

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

5 25 41 48 51
Meganumber: 55
Jackpot: \$24M

6 11 20 39 46
Meganumber: 16
Jackpot: \$70M

5 26 27 31 37

MIDDAY: 9 6 1
EVENING: 4 0 3

1st: 10 Solid Gold
2nd: 03 Hot Shot
3rd: 06 Whirl Win
RACE TIME: 1:43.85

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ A superior court judge in Reading, Pa., overruled a county court judge in August and declared that Miller Genuine Draft is, indeed, an actual beer. (The county judge had said that the prosecutor had failed to show that MGD was on the state beer list, but the superior court judge said there was other evidence that MGD is beer.)

■ In Carlisle, Pa., Derek Randall Pittman, with a .237 blood-alcohol reading, was ticketed for drunk driving, even though he said that all he did was hold the steering wheel momentarily while his friend in the driver's seat took a bite from his sandwich. However, that was enough to be "operating" the car, said a judge at a hearing in August.

TODAY IN HISTORY

Today is the 299th day of 2006.
There are 66 days left in the year.

1980

Ronald Reagan won the White House as he defeated President Carter by a strong margin.

QUOTE OF THE DAY

"You cannot hope to build a better world without improving the individuals. To that end each of us must work for his own improvement, and at the same time share a general responsibility for all humanity."

MARIE CURIE
POLISH-FRENCH SCIENTIST (1867-1934)

INDEX

Horoscopes	
Say yes tonight, Gemini	2
Surf Report	
Water temperature: 64°	3
Opinion	
City Council Superheroes	4
State	
Clear as mud	6
National	
Starbucks walk of shame	7
International	
Killings continue	10
Business	
It's a Circus Circus	16
MOVIETIMES	
Catch a flick!	17
Comics & Stuff	
You'll laugh, you'll cry	18
Classifieds	
Ad space odyssey	20-23



Out of their gourds

(Left to right) Jonah Bard, 2, Jessica Lopez, 2, and Adam Macfarlane, 2, play on the pumpkins at the Arizona farmers' market on Wednesday. All-you-can-carry pumpkins cost \$5.

Fabian Lewkowicz fabianl@smdp.com

Elderly drivers given new consideration



A senior citizen drives her Toyota near the corner of Pico and Lincoln on Wednesday.

Fabian Lewkowicz fabianl@smdp.com

BY MELODY HANATANI
Daily Press Staff Writer

CITYWIDE — The guilty verdict imposed on an 89-year-old Santa Monica resident last week for his role in killing 10 people when he drove his car through a crowded farmers' market three years ago served as a reminder of the potential dangers that can accompany a senior citizen picking up car keys.

But there are steps family members can take to help prevent tragic incidents similar to what happened when George Russell Weller drove into the

See ELDERLY DRIVERS, page 13



REPORTER'S NOTEBOOK

ONE MAN'S TAKE ON CITY COUNCIL MEETINGS

Everyone loves a quickie

BY KEVIN HERRERA
Daily Press Staff Writer

CITY HALL — So much for burning the midnight oil.

On a night the City Council signed off on a comprehensive city-wide smoking ban, the suddenly

swift legislators had themselves and attendees back home in their PJs before the witching hour.

Notorious for letting debates drag on into the early morning, the council Tuesday night moved headlong

See NOTEBOOK, page 14

Ticket refunds sent to drivers

BY KEVIN HERRERA
Daily Press Staff Writer

CITY HALL — The first batch of refund checks will be mailed this week to motorists who mistakenly paid too much for their parking tickets.

Candace Tysdal, acting finance director for City Hall, said her office received 129 requests for refunds — totaling \$7,655 — earlier this week.

Once each request is verified, a check will be issued along with a postcard encouraging recipients to detail why they overpaid.

Instead of a refund, motorists also have the option of having the excess funds applied to other parking tickets, Tysdal said.

City Hall estimates there are more than 18,000 citations in which motorists paid more than what was due, filling city coffers with an estimated \$950,000. Offers for a refund have been sent for each citation.

Going forward, there could be as many as 400 refunds totaling \$20,000 each month, which would represent approximately 2 percent of the total revenue collected from citations, city officials said.

The refunds are part of City Hall's new customer service initiative, "We Do the Right Thing Right," and were identified by the finance department during a review of how money is collected by City Hall.

Once overpayments were identified, staff devised a proactive refund program, whereas before refunds were only given to those who made a request.

"Right now we're really focused on working through this backlog and getting letters out to people as quickly as possible so that we can turn around and refund their

See REFUNDS, page 12

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Eddie Guerboian

Horoscopes

2

THURSDAY, OCTOBER 26, 2006

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Did you know?



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Say yes tonight, Gemini

Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:

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



ARIES (March 21-April 19)

★★★★★ Take an overview rather than get caught up in a bleak situation. You might need to find an expert or two. By taking the necessary steps, you can reverse a difficult issue or gain a better rapport with someone who counts. Tonight: In the limelight.



TAURUS (April 20-May 20)

★★★★★ Individuals prove to be more helpful than groups, meetings or any other action. Yes, you might be overwhelmed and not see an immediate solution. Some people change their tune, making resolution far more easy. Tonight: Happy as a cat.



GEMINI (May 21-June 20)

★★★★★ Others can be abrupt or changeable. You can be too if you are honest with yourself. Listen well to someone you care about. He or she could be a touch out of kilter. The good news is, this person's mood changes quickly. Tonight: Say yes.



CANCER (June 21-July 22)

★★★★★ Involvement takes you to a new level without you anticipating any reactions. Yes, a person around you could be difficult. Don't worry; this situation will right itself soon enough. Just watch, and you will be a lot happier. Tonight: Sort through your invitations.



LEO (July 23-Aug. 22)

★★★★ Take your time, even if an idea might be too good to wait on. You might want to fine-tune or handle a situation differently once you hear more or let time pass. A romance or child puts a smile on your face — enjoy. Tonight: As you wish. Feelings are in abundance.



VIRGO (Aug. 23-Sept. 22)

★★★★ Know what your expectations and goals are. You might not feel comfortable. Listen to what is being said and evaluate. Your creativity will surge forward if you hang back and just mull over a situation. Tonight: You act like the weekend is here.



LIBRA (Sept. 23-Oct. 22)

★★★★ Discuss a goal and get others' ideas. Though you might not like what you hear, in some sense you are mobilizing others' energy and support. Still, you will need to follow through and make strong decisions later on. Tonight: Time to find your favorite spot.



SCORPIO (Oct. 23-Nov. 21)

★★★ Rein in your spending, and you will ultimately be a happier Scorpion. Impulse control might be difficult to come by, but most worthwhile. Don't sell yourself short. Aim for what you want from someone you care about. You are lucky. Tonight: Meet a friend for munchies.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Take a risk and open up. You might want to make a decision pronto, but don't have all the answers. Think positively. Your attitude can determine the outcome of various situations. Tonight: The world is your oyster.



CAPRICORN (Dec. 22-Jan. 19)

★★★★ A partner is very serious, and you might question your choices and direction. Meetings help you center and decide what would be best. Take time to network and catch up on other people's news. Tonight: Where the gang is.



AQUARIUS (Jan. 20-Feb. 18)

★★★★ Aim for results, even if someone puts down your ideas or makes you feel a touch uncomfortable. You will understand what makes others smile. Aim to please rather than cause a problem, especially with a boss. Tonight: Follow the crowd.



PISCES (Feb. 19-March 20)

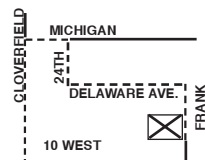
★★★ Others take charge and make a difference. You are overwhelmed and tired. No matter which direction you turn, you find that others want your attention. You might be pushed beyond your limits. Tonight: Get plenty of R and R.

BORN TODAY Senator **Hillary Rodham Clinton** (1947), actress **Jaclyn Smith** (1947)

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GOING GREEN: Mayor Robert Holbrook expresses his support for the new Santa Monica Green Business Certification Program that was launched at the Library Alehouse on Wednesday.

Green businesses are now certifiable

BY MELODY HANATANI

Daily Press Staff Writer

MAIN STREET — If businesses here start becoming green with envy, so be it.

That was the message on Wednesday, when a program aimed at recognizing and rewarding environmentally friendly businesses was launched with a morning party at the Library Alehouse, attracting almost 90 business owners and civic leaders.

The Green Business Certification — sponsored by the city of Santa Monica, the Convention and Visitors Bureau, the Chamber of Commerce and Sustainable Works — officially recognizes those businesses that have adopted environmentally sound practices and promote sustainability.

The designation is emblazoned on the businesses' storefronts for all passersby to consider when out and about.

It's a way to recognize the many Santa Monica businesses that have participated in Sustainable Works' existing Business Greening Program, which provides free consultation on increasing resource efficiency and cost savings. The Business Greening Program launched in 2000 and has "greened" more than 60 businesses in the area.

"We recognize that Santa Monica is a leader in sustainability," said Sustainable

Works executive director Genevieve Bertone. "We needed to have a program that recognizes businesses."

The program is perhaps the first of its kind in Southern California, and second in the state. A similar certification exists in the San Francisco Bay Area.

The party began with a 30-minute meet-and-greet, followed by a 45-minute PowerPoint overview of the program, its benefits and the necessary steps to achieve certification.

Six former Business Greening Program students — Ambrose Hotel on 20th Street; grocer Co-Opportunity on Broadway; restaurants Euphoria Loves Rawvolution and Library Alehouse on Main Street; transportation consulting firm Gladstein Neandross & Associates on Main Street; and outdoor clothing store Patagonia on Main Street — played guinea pig roles in the GBC's pilot phase.

Certification is meant to give green businesses a slight competitive edge because of the benefits of free advertising and community recognition.

Library Alehouse does its share by using sustainable wood, reducing waste and energy use, providing customers with take-out containers made from biodegradable mate-

See GREEN BUSINESS, page 15

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SURF REPORT

SURF CONDITIONS

WATER TEMP: 64°

SWELL FORECAST (3-5 FT)
The SW continues to back off as the NW provides one last push. South facing breaks are looking at waist high surf, although some sets from Paul may trickle in from time to time, mainly for standouts, and in the chest high range.

LONG RANGE SYNOPSIS
SMALL SW SWELL FOR 30TH...
BETTER SIZED SW FOR 2ND...

TIDE FORECAST FOR TODAY IN SANTA MONICA

The QLine

The verdict is in ...
Following more than two weeks of deliberations, the Farmers' Market crash jury found George Russell Weller guilty on 10 counts of vehicular manslaughter with gross negligence — opting against the lesser charges before the 89-year-old Weller, who drove his car through the outdoor Arizona Avenue market more than three years ago, killing 10 people and injuring more than 60 others.
While Weller faces up to 18 years in prison, sources indicate the prosecution may not seek jail time.
So this week, Q-Line wants to know:
Do you agree with the jury's verdict? What form of sentence would you advise the judge to impose on Weller?
Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less.

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LETTERS TO THE EDITOR

The illness behind the verdict

Editor:

Russell Weller's jurors reported that they tried very hard not to let his age enter into their deliberations, whether to question his driving ability or to have sympathy for him. Nevertheless, the accident might have had a lot to do with changes in his brain related to aging and disease — that is, senile dementia. Often the diagnosis comes several years after these changes begin.

We all need to recognize that more than just memory can be affected if the frontal temporal lobe is damaged. It's common to see anger and irritability, loss of impulse control and inability to plan a series of actions.

Weller's ill health now, including his inability to attend the announcement of the verdict, suggests that his mind may be failing. He needs to be in a care facility, not prison.

But we all needed the verdict he got so that we will deal with the impaired drivers in our families and demand mandatory yearly driving tests for everyone 75 years or older.

Anne Eggebroten
Santa Monica

Santa Monica becoming Rodeo Drive

Editor:

I am an 84-year-old woman who was born in Santa Monica and still resides here. I love my city, but my one objection is shopping. There are many seniors and low income families living here, and yet, there are no inexpensive stores to buy clothes at a reasonable price. We have never been a “Beverly Hills” city, but now all our stores on Montana, the mall, the Promenade and Main Street are the above-expensive, Rodeo-type merchandise. So where do we go? Mervins in Westchester? Ross in Venice?

Think of the income and employment a reasonable store would bring. Why can't we have a Kohls, Mervins, or K-mart in our area? We have new parks going up all over town and get nothing for the lower income people who support our town.

I've written the mayor, councilmembers, etc., and never a reply.

M. Clarks
Santa Monica

Where's the GOP sacrificial lamb?

Editor:

The Senate term is six years. There are two senators, so there is one out of three general elections with no U.S. Senate race, such as this year. There is none ... Oh wait, there is! Sen. Diane Feinstein is apparently running for re-election. Could have fooled me. Whoever the Republican sacrificial lamb is this time, he's been kept well hidden.

Mike Kirwan
Venice

Columnist missed the mark

Editor:

In regard to Carole Orlin's piece of Oct. 23 (SMDP, “Entertaining current conspiracy theories on the events of 9/11”). While I agree with her on the 9/11 conspiracy angle, she dropped the ball as to what the most significant event of the 20th century was.

C'mon, Carole, how can you expect the readers to believe you have any intellectual honesty when you claim that the assassination of JFK is the most significant event during the 100 years of the 20th? African Americans might argue the most significant event to be the assassination of Martin Luther King; the Hindus, Gandhi; hippies and Beatle fans, John Lennon, and so on.

How much more has JFK's death changed and shaped the world (or the nation, for that matter) than say ... a little leap into the air at Kitty Hawk in 1903?

Gee, Carole, I guess you're right, JFK's murder has so many more ramifications and so much more significance than air flight, the Great Depression, walking on the moon, landing on Mars, curing polio and eradicating smallpox; discovering DNA, World Wars I and II, splitting the atom, the collapses of the Soviet Union and the Berlin Wall, not to mention (but I will) the inventions of the transistor, laser, artificial heart, penicillin, plasma, silicon and the computer chip, and the Internet.

I could, of course, add much to the above list, but I think you get my point. But, in case you don't, here it is — JFK's death did little to affect mankind in any substantive fashion. You scare me when you call it “the most” and also call Oliver Stone's JFK film “powerful.”

If twisting history (as Stone is fond of doing in order to get his politics to the paying public) is “powerful,” then indeed, you and Stone make quite the significantly powerful pair.

James Zeruk
Santa Monica

The pompousness of Superheroes



ICONOCLAST
BLAST
BY SETH BARNES

If you're a smoker, you've probably gotten the message at this point. You know, the fact that you're a hideous piece of scum, a social leper who virtually needs to be followed at gunpoint by the government to make sure your insanely destructive habit doesn't kill you and everyone in your immediate vicinity. You're aware of all that, right?

Because if you aren't, you have another thing coming to you. By the time you read this, the Santa Monica City Council will probably have adopted an ordinance that will ban smoking at virtually all outdoor venues in the city. All outdoor venues technically means the Third Street Promenade, bus stops, ATMs, movie theater lines, restaurant patios, service areas, farmers' markets and areas within 20 feet of entrances, exits and windows open to the public. In reality, it means that you'll have to build a bunker underneath your house if you want to have a smoke. The bonus here is obviously that in addition to suffering the ill affects of smoking a cigarette, you'll also inhale all the secondhand smoke accumulated in your bunker and subsequently will be that closer to death so the rest of us won't have to deal with you.

Santa Monica doesn't seem to have this “enforcement” thing quite right. A vagrant loaded on drugs and booze can snag a gratis buffet meal in a park overlooking the ocean, pull his pants down, wave his genitals around, and defecate in front of hundreds of tourists with little long-term consequence. But Joe Marlboro can't light up and diffuse the smoke of a cigarette into millions of square feet of open air?

I'm not a smoker, but I grew up in New Hampshire where the state motto is “Live Free or Die.” While this saying is often derided and mocked because of its heavy-handedness (if I don't want to live free, will I literally die?) the civil libertarian in me appreciates the basic tenet of governance it conveys: I pay hard-earned taxes to support the government; it should interfere and override my individual freedoms only when the evidence supporting the greater good is conclusive and overwhelming. And in this case, the affects of second-hand smoke on the population at large are far from being well defined and conclusive.

Supporting the smoking ban, Nick Bott of the American Heart Association recently said, “Cardiovascular disease is the nation's number one killer and second-hand smoke is a huge contributor. Three-thousand deaths a year are attributed to drifting smoke.” This kind of science just doesn't add up for me. How exactly are we attributing those 3,000 deaths to second-hand smoke? Aren't there other potential contributing factors influencing those deaths that would

skew the scientific data? I'm no professional researcher, but assigning occasional short-term interaction with second-hand smoke as the primary cause of any death seems to be a dubious assumption at best.

The real problem we have is what I would call Delusions of Superhero City Council Grandeur. This affliction is not uncommon in our flaming liberal hamlet. This condition occurs when self-proclaimed Superhero members of City Council mistakenly believe they're saving the world for the rest of us, forgetting their actual role as small-time, workaday, pencil-pushing bureaucrats. You see, City Council should be occupying itself with the nitty-gritty knick knack of everyday city governance: replacing park benches and manhole covers, appropriating funds for a Fourth of July parade, and deciding on the color scheme and design of police cruisers. Any dalliance with topics or issues of substantial national import should be strictly off limits. We've elected more learned, qualified people to deal with such concerns. Stay within the range of your expertise and talents.

Of course, this is a pipe dream in Santa Monica as City Council Superheroes regularly channel Jefferson and Washington in their quest to uphold the itsy bitsy ideas of freedom and liberty clamoring around in their progressive skulls. They legitimately think they are doing something noble and virtuous when they rail against the Patriot Act while condemning security cameras at the Pier and downtown. Memo to Superheroes: When the final verdict is leveled against the Patriot Act, the historians aren't going to be combing through the minutes of the Santa Monica City Council. Not to mention that if one is going to err on the side of trampling individual liberties, it seems more appropriate to do so in the name of protecting public gathering spots as opposed to stamping out smokers. Why doesn't City Council just stick to keeping the lights on and the water running, leaving the amateur analysis of American politics to talk radio?

Given my take on this issue, you can imagine my glee when I saw Councilmember Herb Katz's remarks after the first “reading” of the smoking ban ordinance:

“We always hear about these fears of losing tourism. So what? What is the value of human life? Let's quit being afraid of losing money. Let's get with it and start saving lives.”

There you have it, a City Council Superhero who's going to save our lives! Not only is government going to intervene in our personal choices, they're literally going to ferry us from cradle to grave extending our lives as long as they see fit.

Can you see the absurd pompousness of a small town legislator who thinks he (and he alone) has the ability to save citizens' lives? What self-importance, what a deluded sense of self-worth. But then again, Superheroes have never lacked for confidence.

Seth Barnes can be reached at barneseth@hotmail.com.

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United with Nader

Maya Meinert Special to the Daily Press

Renowned consumer advocate Ralph Nader (center) joined local activists Wednesday at the intersection of Olympic Boulevard and 26th Street, blasting the city of Santa Monica for issuing a cease-and-desist letter to anti-Prop W activists for a local billboard that distorts an image of the famous Santa Monica Pier sign. City officials have threatened to tear down the controversial billboard — which states the city is “For Sale by City Council” — citing trademark laws. Proposition W, or the “Good Government Act of 2006,” would amend the city charter to loosen restrictions against a person giving a city official contributions, employment or gifts. Nader faced a similar lawsuit during his 2000 campaign for the presidency after parodying Mastercard’s “Priceless” ads.

Jewish symbolic wall raises concerns at beach

BY NOAKI SCHWARTZ

Associated Press Writer

VENICE — Orthodox Jews who want to use a strand of fishing line several miles long to create a symbolic religious enclosure have become entwined in the tenets of California conservationism.

The 70 or so families that attend a temple on Venice Beach’s boardwalk are asking coastal regulators for permission to string the line above one of Southern California’s most popular stretches of sand. That would let them move freely on the Sabbath, when they are traditionally forbidden from going outside with anything in hand including keys, a wallet and even a child.

The obstacle: California law calls for the protection of public views along the coast and the habitats of nesting shore birds.

Orthodox Jews cannot do work or certain physical tasks outside the home on their day of rest and prayer, which begins at sundown Friday and ends at nightfall Saturday. The restrictions include carrying objects or pushing strollers and wheelchairs.

“It’s a major social inconvenience,” said Lea Geller, who dreads spending Saturdays indoors with her newborn while her family walks to pray at the Pacific Jewish Center.

The way around these restrictions for some Orthodox Jews is an “eruv” — a Hebrew word for the symbolic extension of an area considered private into the public domain. Within this area, they can move about normally.

Efforts to enclose much of Santa Monica, Venice and Marina del Rey began in 2002. The final step would be linking about four miles of beachfront and an inland area to the current eight-mile patchwork of chain link fences or walls along the freeways and major roads. Completing the eruv along the coast would entail stringing 200-pound test fishing line between lamp posts and 20-foot steel poles extending above 19 welcome-to-

the-beach signs.

The California Coastal Commission is expected to decide on the \$20,000 proposal next month.

Controversy often follows eruvs, more than 100 of which wind through major cities including Los Angeles and New York.

Last month, San Diego officials approved an eruv despite concerns that public property should not be used for religious purposes. In 2003, the Supreme Court declined to hear a case in which a federal appeals court ruled that removing eruv markers in a New Jersey neighborhood likely violated the right to exercise religious beliefs.

In cities and suburbs, the fishing line is typically strung between telephone poles and is all but invisible. This eruv by the beach would offer new twists.

Where the line would approach a nesting area of up to dozens of endangered California least terns, organizers propose hanging reflective streamers so the birds wouldn’t run into it. The small, black-capped birds suffered a dramatic decline when Pacific Coast Highway was built and the species was deemed endangered in 1970. Since then, nesting sites have been protected.

The man overseeing the eruv project, Howard Shapiro, said he didn’t know about the nesting colony.

“We don’t want to kill birds or anything like that,” he said.

Some residents and environmentalists remain concerned.

“This is really nuts,” said Mark Massara, director of the Sierra Club’s California Coastal Program. “To the extent that we’re allowing public property to be used for religious purposes is very troublesome.”

In a letter to the Coastal Commission, Marina del Rey resident Plinio J. Garcia pointedly suggested using the Christian cross or the Muslim crescent moon instead of the galvanized poles to string the fishing line.



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State sends clarifying letter to Hispanics

By The Associated Press

GARDEN GROVE — The California secretary of state mailed letters Wednesday to 14,000 Hispanic voters who received an intimidating flier from the campaign of a Republican congressional candidate.

The bilingual letter, also endorsed by several Hispanic civil rights groups, encourages U.S. citizens to vote and informs them of the official state requirements to register. It also lists the absentee voting deadline.

The state Department of Justice has opened a voting rights investigation into a flier sent to certain Democratic voters in Orange County by the campaign of Tan Nguyen, who is seeking to unseat five-term Democratic Rep. Loretta Sanchez in California's 47th Congressional District.

That letter, written in Spanish, warned: "You are advised that if your residence in this country is illegal or you are an immigrant, voting in a federal election is a crime

that could result in jail time."

In fact, naturalized U.S. citizens have the right to vote.

The letter mailed by Secretary of State Bruce McPherson tells voters who received the Nguyen campaign letter to ignore it and calls the flier "unauthorized and inaccurate."

"Voter intimidation in any form is completely unacceptable," McPherson said in a printed statement. "Voters who received the intimidation letter should ignore it and cast

their ballot on Election Day."

Nguyen has said he purchased a database of Hispanic voters from a Burbank company called Political Data Inc. so he could send them Spanish-language campaign literature. He said his campaign sent four fliers using the database before his office manager forwarded the names to an outside party.

Nguyen and his attorneys have refused to identify the office manager or a third party who he said mailed the letters.

Doolittle, Pombo face unexpectedly tough re-election fights

BY ROBIN HINDERY

Associated Press Writer

SACRAMENTO, Calif. — Like many endangered House Republicans, John Doolittle and Richard Pombo enjoyed years of job security most politicians would envy.

But no one is envying their re-election prospects now, despite a last-minute infusion of GOP campaign money and fundraising visits by President Bush.

Although California is 3,000 miles from the nation's capital, it's not far enough for either incumbent to escape the fallout from Washington's lobbying and congressional page scandals or the Bush administration's roundly criticized Iraq policies.

"We need to get career politicians out of Washington," said Doolittle's Democratic opponent, Charlie Brown, during an Oct. 11 debate. "We need to get people into Washington who are normal citizens, trying to

do the right thing, putting service before self."

That comment may typify the GOP's plight in its uphill fight to retain a majority in the House on Nov. 7. The defeat of Doolittle and Pombo, both from normally safe Republican districts, could prove pivotal.

In Doolittle's sprawling 4th Congressional District, which stretches from Sacramento east to Nevada and north to the Oregon border, Republicans have a registration edge over Democrats of 18 percentage points. The district has sent Doolittle to Washington eight times; his seniority has brought choice House committee assignments and GOP leadership roles.

Brown, 56, a retired Air Force officer, is exploiting Doolittle's ties to disgraced GOP lobbyist Jack Abramoff and donations from former Rep. Mark Foley, the Florida Republican who resigned after his suggestive electronic messages to congressional pages became public.

Opposition isn't coming only from Democrats. GOP voters upset over what they see as Doolittle's ethical lapses formed "Republicans for Charlie Brown" and distributed more than 500 signs and 60,000 fliers to registered Republicans.

"He has abandoned traditional conservative values and made a mockery of the public trust that he swore to uphold," said the group's founder, Joanne Neft of Auburn.

Doolittle, 55, accepted campaign money from Abramoff, who pleaded guilty in January in a conspiracy to corrupt public officials. Doolittle also used the lobbyist's luxury sports box for a fundraiser without initially reporting it. His wife and one of his former aides also worked for the lobbyist.

Doolittle acknowledged paying his attorney more than \$38,000 to talk to the Justice Department in connection with the Abramoff investigation. He refused to return the lobbyist's donations.

"Abramoff didn't turn out to be the person I thought I knew, but I didn't do anything untoward," Doolittle said during the debate with Brown. "I have a perfectly clear conscience about that."

He also ignored Brown's call to return \$1,000 donated by Foley's political action committee.

Pombo also received donations from Abramoff, but later gave the money away. He faces a tough challenge from Democrat Jerry McNerney, 53, who has a Ph.D in mathematics and lost to Pombo, 45, two years ago.

His 11th Congressional District, which includes the eastern fringe of the San Francisco Bay area to a Central Valley farming region south of Sacramento, has seen its demographics change since Pombo first won the seat in 1992. Republicans hold a registration edge of only 7 percentage points over Democrats. There has been an influx of San Francisco Bay area transplants searching for affordable housing.

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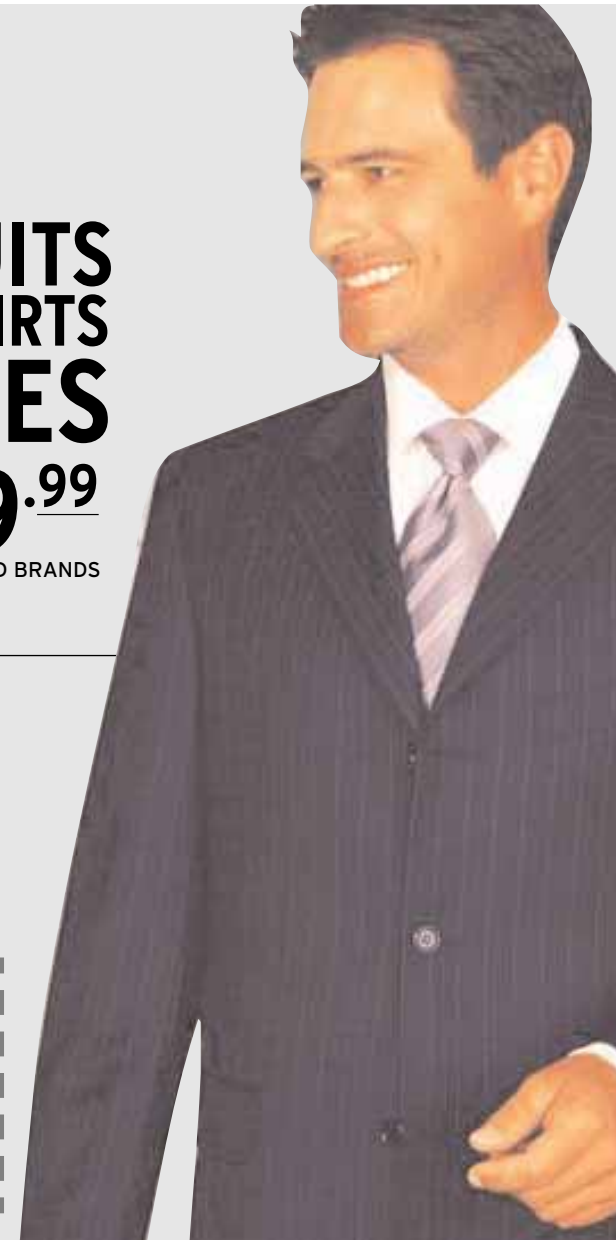
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For some Starbucks customers, a block walk can be too far

BY ALLISON LINN

AP Business Writer

SEATTLE — The people who work in Seattle's tallest building face a tough decision: should they get their caffeinated indulgence at the old Starbucks on the building's first floor or the new Starbucks, 40 floors up? And, if those lines are too long, is it too far to walk across the street, where a third Starbucks awaits?

Starbucks Corp.'s recently announced goal of having 40,000 stores worldwide isn't just about spreading green awnings through middle America, the Middle East and other areas of the world not yet tempted by easy access to mocha Frappuccinos and pumpkin spice lattes.

The coffee chain's aggressive growth also hinges on what the company calls "infill" — adding stores in cities where its mermaid logo is already commonplace. In some cases, that means putting a Starbucks within a block of an existing store, if not closer.

While Starbucks knows there's plenty to lure people into their stores, they also recognize that many people can't be bothered to walk very far — or wait very long — for an optional and pricey treat.

"Going to the other side of the street can be a barrier," said Launi Skinner, senior vice president in charge of Starbucks' store development.

As Starbucks adds a whopping six stores a day on average, the company says it continues to carefully consider everything from the direction of commuter traffic zipping by a potential drive-through site to how many people are pounding the pavement on a busy urban block.

As of Oct. 3, Starbucks had 12,440 stores worldwide, including 7,102 company-operated stores and 5,338 licensed locations. In addition to choosing its company-operated locations, Starbucks also has a say in where licensed stores will be located.

In Vancouver, Canada, such planning has meant adding stores on either side of a busy intersection. In New York, there are two Starbucks in one Macy's, as well as two in the 49-story Marriott Marquis hotel.

Starbucks also is flooding some smaller cities. In Spokane, Wash., two Starbucks sit across from each other in a strip mall and a grocery store, close enough that baristas could toss pounds of coffee beans at one another if they wanted to.

Despite such saturation — and plans for much more — Starbucks insists that it sees very little cannibalization of its existing business when a new store opens. In fact, the company says, one reason would-be customers don't end up buying a Starbucks drink is because the line is too long. One solution is to open up another store nearby.

Starbucks says about 60 percent of stores have a wait time of three minutes or less, but the company doesn't track specifically how long the wait has to be before people decide to pass.

Chief Executive Jim Donald dismisses any notion that the company could experience oversaturation as it continues to plop Starbucks near other Starbucks.

"We haven't felt it yet," he quipped recently.

It takes co-workers Joshua Sanders and Megan Scott about one minute to reach the

Starbucks just outside their downtown Seattle office. Sometimes, the two will walk another minute or so to another Starbucks about half a block away, because that Starbucks sells hot breakfast sandwiches and the closer one doesn't. On a recent weekday morning, both were bustling.

One thing Sanders and Scott won't do is stop for coffee at Starbucks competitor Tully's Coffee Corp., even though it's in their building and they actually walk past it to get to Starbucks.

Asked why he favors Starbucks, Sanders said: "It's the coffee."

It's highly unusual for a company to be able to add so many stores so close together and still see the kind of consistently strong sales growth Starbucks can boast, said John Owens, an equity analyst with Morningstar.

"At some stage there (are) limits to their expansion, but to date we really haven't seen any signs that they are near that point," Owens said.

Still, Owens said there are risks a company faces when it builds out quickly. He noted that McDonald's Corp. suffered after an attempt to expand rapidly in the 1990s. McDonald's has more than 30,000 stores worldwide, compared to about 12,000 currently for Starbucks.

Major concerns could include anything from a drop in quality to the brand losing its luster.

Krispy Kreme Doughnuts Inc., whose store openings once drew cars full of doughnut-hungry masses, learned that lesson the hard way and has since had to sharply scale back its growth plans. The doughnut maker also has suffered through an accounting fiasco and concerns over the healthfulness of its fatty treats.

For now at least, Owens said Starbucks doesn't appear to have similar worries.

"We haven't seen any evidence of it, but that's certainly a risk," Owens said. "How can they continue to maintain such a strong connection with the customer as they become just basically a global giant?"

But executives say one main complaint they hear from customers is that Starbucks isn't convenient enough. Starbucks customers don't want to go too far out of their way to get their morning latte or afternoon pick-me-up. And once they have stepped into their vehicles, they don't want to bother to undo their seat belts for a caffeinated treat, either — hence the explosive growth of Starbucks drive-throughs.

Besides adding stores, drive-throughs and kiosks throughout the world, Starbucks also has plans to make itself ubiquitous even in places where it can't squeeze in a store. It is getting ready to launch Starbucks-branded vending machines, which will let people buy warm lattes and other drinks in a nine-ounce can for \$2.50. And that's in addition to the business it already does selling bottled cold Starbucks drinks and coffee beans in more traditional food stores.

Sitting in Starbucks' Seattle headquarters a day after the company announced that it had increased its projected store count by a third, to 40,000 stores, company Chairman Howard Schultz said he thought the company had been vastly underestimating the worldwide demand for its coffees, teas, CDs, coffee mugs and other items.

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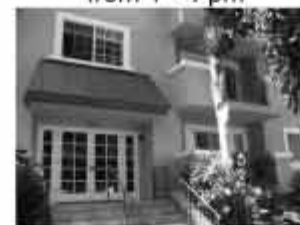
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Katrina inequities continue in the fight for insurance payments

BY RUKMINI CALLIMACHI

Associated Press Writer

NEW ORLEANS — While the streets were still choked with twisted houses, the Louisiana insurance department began broadcasting a message to homeowners victimized by Hurricane Katrina.

For free, those who felt they'd been short-changed by their insurers could file a complaint with state regulators. If the case was deemed valid, state officials would seek a higher insurance settlement for the homeowner.

The message carried by the department's traveling vans, as well as by TV and radio ads, and user-friendly Web sites, didn't reach many who needed help the most.

A year later, Louisiana residents living in white neighborhoods have been three times as likely as those in black neighborhoods to seek and get help from the state agency in their disputes with insurers, an Associated Press computer analysis shows.

The analysis of Louisiana's insurance complaints settled in the first year after Katrina highlights a cold, hard truth exposed by the hurricane's winds and waters: People of color and modest means are often disconnected from the government institutions that can provide it, or distrustful of those in power.

Although the insurance department sent their representatives to the city's nearly all-black Lower Ninth Ward, Roy and Doretha Kitchens were hundreds of miles away, having fled to higher ground.

"The blacks didn't complain 'cause they got tired," explained Doretha Kitchens, 58, who along with her husband accepted a \$34,000 insurance settlement for their destroyed home, well below their \$120,000 in actual damages. They say they eventually threw up their hands in despair, accepting what they considered an unfair offer, never realizing they could appeal to the state for help.

Richard and Cindy Little, a white couple living in the predominantly white suburb of Slidell, also suffered extensive damage to

their home and initially were just as dissatisfied by their insurer's settlement offer. With some money in the bank, they persisted, complaining to the state agency as well as to other authorities. Eventually, their efforts paid off, but they acknowledge the fight wasn't easy and that the family's finances played a large role in their perseverance.

"It's kind of scary to think of fighting a big corporation," Richard Little explained. "I can see how people with not as much money, education, take what's given them."

The insurance industry and state regulators say they made special efforts to reach out to poor and minority neighborhoods to inform them of options. They acknowledge victims slipped through the cracks.

"The message doesn't get to everyone," Louisiana Insurance Commissioner Jim Donelon said.

More than a year after the epic hurricane laid waste to much of the Gulf Coast, frustration and anger still simmer. Over 700,000 insurance claims were filed for damage resulting from Katrina in Gulf Coast states and to date, only \$14.9 billion out of \$25.3 billion in insured losses have been paid, the national risk modeling firm ISO estimates.

In Louisiana, more than 8,000 residents have filed Katrina-related complaints with the state insurance office. Using open records law, AP obtained the files of more than 3,000 complaints that have already been settled and analyzed the outcomes by the demographics of the victims' current ZIP codes.

Nearly 75 percent of the settled cases were filed by residents currently living in predominantly white neighborhoods. Just 25 percent were filed by households in predominantly minority ZIP codes, the analysis found.

The analysis also suggests income was a factor. The average resident who sought state help lives in a neighborhood with a median household income of \$39,709, compared with the statewide median of \$32,566 in the 2000 Census.

AP analyzed 3,118 complaints filed by

homeowners still living in Louisiana. The state's data did not identify whether the addresses on complaints were the same locations as the damaged homes. The state also refused to release any information on approximately 5,000 complaints still under review.

The findings surprise few on the front lines of a disaster that has reawakened issues of racial equality.

Donelon, the insurance commissioner, said his department's workers made an extra effort to reach as many people as possible, crisscrossing the state in mobile complaint centers and using the media to let residents know the agency was willing to press their cases with insurers.

It was a message that never reached the water-stained stoop of Doretha Kitchens' house, which was enveloped in a 9-foot wave of muddy water when the Lower Ninth Ward's aging levees broke. For months, she had no access to computer, radio or TV and couldn't hear the state agency's messages.

Kitchens also didn't know she could appeal Allstate Corp.'s settlement offer to the state, but doubts it would have changed anything: Her husband, she said, simply lost faith that anyone would help.

"My husband didn't want to be bothered. I asked him, 'Why don't we sue the insurance company?' He said, 'They ain't gonna do nothing no way.' White just decided they was gonna go file. Black, we just gave up easier."

The Kitchens didn't have flood insurance but their dispute with the insurer was over damage in their attic, where winds ripped off the roof.

At first, Richard and Cindy Little didn't fare much better.

Four towering pine trees crashed into their tidy ranch-style home in Slidell, a predominantly white bedroom community north of New Orleans.

The crashing limbs unleashed a cascade of water that spoiled the walls, soaked the hardwood floors and brought puffs of pink insulation tumbling from the ceiling.

When their insurer agreed to pay only two-thirds of the cost of the repairs, the

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Littles used their savings to cover the cost of the construction.

They wrote letters to congressmen, secured copies of an adjuster's report, spent hours compiling receipts, made countless phone calls and filed a complaint with insurance regulators.

Eventually, their efforts paid off.

Mike Trevino, a spokesman for Northbrook, Ill.-based Allstate, said the state agency had treated minority and white homeowners equally. The figures obtained by AP support his contention.

In cases where Louisiana insurance regulators were able to get more money from insurers for homeowners, the amount for minorities and whites was roughly the same: about \$40,000.

Trevino also acknowledges that the insurer was overwhelmed by the scope of the disaster that led half of its 300,000 Louisiana customers to file claims.

"It could be that there were mistakes, that it wasn't a good performance by the adjuster. But what's important to remember is that it was then, and still is, an extraordinary event ... and it certainly did stretch our ability to serve customers in the very best way possible," Trevino said.

Though there was no disparity in the outcome of state complaints, the racial divide is clearly apparent in who accessed the system and how often they did so.

In New Orleans, where blacks made up two-thirds of the 454,863 pre-Katrina population, only about 445 homeowners resolved complaints with the state department. In contrast, the mostly white residents in suburban Slidell resolved more complaints (489) even though New Orleans' population is 16 times larger.

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Federal Reserve expected to remain on hold for now

BY MARTIN CRUTSINGER

AP Economics Writer

WASHINGTON — After engineering the longest unbroken stretch of interest rate increases on record, the Federal Reserve may now keep rates unchanged for an extended period.

At least that is the view of many economists who think the Fed may leave rates alone for up to a year, preferring to remain on the sidelines and allow a slowing economy to lower inflation pressures.

That isn't necessarily the view of financial markets, which have been whipsawed between worries that the Fed will keep raising rates and periods of euphoria that the central bank might start cutting rates later this year.

Federal Reserve Chairman Ben Bernanke and his colleagues began a two-day meeting on Tuesday that will wrap up Wednesday with an announcement on rates.

"The Fed is in a holding pattern that is going to last a lot longer than the markets are expecting," said David Jones, chief economist at DMJ Advisors, an economic consulting firm.

Jones predicted rates would remain unchanged until the second half of next year when he forecast two rate cuts.

After raising rates at 17 consecutive meetings over two years, the Fed in August paused and also left rates unchanged at the September meeting.

The federal funds rate, the interest that banks charge each other, is currently at 5.25 percent.

If the Fed does keep rates unchanged for a third meeting, it would mean a break for borrowers. It also would be good news for the Bush administration, which would rather not see voters upset by rising interest rates just two weeks before they go to the polls to decide whether Republicans will retain control of Congress.

Commercial banks' prime lending rate, which responds to changes in the funds rate, is currently at 8.25 percent, where it has been since June after the Fed's last rate hike. The prime had been at 4 percent, the lowest level since 1958, when the Fed began its rate increases in 2004.

The Fed's rate increases are having the desired effect of slowing interest-sensitive portions of the economy such as

housing, with sales and construction of new homes tumbling this year, contributing to a sharp slowdown in overall growth.

Many economists believe growth may have dipped to around 2 percent in the July-September quarter, even weaker than the 2.6 percent rate of the spring.

The pronounced slowdown had raised concerns about a possible recession, prompting financial markets to rally on the belief that the Fed would soon cut rates to avert that possibility.

Comments by various Fed officials in recent weeks have signaled that the central bank believes recent declines in energy costs will help bolster consumer spending and avert a recession. At the same time, Bernanke and his colleagues have continued to indicate their concerns that inflation remains too high.

While overall consumer prices fell in September, core inflation, which excludes energy and food, was up 2.9 percent, compared with September 2005, far above the Fed's 1 percent to 2 percent comfort level.

"People have gone from thinking that there could be rate cuts as soon as December to worrying about another rate hike," said David Wyss, chief economist at Standard & Poor's in New York.

Wyss said he expected core inflation to peak soon and then begin falling. He said if this occurs, the Fed will be content to remain on hold until the middle of next year, when he forecast that the central bank will start cutting rates to give the economy a jump-start after an extended period of sub-par growth.

Not every economist believes the Fed's next move will be a rate cut.

Diane Swonk, chief economist at Mesirow Financial in Chicago, said she believed the Fed will actually hike rates at the end of next year because a strong economic rebound will re-ignite inflation worries.

Analysts are expecting long-term rates to continue rising gradually in coming months even as the Fed keeps short-term rates stable.

Wyss predicted that 30-year mortgage rates, which fell as low as 6.36 percent recently when the markets were looking for rate cuts, will be around 7 percent by this time next year.

Oregon's Dem governor faces strong challenge

BY BRAD CAIN

Associated Press Writer

SALEM, Ore. — In this season of bleak election forecasts for the Republicans, one bright spot has emerged from an unlikely state: left-leaning Oregon.

This traditionally blue state represents one of the Republicans' best shots at picking up a governorship held by the Democrats, with polls showing Gov. Ted Kulongoski and GOP challenger Ron Saxton virtually tied.

Elsewhere, the Democrats are on a roll this year, appearing likely to pick up governors' seats in powerful states like Ohio, New York and Massachusetts.

The Republican Governors Association has spent \$1 million on the Saxton campaign, and more help is likely to be on the way.

"We think Oregon represents one of our best opportunities to knock off an incumbent Democrat," spokesman Phil Musser said from the group's Washington headquarters.

Around the country, other Democratic governors who had appeared to be in danger have clawed their way back — most notably Michigan Gov. Jennifer Granholm, who has pulled well ahead of her GOP challenger in the polls despite Michigan's shaky economy. Similarly, Wisconsin Gov. Jim Doyle is leading in recent polls, though he earlier had been viewed as one of the most vulnerable Democrats in the country.

Kulongoski has not been so lucky. He is locked in a tight race with Saxton at a time when by all rights he should be the favorite to win re-election.

After all, Democrats have a 60,000-voter registration edge over Republicans in Oregon, and hold all but one of the statewide elected offices. The state's economy has been on an upswing over the past two years, after a recession forced serious budget cutbacks during the first years of Kulongoski's tenure.

A former Marine who has attended the funeral of nearly

every Oregonian killed in Iraq or Afghanistan, the 65-year-old Kulongoski is respected on a personal level by voters. But he has chagrined even his supporters with unscripted comments suggesting Oregon should look at instituting a sales tax and canceling a refund of excess revenue to taxpayers next year.

Saxton, the 52-year-old co-founder of a Portland law firm, has little political experience — he served one term on the Portland school board. Saxton says he will have little political baggage as he goes to work reforming and streamlining what he portrays as a bloated state bureaucracy.

"This race is mostly about Ted, to be honest," Saxton said. "When I'm out and about, the most common thing I hear from voters about Ted is that he hasn't done anything, that he's simply been absent."

Saxton and the Republicans are talking about electing a GOP governor for the first time since 1982 — a notion Kulongoski, an ardent Boston Red Sox fan, dismissed with a sports analogy.

"The Chicago Cubs keep wanting to win the World Series. Every year they think, 'This is going to be the year.' Well, we'll see what happens," the Democrat said.

Tim Hibbitts, an independent pollster from Portland, said Kulongoski and incumbents of both parties are being hurt by a sour mood among the electorate.

"There is an unease and a sense of dissatisfaction with the direction of the state," he said. "People feel like they are treading water economically. Not that many people will tell you they are feeling better off these days."

Saxton has blanketed the TV airwaves with ads criticizing what he says is Kulongoski's lack of leadership. Kulongoski, with strong backing from public employee unions, education boosters and environmentalists, has been hitting back with ads portraying Saxton as a tool of corporations and someone who has worked against the interests of Oregon's working families.

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Killings continue

More policemen fatally shot in Iraqi city of Amarah

BY CHRISTOPHER BODEEN
Associated Press Writer

BAGHDAD, Iraq — At least two more policemen were fatally shot early Tuesday in the southern Iraqi city of Amarah, where militiamen loyal to an anti-American cleric have been hunting down officers aligned with a rival group in a new outbreak of Shiite-on-Shiite revenge attacks.

A U.S. military spokesman said there had been no word on the fate of a U.S. Army soldier reported missing in Baghdad on Monday. Troops carrying photos of the missing soldier continued door-to-door searches while Army Kiowa reconnaissance helicopters circled overhead in the central Karradah district.

The missing soldier's name and other personal details have not been officially released. American troops who raided Baghdad's al-Furat TV on Monday said they were looking for an abducted American officer of Iraqi descent who had gone to join family members in Karradah.

"We have not heard anything," Lt. Col. Christopher Garver, an American spokesman in Baghdad, said Tuesday. "We are sure U.S. forces are doing everything they can in the search."

A U.S. military official in Washington on Monday said the missing soldier was a U.S. Army translator of Iraqi descent who may have been abducted. The official spoke on condition of anonymity because the information was not cleared for release.

The American military announced that two more U.S. Marines were killed during

combat in the insurgent stronghold of Anbar province. The deaths raised to 89 the number of U.S. forces killed in October, the highest toll for any month this year and on course to surpass the October 2005 total of 96. Before that the deadliest months were January 2005, at 107; November 2004 at 137 and April 2004, at 135.

Police captain Hussein Salih Hassan was killed Tuesday in a pre-dawn gunbattle with attackers who forced their way into his home, Ali Challoub, an administrator at Amarah's al-Sadr Public hospital, said. A noncommissioned officer, Ala' Ghlayyim Zned was killed in his home by machine gun-toting attackers at around the same time, Challoub said.

The latest killings in Amarah follow the murders of four policemen on Monday, which were blamed on fighters of the Mahdi Army headed by hardline anti-American cleric Muqtada al-Sadr. Those forces appeared to have control of the southern city's streets after the police force dominated by the rival Badr Brigades fled. Although the Iraqi army set up a few roadblocks, troops did not seek to block Mahdi fighters.

The spread of revenge killings among Shiites in their southern heartland poses a new challenge for the Iraqi government and American forces struggling to control insurgent and sectarian bloodshed to the north. It also bodes ill for greater political progress; both al-Sadr's party and the sponsors of the Badr Brigades, the Supreme Council for the Islamic Revolution in Iraq, or SCIRI, are members of the ruling Shiite coalition.

The attacks came despite a public call by al-Sadr to halt the killings, suggesting that splinter groups were developing within his militia. Al-Sadr repeated those calls in an address to supporters Tuesday marking the beginning of the three-day festival of Eid al-Fitr, which marks the end of the holiday fasting month of Ramadan. Sunni Muslims marked the start of the festival on Monday. Celebrations in Baghdad were muted due to fears over the capital's worsening security situation.

"I totally reject any Shiite-Shiite fighting or Sunni-Shiite sectarian fighting in Iraq under any pretext," al-Sadr said. "Protecting Iraq is our main goal and the expulsion of the occupation troops from the country is our objective too."

The conflict in Amarah claimed the lives of 25 police and Mahdi Army fighters late last week when the militia stormed into the city seeking revenge for the kidnapping of the brother of its local commander.

Following two days of relative calm, Mahdi fighters began targeting Badr Brigades-aligned policemen on Monday, while Badr Brigades fighters beheaded the kidnapped nephew of the slain Mahdi commander.

As with most religious occasions in Iraq, the Eid al-Fitr observances were laden with political overtones.

In an address to hundreds of supporters following morning prayers, the head of SCIRI praised a recently passed federalism law that Sunnis fear could divide Iraq into three mini-states and cut them off the nation's oil wealth.

"Those who oppose and attack this project ... are either wrong with good intentions, or deluded, or ignorant or enemies of the Iraqi people and do not want good for Iraq," Abdul-Aziz al-Hakim said.

Underscoring security concerns, al-Hakim spoke from behind a screen of bullet-proof glass surrounded by bodyguards at the party's Baghdad headquarters.

Hoping to find a political solution to the ongoing violence, the Bush administration has asked the government of Prime Minister Nouri al-Maliki to issue an unconditional amnesty to Sunni Muslim insurgents, according to politicians close to the country's prime minister and President Jalal Talabani.

They said U.S. officials were engaged in ongoing talks with members of the insurgency, including members of Saddam's outlawed Baath Party, to find a way to end fighting that has plagued American forces in Baghdad and the sprawling Sunni heartland of Anbar province to the west.

Members of al-Qaida in Iraq are not included in either the talks or the U.S. amnesty proposal, which would require Iraqi government approval that is by no means certain.

The Bush administration said Monday there were no plans for dramatic shifts in policy or for ultimatums to the Iraqi government to force progress.

The U.S. ambassador to Iraq, Zalmay Khalilzad, and Gen. George Casey, the top U.S. commander there, were scheduled to hold a rare joint news conference Tuesday.

it's the homeless... it's the city council... it's the taxes... it's the business... it's the water... it's the smog... it's the trash... it's the bureaucracy... it's the second hand smoke... it's the street performers... it's the alcohol... it's planning and zoning... it's the police... it's the pier... it's the Pico neighborhood... it's the tourists... it's NoMo... it's the stairs... it's the merchants association... it's the elected officials... it's losing it's soul... it's the public schools... it's private schools... it's the MPG... it's the MTbE... it's SMMR... it's CCSM... it's RAND... it's OPCC... it's the Chamber... it's CRAAP... it's BLAH... it's runaways... it's The Promenade... it's the alleys... it's Step up on Second... it's the unions... it's Macerich... it's rent control... it's redevelopment... it's the cost of living... it's the living wage... it's the gentrification.. it's Dogtown... it's the organic food... it's the fast food... it's Farmer's Market... it's the dog parks... it's the affordable housing... it's the meters... it's parking tickets... it's hybrid cars... it's urban runoff... it's SMC... it's too expensive... it's healthcare... it's day laborers... it's the urine... it's the feces... it's the bike paths... its not enough... it's too much... it's not me, its you... it's the gangs... it's the nightclubs... it's the intersections... it's the no camping laws... it's recycling... it's movies on the pier... it's loud... it's the smell... it's the bad drivers... it's the bus lanes... it's chain stores... it's raw food... it's public bathrooms... it's the homeless... it's the city council... it's the taxes... it's the business... it's the water... it's the smog... it's the trash... it's the bureaucracy... it's the second hand smoke... it's the street performers... it's the alcohol... it's planning and zoning... it's the police... it's the pier... it's the Pico neighborhood... it's the tourists... it's NoMo... it's the stairs... it's the merchants association... it's the elected officials... it's losing it's soul... it's the public schools... it's private schools... it's the MPG... it's the MTbE... it's SMMR... it's CCSM... it's RAND... it's OPCC... it's the Chamber... it's CRAAP... it's BLAH... it's runaways... it's The Promenade... it's the alleys... it's Step up on Second... it's the unions... it's Macerich... it's rent control... it's redevelopment... it's the cost of living... it's the living wage... it's the gentrification.. it's Dogtown... it's the organic food... it's the fast food... it's Farmer's Market... it's the dog parks... it's the affordable housing... it's the meters... it's parking tickets... it's hybrid cars... it's urban runoff... it's SMC... it's too expensive... it's healthcare... it's day laborers... it's the urine... it's the feces... it's the bike paths... its not enough... it's too much... it's not me, its you... it's the gangs... it's the nightclubs... it's the intersections... it's the no camping laws... **shut up and vote.** it's recycling... it's movies on the pier... it's loud... it's the smell... it's the bad drivers... it's the bus lanes... it's chain stores... it's raw food... it's public bathrooms... it's the second hand smoke... it's the street performers... it's the alcohol... it's planning and zoning... it's the police... it's the pier... it's the Pico neighborhood... it's the tourists... it's NoMo... it's the stairs... it's the merchants association... it's the elected officials... it's losing it's soul... it's the public schools... it's the private schools... it's the MPG... it's the MTbE... it's SMMR... it's CCSM... it's not in my backyard...

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REFUNDS, from page 1

In addition to the refunds, city staff members are talking with Dallas-based Affiliated Computer Services Inc. (ACS) — which processes all parking citations for City Hall — about options for better notification when an overpayment is made.

“Going forward, we are going to be discussing how to deal with overpayments in the future, find out what is causing overpayments and curtail that if we can,”

Overpayments are gen-

In other cases, the California Department of

City Hall collected \$12.6 million in revenue from parking tickets last year, with \$4.6 million going to pay for operating expenses.

Those who believe they may be eligible for a refund are urged to fill out a verification form online at www.smgov.net, or call (800) 214-1526.

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Sunken treasure

Fabian Lewkowicz fabianl@smdp.com

Brian Hunt, 50, who hails from Washington, scavenges the shoreline using his metal detector on Thursday during his week-long vacation down the West coast. So far Hunt has found two diamond rings along the way. "If you find something, it probably will be good," he said.

New program would offer cheaper transportation

ELDERLY DRIVERS, from page 1

open-air Arizona Avenue marketplace on July 16, 2003, when he was 86 years of age.

Families who are concerned about an elderly family member's ability to drive should look for signs on the car like scrapes and bumps, suggests Elinor Ginzler, the director of livable communities at AARP, a nonprofit membership-based organization for people age 50 and older.

"It's real important to be in the car with the older driver themselves," Ginzler said. "Look for incidents that were not accidents, but could've become one."

Family members should take heed if the senior citizen is hitting any objects, taking medication that could affect cognition, requiring special seating or getting lost driving to what had been a familiar destination, said Nicole Kaplan, vice president of programs and services at the Center for Healthy Aging.

The Center for Healthy Aging in Santa Monica has recently launched a new program designed to assist seniors in transitioning from driving to alternative means of transportation.

The program assigns volunteers to individual seniors and helps them identify their options. The forms of transportation can vary depending on the resources available to the elders.

With the expenses involved in a car's upkeep — maintenance, car washes, insurance and gas — alternative transportation will often prove to be less costly as well.

"It (the costs associated with driving) ends up in excess of \$200 a month, which somebody can use for transportation, whether it's a taxi or hiring someone to drive for them," Kaplan said.

Next month, the center also plans to launch an inexpensive transportation service available to seniors age 65 and older, or people with visual disabilities, regardless of their age.

The Independent Transportation Network (ITN) will provide rides to the center's service areas of Brentwood, Pacific Palisades and Santa Monica for a nominal fee. ITN will charge a membership fee of \$35 for an individual and \$50 for a couple.

and a few part-time drivers. About 20 volunteers have signed up for the program, which will offer services 24 hours a day, seven days a week.

In six months, ITN will add West Los Angeles, Mar Vista, Palms, Culver City and Venice to its service area. Santa Monica will be the first city to replicate the transportation program, which has been successful in Portland, Maine, for 12 years, Kaplan said.

ITN has not set a ride fee, but the program in Portland charges about \$1 a mile, Kaplan said.

The program will be funded by membership and ride fees, and donations from businesses and physicians. It is financially independent of the government.

"If we want people to stop driving when it's no longer safe, not only for themselves but for the public, we have to offer an alternative," Kaplan said.

DEFINING OLD AGE

Driving ability may not necessarily be related to age, Ginzler said, but rather an issue with vision and cognition. The state recently conducted a three-tiered driving assessment pilot program that is based on ability, rather than age.

According to the Insurance Institute for Highway Safety, the program in California, which was also tested in Maryland, found that poor scores in the first two tiers usually led to low performance on the road test, or the third tier. However the program also found that a driver's results were not consistent with their crash record in the three years before their license needed to be renewed.

In California, the Department of Motor Vehicles does not impose a maximum age limit at which drivers could lose their licenses.

"DMV has no definition, nor does the state of California, of what a senior citizen is," said DMV spokesman Steve Haskins.

Once a driver reaches the age of 70, they must renew their license in person and take a vision and written test. The license renewal cycle is five years.

"State of California law actually forbids us from administering a driving test to anybody just because they happen to be a certain age," Haskins said.

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Council approves ban on smoking

NOTEBOOK, from page 1

through a fairly hefty agenda that also included a \$7.6-million land purchase, legal settlements and the naming of two public parks — all in less than five hours.

In the end, the council recorded one of their shortest regularly scheduled meetings in recent memory, adjourning before 10 p.m.

Performing with such vigor, the officials found themselves with enough time to engage in some playful banter with a group of young Australian politicians, who were visiting the city by the sea to learn more about local politics in America. After spending three days in Santa Monica, the dozen Aussies head to Denver this weekend, then Orlando and Ohio, before making a final stop in the nation's capital for the Nov. 7 election.

"Welcome all. You are lucky to be here in Santa Monica, which is virtually the birthplace of democracy in the United States," said Mayor Bob Holbrook, with a smile.

Speaking on behalf of his fellow Aussies, Councilor Robert Nardella said, "We heard it was the People's Republic of Santa Monica," causing his Santa Monica counterparts on the dais to chuckle.

After the two groups exchanged pins — the visitors from down under brought little gold Kangaroos — Holbrook had a special request.

"We'll build a zoo if you can get us a

Koala bear," he said.

Councilman Ken Genser quipped, "Some people already think this is the zoo," referring to the City Council Chambers.

A LACK OF CONTROVERSY

While elected officials should be given some credit for keeping their comments brief, the compressed nature of the meeting was largely due to the items up for discussion, and the lack of public comment, which can often last hours depending on the number of requests filed.

With the exception of the Big Blue Bus facility expansion and year-end budget adjustments, few items required much discussion. The new smoking restrictions, which include a ban along the Third Street Promenade, all farmers' markets, bus stops and ATM lines, were worked out two weeks ago, leaving council with the simple task of giving final approval, which they did with a unanimous vote.

The council also granted a request by City Attorney Marsha Moutrie that the ordinance dealing with tenant relocation benefits be held over until another meeting, so that her staff could address some legal concerns brought by the Rent Control Board staff.

With those items out of the way, it was pretty much smooth sailing.

The council quickly adopted changes to



Unionized

Fabian Lewkowicz fabianl@smdp.com

Santa Monica College student David Bray, 19, who's studying electrical engineering, gets down during the Latino Student Union's party at SMC on Tuesday.

the Sustainable City Plan, which called for a community liaison to conduct outreach and provide education and technical assistance to community groups; funding for expert forums; and a consultant to develop an economic development strategy that achieves the economic goals of the plan. Council also followed staff's recommendation that the plan be amended to include a more aggressive recycling rate and targets for lowering greenhouse gas emissions.

In the real estate realm, the council directed staff to enter into negotiations with Jandy LLC., owners of an 8,800-square-foot property on Fifth Street, adjacent to the Sears auto center, which City Hall is close to acquiring. That sale is entering the final stages of escrow.

The entire downtown block — bordered by Fifth and Fourth streets, Colorado Avenue and Interstate-10 — may be used for future development of a mixed-use project that could include a light rail terminus, public parking, affordable housing and supportive commercial. The two properties, if acquired, would give City Hall more than 112,000 square feet of prime real estate in downtown.

PARKS PARK?

Speaking of future open space, the council named two parks. After looking at a long list of suggestions from community members, the council was struck with inspiration, dubbing a small neighborhood park on Euclid Street "Euclid Park," and an 8.3-acre park on Airport Avenue "Airport Park."

Both parks are currently under construction. The council decided to go with those names because they were easily identifiable and included a location. The council did express a desire to name a park after civil rights icon Rosa Parks in the future.

TIFF FOR TWO

While it was a relatively tame meeting, some sparks were provided by Genser and Mayor Pro Tem Bobby Shriver. The two got into a tiff over a point of personal privilege.

The argument followed accusations of corruption lobbed by meeting gadfly and former City Council candidate Pro Se, who blasted city officials for allegedly taking kickbacks, going so far as to say that council members, whom he called "false gods," accepted white envelopes stuffed with cash.

"Shame on you, shame on everybody," Se said. "Voters ... let's save our city and get rid of these corrupt people and corrupt city staff. Thank you."

Offended by Se's comments, Shriver said he acknowledges the right of free speech,

While it was a relatively tame meeting, some sparks were provided by Genser and Mayor Pro Tem Bobby Shriver. The two got into a tiff over a point of personal privilege.

however, felt it was imperative that he defend himself against claims that he has accepted money in exchange for votes.

"That is categorically false ... and an absolute lie," Shriver said. "I think Pro Se overstepped himself there."

Councilmember Herb Katz also chimed in, defending his colleagues against "flip-pant" accusations.

On the other hand, Genser seemed to have a problem with Shriver's request to respond.

"I was debating with myself whether or not I should say this," Genser said. "But I feel the public should be allowed to say what they want to say as long as it's related to our business, and I think we don't need to debate that ... If people want to respond, it should be done outside of the meeting."

"This is an issue certainly worth of discussion, but not here, not now."

That comment sent Shriver off.

"When I'm accused in public of a crime, I take that ... to be an extremely serious matter with which I have to respond," Shriver said in a serious tone. "I am not going to sit and be accused of a crime and continue smiling into a television camera and go on to the next agenda item ... I'd be happy to put this before a vote. I'm asking Councilman Genser if he thinks we should vote on that."

Genser, who was not comfortable debating the issue since it was not agendized, said there is no hard and fast rule on when a council member should respond to personal attacks by the public.

As Holbrook moved the meeting forward, Genser and Shriver — who sit side by side on the dais — began speaking to one another in hushed tones that grew louder, prompting Councilmember Pam O'Connor to "shush" them like an annoyed moviegoer.

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Many don't understand realities of hearing loss

EDITOR'S NOTE: In recognition of October as Disabilities Awareness Month in Santa Monica, the Daily Press presents a month-long series of articles written by members of the City of Santa Monica Disabilities Commission.

BY CAROL AGATE, J.D.
Special to the Daily Press

"I got a new hearing aid. It cost \$3,000."
"What kind is it?"
"4:32 p.m."
Yep, no matter how expensive hearing aids are, they don't provide clarity. This leads to a lot of misunderstandings about them. We have probably all heard from people who don't think they need hearing aids: "I can hear perfectly well. You mumble." Or from friends of people with hearing loss: "He can hear me when he wants to."

The loss of clarity is why some people think they don't need hearing aids — they can still hear. And they think you mumble because they don't realize their hearing loss affects clarity. The biggest disappointment after buying new hearing aids is that people still mumble; the mumbling is just louder.

The lack of clarity also explains why you think he can hear you when he wants to. Some sounds are more difficult for some people, depending on the range of their loss. High-pitched or accented voices are the hardest to understand. It's important to note that an inability to understand an accented voice isn't a criticism of the speaker.

So what do you do when a person who is hard of hearing says, "What?" Your instinct is to simply say the same thing again and in the same tone of voice. But if it wasn't understood the first time, it probably won't be understood the second time. Try conveying the same idea in different words.

And don't get annoyed. We don't get annoyed at people who are blind or have limited mobility. Maybe people get annoyed at those with hearing loss because of the belief, "He can hear me when he wants to." And there is the mistaken assumption that just as glasses can provide perfect vision, hearing aids can provide perfect hearing.

Now that you know that communicating with a person with hearing aids might need some effort from you, what can you do to help? The most important thing is to face the person and not cover your mouth. We all can hear better when we see the speaker's mouth. For a person with hearing loss, seeing a mouth is often more critical than wearing hearing aids. Don't chew or put your hand in front of your mouth. Also, get her or his attention first.

Use your normal speech, but more slowly than usual if you tend to talk fast. Hearing loss means it takes longer for the brain to decipher the words, even when they are clear. Don't shout; that just distorts the words. Don't speak from another room.

The hardest situation for understanding speech is with background noise. Restaurants or parties make it harder for everyone to converse, but for a person with hearing loss, it can be impossible. Give that person the seat facing the room so there is less noise from behind. If you invite a person with hearing loss to your home, don't play background music.

For those with a hearing loss, trying to understand speech can be exhausting. It demands constant concentration. It is often much easier to fake it. Despite what a bad idea that is, most people with hearing loss do it occasionally, thus reinforcing the myth that they can "hear when they want to."

Hearing loss can be isolating. Ending the isolation takes effort from the person with the loss and from those communicating with that person. Please make the effort as graciously as you do as when you open a door for another. Don't be annoyed when you can't be understood on the first try. This is an invisible and poorly understood disability, but with your help it can be less disabling.

Carol Agate is an administrative law judge with the California Unemployment Insurance Appeals Board.



Left out of the dark

Alejandro Cesar Cantarero II alex@smdp.com

Shoppers outside of Michaels on Fourth Street wait while employees usher customers out of the store. Customers weren't allowed in until the power was restored. A sign was placed on the window notifying customers that the store was closed. A widespread power outage that resulted from an equipment failure Wednesday afternoon left more than 200 Southern California Edison customers without electricity. The outage — which affected homes and businesses between Santa Monica Boulevard and Colorado Avenue — was reported at 3:48 p.m., with some downtown residents and businesses still in the dark Wednesday evening.

Businesses using extreme measures

GREEN BUSINESS, from page 3

rials, and sponsoring a local nonprofit organization every month.

"We try to do what is right for the environment," said owner David Lackman. "We encourage our staff to get involved."

The restaurant also incorporates organic ingredients in its menu.

The official GBC decal that hangs in the window attracts more customers who feel comfortable knowing their money is spent on a business that strives for sustainability, Lackman said.

But for Lackman, GBC is less about good business and more about helping the world.

The six pilot businesses found interesting ways to achieve green status.

The Ambrose Hotel stocks its minibars with earth friendly products and cleans the rooms with non-toxic chemicals. Patagonia collects old clothes from customers and recycles them to make yarn. Co-Opportunity was supposedly the first grocery store on the Westside to use a 2-kilowatt photovoltaic power system on its roof. Gladstein, Neandross & Associates use recycled office products and non-toxic cleaners.

Euphoria Loves Rawvolution started out as a green business when it opened a year ago. Owner Janabai Amsden said she could think of no other way to operate a restaurant.

Almost every aspect of Euphoria Loves Rawvolution is green with non-toxic paint on the interior and exterior walls, an organically infused menu, fluorescent light bulbs and non-toxic cleaning products. More than 60 percent of the employees ride public transit or other car-alternative means of transportation. Even half-empty bottled water is not wasted.

Businesses that want to achieve green status must fulfill a list of criteria that differs depending on the type of business applying for certification. The checklist of criteria is split into three categories — office/retail, restaurant/grocer and hotel/motel. The business must register with the GBC program and submit two copies of the completed checklist with a payment that depends on the size of the operation. Small retailers and offices pay \$170, while hotels and large grocers pay \$500.

Once the payment is received, a GBC rep conducts an on-site verification.

Enterprise Fish Co. is among the businesses hoping to come on board. Manager Shawn Hauck said the Main Street seafood restaurant believes in green practices and wants to

show customers it supports the environment.

Dean Kubani, environmental programs manager for the city of Santa Monica, said he hopes to have another 40 certified restaurants within the next year.

"Santa Monica will become a place where people will know to come for green businesses," Kubani said.

Santa Monica is a leader in sustainability, said Mayor Bob Holbrook, who was invited to attend a summit on sustainability in China this year. Santa Monica was invited specifically because of its efforts in sustainability, he said.

"I like to believe everyone working, living and visiting the city cares about the people, who 100 years from now, will have the same quality of life [as we do] today," Holbrook said.

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IF YOU'RE NOT VOTING, THEN WHO ARE YOU ELECTING?

Family challenges destruction of iconic statues

BY A.D. HOPKINS

Associated Press Writer

LAS VEGAS — Four of five original statues that once stood in front of the Circus Circus hotel-casino have been hauled away and buried in a landfill by the hotel's new management.

The statues, Las Vegas Strip icons that were photographed by thousands of visitors each year, represented the most publicly visible surviving work by the artist Montyne.

The best-known of the statues, of an acrobat balancing on a single finger, was a self-portrait.

Montyne, who lived much of his life in Las Vegas and died here in 1989, used only the single name in both his private and professional life. He also traveled the world as a stage and circus performer, specializing in feats of balance and strength.

The late Jay Sarno, who founded Caesars Palace and Circus Circus, and is considered to have originated in the

two hotels the heavily themed resort concept that dominated the gambling industry for decades, commissioned Montyne in 1967 to sculpt the statues. They were erected the next year, when Circus Circus opened, and remained there until they were removed about three months ago.

Montyne's surviving son, Lamont Sudbury, said the destruction violated one of the terms of Sarno's agreement with his father, that Montyne and his family would have first right of refusal if the statues were ever to be disposed of or sold.

"I would have loved to take 'The Balancer' and put it in the cemetery where my dad is," Sudbury said. "But they didn't even call us. The only way I learned about it was when a friend of mine went over there to show the statues to one of his business associates, and they were gone."

The other statues that were removed included one of a young female acrobat gracefully balancing on a board atop a cylinder. The person who posed for that statue was Montyne's wife, theatrical assistant and favorite model, China, who has remarried since his death and still lives in Las Vegas. Also removed were statues of Gargantua, the "World's Largest Gorilla" once exhibited by the Barnum & Bailey Circus, and of a male lion. Only one of the five is left: a clown.

Sudbury said he was told by casino executives that the four statues were removed and hauled to a landfill north of Las Vegas and buried.

Montyne painted the classical ceiling murals in the original MGM Grand casino, which were destroyed in a 1980 fire that killed 87 people. The resort is now Bally's. He also created smaller paintings and sculptures for the homes of Las Vegas' elite.

Circus Circus grew in the 1970s and '80s from a single property to a publicly traded casino corporation, changed its name to Mandalay Resorts, and was bought by MGM Mirage in March 2005.

"We removed four of the five statues out front because they were very old and had been painted over many times," said Yvette Monet, an MGM Mirage spokeswoman. "They had deteriorated to the point that the statues no longer represented what we thought was the great Montyne's original vision when he created them in the 1960s."

MGM Mirage was not aware at the time that the statues had been promised to Montyne's family, Monet said, adding that the company would offer the remaining clown statue to Lamont Sudbury.

Two of Sarno's daughters reacted differently to news of the statues' removal.

"They were cute," said Heidi Sarno Straus. "I used to sit in the gorilla's big hand when I was about 10."

Her sister, September Sarno, said, "My immediate thought is that over time every building that winds up remaining gets a face-lift. The hotel's present management is running a business, not a nostalgia factory, and the bottom line isn't just the main thing, it's the only thing."

The acrobat model whose image was hauled to the dump, China Montyne-Dushek, said the statues were an artistic asset that could have remained a business asset as well, especially had they been better maintained, or restored.

"People came from all over the world to look at those statues," she said.

"It really doesn't matter so much who created them," she added. "What matters is somebody tore down art. And they cavalierly tore down something that really mattered to the public."



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Elements of Garden Design

Award-winning garden designer Jon Carloffis discusses some of his finest projects, offers insights for landscaping your own home and signs copies of his recently released book, *First a Garden*. Reception is included. Free.

Martin Luther King Jr. Auditorium at the Santa Monica Library
601 Santa Monica Blvd.

architecture days

ARCHITECTURAL DIGEST

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Ukulele maker hopes to hit note with customers

BY STEWART YERTON

The Associated Press

HONOLULU — On a recent morning in their office at the foot of the Koolau mountains, Joseph Souza strummed an ukulele and sang in a Hawaiian falsetto while his wife, Kristen, danced a hula.

It was a timeless scene: a husband and wife performing together, as families in Hawaii have done for generations. But what made the tableau even more touching was the origin of the instrument Joe strummed.

The ukulele was a product of Kanilea Ukulele, a company the Souzas founded nearly a decade ago as a shoestring operation producing about eight instruments per month out of their home in Kaneohe.

Now, after years of steady growth based only on word-of-mouth advertising, the Souzas have taken the plunge, investing \$250,000 in a new factory that includes a \$30,000 laser engraving machine, an innovative finishing system and a robust team of seven artisans who are handcrafting approximately 200 instruments per month.

Although Kanilea's ukes are being shipped off as fast as they're being made, it is not simply market demands that motivate the Souzas. It's also a passion for Hawaiian music and the traditional stringed instrument.

Kanilea is hardly Hawaii's only ukulele maker, or even its only family-owned uke business. The storied Kamaka family, for instance, has been making ukuleles for 90 years and is still going strong, with the third generation of Kamakas stepping up to continue the family tradition. Still, the Souzas are determined to make their own mark as makers of fine instruments, and to create their own legacy for their three sons.

"We're positive that it will be successful," Kristen says of Kanilea's expansion, which the company plans to unveil to dealers and the public later this month. "Our goal is to be the best ukulele company in the world, and we're going to do it."

Kanilea's goals are particularly lofty given the company's origins. It all started around 1994, when Joe bought a \$150 drill press so he could start making instruments at home. At the time, Joe was working as a firefighter with the Honolulu Fire Department and apprenticing with his friend, Uncle Pete Bermudez, an accomplished uke maker.



BUSINESS BRIEFS

2007 E3 to be staged in Santa Monica

By Daily Press staff

SANTA MONICA — The Santa Monica Convention & Visitors Bureau announced this week that the city will play host to the new E3 Media and Business Summit, which will be held July 11-13, 2007. The new format will combine elements of the former trade show into a business event celebrating the video game industry's present and future, according to the Entertainment Software Association (ESA).

The event will be open to ESA members and non-members alike and is estimated to attract more than 3,000 people to Santa Monica's shops and hotels. Companies involved in console, PC, online and mobile game publishing and developing, as well as makers of video game hardware and peripherals will be eligible to participate. Attendance at all events, meetings and demonstrations will be by invitation only and transportation between venues will be provided to event participants.

"The new E3 event will be more personal, efficient and focused, and it will provide the top stakeholders who make games, sell games and cover games streamlined access to the people and products they most need to see," said Douglas Lowenstein, president of the ESA.

Misti Kerns, president and CEO of the SMCVB, said, "The collaboration among LA regional communities is critical in order to retain this business for the Los Angeles area. We are very pleased that E3 has chosen our beach city to host this unique event annually."

"The economic impact this corporate group can offer each year, is a win-win for all of us."

The centerpiece of the three-day event will be an opportunity for both ESA members and non-members to stage major press events, and to have small and more intimate meetings in premier hotel suites and meeting rooms with media, retailers, developer partners and other audiences. In addition, the nearby Barker Hangar at the Santa Monica Airport will be converted into a software showcase where attendees will be able to casually test drive the featured video games planned for the coming holiday season and beyond.

All of the hotels involved will be within easy walking distance of one another with shuttle service available to facilitate movement to nearly 20 hotels, the Santa Monica Civic Auditorium and Barker Hangar, as well as to major off-site press conferences. ESA expects that event bookings will be launched within the next 30 days.

Held in Los Angeles since 1995, the ESA is the U.S. association dedicated to serving the business and public affairs needs of the companies publishing interactive games for video game consoles, handheld devices, personal computers and the Internet.

Legend reborn

John Legend releases new CD, 'Once Again'

After the success of his Grammy-winning debut, "Get Lifted," JOHN LEGEND felt pressure to do another "great album" on his follow-up CD, "Once Again."

"I was hungry," the 27-year-old R&B singer-songwriter told AP radio in a recent interview. "I was excited, and I knew that no matter what I did on 'Get Lifted,' it wasn't going to get me a free pass on this album. I had to come back and make a great album again."

In "Once Again," released Tuesday, Legend's soulful grooves evoke an old-school

sound. Legend said he's listened to "a lot (of) different kinds of music" since recording 2004's "Get Lifted."

"And you'll hear those influences," he said. "I guess I'm kind of painting with some more colors in my palette this time than I had the first time."

Legend said he had read a quote from producer will.i.am, who worked with Legend on "Once Again," describing the approach as a mixture of "hunger, humility and fear."

"I don't know if he was

afraid, but I wasn't afraid," Legend said.

Legend won Grammys this year for best new artist, best R&B album for "Get Lifted" and best male R&B vocal performance for "Ordinary People."

ASSOCIATED PRESS

Judge: No album promos on house arrest

A rapper under house arrest can be photographed at his home but cannot give interviews to promote his latest album, says the judge supervising his case.

Interviews would violate a gag order imposed to keep pre-trial publicity to a minimum, State District Judge Martha Sassone told COREY MILLER, who used the stage name C-Murder before his arrest on a second-degree murder charge.

"I guess the music will have to speak for itself," she said. "Capitol Records will have to find another way to advertise it."

She has ordered Miller, 35, to stay at his house in Kenner until his trial, scheduled Feb. 26, on a charge accusing him of killing Steve Thomas, 16, on Jan. 12, 2002, at a now-closed club in Harvey.

Miller was convicted of second-degree murder but won a

new trial in March when the state Supreme Court affirmed Sassone's ruling that prosecutors withheld criminal background information on their witnesses from Miller's defense attorneys.

House arrest is a condition of Miller's \$500,000 bond.

Attorney Ron Rakosky asked Sassone on Monday for permission to promote the album, which he did not identify by title.

AP

Quincy Jones named Beijing '08 adviser

QUINCY JONES has joined Steven Spielberg and Ang Lee as an adviser on the opening and closing ceremonies for the 2008 Beijing Olympics.

The Grammy-winning composer-conductor was named culture and art consultant, his publicist, Arnold Robinson, said Monday.

Spielberg and Lee were previously announced as Beijing Olympic Committee advisers for the creation of the opening and closing ceremonies.

Jones, 73, will also compose an original song for the Beijing Games, Robinson said.

AP

HOSPITALIZED

ESTHER WILLIAMS is in the hospital for treatment of a minor infection and will stay there for the rest of the week, the actress' publicist said.

The nature of the infection was not disclosed. The actress, in her mid-80s, is expected to recover fully, spokesman Harlan Boll said Tuesday.

"She was just up in bed listening to her favorite music," Boll said. "She's doing fine."

Associated Press archives list Williams' birthday as Aug. 8, 1921. Boll said Tuesday that the actress was born Aug. 8, 1922.

Williams was a swimming champion who turned to acting.

AP



This Is No "Bull"

"If you're gonna play the game you're gonna need the energy"

Santa Monica Daily Press

MOVIEGUIDE

AERO THEATRE

1328 Montana Avenue
(310) 395-4990

Wednesday
Horror of Dracula, Brides of Dracula
7:30

Thursday
The Fearless Vampire Killers, Return of the Vampire
7:30

AMC LOEWS BROADWAY 4

1441 3rd Street
(310) 458-6232

Employee of the Month (PG-13)
4:45

The Grudge 2 (PG-13)
2:20, 4:45, 7:10, 9:45

The Guardian (PG-13)
4:30

The Illusionist (PG-13)
2:00, 7:30, 10:10

Open Season (PG)
2:10, 4:20, 7:00, 9:20

Texas Chainsaw Massacre: The Beginning (R)
2:15, 7:40, 10:00

AMC 7 SANTA MONICA

1310 3rd Street
(310) 289-4262

The Departed (R)
12:10, 1:50, 3:30, 5:00, 7:00, 8:20, 10:30

Flags of Our Fathers (R)
12:40, 2:20, 4:20, 5:30, 7:40, 8:35, 10:25

Flicka (PG)
12:30, 2:45, 5:20, 7:50, 10:10

Marie Antoinette (PG-13)
12:00, 1:40, 2:50, 4:30, 5:40, 7:30, 8:30, 10:40

LANDMARK NUWILSHIRE

1314 Wilshire Blvd
(310) 281-8228

The Last King of Scotland (R)
1:00, 4:00, 7:00, 9:55

The Science of Sleep (R)
1:45, 4:30, 7:15, 10:00

LAEMMLE'S MONICA FOURPLEX

1332 2nd Street
(310) 394-9741

Deliver Us From Evil (NR)
12:00, 2:30, 5:00, 7:30, 10:00

Little Children (R)
12:45, 3:45, 7:00, 10:00

Little Miss Sunshine (R)
12:10, 2:40, 5:10, 7:40, 10:10

Sleeping Dogs Lie (R)
12:00, 2:20, 4:50, 7:20, 9:50

MANN'S CRITERION THEATRE

1313 3rd Street
(310) 395-1599

Infamous (R)
1:00, 4:00, 7:10, 10:00

Jackass: Number Two (R)
12:40, 3:10, 5:30, 8:00, 10:40

Man of the Year (PG-13)
11:30am, 2:10, 4:50, 7:30, 10:20

The Marine (PG-13)
12:30, 3:00, 5:20, 7:50, 10:10

The Prestige (PG-13)
1:20, 4:20, 7:20, 10:30

Tim Burton's The Nightmare Before Christmas in Disney Digital 3D (PG)
12:00, 2:20, 4:40, 7:00, 9:20

More information email news@smdp.com

Janric Classic Sudoku

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

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

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GETTING STARTED

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

SOLUTIONS TO LAST PUZZLE

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

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Girls and Sports

By Justin Borus and Andrew Feinstein

lisa_la: i think we should stop seeing each other

marsh21: r u breaking up w/ me?

lisa_la: i just don't want an online boyfriend right now

marsh21: is there someone else? y or n?

lisa_la: ok. his name is car_guy77 ...

lisa_la: he's funny, romantic and a faster typer than u

The Meaning of Lila

By John Forgetta & L.A. Rose

I DON'T THINK MY PARENTS ARE HAPPY TOGETHER ANYMORE. ARE YOURS?

HMMM... WHEN THEY GO OUT TO EAT, THEY NEVER TALK TO EACH OTHER.

AND WHEN THEY'RE HOME TOGETHER, THEY ARGUE WITH EACH OTHER.

YEAH. I'D SAY THEY'RE PRETTY HAPPY.

The Other Coast

By Adrian Raeside

HUH! AND TO THINK THAT IF WE HAD BIG EARS AND HAD BEEN IN MOVIES, WE'D GET OUR OWN THEME PARK INSTEAD OF THIS...

DISNEYLAND VACATION

RAT POISON

Garfield

By Jim Davis

Distributed by Universal Press Syndicate

YEEEEES?

TAKE ME TO YOUR FRESHLY BAKED COOKIES

Dog eat Doug

By Brian Anderson

A BUNNY, HUH?

THE WEREWOLVES ARE GOING TO HAVE A FIELD DAY WITH YOU!

The Dinette Set by Julie Larson



Natural Selection

By Russ Wallace



Speed Bump

By Dave Coverly



CROSSWORD

By THOMAS JOSEPH

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- 1 Lariat
6 Buccaneers' base
11 Freshly
12 Truism
13 Confiscate
14 Clever
15 Bar stock
17 Collar
19 Wall climber
20 Deli choice
23 "The Lion in Winter" star
25 Singer Seeger
26 Golf tourney listing
28 Makeshift swing
29 Highland boy
30 Wrap up
31 Granola bit
32 Lamb lament
33 Hitchcock thriller
35 Parrot
38 A lot
41 Game setting
42 First name in swash-bucklers
43 Beeper's kin
44 Sorry to say

- 2 Period of history
3 Windsurfing need
4 Tag info
5 Length of some races
6 Light brown
7 Rotation line
8 Cambridge sch.
9 Lobster trap
10 One of the "Little Women"
16 Transparent page
17 "Blue Chips" star
18 Dined at home
20 Bed part
21 Parts of hearts
22 Greek sorceress
24 Verse of exaltation
25 Okra holder
27 Groups
31 Director's dream
33 Freshener

A	P	P	A	L		S	T	U	B
G	H	A	N	A		S	H	I	N
H	A	S	T	Y		P	U	T	I
A	R	T	S		O	R	N	A	T
S	A	D		A	L	A		N	E
T	O	U	R	N	E	Y	S		
	H	E	A	D		E	U	R	O
		J	O	U	R	N	E	Y	S
S	P	A		R	R	S		T	S
A	U	B	U	R	N		T	I	T
G	R	A	T	A		C	A	R	E
E	S	S	E	N		A	L	E	R
S	E	E	S			M	E	S	S

Yesterday's answer

- 18 Dined at home
20 Bed part
21 Parts of hearts
22 Greek sorceress
24 Verse of exaltation
25 Okra holder
27 Groups
31 Director's dream
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34 Olympus figure
35 Guide-book feature
36 Nest-egg acct.
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13						14				
		15			16					
17	18			19				20	21	22
23			24				25			
26						27				
28					29					
30				31				32		
			33				34			
35	36	37				38			39	40
41						42				
43						44				

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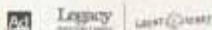


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OLD GUITARS WANTED! Fender, Gibson, Gretsch, Martin, D'Angelico, Stromberg, Rickenbacker, and Mosrite. 1930's thru 1960's. Top cash paid! 1-800-401-0440

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BRENTWOOD \$1195 1bdrm/1bath, Pool, upper, spacious, carpet, blinds, stove, & dishwasher. laundry, D/W, stove, pool, water paid, trash removal paid . See pictures and Tour online We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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

MAR VISTA/ Culver City Adj. \$1900 2 Bdrms, 2 Baths. "Twnhs-Apt." Stove, refrigerator, dishwasher, parking, No pets, 12048 Culver Blvd #202. Open Daily for Viewing 9am-7pm, Additional info in unit. Mgr. #101

For Rent

BRENTWOOD APARTMENT \$875/mo studio/bath Pet OK, Spacious Studio.Laundry. Fridge, stove, D/W, patio, high ceiling and modern kitchen area, water/trash removal paid . We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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SANTA MONICA

1449 Princeton, \$1595 Upper 2 bed, dishwasher, stove & fridge, street parking only

WESTSIDE

3834 Huron, Culver City, \$1350 Upper 2 bed, 1 bath, gas stove, Freshly painted, near transportation

1723 Barrington, West LA, \$1800 Upper 2 bed, 1¾ bath, new carpet, New kitchen floor, DW, large balcony

5011 Sawtelle, Culver City, \$2100 Upper 3 bed, 2 bath, fridge & stove, one parking, laundry rm

1692 Manning, Westwood, \$2150 Lower 2 bed, 2 bath, hardwood floors, New kitchen counter & floor tile

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2bdrm/1bath \$2200/mo 2103 Oak Unit C Refurbished.

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W.L.A \$995/MO 1bdrm/1bath apartment. pool, laundry, quiet neighborhood, stove, low deposit OAC, courtyard view, parking available, central a/c, hardwood floors, large closets, water /trash removal We have others From \$600.00 Visit Our Website \$10.00 Discount Code SMDP2006 www.apartmenthunterz.com 310-276-0881

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2bdrms/1bath, Ask about lease terms, laundry on site, quiet neighborhood (3 1 0) 3 9 5 - R E N T www.westsiderentals.com

SANTA MONICA \$1700/mo
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SANTA MONICA \$2300/mo 12th St. near Colorado, 3bdrm, 1.5 baths townhouse. Spacious, ample closets, balcony, large closed garage. Stove, refrigerator, dishwasher, attractive garden courtyard property, no pets (310) 828-4481

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SANTA MONICA \$3000/mo
3bdrms/2baths dishwasher. controlled access building, fireplace, washer/dryer, near the promenade/beach, (310)395-RENT www.westsiderentals.com

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W.L.A \$1900/MO 3bdrm/2bath: Pet OK, Upper, plush carpeting, Located in a smaller, quiet, nicely landscaped building close to Wilshire Blvd , parking water/trash paid . We have others. \$10.00 Coupon SMDP2006 www.apartmenthunterz.com 310-276-0881

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SUMMONS
Case No. SC 091036

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES WEST
DISTRICT
UNLIMITED JURISDICTION

ACTION APARTMENT ASSOCIATION, a nonprofit corporation,
Plaintiff and Petitioner

v.

CITY OF SANTA MONICA, CITY COUNCIL OF THE CITY OF SANTA MONICA, COUNCIL MEMBERS ROBERT T. HOLBROOK (MAYOR), BOBBY SHRIVER (MAYOR PRO TEMPORE), PAM O'CONNOR, KEVIN MCKEOWN, HERB KATZ, RICHARD BLOOM, AND KEN GENSER, in their official capacities, and ALL PERSONS INTERESTED IN THE VALIDITY OF ORDINANCE NO. 2191 AMENDING MUNICIPAL CODE SECTIONS 9.56.050 AND 9.56.060
Defendants and Respondents.

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NO LATER THAN NOVEMBER 13, WHICH IS TEN (10) DAYS OR MORE AFTER COMPLETION OF THE PUBLICATION OF THIS SUMMONS. READ THE INFORMATION BELOW.

¡AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE DECIDIR CONTRA USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO MAS TARDE QUE EL DIA TRECE DE NOVIEMBRE, QUE SON DIEZ (10) DIAS O MAS DESPUES DE TERMINACION DE PUBLICACION DE ESTA CITACION JUDICIAL. LEA LA INFORMACION QUE SIGUE.

TO ALL PERSONS INTERESTED IN THE MATTER OF THE VALIDITY OF CITY OF SANTA MONICA ORDINANCE NO. 2191 THAT WOULD REQUIRE DEVELOPERS OF MULTI-FAMILY RESIDENTIAL HOUSING TO CONSTRUCT AND SUBSIDIZE HOUSING FOR LOW AND MODERATE INCOME PERSONS, AND TO THE CITY OF SANTA MONICA, THE CITY COUNCIL OF THE CITY OF SANTA MONICA, COUNCIL MEMBERS ROBERT T. HOLBROOK (MAYOR), BOBBY SHRIVER (MAYOR PROTEMPORE), PAM O'CONNOR, KEVIN MCKEOWN, HERB KATZ, RICHARD BLOOM, AND KEN GENSER:

Plaintiff has filed a civil complaint against you. (Los Angeles Superior Court, No. SC091036.) Persons other than the City, its City Council, and Councilmembers named above may contest the validity of the above matters by appearing and filing with the Court a written responsive pleading to the complaint not later than November 13, 2006, which is ten (10) days or more after the completion of the publication of this summons. Your pleading must be in the form required by the California Rules of Court. Your original pleading must be filed with this Court with proper filing fees and proof that a copy hereof was served on Plaintiff's attorney. Unless you so respond, your default will be entered upon Plaintiff's application, and the Plaintiff may apply to the Court for the relief demanded in the complaint. Persons who contest the validity of the matters described below and in the complaint will not be subject to punitive action, such as wage garnishment or seizure of their real or personal property.

///
DETAILED SUMMARY OF THE MATTER THAT PLAINTIFF SEEKS TO VALIDATE:
This action seeks the invalidation of Santa Monica City Ordinance No. 2191 pursuant to Code of Civil Procedure Section 863, because of alleged violations of federal and state constitutions and statutory law. On June 13, 2006, the City adopted Ordinance 2191 which amended Municipal Code sections 9.56.020, 9.56.030, 9.56.040, 9.56.050, 9.56.060, and 9.56.070. Ordinance 2191 modifies the options for meeting affordable housing requirements to require the onsite or offsite development of affordable housing units in conjunction with multi-family ownership housing development in multi-family residential districts. The Complaint alleges that the requirements of Ordinance 2191 mandate that owners transfer ownership of the required affordable unit(s) to third persons for the benefit of the City's housing policies.

Plaintiff, a nonprofit corporation and association of owners of developed and undeveloped land, including land in Santa Monica, filed this validation action to obtain a judicial declaration of the validity of the matters alleged in the Plaintiff's complaint and described

Notices

herein. In this action, the Plaintiff seeks a declaration from the Court that, among other things, Ordinance 2191 is violative of the Mitigation Fee Act, because of one or more of the following constitutional and statutory provisions:

1. The Takings Clause to the Fifth Amendment of the United States Constitution as incorporated by the Fourteenth Amendment to the United States Constitution.
2. The Takings Clause of Article I, section 19, of the California Constitution.
3. The Due Process Clause of the United States Constitution.
4. The Due Process Clause of the California Constitution.
5. Government Code sections 66000 through 66022.
6. Government Code sections 65583 and 65585.

Plaintiff acknowledges that City of Santa Monica disagrees with the allegations in Plaintiff's complaint, and that the City reserves its claim that the Complaint fails to state a claim.

YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY SHOULD BE CONSULTED PROMPTLY SO THAT YOUR PLEADING MAY BE FILED OR ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

SI USTED DESEA SOLICITAR EL CONSEJO DE UN ABOGADO EN ESTE ASUNTO, DEBERIA HACERLO INMEDIATAMENTE. TAL ABOGADO DEBERIA SER CONSULTADO PRONTO PARA QUE SU RESPUESTA ESCRITA PUEDA SER REGISTRADA DENTRO DEL TIEMPO REQUERIDO POR ESTA CITACION JUDICIAL.

The name and address of the Court is (El nombre y la direccion del Tribunal es):
Superior Court of the State of California
County of Los Angeles
1725 Main Street,
Santa Monica, CA 90401

The names and addresses of Plaintiff's attorneys are (los nombres y la direccion de los abogados del demandante son):
James S. Burling
Damien M. Schiff
Pacific Legal Foundation
3900 Lennane Drive, Suite 200
Sacramento, CA 95834

Rosario Perry
312 Pico Boulevard
Santa Monica, CA 90405

Dated: Oct 17, 2006
Clerk: B. Rodriguez
Santa Monica Daily Press to Publish
10/19/2006, 10/26/2006, 11/2/2006

Notice

Pursuant To California Self-Storage Facility Act (B & P Code 21700 ET SEQ) the Undersigned Will Sell At Public Auction. On The Below Listed Day, Time, And Location. Notice Of Public Sale of Personal Property: The Personal Property including, but not limited To Listed Items Stored by the Following Persons or Businesses:
On the 2nd Day of November 2006 at 10:30 AM at AA Olympic/Centinelia SS 3250 Olympic Blvd. Santa Monica, CA. 90404 (310) 829-2525

Unit #
810 - Abraham McCarver - doctor bed
2451 - Brett Allen - refrigerator, boxes, mattress, lamp
2309 - Paul Medina - boxes, clothes
2346 - Dustin Hempstead - vacuum, boxes, boxes, chair, fan, TV stand, ironing board, speakers
2615 - Joseph Adamski - bike, boxes, vacuum, bags, stereo
1010 - Ray Motamedy - plastic containers, blankets, movies
2408 - Joann Burns Waldron - boxes, bags, lamp
2624 - Mary Bishop - desk, DVD player, boxes, copier
705 - Jeff Petrus-Lee Entitlements - boxes, attn signs

AUCTIONEER: K.E. AUCTION SERVICE 12127 Mall Blvd. Suite A-178 Victorville, CA. 92392 (760) 780-0145
CA. BOND # K050-67-19-4 K.E. Auction Service fax 760-596-0306
Santa Monica Daily Press
CN763972 11-02-06 Oct 19, 26, 2006

NOTICE OF PETITION TO ADMINISTER ESTATE OF MERLE JOHNSON aka TROY DONAHUE

Case No. BP101192
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of MERLE JOHNSON aka TROY DONAHUE
A PETITION FOR PROBATE has been filed by Eve O'Neill

Automotive SELL YOUR PRE-OWNED VEHICLE. The only directory for used vehicles in and around Santa Monica.

Santa Monica Daily Press

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in the Superior Court of California, County of LOS ANGELES.

THE PETITION FOR PRO-BATE requests that Eve O'Neill be appointed as personal representa-tive to administer the es-tate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administra-tion of Estates Act. (This authority will allow the personal repre-senta-tive to take many actions without obtaining court approval. Before taking certain very important ac-tions, however, the personal repre-sentative will be required to give notice to interested persons unless they have waived notice or con-sented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the peti-tion and shows good cause why the court should not grant the authority.

A HEARING on the peti-tion will be held on Nov. 21, 2006 at 8:30 AM in Dept. No. 5 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the grant-ing of the petition, you should ap-pear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDI-TOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a per-son interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and ap-praisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:
ALEX R BORDEN ESQ
SBN180301
BORDEN LAW OFFICE
1518 CRENSHAW BLVD
TORRANCE CA 90501-2435
Santa Monica Daily Press
CN763240 JOHNSON Oct 26,27, Nov 2, 2006

Escrow No. 120534
NOTICE TO CREDITORS OF BULK
SALE AND OF INTENTION TO
TRANSFER LIQUOR LICENSE(S)
(Secs. 6101-6107 U.C.C.)

Notice is hereby given that a bulk sale of assets and a transfer of liquor license(s) is about to be made.

The name(s), Social Security (or) Federal Tax Number, and mailing address, and Zip Code Number, of the Seller/transferor(s) are: EUROPEAN RESTAURANT INC., 3110 Main St., Santa Monica, CA 90405

dba: SCHATZI ON MAIN

The name(s), Social Security (or) Federal Tax Number, and mailing address, and Zip Code Number, of the Buyer/transferee(s) are: NUOVA ROMA INC., 232 Grand Blvd., Venice, CA 90291

That the assets to be transferred are described in general as materials, supplies, merchandise, equipment, (or) furniture, fixtures, equipment, kitchen supplies, entertainment, events and catering licenses, leasehold interest, other personal property, liquor inventory and are located at: 3110 Main St., Santa Monica, CA 90405

together with the following de-scribed alcoholic beverage license(s): ON-SALE GENERAL - EATING PLACE LICENSE NO. 47-418871

now issued for said premises lo-cated at (same address).

That the total consideration for the transfer of said assets and of said license(s) is the sum of \$500,000.00, including inventory estimated at \$12,000.00, which consists of the following:

Checks - \$15,000.00
Demand Note - \$485,000.00

That it has been agreed between said transferee(s) and said transferor(s) that consideration for the transfer of said assets and of said license(s) is to be paid only after transfer has been approved by Department of Alcoholic Beverage Control, pursuant to Sec. 24073 et seq.

That the herein described trans-fers are to be consummated, subject to the above provisions, at WILSHIRE ESCROW COMPANY, 4270 Wilshire Blvd., Los Angeles, California 90010, on or after 10:00 A.M., November 22, 2006

All other business names and ad-dresses used by the transferor(s) within three years last past, so far as known to transferee(s),

Notices

are (If "none", so state.) None.

Name and address of escrow holder: WILSHIRE ESCROW COMPANY, 4270 Wil-shire Blvd., Los Angeles, California 90010.

Dated: October 20, 2006

EUROPEAN RESTAURANT INC., Transferor(s)
NUOVA ROMA INC., Transferee(s)

Santa Monica Daily Press
CN763559 120534 Oct 26, 2006

NOTICE OF SUBSEQUENT PETITION TO ADMINISTER ES-TATE OF:
ARAM J. DERYV AKA MAX DERYV AKA ARAM JOHANNES DERYV
CASE NO. BP100477

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the WILL or estate, or both of ARAM J. DERYV AKA MAX DERYV AKA ARAM JOHANNES DERYV.

A SUBSEQUENT PETITION FOR PROBATE has been filed by JOHN WELSH ROBINSON, THOMAS GOUNTOUMAS AND ATHANASIOS GOUNTOUMAS in the Superior Court of California, County of LOS ANGELES.

THE SUBSEQUENT PETITION FOR PROBATE requests that JOHN WELSH ROBINSON, THOMAS GOUNTOUMAS AND ATHANASIOS GOUNTOUMAS be appointed as per-sonal representative to administer the estate of the decedent. THE SUBSEQUENT PETITION re-quests the decedent's WILL and codicils, if any, be admitted to pro-bate. The WILL and any codicils are available for examination in the file kept by the court.

A HEARING on the petition will be held on 11/14/06 at 8:30AM in Dept. 11 located at 111 N. HILL ST., LOS ANGELES, CA 90012

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your ap-pearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a con-tingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal repre-sentative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person inter-ested in the estate, you may file with the court a Request for Special No-tice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code Section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner
RASMUSSEN, NORMAN
11 GOLDEN SHORE DR., #430
LONG BEACH, CA 90802
10/19, 10/20, 10/26/06
CNS-1035318#
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Vehicles for sale



'04 Mercedes-Benz C230K Sport
\$19,988
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Vehicles for sale



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Toyota Santa Monica
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Moonroof, Loaded
Vin: 6H505909
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Vehicles for sale



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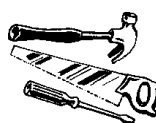
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