camille Leon will present and discuss her book, "Earning a Buck and Keeping it Coming." For more information, call (310) 450-0443. Santa Monica Library, Fairview Branch 2101 Ocean Park Blvd.

The Other Shoe: Original Short American Plays
On Saturday and Sunday, the Edgemar Center for the arts will present this compilation of musical and comedic plays. The program begins at 7:30 p.m. and costs \$20. Reservations can be made at (310) 392-7327. Saturday and Sunday, Edgemar Center for the Arts 2437 Main Street

ENTERTAINMENT

Temple Bar
Here visitors can enjoy concoctions like White Chocolate Martinis, a Gingitini or a Razzmatazz. Those who are really hungry can enjoy a Chicken Tamale Plate with Fried Plantains. Temple Bar even offers vegetarian options like veggie eggrolls and burgers. But no good bar would be complete without live music. Tonight, the Temple Bar features DJ Anthony Valadez and the following: Fatstyle, 9 p.m.; Lizz Fields, 10:30 p.m.; the Soul of John Black, 11:30 p.m. \$10.1026 Wilshire Blvd. Santa Monica, (310) 393-6611

Harvelle's
Established in 1931, Harvelle's is the oldest blues club on the west side. This is the kind of blues joint you'd expect to find in a dark Chicago alley; yet even if it's your first visit, it feels familiar. Tonight Harvelle's features Stray Cats's Lee Rocker. 1432 4th St. (310) 395-1676

14 Below
An intimate and well-equipped club that is leading the Westside music scene with live performances seven nights a week. Tonight 14 Below features the following: Peter Distefano, 8 p.m.; Better Days, 9 p.m.; Supertone 10 p.m.; Sticky Fingers, 11 p.m. 1348 14th St. Santa Monica (310) 451-5040

MOVIE °GUIDE

LAEMMLE'S MONICA 4-PLEX
1332 2nd Street
American Splendor R - 1.45, 4.25, 7.05, 9.45
The Event R - 1.35, 4.25, 7.15, 9.55
Wonderland R - 12.45 p.m., 1.45, 3.25, 4.25, 6.05, 7.05, 8.45, 9.45

LANDMARK NU-WILSHIRE
1314 Wilshire Blvd
Casa de los Babys R - 4.30, 7.30, 10.00
My Life Without Me R - 4.15, 7.00, 9.45

LOEWS CINEPLEX BROADWAY CINEMAS
1441 Third Street Promenade
Kill Bill Vol. 1 R - 10.30 a.m., 11.30 a.m., 1.00, 2.15, 3.30, 5.00, 6.05, 7.40, 9.00, 10.30
Lost in Translation R - 10.45 a.m., 11.20 a.m., 1.10, 1.50, 3.45, 4.30, 6.10, 7.15, 8.40, 9.45

AMC SANTA MONICA 7
1310 Third Street Promenade
House of the Dead R - 1.05, 3.20, 5.35, 7.50, 10.05
Out of Time PG-13 - 2.00, 4.45, 7.20, 9.50
School of Rock PG-13 - 1.15, 2.15, 4.00, 5.00, 6.45, 7.30, 9.30, 10.10
Intolerable Cruelty PG-13 - 1.00, 3.15, 5.30, 7.55, 10.15
Under the Tuscan Sun PG-13 - 1.40, 4.30, 7.10, 9.45
Once Upon a Time in Mexico R - 1.30, 4.15, 7.00, 9.40

MANN CRITERION 6 THEATERS
1313 Third Street Promenade
Good Bye! PG - 11.45 a.m., 2.15, 4.45, 7.10, 9.45
Secondhand Lions PG - 11.20 a.m., 1.50, 4.30, 7.20, 10.00
Duplex PG-13 - 12.15 p.m., 2.40, 5.10, 7.40, 9.55
Matchstick Men PG-13 - 11.30a.m., 2.10, 5.00, 7.50, 10.30
The Rundown PG-13 - 11.15a.m., 2.00, 4.55, 7.30, 10.20
Underworld R - 1.00, 4.00, 7.00, 10.00

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



PEOPLE IN THE NEWS

Tinseltown wants new governor for Christmas parade

By The Associated Press

■ **LOS ANGELES** — They're already trying to lure Arnold Schwarzenegger back to Hollywood.

The "Total Recall" star was elected to replace recalled Gov. Gray Davis last week, but Hollywood's leading cheerleader, Johnny Grant, wants him to lead the Nov. 30 Hollywood Christmas Parade as grand marshal.

Schwarzenegger once told Grant about his first night in Hollywood, sitting on a curb, watching the annual holiday parade and wondering whether he'd ever be successful enough to ride in it, Grant said this week.

In 1990, he served as parade grand marshal.

"I hope Arnold can join us again," said Grant, Hollywood's honorary mayor. "This would be a wonderful way for the parade spectators to applaud the action hero on his latest accomplishment and a great gift from Arnold to his fans and new constituency."

A telephone message left at Schwarzenegger's Sacramento transition office wasn't immediately returned.

■ **CRANSTON, R.I.** — Many Boston Red Sox fans blame their team's 85-year world championship dry spell on two four-letter words: Babe Ruth.

The 1919 sale of the pitcher from the Red Sox to the New York Yankees has earned a four-word moniker: "Curse of the Bambino."

Although the deal has caused anguish for many in Red Sox Nation, a local philanthropist who purchased the signed title for the Babe has used the curse to do good.

"We lost Babe Ruth, but that loss brought something back to New England," said Alan Shawn Feinstein. The 72-year-old paid \$99,000 for the original at a New York auction in 1993.

That year, Feinstein made registered copies available to collectors for a \$100 donation to his foundation. He raised about \$2 million for anti-hunger agencies and to help establish a public service degree program at

Providence College.

Feinstein renewed the drive this year. Last weekend, he announced he was selling \$25 replica contracts to help fund high school sports and other extracurricular activities that were slated to be cut in Cranston, where the mayor and the school superintendent have fought over the school district's budget.

Legend has it that the \$100,000 sale of Ruth — who set single-season and career home run records as a Yankee — jinxed the Red Sox. Since the deal, the Red Sox haven't won a World Series, although they've reached the postseason nine times and lost the Series' seventh game four times. The Yankees have won 25 titles.

Feinstein said donors either keep the contracts as "a reminder of a terrible, terrible, dark day in sports. Or they destroy it. They think that maybe destroying the contract will destroy the curse."

In 1994, Feinstein offered the document to Red Sox management, but only if they promised to torch it at home plate of Fenway Park on Opening Day of the 1995 season. But it never happened.

■ **HOUSTON** — Yao Ming reportedly is nearing a settlement with Coca-Cola's Chinese subsidiary in a dispute over use of the basketball star's photo on commemorative bottles sold in his hometown of Shanghai.

National Basketball Association sources told Houston television station KRIV on Wednesday that settlement of Yao's lawsuit filed in Shanghai against the subsidiary will include an apology from the soft drink company.

Yao has had an endorsement deal with soft-drink rival Pepsi. He complained in May about Coke using his image.

The 7-foot-6 Houston Rockets center had demanded a public apology from Coca-Cola. Sources told the station the apology will come through the Chinese news media.

Yao, the No. 1 draft pick in the NBA last year, sought compensation of only 1 yuan or 12 cents for "spiritual and economic losses."

Although Coca-Cola had signed an endorsement contract with the Chinese national team, Yao contended that didn't give the company the right to use his image.

The commemorative bottles showed Yao, San Antonio player Menk Bateer and Chinese player Guo Shiqiang in Chinese national team uniforms. Yao and Bateer played for China last year in the Asian Games.

Coke representatives have argued the company has the right to show groups of at least three members of the Chinese team under a sponsorship agreement.

■ **WEST HOLLYWOOD** — Former KISS guitarist Bruce Kulick was shot in the leg when a man opened fire outside a nightclub early Thursday, police said.

A 21-year-old man got into an argument inside the Rainbow Bar & Grill, grabbed a gun from his car and shot from Sunset Boulevard into a crowd at the club's patio area, injuring Kulick and another man, said Los Angeles County Sheriff's Sgt. Don Mueller.

Several people nearby tackled the suspect in the middle of the street and held him down until deputies arrived, said Mueller, who described their actions as "extremely brave." A 9 mm handgun was found at the scene.

The unidentified suspect, apparently drunk, fired four to seven shots and was not aiming at Kulick or the other man, authorities said. He was booked on suspicion of assault with a deadly weapon, and was treated at a hospital for injuries he suffered when he was tackled.

Kulick was outside a nearby club when a stray bullet hit him, Mueller said. Another bullet grazed his head. The other victim, who was at the Rainbow Bar & Grill, was shot in his right foot. Both were treated at Cedars-Sinai Medical Center, and Kulick was released, hospital officials and police said.

Kulick joined KISS in the mid-1980s and left in the mid-1990s. Since then, the Los Angeles native has worked with the band Union and with Grand Funk Railroad, and released two solo albums.

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