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WEDNESDAY, NOVEMBER 9, 2011
Volume 10 Issue 308

Santa Monica Daily Press

ACTIVISION.

ACTIVISION DOING WELL
SEE PAGE 3

We have you covered

THE PHASE TWO ISSUE

Nurses say Saint John's stalling contract negotiations

BY KEVIN HERRERA
Editor in Chief

MID-CITY Nurses at Saint John's Health Center said Tuesday that administrators there are purposefully delaying contract negotiations so the union formed by nurses in May can be decertified.

If a labor contract is not finalized by May of next year, those opposed to a union

SEE SAINT JOHN'S PAGE 11

Schools prepared to dodge bullet on budget cuts … for time being

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

SMMUSD HDQTRS The Santa Monica-Malibu Unified School District will dodge a bullet if the state is forced to pull the trigger on a round of hefty cuts to public education, but the district can't keep it up for long.

That was the message delivered by district Chief Financial Officer Jan Maez to the Board of Education last Thursday, as she described another $3.2 million in cuts that seem likely to take place by Jan. 1, 2012.

The extra money is the district's share of roughly $4 billion in additional funding that analysts predicted would land in state coffers in fiscal year 2011-12, Maez said.

Should that money fail to materialize, the legislature built in pre-approved cuts that get "triggered" at different levels.

Cuts to K-12 education will only happen if the state falls short by more than $2 bil-

SEE SCHOOLS PAGE 12



Daniel Archuleta *daniela@smdp.com*

HOME UPON THE WATER: **City officials are contemplating a change in the way the historic Santa Monica Pier is managed.**

City Hall considers changing how SM Pier is managed

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

SM PIER City staff is expected to present its recommendations to make significant changes to the management of the Santa Monica Pier and structure of the non-profit organization that helps run it at the Pier Restoration Corporation's meeting Thursday.

Officials hope that the proposed reorganization will make Santa Monica's iconic tourist destination self-sufficient and run more smoothly, said City Manager Rod Gould.

"Without a doubt, it's one of the city's most important, beloved assets. The impetus for the study and the recommendations were to study how to take better care of the pier, and maximize its potential to take better care of the community," Gould said.

The recommendations represent a major overhaul, including cutting the number of positions on the PRC board and allowing the Convention and Visitors Bureau, Chamber of Commerce and Pier Lessees Association to fill three of the remaining seven seats.

The other four would be appointed by the City Council.

Staff also recommends creating an on-site Pier Management Office to handle the day-to-day operations of the pier, including custodial cleanup, tenant relations, parking, financial oversight of the Pier Fund, leasing and capital improvements.

That management office would work in tandem with the PRC, which staff proposes to rename.

The name Pier Restoration Corporation is a holdover from a 15-member body formed in 1981 to help rebuild the pier's physical and economic infrastructure after it was destroyed by a storm.

Times have changed, Gould said.

"We're no longer in the business of restoring the pier," Gould said. "Now we need to be better stewards of the pier."

SEE PIER PAGE 9


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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Wednesday, Nov. 9, 2011

Staying safe
Main Library
601 Santa Monica Blvd.,
3:30 p.m.
The award-winning author of the new book, "What Does It Mean to Be Safe?," Rana DiOrio, presents a program for children ages 4 and up and their parents and caregivers in support of Child Safety & Protection Month. Learn life-skills to assist children in real-life situations. A local police officer will also present information and materials and answer questions.
For more information, call (310) 456-8621.

Seniors, heal thy selves
Senior Center
1450 Ocean Ave., 12:30 p.m.
Maria Loscin once taught about reducing waste and recycling. Now, she teaches how we can stay healthy and heal ourselves with the food we eat. Maria blends diet with acupuncture in fun lectures that encourage audience participation. Cost: free for Senior Center members.
For more information, call (310) 458-8644.

Protect yourself
Santa Monica Public Library
601 Santa Monica Blvd.,
3:45 p.m.
Author Rana DiOrio, who authored the picture book "What Does It Mean to be Safe?", talks to children about physical, emotional, social and cyber safety. The event is open to kids ages 4-8 and their parents and caregivers.
For more information, call (310) 458-8600.

Thursday, Nov. 10, 2011

Preparing for a shift
SMC Bundy Campus
3171 S. Bundy Dr.,
7 p.m. —9 p.m.
A "dramatic" shift in responsibilities from the state to counties and local governments is the subject of Santa Monica College's Public Policy Institute's public forum Thursday, November 10. "REALIGNMENT: It's Not Just for Chiropractors Any More" will explore how the shift will affect everything from low level prisoners and probation to allocation of health and human services dollars. For questions, call (310) 434-3429.

Sing it loud
Santa Monica Family YMCA
1332 Sixth St., 12 p.m.
Sing along with pianist Shirley Blanco in the DeWind Room. Songs from the '50s and '60s will be featured. There may even be a few holiday songs tossed in. For more information, call (310) 393-2721 ext. 129.

To create your own listing, log on to smdp.com/submitevent

For help, contact Daniel Archuleta at 310-458-7737 or submit to editor@smdp.com

For more information on any of the events listed, log on to smdp.com/communitylistings



COMMUNITY BRIEFS

SMMUSD HDQTRS

Hiring locals

In support of City Hall's "Buy Local, Hire Local" campaign, the Santa Monica-Malibu Unified School District's facility improvement team, in collaboration with Santa Monica College and City Hall, will be hosting a networking event today to talk about opportunities to bid on construction projects, including those under the school district's $356 million facility improvement program.

The event will take place from 5 p.m. to 7 p.m. at the Lincoln Middle School Auditorium. The goal of the event is to attract qualified individuals and businesses, increase awareness and participation in the "Hire Local, Buy Local" program and to provide networking opportunities for school and public procurement.

The school district's multi-million dollar program requires a large combination of qualified contractors and professionals.

The school board has adopted a 15 percent business outreach participation goal for its "Hire Local" program. District officials said so far the Measure BB construction program is exceeding that standard by 2 percent.

KEVIN HERRERA

SM PIER

Record low temp set

A record low temperature of 48 degrees was set at the Santa Monica Pier Monday, according to the National Weather Service.

That breaks the old record of 49 degrees set in 1975.

A record low was also set in Long Beach – 44 degrees at the Long Beach Airport. The old record of 49 degrees was set in 1975.

KH

West Hollywood officials move toward fur ban

ASSOCIATED PRESS

WEST HOLLYWOOD West Hollywood is moving toward becoming the first U.S. city to ban the sale of fur.

The City Council on Monday gave first approval to a modified version of a sales ban on clothing made from the skin or pelt of animals with hair, wool or fur.

The modified version permits the sale of used clothing privately, by retailers including pawn shops and by nonprofits such as thrift shops.

A final vote could come on Nov. 21 but the city also wants to study the potential impact of a ban and the ordinance wouldn't take effect until 2013.

West Hollywood has long been known for its animal-friendly laws. It bans declawing of cats and pets are formally recognized as "companions" while their owners are "guardians."

YOUR OPINION MATTERS! SEND YOUR LETTERS TO Santa Monica Daily Press • Attn. Editor: • 1640 5th Street, Suite 218 • Santa Monica, CA 90401 • **editor@smdp.com**

Activision announces strong third quarter

BARBARA ORTUTAY
AP Technology Writer

NEW YORK Santa Monica-based Activision Blizzard Inc. reported strong results for the latest quarter and raised its outlook for the full year on Tuesday as it began selling its latest "Call of Duty" game ahead of the holidays.

Long lines formed outside retail stores to buy "Call of Duty: Modern Warfare 3," which went on sale at midnight Monday. The game is expected to break industry records set by its predecessor a year ago for metrics such as first-day sales and overall dollar sales. Last year's "Call of Duty: Black Ops" sold more than 25 million copies.

Investors, though, seemed to focus on Activision's other big game, "World of Warcraft," as the company's stock fell after the results came out. That's because the game ended the quarter with 10.3 million active subscribers, down from 11.1 million from the previous quarter.

Wedbush analyst Michael Pachter said the 7 percent drop "freaked people out."

Activision gets much of its revenue and profit from "Call of Duty" and "World of Warcraft," Pachter said, so "if either is threatened, it makes people wonder about future profit growth."

The company hasn't given day-one sales figures for "Call of Duty: Modern Warfare 3," though it said pre-launch orders shattered prior records. The game's predecessor earned more than $1 billion in sales.

Blockbuster disc sales aside, Activision is also focusing on the game's long-term future — its online components that let people download add-on chapters, challenge other players online and keep playing long after the game's initial story ends.

On Tuesday, the company officially launched "Call of Duty: Elite," an online service for the game that's part social network and part organized sports with competitions, stats and a slew of other offerings.

CEO Bobby Kotick said the company is trying to deliver game content more regularly — like TV. This gets players treating games as a service they return to week after week, month after month, rather than a box they buy around Christmas and play for a few hours until they are done.

Activision earned $148 million, or 13 cents per share, in the July-September period. That's up from $51 million, or 4 cents per share, a year earlier.

Revenue rose 1 percent to $754 million from $745 million.

Adjusted earnings were $87 million, or 7 cents per share, in the latest quarter — above the 2 cents per share that analysts polled by FactSet were expecting. Adjusted revenue was $627 million, above analysts' expectations of $565 million.

These figures exclude special items and account for the effects of deferring revenue and the related cost of sales for games with online components. Like other video game companies, Activision spreads these out over time, while the

SEE **ACTIVISION** PAGE 12



BONK!

Morgan Genser *news@smdp.com*

SMC's Olivia Patterson heads the ball against Citrus College on Tuesday at Santa Monica College. SMC won 2-0.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

A big thanks to Santa Monica

Editor:

This letter is to express my appreciation to some dozen Santa Monicans who greatly helped me on Oct. 28. Having rented Segways earlier in the day, we were just starting to return to Segway L.A. when my wheel hit sand and I went flying.

As I picked myself out of the sand, a dozen or so people gathered to ask if I was hurt and offered help. Being from the East Coast, I was really positively impressed! That sort of thing only might happen in some areas of where I live.

The thing that made the incident really impressive was that nearly all the people gathered around to help me find the Segway hand-compass-sized control module that had become detached and buried in the sand. Thanks to the wonderful young lady who found that it had flown some 10 feet from my crash. It saved me the $250 module loss fee! Thank you, young lady, and thank you, Santa Monica!

Steve Bennett
Springfield, Va.

Say no to soda

Editor:

Re: "Is diet soda unhealthy?" Earth Talk, Nov. 7. The answer is yes. In a study reported in 1986 in the medical journal, The Lancet, aspartame was found to suppress brain serotonin, the feel-good hormone that is stimulated by antidepressants such as Prozac. Unfortunately, that study never saw the light of day in this country and was never repeated.

Aspartame and other sugar substitutes do not benefit weight loss programs because one cannot fool the brain. Without the sugar high, one tends to eat more with the sugar substitute. Limiting sugar is important in controlling weight and in maintaining health. Staying away from artificial sweeteners is just as important. A balanced diet with adequate protein and healthy fat (e.g., omega-3) control appetite best. Exercise stimulates endorphin, another feel-good hormone.

Dr. Jerome P. Helman
Venice, Calif.





Your column here

Elan Glasser — **Send comments to editor@smdp.com**

Planning Commission missed an opportunity

THE SANTA MONICA PLANNING Commission recently denied the proposed Walgreens store on the corner of Lincoln and Pico boulevards. The developer spent over three years with his application at City Hall, making numerous changes to accommodate various city requirements, neighbors' concerns and Planning Commission suggestions. These changes were praised by several planning commissioners at their recent hearing, as was the developer's willingness to cooperate over several years, in making the project a better fit to Santa Monica's regulations and preferences. Even so, the commissioners denied the project.

The commissioners' main objections were the lack of a housing component on the site and the proposed surface parking on the south end of the property (away from the busy Lincoln/Pico corner). Over 30 parking spaces are required by the city for such a retail project, and the developer explored putting in underground parking, however, the narrowness of the lot would allow only about half as many underground spaces, when a ramp and egress are factored in. In other words, the parking spaces — required by the city — could only be accomplished at street level. If, as several commissioners preferred, housing were added, even more parking would be required on the site, therefore a mixed-use housing/retail project seems virtually impossible at that particular site within current parking and zoning requirements, no matter how desirable mixed-use might be.

Pico and Lincoln is a blighted corner, badly in need of a facelift, which has long been pedestrian-unfriendly. Having a nice new retail store with a pedestrian entrance on the corner would be a huge improvement to this busy intersection. Furthermore, the proposed drug store is a neighborhood-serving retail use, and is the kind of thing that is needed in a residential area where currently the nearest drug store is well out of reasonable walking distance. Many Santa Monica neighborhoods already have drug stores within walking distance. This one does not. Yes, it's a chain, but this is not a high-end designer boutique; this is exactly the kind of neighborhood-serving retail use that the city of Santa Monica has been and should be encouraging.

The required traffic study cited possible additional traffic from customers driving to the new Walgreens. However, the study does not take into account that hundreds of residents within a couple of blocks of the proposed store will no longer need to drive to the nearest drug store, and the proposed Walgreens therefore may well reduce the number of overall car trips in the area by allowing people to walk, and not drive, to a drug store for basics.

Some planning commissioners implied that the owner and/or developer wait until the city revises its zoning ordinance for the area. Unless the city formally enacts an interim development moratorium, this is a truly strange notion. The application was made three years ago. Developers can only work within the existing rules. This one did, and now the Planning Commission, apparently unhappy with the existing zoning, denied an application since it doesn't comply with the commission's vision of future zoning. At present, given the parking requirements, it is very difficult to imagine a mixed-use retail/residential project being approved at this site. Commissioners need to make decisions based on the current zoning rules, not on ones they'd like to see in the ideal. This is a basic issue of fairness. Lay out the rules and decide accordingly. A shifting target is not a reasonable situation in which to place applicants.

IN DENYING A GOOD PROJECT, HOWEVER, THEY MAY WELL INSURE THAT NO OWNER OR DEVELOPER WILL BRING THIS PARCEL UP FOR REDEVELOPMENT FOR YEARS OR DECADES TO COME. THIS IS A SQUANDERED OPPORTUNITY TO SEE NEW DEVELOPMENT AT THIS CORNER.

The Planning Commission seemed to hope that a new proposal would come along in the future that better suits the city's long-term vision. In denying a good project, however, they may well insure that no owner or developer will bring this parcel up for redevelopment for years or decades to come. This is a squandered opportunity to see new development at this corner.

Some developments are clearly bad for our city, but this one is a relatively small project that helps transform an ugly corner. A good-faith effort was made by the developer, with the required parking spaces at street level (the only viable option at the site), but it was still denied, not because the project didn't conform to zoning and parking requirements, but seemingly in part because it did!

Hopefully the City Council will have the wisdom to overturn the Planning Commission's decision should it come before them on appeal.

ELAN GLASSER is a longtime Ocean Park resident and former board member of the Ocean Park Community Organization. He lives near the proposed Walgreens store.

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The Taxman

Jon Coupal
Send comments to editor@smdp.com

High-speed rail backers pulling a fast one

IMAGINE YOU SEE AN AD IN THE newspaper for a very fast, shiny new sports car at a low, low price. Tempted, you grab your wallet and rush to the dealership where you agree to buy this dream car. But as soon as you sign the contract, the sales manager locks the doors and tells you the cost is three times higher than the advertised price and you will not be allowed to leave until you agree to pay. Not only would you feel cheated, you would also be the victim of fraud, robbery, false imprisonment and probably a few more felonies. Well, this is exactly what is happening to California taxpayers, except it's not a sports car we're being forced to buy, but a fast train.

In 2008, voters narrowly approved a $10 billion down payment on the construction of a high-speed rail network between the Bay Area and Los Angeles that promoters said would cost a total of $33.6 billion. A year later, the High Speed Rail Authority, overseeing the project, said the train would actually cost $42.6 billion. No problem — hey, what's another $9 billion between friends? Now, they're reporting it will cost $98.5 billion, three times the original estimate. What's worse is they're saying, because we agreed to buy the train at $33.6 billion, we're obligated to pay the entire $98.5 billion. To put this in perspective, California's entire 2010-2011 General Fund budget was about $91.5 billion or $7 billion cheaper than the train.

Prior to the 2008 vote, the Reason Foundation and the Howard Jarvis Taxpayers Foundation sponsored "A Due Diligence Study" of the HSR plan which found the high-speed train would cost much more than promised, possibly as much as $100 billion or even more. One of the study's authors, Joseph Vranich, who is also one of our nation's top authorities on high-speed rail, also warned the project would be a boondoggle. In fact, he testified before the California State Senate Transportation and Housing Committee that the project was so poorly planned that it was the first high-speed rail proposal he would be unable to support.

More recent studies by the University of California and Legislative Analyst's Office have cast further doubts on the feasibility of the fast choo-choo. The Legislative Analyst's Office found not just that the costs were understated, but also found fault with the High Speed Rail Authority's structure and its management by consultants and appointees who are not even required to have relevant expertise.

The fact that the authority management has no clue what they are doing shows. But while they have admitted they drastically underestimated construction costs, they still promise the train will turn a profit and — try not to laugh too hard — they even promise the train will create over 1 million permanent jobs just by putting a fast train between Los Angeles and San Francisco.

However, the Reason/Jarvis study that accurately predicted construction costs to be understated also found ridership predictions wildly overstated. High-speed rail backers cheerily prognosticated the train would eventually make lots of money by estimating a ridership intensity (a measure of demand for rail service) that is 30 times higher than the high-speed Acela Express, which links business centers in the dense Northeastern corridor. They even estimated higher ridership intensity than in Japan and Europe.

If construction does begin, the most optimistic result will be a stretch of track running from Bakersfield to Fresno, if it even gets that far. High speed rail boosters still think private investors are going to want to pour billions into their poorly-planned project, but most investors are not in the habit of flushing their money down the drain. On top of that, there are still expensive right-of-way issues to be resolved.

Many years ago voters in Los Angeles were promised a "subway to the sea" that would stretch to the ocean at one end and across the San Fernando Valley on the other, in return for a sales tax increase. After several decades, and still no subway to the sea, voters were told that this time officials were serious; they really would build that line to the beach, if voters would just agree to another sales tax increase. Sound familiar? That's right California taxpayers, you can have a shiny new train if you are willing to commit to paying three times the advertised price. The HSR project, which has yet to break ground, is rapidly moving from bad public policy to outright rip-off. And if the past is any indication, if given a month or two, the Rail Authority will come up with new cost estimates that will make the $98.6 billion look like a pittance.

JON COUPAL is president of the Howard Jarvis Taxpayers Association, California's largest grass-roots taxpayer organization dedicated to the protection of Proposition 13 and the advancement of taxpayers' rights.



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The Q Line

Shop around

The City Council last week endorsed a plan to create a more sustainable local economy. One issue is the lack of more affordable shopping options; "something between a 99 Cents Store and Bloomingdale's."

So, this week's Q-Line question asks:
Do you feel you can satisfy all of your shopping needs in Santa Monica, or do you have to go outside the city for certain goods? If so, what stores or price points would you like to see?

Contact **qline@smdp.com** before **Friday at 5 p.m.** and we'll print your answers in the weekend edition of the Daily Press. You can also call **(310) 458-7737 ext. 107**.





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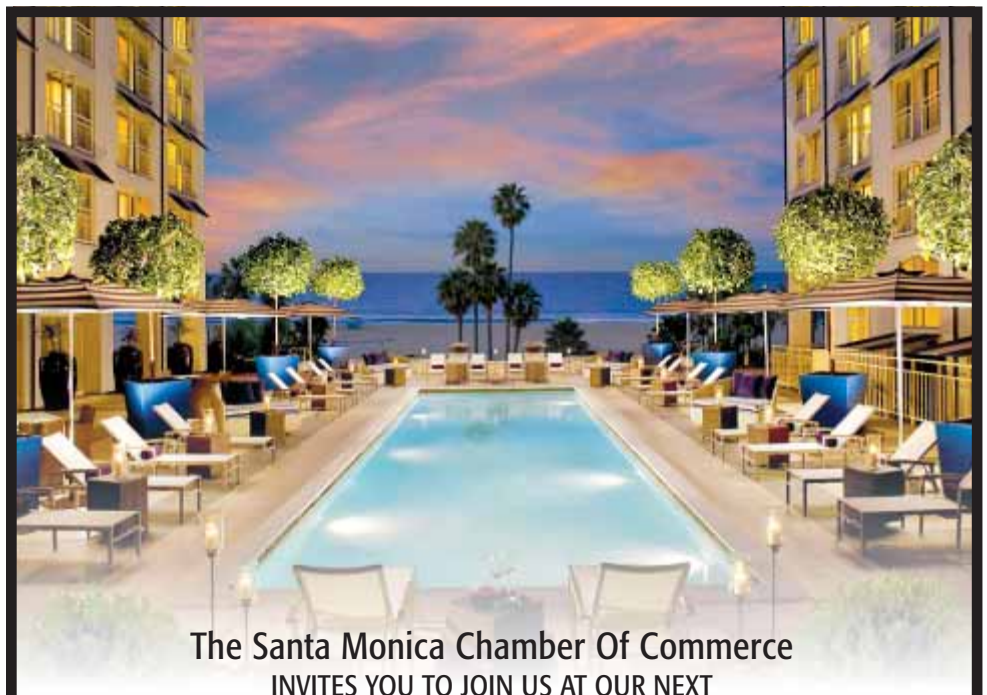
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Crowding could impact jail time for Jackson's doctor

GREG RISLING
Associated Press

LOS ANGELES Michael Jackson's doctor is guaranteed to spend the next three weeks in jail awaiting sentencing for the pop star's death.

But the amount of time he serves after that could be shortened because of the overcrowded prison system in California.

A recently enacted realignment plan diverts nonviolent offenders such as Murray from state prisons to county jails to save money and reduce the state prison population to obey a federal court order.

However, law enforcement authorities have said nonviolent offenders could be released earlier to make room for more serious offenders in county lockups.

Jail overcrowding led to Lindsay Lohan walking out of county jail Monday after spending less than five hours of a 30-day sentence behind bars for a probation violation.

A judge could sentence Murray to a maximum sentence of four years, but it would fall to the Los Angeles County Sheriff's Department to decide just how long he actually spends in county jail, based on time served, good behavior and other factors.

Even without realignment, a four-year sentence could be cut in half if Murray stays out of trouble in jail.

Los Angeles County District Attorney Steve Cooley has blasted the realignment plan, saying already overburdened counties can't handle additional inmates.

In post-verdict comments, Cooley called the new law a "fool's errand" and said Murray "is probably the first of many, many, many poster-children cases that will reveal how (the law) is potentially a complete failure, a criminal justice disaster and it will impact public safety."

Terry Thornton, a spokeswoman with the California Department of Corrections and Rehabilitation, declined to comment on how the realignment might affect Murray. Steve Whitmore, a spokesman for the Sheriff's Department, also declined comment.

Murray was convicted of involuntary manslaughter for supplying an insomnia-plagued Jackson with a powerful operating-room anesthetic to help him sleep as he rehearsed for his big comeback.

Murray, 58, sat stone-faced as he heard the verdict that could send him to prison and cost him his license to practice medicine. He was handcuffed and immediately led off to jail without bail to await sentencing Nov. 29.

Superior Court Judge Michael Pastor was harsh with his comments about Murray after the jury left the room.

"This is a crime where the end result (was) the death of a human being," the judge said. "Dr. Murray's reckless conduct in this case poses a demonstrable risk to the safety of the public" if he remains free on bond.

Defense attorney Ed Chernoff said the verdict was a disappointment and would be appealed.

Regarding Murray's future, Chernoff said, "the keys to his handcuffs belong to the judge. We certainly would like to do anything we can to keep him from going to prison."

Among the factors the judge will review are recommendations from the Probation Department, prosecutors and defense attorneys. Pastor also will consider that Murray has no previous criminal record and whether he poses a threat to the community.

Some legal experts said the notoriety of the case combined with Pastor's comments mean Murray would likely receive the harshest sentence.

"I think judges do want to set an example," said defense attorney Michael Rains, who represented ex-transit police officer Johannes Mehserle.

Mehserle was convicted last year of involuntary manslaughter for the shooting death of an unarmed man. He was sentenced to two years in prison but served only one.

"I think the judge here would recognize that this is a case to show other doctors what not to do," Rains said.

Other observers believe Murray is a good candidate for probation because of his good standing as a doctor prior to Jackson's death and his previously clean record.

"The crime was involuntary manslaughter, and the key word is involuntary which suggests there was no intent," said Martin Horn, former commissioner of New York City's Department of Correction and Probation. "Do we need an ounce of flesh from this guy? Why have probation if we aren't going to use it in a case like this?"

Had Murray been sentenced before Oct. 1, when the realignment plan took effect, he likely would have been sent to state prison to serve his term.

Los Angeles County Sheriff Lee Baca has said he can initially accommodate an influx of new inmates. Nearly $1 billion a year that was converted from part of the state sales tax to a local sales tax will help pay for realignment along with more than $450 million from California's vehicle license fee.

An annual state report notes the average time spent in California prisons last year for new male inmates convicted of manslaughter was just over nine years. The statistics do not distinguish between involuntary and voluntary manslaughter, a more serious offense.

Murray likely would face near solitary confinement in jail because of his high-profile status. He would be kept away from the general population in a cell by himself and be escorted by deputies when necessary for safety, authorities said.

Mehserle was only able to get out of his cell once a week and took showers twice a week while at a downtown Los Angeles jail, Rains said.

"It's a very, very lonely existence and would be so for Dr. Murray," Rains said.



Pets in line for happy holidays

SUE MANNING
Associated Press

LOS ANGELES Just over half of American pet owners will buy gifts for their pets this holiday season, and they'll spend an average of $46 on their animals, with toys and treats topping the list, according to a new AP-Petside.com poll.

Sixty-eight percent of pets getting gifts can look forward to a toy, 45 percent to food or another treat, 8 percent new bedding, 6 percent clothing, 3 percent a leash, collar or harness and 3 percent new grooming products, the poll showed. (Some pets will get more than one gift.)

"Christmas is about the pets," said Gayla McCarthy, 58, of Kekaha, Hawaii, whose Australian shepherd, Echo, will find a toy under the tree. McCarthy even got a shirt for her husband as a gift to him from the dog, and she'll be giving collapsible bowls that she ordered online to all their friends' dogs.

Although the average budget for pet gifts among those surveyed was $46, 72 percent of those polled said they'd spend $30 or less. Those who bought gifts for their pets last year said they spent $41 on average.

Overall, 51 percent of those polled this year said they would buy holiday gifts for their pets, a figure that's been relatively stable in the last few AP-Petside.com polls. It was 53 percent last year, 52 percent in 2009 and 43 percent in 2008.

Income does matter. Those making $50,000 or more say they plan to spend an average $57 on their pets. Those making under $50,000 say it will be $29.

Major pet retailers have been taking part in the Black Friday and Cyber Monday frenzy for a few years. Petco Animal Supplies Inc. plans a 72-hour "Black Friday Weekend Blowout," said Greg Seremetis, vice president of marketing.

Products for both pets and pet owners will be available, he said. "Including pets in holiday gift-giving has been a growing trend in the last few years. More and more pets are being treated as family members and being included in holiday traditions, including having a gift waiting for them under the tree," he said.

PetSmart Inc. plans to open stores at 7 a.m. on Black Friday, followed by a "Countdown to Christmas" sale beginning on Dec. 16, said spokeswoman Stephanie Foster.

Online retailer Foster & Smith Inc. plans a live, streaming, four-hour (11 a.m. - 3 p.m. EST) webcast full of sales and giveaways on Black Friday and Cyber Monday, spokesman Gordon Magee said. "As far as we know, with the exception of QVC ..., no other retailer has done a live broadcast like this on Black Friday and Cyber Monday," Magee said. "We are going to give it a go."

Younger pet owners are more apt to say they'll buy their pet a holiday gift, including 56 percent of pet owners under age 50. Among those ages 50-64, it's 47 percent, and among seniors, 39 percent, the poll showed.

Lauren Beard, 22, of Felton, Pa., and her family lavished their dog Groovy with gifts last year — including treats and bones — because it was the chocolate lab's first Christmas. "We still love her but it's a little less exciting this year," Beard said. So she reduced her budget of $70 last year to $50, and hopes to get some things on sale. She'll also buy a gift for Groovy's best friend and neighbor, a golden retriever named Tessie, Beard said.

Ronda Singleton and her husband live in Elk, Wash., and raise and show standard poodles. But they don't plan to get gifts for their dogs or for each other. "If we need something, we go get it," she explained, adding that the dogs get treats all the time. She and her husband like to celebrate holidays with traditional dinners and church services.

Thomas Koch, 69, in Raleigh, N.C., has something special to celebrate this year — adoption of his adult son should be finalized, he said.

The two will spend the holidays with their dog, Jessie, a Sheltie-chow mix, and two cats, Tanz and Callie.

Last year, Jessie got toys and the cats got play mice and a large bag of catnip. "They liked it so much we just threw it on the carpet and let them roll in it," Koch said.

He covered the goodies last year for a mere $8, but is setting aside $10 this year just in case prices have gone up.

George Smith, 43, a father of three in Adams County, Colo., says pets are "part of the family, just like our kids." But they keep the holiday gifts for Miley, a golden retriever, and Zippity, a cat, low-key: no fancy wrapping or stockings, just $10 worth of toys and treats.

Steve Gottula's budget was $100 last year and he figures it will run about the same this year for his two dogs and seven cats. Odie, a dachshund, and Sky, a Dalmatian, will get special bones, and the cats will get catnip and mouse balls.

Gottula, 48, his wife Leigh (she's the one who brings home the strays) and five kids (ages 6 to 16) live with the nine pets in Spring, Texas.

His daughters have made stockings for the pets — with their initials — and they are always part of holiday celebrations, Gottula said.

"The cats like to play with the paper and ribbon and get lost in the boxes and wrappings," he said.

What do his pets mean to him? "They are entertaining, they are companions. They have little senses of humor. They all have personalities. If you give love to them they give it back — it's unconditional," he said.

The AP-Petside.com Poll was conducted Oct. 13-17 by GfK Roper Public Affairs and Corporate Communications. It involved landline and cellphone interviews with 1,118 pet owners. Results among all pet owners have a margin of sampling error of plus or minus 3.6 percentage points.

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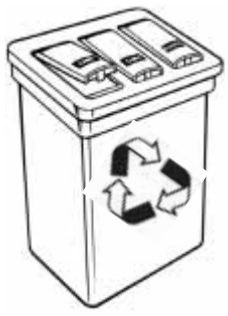
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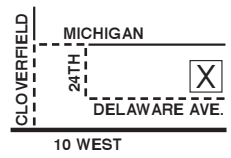


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Case puts spotlight on police weapons exemptions

DON THOMPSON
Associated Press

SACRAMENTO A federal investigation into weapons dealing by officers in three Sacramento-area law enforcement agencies has shined a light on provisions in California law that allow peace officers to buy guns, high-capacity magazines and even assault weapons that are illegal for the general public.

Officers need only show their law enforcement credentials to buy ammunition clips that exceed the usual 10-round limit and handguns that are not available to others. Their police chief or sheriff can give them permission to buy an assault weapon or avoid the standard 10-day waiting period for buying a gun and undergoing a background check.

There is no statewide data available to show the extent of the practice, what weapons officers are buying or why they need them. Further, policies on applying the law vary widely among law enforcement agencies.

The exemptions in state law drew attention last week with the disclosure that the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives is investigating deputies in the Sacramento County Sheriff's Department and officers in the Roseville and Sacramento police departments for selling weapons that most civilians cannot legally buy and sell.

Federal agents served search warrants, but no one has been arrested or charged. Authorities have not disclosed what weapons were being sold or to whom, but officers and deputies have access to plenty of weapons that are prohibited to others.

"Under the law, all they have to do is show their law enforcement credential to a dealer. That's enough to purchase an off-list handgun or high-capacity magazine," said Steve Lindley, chief of the state Department of Justice's Bureau of Firearms.

There are more restrictions on assault rifles, which must be registered with the state and sold or returned to the local law enforcement agency when the officer or deputy retires or leaves law enforcement. The assault rifle is then supposed to be "deregistered" with the state, although in practice authorities say it can easily be converted so that it no longer meets the legal definition of an assault rifle.

The weapons permitted under the law are semiautomatics, meaning they fire one bullet with each pull of the trigger. Fully automatic weapons that fire continuously are not permitted without meeting much stricter federal regulations.

Officers or deputies must get permission from their chief or sheriff to buy assault weapons, but in many cases there are few checks or policies that limit officers' purchase of the weapons.

Sacramento sheriff's spokesman Jason Ramos said his department has an informal practice of letting deputies buy one assault rifle during their career, with the approval of the sheriff and the captain in charge of weapons and training.

"A guy can't be in the habit of every year or two buying another one," Ramos said. "You can't just be out buying these cool weapons."

On the other hand, the department provides its own assault weapons for qualified deputies, so Ramos said the department's 1,245 deputies have no need to buy the guns for official reasons.

"It's more really for personal interest," Ramos said.

The department has permitted 25 to 30 assault weapon purchases so far this year.

Roseville Police spokeswoman Dee Dee Gunther said her department gets two or three such requests each year. Every Roseville officer is also issued a semiautomatic assault-style rifle for use on duty, and Gunther said her 121-officer department doesn't track why officers need to own assault weapons beyond those provided by the department.

Sacramento Police spokeswoman Officer Laura Peck said her department has no policy on waivers to purchase assault weapons or off-list handguns by its 678 officers. She would not say how many such requests the department's chief receives or whether it tracks why officers want the nonstandard firearms.

"That's really too close to the ATF investigation," she said, referring calls to the federal agency.

ATF spokeswoman Helen Dunkel also declined to comment on what is legal for police to purchase.

"That would give an indication what we're investigating," Dunkel said.

Unlike many agencies, the California Highway Patrol prohibits its officers from using nonstandard duty weapons or from buying assault weapons for personal use, said spokeswoman Fran Clader.

Short-barreled rifles and shotguns are illegal for most people, but allowed for law enforcement if they are approved by their department, used on duty, and if the officer or deputy is trained in the use of the weapons.

More common are requests by peace officers for a letter from their chief or sheriff that lets them waive the usual 10-day waiting period, background check and training required for civilians to purchase handguns.

Also typical are requests to purchase handguns that aren't among the 1,319 models certified by the state Department of Justice as having met firing, safety and drop tests. Officers can buy those weapons on their own, but need permission and training to use them as either their primary or backup duty weapon.

Lindley, the Justice Department's firearms chief, said many of the exemptions stem from real-world examples in which law enforcement officers were outgunned by criminals.

Best-known is the 1997 North Hollywood shootout between Los Angeles Police Department officers armed with handguns and shotguns, and two bank robbers wearing body armor and carrying high-powered assault weapons. Desperate officers eventually fought back with assault rifles they acquired from a nearby gun shop.

Lindley said state law allowed individual officers to buy their own assault weapons because some departments couldn't afford to purchase the guns for everyone.

Similarly, it makes sense to let officers buy magazines that carry more than 10 bullets each.

"We've seen shooting after shooting around the state where officers have emptied their magazines," he said.

Certain handguns that haven't been deemed safe for the general public may have advantages for law enforcement, for instance a larger trigger guard for use with a gloved hand, or a rougher grip that is less likely to slip.

To make the list, the Department of Justice standards also require that semiautomatics can't be fired if the magazine is removed, to prevent the accidental firing of a bullet left in the chamber.

PIER
FROM PAGE 1

The newly-renamed PRC would be responsible for helping to form the vision of what the pier is and what it will become over the next several years as City Hall embarks on the development of a Master Plan for the area.

It would also help craft the lease guidelines that the Office of Pier Management would then follow, as well as policies for events and marketing.

Meanwhile, PRC staff would focus their attention on garnering donations, sponsorships and other monetary support.

The report was crafted out of several studies conducted by Urban Place Consulting, a company owned by the pier's interim executive director, Steve Gibson.

Its final recommendation, outlined above, was not one of the options outlined in Urban Place Consulting's reports, although the company did sign off on the concept, according to the staff report.

Gibson did not want to comment on the studies prior to Thursday's meeting.

The departure of the previous executive director, Ben Franz-Knight, cleared the way for the studies, giving officials the chance to examine the state of the pier, Gould said.

They looked at how the pier was managed and compared it to similar landmarks like Pikes Market in Seattle and Navy Pier in Chicago.

The conclusion: management of the pier needed to be streamlined.

Today, many of the functions of the pier, including janitorial operations and safety, fall under the responsibility of several departments in City Hall, which hampers the ability of each to coordinate.

"There are five different departments that are responsible for the pier, and no one coordinating," Gould said. "They move past each other, and it's hard to get things done."

The involvement of the city makes leasing difficult as well.

Pier vacancies are filled using a method called "request for proposal" that is common amongst city governments but is unfamiliar to many businesses. The businesses that do respond to the RFP must be vetted by staff and then go before the PRC.

If the PRC members dislike the proposal, it dies right there, Gould said.



Daniel Archuleta *daniela@smdp.com*

WALKING ABOVE THE WAVES: **A man walks by a boom used to lower seacraft off the south end of the Santa Monica Pier recently.**

The reorganization would allow City Hall to change those processes, give the pier more operational flexibility and hopefully get its ledgers into the black.

Between 2009 and 2011, the pier has increased its revenues from $38 million to $43 million. It generates $182,849 in sales taxes, business license taxes and parking taxes, as well as another $20,900 in film permits, according to the staff report.

Although it's had some success, the pier will still need a General Fund subsidy to the tune of $1.4 million in fiscal year 2011-12 and $5 million in fiscal year 2012-13, according to the two-year budget adopted in June.

If city officials choose this reorganization plan, the re-formed PRC will have two years to work out the future of the pier, and prove to City Hall that it can handle some of the parts of its task that are unusual for non-profits, like marketing, filming and special events, Gould said.

ashley@smdp.com

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Photo courtesy Joseph Newlin

BRINGING IT TOGETHER FOR LABOR: **Nurses rally at Saint John's Tuesday after filing a complaint against the hospital with the National Labor Relations Board. Nurses who unionized in May are negotiating with hospital administrators on a labor contract.**

SAINT JOHN'S
FROM PAGE 1

could file to have it dissolved. The National Labor Relations Board has a rule that a new union is given one year to represent workers before a decertification election can be held.

The California Nurses Association (CNA), on behalf of nurses at Saint John's, filed a complaint with the board Monday charging hospital administrators with failing to "bargain collectively and in good faith" with the union, going so far as to refuse to set dates for negotiations in an attempt to exhaust the one-year certification period.

Officials with Saint John's did not return phone calls for comment.

Nurses at Saint John's voted in favor of joining the CNA in May after years of fighting with management for that right. The vote was 269 to 149, with some 22 challenges in the secret ballot election conducted by the board, representatives with CNA said.

CNA represents roughly 500 registered nurses at the hospital, which is part of the Sisters of Charity of Leavenworth Health System based in Kansas.

Lori Hammond, a nurse who has worked at Saint John's for over 30 years, said union representatives have met with administrators only three times and during those sessions administrators acted unprofessionally, some arriving late and others taking extended lunches.

Nurses also said the hospital has enacted "unilateral changes in working conditions" without notice to or bargaining with CNA, according to the complaint filed with the board.

Hammond said nurses so far have only talked about patient care and staffing levels and have not discussed salaries or benefits.

"Our goal is to have a contract by Christmas," Hammond said. "By having so few bargaining dates, that is really difficult."

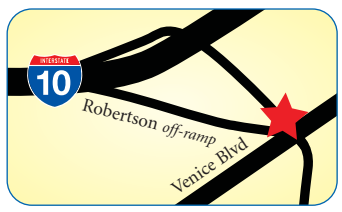
Nurses are trying to include language in their contract that supports patient-nurse staffing ratios approved by the state and to include new "lift" laws to prevent injuries to nurses transferring patients.

Nurses were expected to go before the City Council Tuesday night to ask for its support.

Councilman Kevin McKeown was present Tuesday morning at a press conference called by nurses.

"Many of the issues the nurses want in their contract involve adequate nurse-to-patient ratios and patient safety," McKeown said. "The vote for collective bargaining was a clear message, and I hope Saint John's will now enter timely contract negotiations in good faith."

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SCHOOLS
FROM PAGE 1

lion, said H.D. Palmer, spokesman for the state Department of Finance.

"The extent to which those will be implemented is a function of two things," Palmer said. "First is the revised forecast that our department will do, and the second is another one that will be done by the Legislative Analysts Office."

The more optimistic of the two will be used to make the decision about cuts. The LAO's report should be out within the next 10 to 14 days, and the Finance Department's analysis is due no later than Dec. 15, Palmer said.

Should that trigger be pulled, however, cuts to education will be vast at the primary, secondary and higher education levels.

The first round of cuts, triggered if the state loses out on $1 billion in funding or more, will result in a $100 million cut to both the UC and CSU systems, as well as social services and public safety programs.

Those cuts will total $600 million.

The second round, triggered if the gap exceeds $2 billion, will include $1.5 billion from public education, another $72 million cut to community colleges and $248 million to school bus transportation.

That $1.5 billion equates to seven instructional days on top of the five-day reduction that has already been approved by the state, Palmer said.

The seven-day reduction is more of an example than a promise, particularly since any reduction in work, and consequently in pay, would have to be negotiated with the teacher's union.

There are no furloughs planned into this year's calendar, Maez said, and the district only provides bus services for Malibu and special education students.

With furlough days off the table, the district would be left to try to find $3 million to cut elsewhere.

Even if the cuts come, however, the Board of Education set aside $3 million in September when the district closed its books to bridge the gap left by what the state promised, and what it could actually deliver.

Although the district can skirt the cuts this time through prior planning, its pockets aren't deep enough to keep spending at current levels and compensate for the state, Maez told board members Thursday.

"You can tell that a $19 million fund balance won't last long," Maez said.

It was a timely discussion, set against the backdrop of a larger conversation to follow that evening on local fundraising, and how parents and community organizations are working overtime to fill the void left by insufficient funding for public education at the state level.

The state has already cut public education by 19 percent over the last several years, leaving funding at 2005-06 levels, said Superintendent Sandra Lyon.

Although the district began the economic downturn with healthy reserves, they are dwindling, and there's still a structural deficit to address, she said.

ashley@smdp.com

ACTIVISION
FROM PAGE 3

game is played, rather than all at once.

Activision is forecasting fourth-quarter adjusted earnings of 55 cents per share on revenue of $2.17 billion. Analysts had expected earnings of 53 cents per share on revenue of $2.11 billion on that basis.

The fourth quarter is usually the most important one for video game companies because it includes holiday sales. Activision tends to give conservative guidance. Besides "Call of Duty," the company said its kids' game, "Skylanders: Spyro's Adventure," which launched in October, is also doing well.

For the full year, the company now expects adjusted earnings of 85 cents per share on revenue of $4.25 billion. Its prior forecast was for adjusted earnings of 77 cents per share on revenue of $4.05 billion.

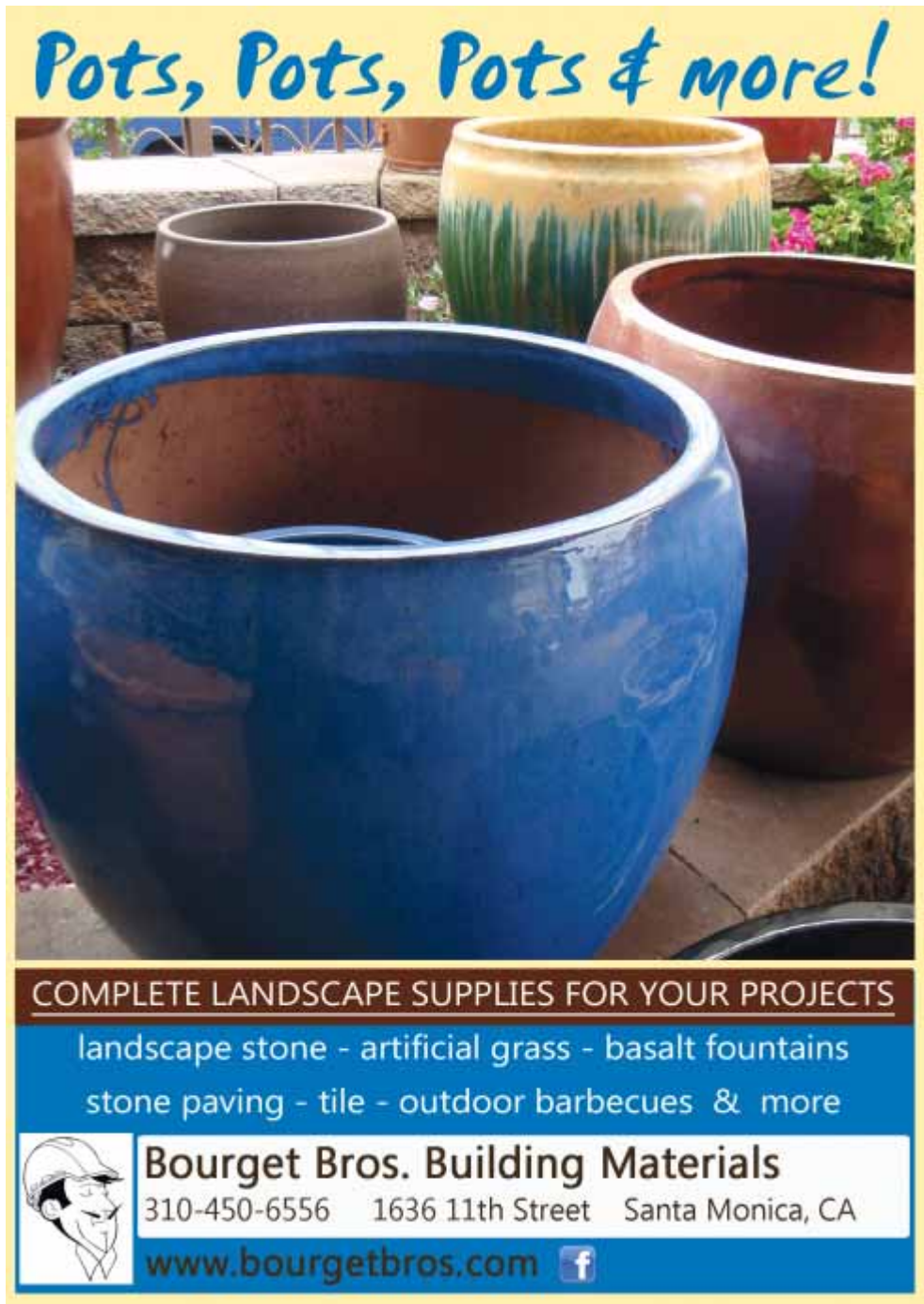
On this basis, analysts had predicted earnings of 79 cents per share on revenue of $4.12 billion.

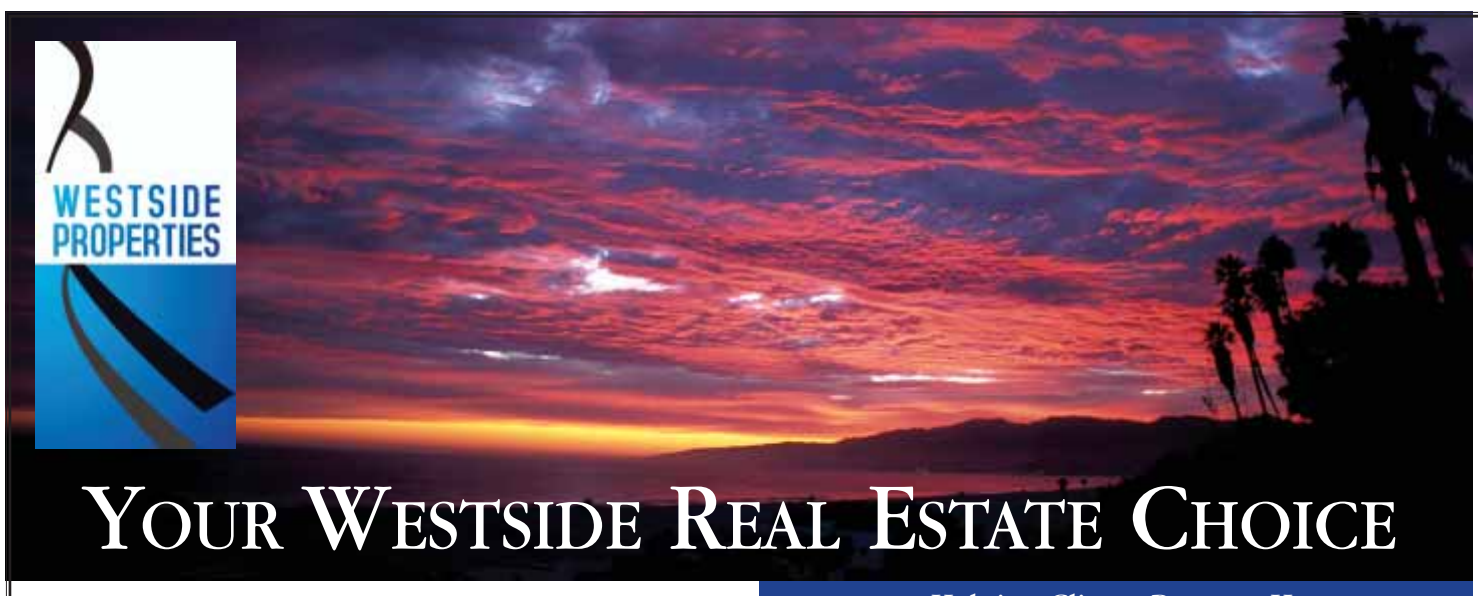
The company's stock fell 45 cents, or 3.2 percent, to $13.48 in extended trading after the results came out. Earlier, the stock closed up 19 cents, or 1.4 percent, at $13.93. The stock also hit a 52-week high of $14.40 earlier on Tuesday.

Also on Tuesday, Take-Two Interactive Software Inc., which develops and sells video games including the top-selling "Grand Theft Auto" and "Red Dead Redemption" series, reported a net loss for its fiscal second quarter.

Its revenue fell 56 percent from a year earlier because of a dearth of big product launches.

The New York-based video game publisher also forecast lower earnings for the current quarter than analysts expected but reaffirmed its outlook for the full fiscal year.







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Stocks rise after Berlusconi promises to leave office

DAVID K. RANDALL & MATTHEW CRAFT
AP Business Writers

NEW YORK Stocks turned higher Tuesday once investors got the news they had been hoping for: Italian Prime Minister Silvio Berlusconi promised to resign once a new budget was passed. The Dow Jones industrial average closed up 101 points.

Italy became a key focus for investors this week after doubts emerged that the country would go through with a tough package of austerity measures. Many investors saw Berlusconi as an obstacle to sweeping economic reforms needed to help Italy avoid sinking into a debt crisis.

The yield on the 10-year Italian government bond spiked close to 7 percent Tuesday, a sign that markets are questioning the country's ability to pay its debt. Unlike Greece, Portugal or Ireland — all of which received financial lifelines — Italy has too much debt to be rescued by its European neighbors.

Europe's evolving debt crisis has been a major driver of trading in financial markets since the beginning of October. The S&P 500 is up 14.9 percent since hitting a 2011 low on Oct. 3 after European leaders began to move more forcefully to get the situation under control. Markets have been quick to respond to worrisome signals that Greece might be edging closer to a default, which would cause huge losses for European banks.

"Europe is the last big question hanging over the market," said Rick Fier, vice president of equity trading at Confier Securities. "The market has been so whipsawed lately that it's really just staying in place until we know some more outcomes."

The Dow Jones industrial average rose 101.79 points, or 0.8 percent, to close at 12,170.18. Manufacturer 3M Co. gained 2.7 percent, the most of the 30 stocks in the average.

The S&P 500 rose 14.80, or 1.2 percent, to 1,275.92. Financial companies posted the strongest gains. Regions Financial Corp. jumped 5.3 percent. Wells Fargo & Co. climbed 4.4 percent.

The Nasdaq composite rose 32.24, or 1.2 percent, to 2,727.49.

U.S. stock indexes fell in the morning after Berlusconi narrowly survived a confidence vote, a sign that he might continue to cling to power. The market turned higher immediately after headlines crossed around 2 p.m. Eastern saying Berlusconi had promised to step down after economic reforms are passed. That is expected to happen next week.

European stock markets were also higher. Italy's main index rose 0.7 percent. Germany's main index rose 0.6 percent, France's 1.3 percent.

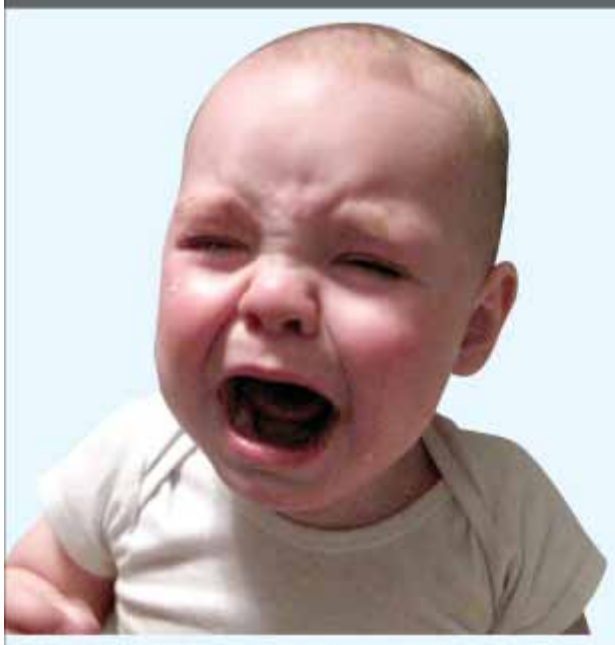
In the U.S., the Labor Department said employers advertised more jobs in September than at any other point in the past three years. The 7 percent increase in job openings is a hopeful sign that companies may step up hiring.

Priceline.com Inc. rose 8.6 percent after its third-quarter earnings more than doubled from a year earlier. Most of the gain was attributed to a jump in hotel bookings.

Activision Blizzard Inc. gained 1.4 percent as analysts expect the company's latest "Call of Duty" video game to sell about 10 percent more units than last year's version. Auction house Sotheby's fell 2.2 percent after the company posted a wider-than-expected loss in the third quarter.

Nearly three stocks rose for every one that fell on the New York Stock Exchange. Trading volume was above average at 3.9 billion shares.

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50	43.50	37.41



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Music, voting and marching on Occupy NYC's agenda

DEEPTI HAJELA &
VERENA DOBNIK
Associated Press

NEW YORK Occupy Wall Street demonstrations in New York City went old school on Tuesday as activist musicians David Crosby and Graham Nash delivered a touch of Woodstock, plans for a march to Washington were unveiled and some participants practiced another kind of democracy — voting.

Demonstrators have been making their voices heard in the nation's town squares for some time now, and the spirit of protest has remained paramount. At Zuccotti Park, Crosby and Nash, of Crosby, Stills, Nash & Young were the latest entertainers to lend their talents to the cause.

The white-haired duo led a chant of "No More War!" and played a 20-minute acoustic performance for about 1,000 protesters and onlookers who stood elbow-to-elbow and spilled out of the lower Manhattan park onto nearby streets.

There was an air of nostalgia — and the smell of marijuana — wafting over the crowd as the pair had fans humming along to hits like "Teach Your Children Well," from the 1971 'Deja Vu' album, and "Long Time Gone," from their first album.

Teenager Tyler Westcott wasn't around when Crosby and Nash made it big, but knew well the impact they made.

"These relics of Woodstock came and supported our movement," said the 19-year-old college student from Hunt, N.Y., his voice rising with excitement. "It's wild, how things line up.

"What you have here is the New Left from the Vietnam era — and the new left here now."

Last month, folk music legend Pete Seeger and '60s folk singer Arlo Guthrie joined Occupy Wall Street demonstrators in their campaign against corporate greed. Recently, rappers Talib Kweli, Kanye West and Lupe Fiasco visited protesters in the park. In California, hip hop heavyweights MC Hammer, Raymond "Boots" Riley of hip hop group The Coup, and local rapper Mistah FAB have stopped by encampments.

Taking the Occupy protest on the road to the country's elected officials was also on the agenda Tuesday.

A small group of Occupy Wall Street activists will start a march Wednesday with the hope of arriving in Washington on Nov. 23, the deadline for a congressional committee to decide whether to keep President Barack Obama's extension of Bush-era tax cuts. Protesters say the cuts benefit only rich Americans.

Kelley Brannon is organizing the 240-mile march through New Jersey, Pennsylvania, Delaware and Maryland with a core group of a dozen activists. They hope to pick up other marchers along the way — even if for a day, or only an hour.

"Occupy the Highway" — as it's been dubbed — will start from the Manhattan park and continue with a ferry ride across the Hudson River to Elizabeth, N.J.

Brannon likened the effort to the long-distance marches led by the Rev. Martin Luther King Jr., during the civil rights era.

"I mean, I'm not comparing us to Martin Luther King," said Brannon, of Queens, referring to three marches King led in 1965 from Selma, Ala., to Montgomery. Those marches ranged in size from 600 to 8,000 people.

"That's the premise Occupy is taking to the road: the historic relevance of such long-distance marches for social causes," Brannon said.

But a day before beginning the march begins, some protesters recognized Tuesday as election day in the U.S, and cast their vote in some of the many local races and higher profile races being decided in several states.

Tom Hagan, a 61-year-old salesman from Queens and a Vietnam War veteran, flashed a big smile as he stood in the Zuccotti Park with a sign that read: "Election Day Sale. Buy One Politician. Get One Free."

Hagan, a registered Democrat, said he votes in every election, including Tuesday's. He also said he had come to the Occupy protest "because our democracy is for sale; we don't have a representative democracy anymore."

Shawn Cronick voted in Philadelphia's mayoral race before heading to the Occupy Philadelphia encampment.

"It's easy to be cynical and wonder if it can change a political climate dominated by money," he said. "That's not an excuse to check out of the process; it just means we have to do more than vote. We have to stand up for ourselves and against corporate interests."

Not all demonstrators felt their votes would mean anything. In Louisville, Pamela Newman stayed away from the voting booth, even as her daughter and fellow Occupy Louisville demonstrator, Pam Newman, voted.

The younger Newman said voting is a way to live the values they are trying to stand up for.

"We want to make serious changes," Pam Newman said. "We want people to be engaged. It's a good example for us to be involved."

Her mother, though, was skeptical.

"I didn't see anything to vote for," Pamela Newman said. "There's no candidate who said anything I wanted to vote for."



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NBA

Players say 'no deal' to league

BRIAN MAHONEY
AP Basketball Writer

NEW YORK NBA players made it clear Tuesday: No deal.

No fear of Commissioner David Stern's ultimatum, either.

"The current offer on the table from the NBA is one that we cannot accept," players' association president Derek Fisher said.

Instead, the players said they will ask for another meeting with owners before Stern's Wednesday afternoon deadline — and sound willing to agree to a 50-50 split of revenues under the right circumstances — in an attempt to end the lockout and save the season.

In an interview on NBA TV, Stern said that whether he agrees to meet "would be guided by the labor relations committee."

NBA spokesman Mike Bass said the league has not yet heard from Hunter.

A month of the season has already been lost, and the NBA risks losing fans without an agreement soon. Some already appear to have forgotten: Blake Griffin, last season's rookie of the year, stood around in the lobby of a busy hotel off Broadway and was rarely approached by fans.

The league's current proposal calls for players to receive between 49 percent and 51 percent of basketball-related income, though union officials argue it would be nearly impossible to get above 50.2 percent.

"The players are clearly of the mind that it's an unacceptable proposal," union executive director Billy Hunter said. "But because of their commitment to the game and their desire to play, they're saying to us that we want you to go back, see if you can go back, get a better deal."

If players don't take the deal by 5 p.m. Wednesday, the next offer will call for salary rollbacks, a 53-47 revenue split in the owners' favor and essentially a hard salary cap.

"Our proposal on the table now goes away (Wednesday)," Stern said. "Our next proposal will then go to the players, and we will see where negotiations go."

Players are willing to negotiate further on the revenue split if they get some concessions on the salary cap system. Without them, Fisher said "we don't see a way of getting a deal done between now and end of business" Wednesday.

The league is seeking to limit the spending options of teams above the luxury tax threshold, believing that would lead to greater competitive balance. Players want all teams to be options for free agents.

When asked if there's still wiggle room on system issues, Stern said that as of 3 a.m. Sunday there was none left.

The players insisted they will not be forced into taking a bad deal by an ultimatum — though Stern refused to call it that.

"The players are saying that we understand their position, but unfortunately we're not intimidated by all that," Hunter said.

With more than 40 players ranging from All-Stars to minimum salary players behind them, Fisher and Hunter dismissed Stern's warning, had hard words for Michael Jordan and repeated that they are willing to negotiate and believe they have made more than enough economic concessions to get the salary cap system they want.

That message was not just for the owners.

They also were speaking to the players and agents who advocate disbanding the union in an attempt to take on the league in court. Union leaders said there was very little discussion about decertification, saying they understand there would be differences of opinion with a membership of 450, but that the team representatives summoned to New York knew the best interests of their teammates.

The union called the meeting after Stern issued his ultimatum early Sunday morning following an eight-hour bargaining session with a federal mediator. Fisher said 43 players, including superstars Carmelo Anthony and Griffin, attended the meeting and that 29 of the 30 teams were represented.

Jordan provided perhaps the most memorable moment of the last lockout, chastising former Washington owner Abe Pollin that he should sell his team if he couldn't make a profit without concessions from players. Jordan now owns the Charlotte Bobcats and is considered one of the hardliners who never wanted Stern to offer the players a 50-50 split.

"I would give him the advice that he gave to Abe Pollin," Hunter said.

After the press conference, Fisher bumped into an old acquaintance from Arkansas, former President Bill Clinton, who was at the hotel preparing to appear on an evening talk show. Clinton signed a copy of his new book, "Back to Work," for Fisher as players looked on.

Next, Fisher would like to meet with Stern, believing there is room to compromise.

After previously saying they wouldn't go below 52.5 percent of BRI, players said Saturday they would be willing to go down to about 51 percent, with 1 percent going to a fund for retired player benefits.

They might go even further, but only with some movement on the system issues.

"We're open to discussions, open to negotiation," Fisher said. "We're open minded about potential compromises on our number, but there are things in the system that are not up for discussion that we have to have in order to able to get this season going."



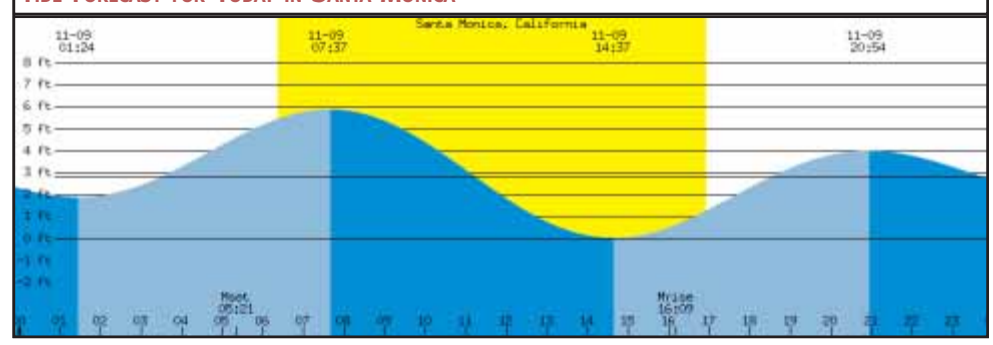
SURF REPORT

Surf Conditions **Water Temp:** 61°

Swell Forecast
Looks smaller, knee to waist most everywhere.

Long Range Synopsis
Also looks like a knee to waist high day.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **November 2, 2011**

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

QUICK STATS (for the last 30 days)

- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 4
- Number of A grades for dry/wet weather -- 16/1
- Number of (C,D,F) grades for dry/wet weather -- 0/0

The Beach Report Card is made possible by: The Diller – von Furstenberg Family Foundation, Groudwick Family Foundation, simplehuman, LAcarGUY, SMA

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

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

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

LEGEND

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

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

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

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

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MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(310) 260-1528

Paris, Texas (R) 2hr 27min
Palermo Shooting (NR) 2hr 4min
7:30pm
Discussion between films with director Wim Wenders.

AMC Loews Broadway 4
1441 Third Street Promenade
(888) 262-4386

Footloose (PG-13) 1hr 53min
4:45pm, 10:30pm

Tower Heist (PG-13) 1hr 44min
12:30pm, 3:00pm, 5:45pm, 8:30pm

Moneyball (PG-13) 2hrs 06min
1:30pm, 7:30pm

In Time (PG-13) 1hr 49min
2:15pm, 5:00pm, 7:45pm, 10:30pm

Son of No One (R) 1hr 35min
1:45pm, 4:20pm, 7:00pm, 9:30pm

AMC 7 Santa Monica
1310 Third St.
(310) 451-9440

Three Musketeers (PG-13) 1hr 50min
11:30am, 2:15pm, 5:00pm

Tower Heist (PG-13) 1hr 44min
11:00am, 1:30pm, 4:15pm, 6:45pm, 7:30pm, 9:30pm, 10:30pm

In Time (PG-13) 1hr 49min
11:05am, 1:45pm, 4:30pm, 7:15pm, 10:00pm

Martha Marcy May Marlene (R) 2hrs 00min
11:00am, 1:40pm, 4:20pm, 7:00pm, 9:40pmB

Puss in Boots (PG) 1hr 30min
11:10am, 1:30pm, 4:05pm, 6:30pm, 9:00pmBu

Ides of March (R) 1hr 42min
11:20am, 2:00pm, 4:45pm, 7:30pm, 10:15pm

Puss in Boots 3D (PG) 1hr 30min
12:15pm, 2:45pm, 5:15pm, 7:45pm, 10:15pm

Laemmle's Monica Fourplex
1332 Second St.
(310) 478-3836

Take Shelter (R) 2hrs 00min
4:20pm, 10:10pm

Margin Call (R) 1hr 49min
1:55pm, 4:40pm, 7:40pm, 10:10pm

Women on the 6th Floor (Les femmes du 6eme etage) (NR) 1hr 44min
1:45pm, 4:30pm, 7:30pm, 10:00pm

Midnight in Paris (PG-13) 1hr 28min
1:30pm, 7:50pm

Le Havre (NR) 1hr 43min
1:50pm, 4:10pm, 7:30pm, 9:45pm

AMC Criterion 6
1313 Third St.
(310) 395-1599

Rum Diary (R) 2hrs 00min
11:00am, 1:55pm, 5:00pm, 7:45pm, 10:30pm

Anonymous (PG-13) 2hrs 10min
12:10pm, 3:15pm, 6:30pm, 9:45pm

Paranormal Activity 3 (R) 1hr 21min
11:55am, 2:30pm, 5:00pm, 7:15pm, 9:30pm

50/50 (R) 1hr 39min
11:15am, 1:50pm, 4:30pm, 7:10pm, 10:00pm

Very Harold & Kumar 3D Christmas (R) 1hr 29min
11:00am, 12:15pm, 1:15pm, 2:45pm, 3:30pm, 5:15pm, 6:00pm, 7:45pm, 8:30pm, 10:15pm

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

Hang out tonight, Pisces

ARIES (March 21-April 19)
★★★★ Curb a need to be possessive and difficult. A friend could be quite threatening and touchy in some form. You might wonder what is the best way to handle this tension. Your directness and positive approach really will be appreciated. Tonight: Know your limits.

TAURUS (April 20-May 20)
★★★★★ Immediately you feel your energy. Finally, you start the day off on the right foot. You have many reasons to smile. Honor your priorities first. Express your caring only when you are sure you understand where the other person is coming from. Tonight: As you like it.

GEMINI (May 21-June 20)
★★★ Honor your feelings. You might be best off keeping your concerns to yourself. A partner might try to be helpful but, unfortunately, "try" is the operative word. Take time to rethink your position. You might come to a new decision. Tonight: Play it low-key.

CANCER (June 21-July 22)
★★★★★ Zero in on what might be important for the moment. Understand what is happening within a set group of friends. You could be taken aback by their priorities. Do more understanding than judging. Tonight: Where people are.

LEO (July 23-Aug. 22)
★★★ Take a stand while you can. You come to a new understanding and realization. Understand where someone is coming from. Finally, a melding of the minds becomes possible. You discover the power of two minds. Tonight: In the limelight.

VIRGO (Aug. 23-Sept. 22)
★★★★ Break through mental restrictions. If you want a certain outcome, you will need to rid yourself of any idea that prevents you from having what you desire. A possible trip or the possibility of taking a class or two opens your doors. Tonight: Be imaginative.

LIBRA (Sept. 23-Oct. 22)
★★★★ Work individually with one person, and you'll get strong, positive reactions. If you defer and talk to several people at once, you could be overwhelmed. Your vision of possibilities could change dramatically as a result of this type of conversation. Tonight: Togetherness seems to be the best way to go.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Others appear to be challenging and exciting. A personal matter could take you down a new path. You have the ability to move through a situation with ease. Understand where you are coming from, as well as another person. Tonight: Bond over a good meal.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Be aware of what you need to accomplish. Stay upbeat and be ready to indulge a little. Your financial situation is transforming and, in the long run, not for the worse. Be direct with a loved one. You could be a bit out of kilter. Tonight: Pushing into the wee hours.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ You have a greater ability to adjust than you realize. Your ingenuity comes up with a great idea, which could also increase the givens in a financial or emotional situation. Stay in contact with a loved one. Tonight: Ever playful. Take a fun midweek break.

AQUARIUS (Jan. 20-Feb. 18)
★★★ You are building your own security and allowing greater give-and-take among those you live with. A home office or a home-based business might be more to your liking than you realize. Your ability to bring out others might not have the same effect today. Tonight: Stay close to home.

PISCES (Feb. 19-March 20)
★★★★★ Once more, you reveal much more of what is on your mind. You could push very hard to get your way. Listen to what someone is saying; integrate his or her thinking into your own. You could be delighted by a call. Tonight: Hang out.

Happy birthday

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

This year you experience many challenges but, happily, everything seems to work out. Lady Luck rides on your shoulder, and you are very grateful for the end results. If you are single, you might have two different potential suitors. Of all signs, you are best equipped to handle this issue. If you are attached, sometimes your sweetie can be hard on you, but you can handle it. Let your listening skills evolve, and don't personalize every comment. Your daily life takes on a very exciting tone. Flexibility can define your success or failure. TAURUS has the same issues as you but different solutions.



MYSTERY PHOTO

Morgan Genser *news@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*. Send your mystery photos to *editor@smdp.com* to be used in future issues.

Speed Bump
By Dave Coverly



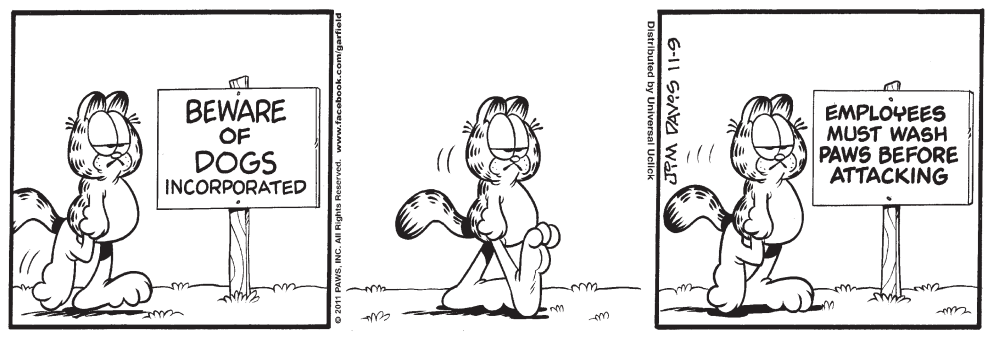
Strange Brew
By John Deering



Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



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



Sudoku

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

Difficulty Level ★★★

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

King Features Syndicate

GETTING STARTED

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

SOLUTIONS TO YESTERDAY'S PUZZLE

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

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CROSSWORD

By THOMAS JOSEPH

ACROSS
1 Mess up
7 Wildly eager
11 Log-on need
12 Protuberance
13 Local resident
14 Merriment
15 Felt
17 Huck's vessel
20 Skirt feature
23 — Dhabi
24 Braves home
26 Heir, at times
27 King of France
28 Carton
29 Like radishes
31 Wallet bill
32 Panache
33 Pro votes
34 Horse's run
37 Corrosive stuff
39 Incense
43 Be bold
44 "Dracula" author
45 Night fliers
46 Bach creation

DOWN
1 Bakery buy
2 Mex. neighbor
3 Trawling need
4 Grain to grind
5 Not recorded
6 Perfect place
7 Lansbury of Broadway
8 Clifford Odets play
9 Poem type
10 "Aw, shucks!"
16 Divided
17 Coarse files
18 Concerning
19 Jule Styne musical
21 Be penitent
22 Government income
24 Staggering
25 Cargo unit
30 Sylvan spots
33 Chef's wear
35 Minus
36 Aware of
37 Hoopla
38 Cornfield cry
40 Alias letters
41 Acquire
42 Bit of history

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

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 1, P.O. Box 536475, Orlando, FL 32853-6475

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

11-9

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• Insert the given numbers in the empty squares so when they are calculated in threes from left to right and top to bottom they satisfy the demands in the shaded boxes both horizontally and vertically.

• Each empty square dictates the math operation that must be performed to meet the demands.

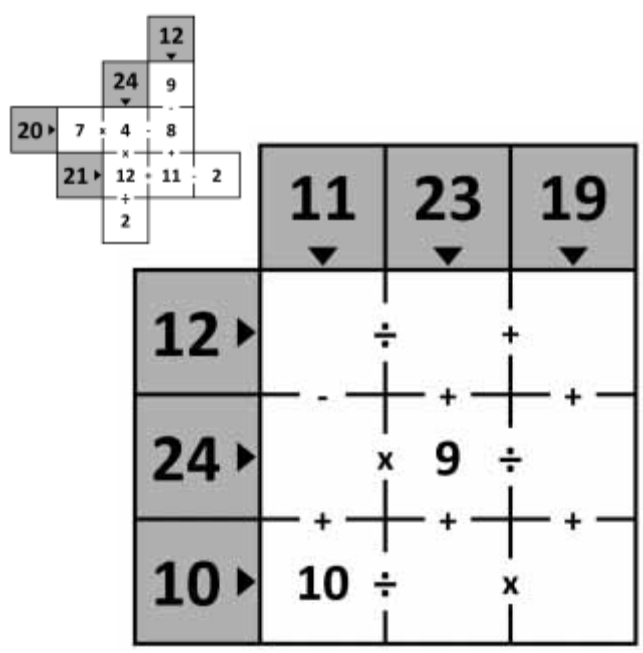
• Remember to multiply or divide before you add or subtract.

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Fill in the empty fields with the given numbers so when calculated together they satisfy all Equas in the gray boxes:

3, 5, 5, 8, 9, 9, 11

Solution for Task 569



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Jackpot: $15M

SUPER LOTTO PLUS: 3 8 10 16 22
Meganumber: 11
Jackpot: $18M

Fantasy 5: 13 17 28 31 36

DAILY 3: MIDDAY: 8 2 5
EVENING: 9 6 6

DAILY DERBY:
1st: 07 Eurkea
2nd: 11 Money Bags
3rd: 09 Winning Spirit
RACE TIME: 1:41.80

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

■ **Names in the News:** The man stabbed to death in Calgary, Alberta, in August: the 29-year-old Mr. Brent Stabbed Last. Among the family members of Jared Loughner (the man charged with shooting U.S. Rep. Gabrielle Giffords in January) who were interviewed by authorities regarding mental illnesses in the Loughner family: Loughner's distant cousin Judy Wackt. Passed away in May in Fredericksburg, Va.: retired Army Sgt. Harry Palm. Charged with murder in Decatur, Ill., in September: a (predictably underrespected) 15-year-old boy named Shitavious Cook.

■ **Hey, It Could've Happened:** (1) The British recreation firm UK Paintball announced in August that a female customer had been injured after a paintball shot hit her in the chest, causing her silicone breast implant to "explode." The company recommended that paintball facilities supply better chest protection for women with implants. (2) The Moscow, Russia, newspaper Moskovsky Komsomolets reported in October that a local woman's life had been saved by her "state-of-the-art" silicone breast implant. Her husband had stabbed her repeatedly in the chest during a domestic argument, but the implant's gel supposedly deflected the blade.

TODAY IN HISTORY

1989 Cold War: Fall of the Berlin Wall. Communist-controlled East Germany opens checkpoints in the Berlin Wall allowing its citizens to travel to West Germany. This key event led to the eventual reunification of East and West Germany.

1990 Mary Robinson is elected Ireland's first female President.

1993 Stari most, the "old bridge" in Bosnian Mostar built in 1566, collapses after several days of bombing.

1994 The chemical element Darmstadtium is discovered.

2005 Suicide bombers attacked three hotels in Amman, Jordan, killing at least 60 people.

WORD UP!

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