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Volume 8 Issue 317



Santa Monica Daily Press

FOR THE FLAG
SEE PAGE 5

We have you covered

THE ON THE MEND ISSUE

Smoking concerns renters group

BY MELODY HANATANI
Daily Press Staff Writer

DOWNTOWN There are many days warm or cool when the windows to Mike Horelick's Santa Monica apartment remain shut, keeping out ocean breezes, the fragrance of a neighbor's dinner and cigarette smoke.

It's the latter that forces the local screenwriter to often seal his home, protecting his asthmatic 3-year-old daughter and 9-month-old son from the cigarette smoke that wafts from a neighbor's patio a floor below.

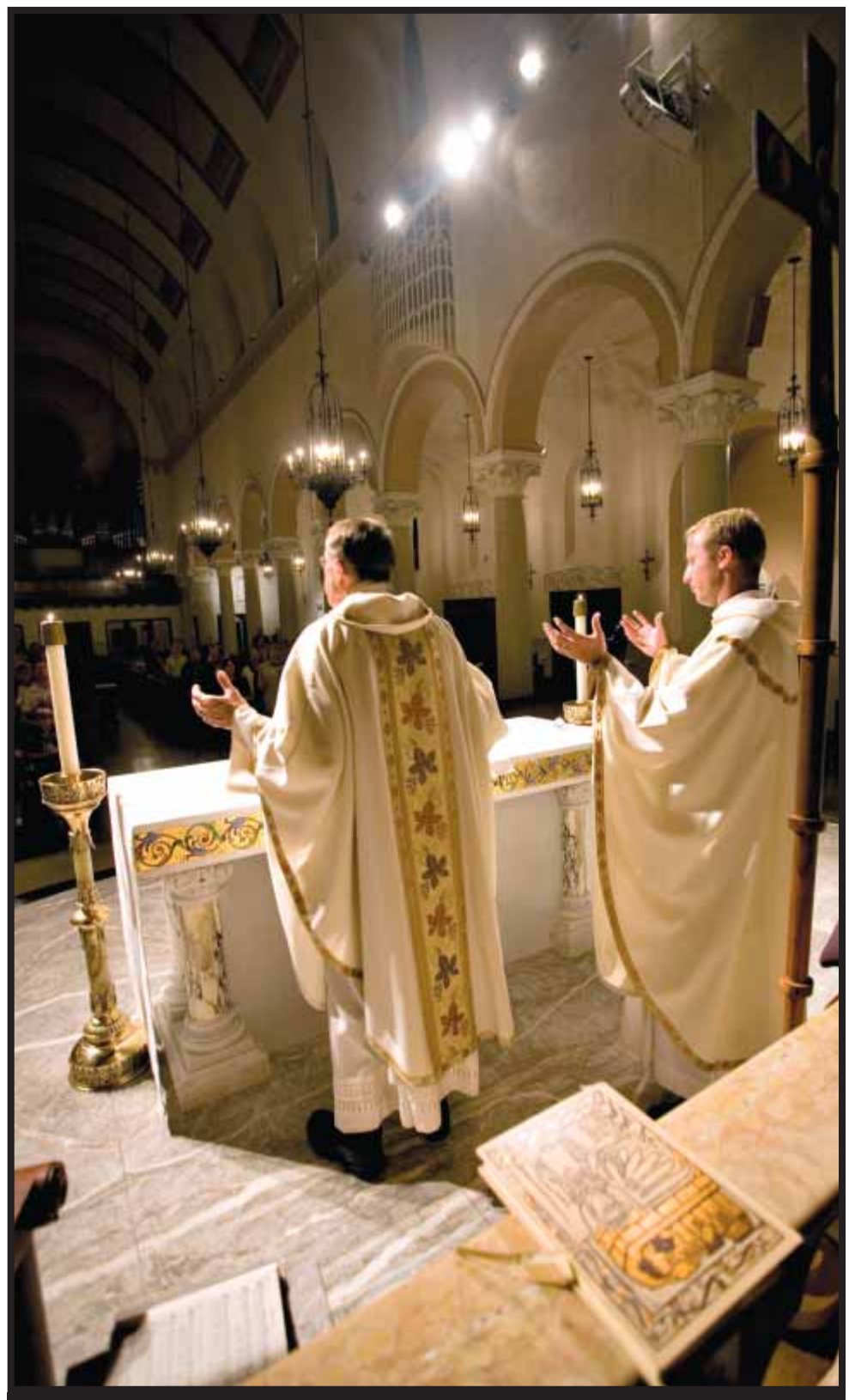
"We shut the doors, we shut the windows, which is pretty inconvenient and not guaranteed to stop all the smoke anyway," he said.

Horelick is part of a group of residents who are calling on the City Council to expand an ordinance that bans smoking in all common areas of apartments and condominiums to also apply to balconies and patios, arguing the current regulations, while a step in the right direction, don't go far enough.

Smoking is currently illegal in most outdoor areas of the city, including the Third Street Promenade, Farmers' Markets, dining areas, bus stops and ATM lines. The anti-smoking law was strengthened in January to include common areas of multi-unit residences, a controversial move that drew opposition from some landlords and rent-control advocates who feared that property owners would use the ordinance as a means to evict tenants.

Santa Monicans for Non-Smoking Renters Rights, formerly known as the Alliance for Protection from Secondhand Smoke in Apartments in Condominiums,

SEE SMOKING PAGE 13



PRAISING VETS

Brandon Wise *brandonw@smdp.com*

Monsignor Lloyd Torgerson (left) and Father Tim Klosterman prepare for the Eucharist during the Veterans Day memorial mass on Tuesday night at St. Monica Catholic Church.

Officials identify measures to curtail paparazzi

BY DAILY PRESS STAFF

DOWNTOWN Paparazzi who swarm a local preschool — a favorite among celebrities — can expect to see more police officers and security guards as they snap away shots of children and their famous parents.

Those are just a couple of measures suggested by city staff in a recent report to the City Council about the steps that can legally be taken to curtail the activities of photographers and videographers who hound celebrities in areas where children congregate, responding to such concerns from parents at the First Presbyterian Nursery School on Second Street.

The City Council in June directed its staff to investigate the issue and return with recommended regulations to protect the privacy of parents and students. The report however notes that City Hall has limited legal authority to control photographers because of First Amendment rights, particularly for activities that take place on public streets.

City staff instead suggests that a visible police presence be created during peak drop-off and pick-up times and recommends the nursery school hire a private security guard and train their staff on citizens arrest protocols.

The report also mentions other short-term measures that include issuing police citations for state and municipal code violations and collaborating with schools to identify discreet drop-off and pick-up areas for celebrities and their children. The city Planning and Community Development Department could also develop additional traffic controls.

A parent night focusing on safety measures could also be in the works at the school.

"City staff will continue to work with schools that experience safety concerns with paparazzi in an effort to provide safe and reasonable access to the schools for parents and children," Assistant City Manager Jennifer Phillips said in a report to the council.

The issue first came to light earlier this year when Councilman Richard Bloom paid

SEE PAPARAZZI PAGE 13


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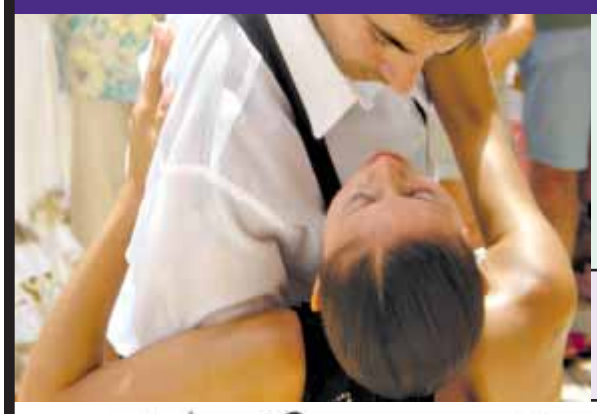


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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Wednesday, Nov. 11, 2009

Electric lecture
Santa Monica College's Bundy Campus, Room 217
3171 S. Bundy Dr., 6:30 p.m.
Come attend this free lecture on "Our Electric Transportation Future." The talk is part of the college's fall "Environmental Issues Lecture Series." Call (310) 434-4743 or visit www.smc.edu/ceus for more information.

Thursday, Nov. 12, 2009

Free tour
Westside HIV Community Center
2012 Lincoln Blvd., 6 p.m. — 7 p.m.
Come take the Westside HIV Community Center Tour, provided by Common Ground. The event will allow participants to learn about HIV prevention and treatment programs and talk to professional staff and volunteer. The event is free, but please call (310) 314-5408 ext. 120 to make a reservation. Visit www.commongroundwestside.org for more details.

Meet the author
Beyond Baroque
681 Venice Blvd., 7:30 p.m.
Come enjoy a reading by Amiri Baraka, one of the leading figures in poetic and political culture of the United States, as she participates in Beyond Baroque's 40th Anniversary Reading. Tickets are $10. Call (310) 822-3006 or go to www.beyondbaroque.org for more information.

Heal yourself
Santa Monica Senior Center
1450 Ocean Ave., 12:30 p.m. — 2 p.m.
Attend a fun self-healing lecture from Maria Locsin. She will involve you in learning how to ease your pain and discomfort by pressing certain body points and working with areas of the body to increase blood flow. Cost is free, but you must be at least 50 years old. Call (310) 458-8644 for more information.

Friday, Nov. 13, 2009

Astronomically speaking
New Roads School
3131 Olympic Blvd., 7:30 p.m. — 9:30 p.m.
Come on the second Friday of each month for presentations at the Santa Monica Amateur Astronomy Club. Robert Lozano presents "Cassini and Lapetus" and Thor Dockweiler presents "The Salt Ring of Saturn." Cost is free. Call (310) 495-7595 for more information.

'I Love You, You're Perfect, Now Change'
Malibu Stage Company
29243 Pacific Coast Hwy., 8 p.m.
The Malibu Stage Company presents the musical "I Love You, You're Perfect, Now Change" by Joe DiPietro and Jimmy Roberts. The musical is put on every Friday and Saturday at 8 p.m. and Sundays at 5 p.m. Admission is $35. Call (310) 429-2665 for more information.

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



FOR THE KIDS

Brandon Wise *brandonw@smdp.com*

Children and their parents build paper-bag puppets for the 40th anniversary of 'Sesame Street' at the Kids and Teens Center at the Santa Monica Main Branch Library on Saturday. The families were able to watch a screening of 'Follow That Bird (the Big Bird movie)' followed by crafts.

Inspector says LAPD profiling probes flawed

THE ASSOCIATED PRESS

LOS ANGELES An independent probe found problems in a third of the internal investigations of police officers accused of profiling people based on race, gender or sexual orientation, the inspector general for the Los Angeles Police Commission said Tuesday.

In a 41-page report, Andre Birotte said investigators did not interview witnesses, made mistakes or failed to ask important questions in six of the 20 cases examined. The report also concluded that some supervisors made decisions not to discipline officers that were "not based on information gathered" or based on incomplete probes.

Cmdr. Rick Webb, who is in charge of internal affairs, admitted that mistakes were made, but said the errors documented in the report did not affect the outcome of the investigations.

The Police Commission has been pressing for changes to how the department handles accusations of officers profiling people based on race, gender or sexual orientation — what police now call "biased policing."

Former Police Chief William Bratton defended the department, saying that it's impossible to assess whether an officer made a traffic stop or took some other police action because of a secret bias.

The LAPD changed how it investigates claims of bias last spring;.

Coast protection plan raises tensions

JOHN ANTCZAK
Associated Press Writer

LOS ANGELES A hearing on establishing protected areas of ocean along the Southern California coast boiled over into shouting and shoving on Tuesday.

State Fish and Game wardens had to jump in and separate two men in the audience, as shouts echoed through the hotel ballroom where a panel sorted through the competing concerns conservationists and commercial and recreational ocean users.

The loss of tempers came in an hours-long meeting before a task force panel voted 5-0 amid boos and applause to recommend a compromise package of protections to the state Fish and Game Commission, which is expected to substantially affirm it.

"You have not listened to us through this whole process," a man yelled from the back of a room as the panel began to narrow in on detailed preferences for specific locations.

Calls for him to sit down were met with "Come outside and tell me to shut up." Another man rushed him and then wardens hustled them both out.

Earlier, a demonstrator paraded through the room with a "Don't Tread on Me" flag.

Panel Chairwoman Catherine Reheis-Boyd urged respect for the process.

"I know emotions are running high," she said.

At issue are proposals to create so-called Marine Protected Areas along a 250-mile arc of coastline from the Mexican border northwest along San Diego, Orange, Los Angeles, Ventura and Santa Barbara counties, including offshore islands.

The areas are required by the state's Marine Life Protection Act of 1999, which found that existing protections had been established on a piecemeal basis.

The act requires creation of scientifically based systems of state marine reserves and state marine conservation areas to protect species and habitats within certain distances of each other. Kelp, rocky bottom, submarine canyons and the shapes of protected areas are just a few of the topics.

"We're dealing with landmark legislation here and we're doing something that's really unprecedented in the entire United States," said panel member Meg Caldwell.

By law the decision had to be grounded in science, she said, but "we're making some very significant concessions in the name of socioeconomics."

To set the law in motion, the state's 1,100-mile coast was divided into five sections. The Southern California span is the third to undergo the process.

But its huge concentration of population and business and recreational interests has made it extremely contentious.

The fishing industry particularly fears for its livelihood if key areas become off-limits, but the debate is far broader and detailed.

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LETTERS TO THE EDITOR

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A battle for our oceans

Editor:

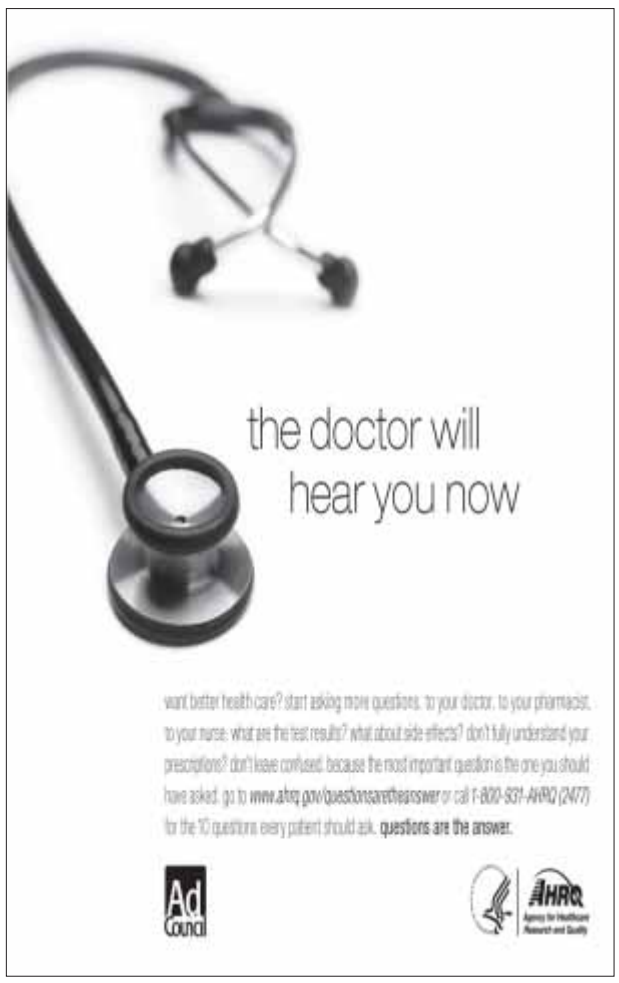
I am writing this letter in a state of fear, but with hope for change. Some of my best memories play out on the shores of Cape Cod, fishing with my father as a youth. I have had the privilege of being a bi-coastal child, with a home in Santa Monica, and a home on Martha's Vineyard Island, where over the years I have made a host of close friends. Many of them are year-round fishing families whose sole income is reliant upon the catch brought home that day.

Over the past couple of years, I have noticed many of these multi-generational fishing families leave the island because they can no longer compete with the giant fishing corporations taking over their historic waters. And worse still, the government now wants to implement catch shares on these same fleets – allocating the biggest shares to the biggest fishing companies, and giving little to no share to my friends, and other independent fishermen.

The catch share idea is good in theory, but its implementation too often leads to massive consolidation of the fishing industry, with the biggest, and often least sustainable boats coming out on top. All this has done is widen the socioeconomic gap within the fishing community, helping the rich get richer, and leaving the poor with nowhere to turn. And, catch shares are coming to California. The National Oceanic and Atmospheric Association has plans to implement a catch share system on the Pacific Groundfish Fishery – and only 70 out of 120 boats currently in business will be rewarded shares. The rest will have to look for work elsewhere, or rent their shares from these fishing behemoths.

Under the catch share system, the oceans' fisheries are being consolidated into the hands of a few powerful companies who can fish harder, longer and faster, because of the resources and often-destructive equipment that these companies use. With the mentality of harder, longer, faster, these companies "shooo" aside any form of truly sustainable fishing. Once that particular fishing area dries out, they will simply look for a new spot, leaving locals with nothing to catch, and destroying fragile ecosystems at the same time. I hope Californians can stand up and fight against the current catch share system. This isn't just a social justice fight for the small-scale fisherman, this is a battle for our oceans.

Johnnie Mollin
Santa Monica



Word in Edgewise



Kenny Mack

Send comments to editor@smdp.com

Studying the mind of a killer

IN 2003, THEN SECRETARY OF DEFENSE (and current un-indicted war criminal) Donald Rumsfeld wrote a memo in which he asked if "extreme radical madrassas," the Islamic learning centers that pass for public schools in large parts of the Muslim world, were producing more terrorists every week or month than we were able to capture or kill. The premise of the question is revealing because it demonstrates the basic problem with America's policies toward the world's Muslims. We seem to think of all Islamic schools as "extreme" and we regard the graduates of those schools as "terrorists" who were radicalized and taught to hate the U.S., but we never examine the role we play in inspiring that hatred in the first place (like reducing our options to "capture" or "kill").

One of the biggest problems with attempting to figure out where, exactly, the schism lies is that they don't talk to us and we don't talk to them. That's why I was relieved to learn that Maj. Nidal Malik Hasan, the Fort Hood shooter, wasn't killed at the scene and is conscious and able to speak. I sincerely hope that law enforcement isn't allowed anywhere near this man and that he stays out of our civilian courts because his open-and-shut legal case won't be nearly as valuable to our criminal justice system as his psychological case study will be to our military.

There is no mystery about what will happen to Maj. Hasan if he becomes a criminal defendant in a civilian court. Since the killings were clearly premeditated and obviously committed with reckless disregard for human life, he will face at least 13 counts of murder in the first degree (among others). He'll be convicted on all counts and, because this is Texas we're talking about, he will be sentenced to die by lethal injection. Then comes the mandatory trip through the Court of Criminal Appeals, a likely appeal to the U.S. Circuit Court, and finally an appeal to the U.S. Supreme Court. As this process works its way through to completion, Maj. Hasan wouldn't be talking to anyone, and would be experiencing the horror that is our prison system. It's safe to say the treatment he'd receive would be unlikely to make him more (as opposed to less) willing to cooperate and might cause the already suicidal Hasan to shut down completely.

The problem with that is our military's need to understand exactly what happened to him in the past several months and why he did what he did. There is some serious psychological heavy lifting to be done, and that cannot happen in prison. Luckily, Maj. Hasan is also a psychiatrist, so he speaks the language of the brain and understands the nature and purpose of the counseling setting. Two summers ago, Hasan described his personal inner conflict when he told a group of supervisors and mental health professionals at Walter Reed Army Medical Center, "It's getting harder and harder for Muslims in the service to morally justify being in a military that seems constantly engaged against fellow Muslims," essentially crystallizing one of our country's biggest challenges.

In the age of the jihadi who "loves death more than you love life," that same conflict is dividing Muslim communities all over the world and illogically hardening anti-Islamic feelings in countries that are targeted for attack. That turns an obviously disturbed person like Hasan (who was unable to wrangle his personal beasts) into a "self-radicalized, home-grown terrorist who had turned to Islamic extremism while under personal stress," according to Sen. Joe Lieberman. But simply labeling his actions "terrorism" is dismissive, and it ignores the warning signs that came from Maj. Hasan and that come from the Islamic world every day.

About his infamous 2003 memo, Sec. Rumsfeld once said, "what I was trying to point out to the people in the Department of Defense was that there's a tendency when you call this a global war on terror to think of it as a war of big militaries — armies, navies, and air forces — against armies, navies and air forces, and it is not. It is a totally different thing …. It's a struggle basically within the Muslim faith of a small minority of violent extremists against the overwhelming majority of Muslims who are not violent extremists, and we need to find ways to empower and strengthen those moderates who are determined to not have their faith hijacked by these violent extremists."

If anyone can help our military to understand the way those moderates think and what drives a Muslim to kill or die for his religion, it's the Palestinian-American Army Psychologist Dr. Nidal Malik Hasan. I just hope we keep him in a hospital where he can be studied, and not in a prison where he will be put to death. We know he has expertise on the human brain, the Islamic faith, and the U.S. military. As long as we keep him alive, he can still be of some service by helping us figure out how those things can all work together.

KENNY MACK is a multi-platform content provider with four-quadrant crossover appeal who is consistently impressed by the United States military's ability to respond to a crisis. His past columns are archived at www.ifyoumissedit.com and he can be reached at kennymack@gmail.com.

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Going Postal

Steve "the Mailman" Breen
Send comments to editor@smdp.com

Take a knee, people

TODAY, NOV. 11, IS VETERANS DAY. SHOW gratitude, America. Without the many sacrifices of veterans over history, German would be the continental language of a Nazi-ruled Europe and al-Qaida would have a theme park ride at Magic Mountain called "Crash and Burn."

Today is also Gen. George S. Patton's birthday. Just born up the road in San Marino, Calif. to a hereditary family of soldiers, he finished fifth overall in the pentathlon as the only American competitor in that event during the 1912 Olympics. As the U.S. Army's youngest "Master of the Sword" at it's Mounted Service School, he modernized the Army's cavalry saber techniques and was the inventor of what became known as the "Patton saber."

With the advent of mechanized warfare in WWI, however, Patton switched from horse-flavored cavalry to the new car-smell cavalry of tanks and shortly thereafter established the first Army school of tank warfare while serving in France during the war. He also received a Purple Heart for attacking and destroying a German machine gun nest while on foot. "Old Blood and Guts" was one of only two survivors.

Mr. Obama, by comparison, won the intramural Nobel Peace Prize for the hors d'oeuvre table steeple chase in the Copenhagen 100 yard dine-and-dash during his failed bid to secure the Chicago Olympics.

While serving under "Black Jack" Pershing during the Mexican revolution in 1916, then-Lt. Patton killed Julio Cardenas, the commander of the personal bodyguard of Pancho Villa. Patton then drove his armored car back to Army headquarters with the carcass of Cardenas strapped to the grill like a hood ornament.

Who wouldn't like to see Osama bin Laden bagged and tagged in similar fashion?

George Patton is, in my opinion, exemplary of the American warrior ethic we need now in this prissified and politically correct world; no politics, no B.S., no dithering on the ground. Imagine if President Obama had to discuss the requirements of blood and treasure to secure an Afghanistan victory with Gen. Patton instead of Gen. McChrystal. I'm sure it would have been an interesting "shout-out."

And regardless of whatever sins Patton committed over his career, one thing is clear, he bled "red, white and blue" and woe unto any foe of our republic. And woe unto any coward who's too gutless to live up to the oath he took to defend the country especially if he's some winsome waffler from the Windy City parked safely behind a teleprompter micro-managing acceptable troop losses against the political calculus of his next election.

Somebody needs to be slapped.

By now, everyone has heard the name of terrorist-goat boy, Maj. Nadal Malik Hasan. Spare me the narrative that Muslims will be targeted in the backlash of the Fort Hood massacres. Folks, the death toll scoreboard still reads "13 dead non-Muslims to 0 dead Muslims" and I don't see any non-Muslims with torches and pitchforks chanting impieties outside of any mosques lately.

Never forget, folks, that Maj. Hasan was a self-declared "Muslim first and an American second." This is a direct betrayal of his oath as an American officer. While in uniform, he executed 13 innocent people as he screamed "Allahu akbar." As we are in a current state of war this is not only murder, it's also treason in its classic legal sense. Let's also not forget his betrayal of his Hippocratic oath to "first, do no harm."

Is it an inconvenient truth that while Obama was cautioning us "against jumping to conclusions until we have all the facts," his own CIA has already had the facts on Maj. Hasan over his pro-jihadist rhetoric and public lectures for many months now? It's pretty clear that the president missed his 3 a.m. wake-up call as he has sleepily walked from the golf course past the graveyard during the worst terrorist attack on American soil since Sept. 11, 2001.

At least Cpt. Candypants will have another great ghoulish photo-op with the grieving families at Fort Hood much like he did last month at Dover AFB. As his Chief-of-Staff Rahmbo Emanuel likes to say, "Never let a crisis go to waste."

Say "Cheese," everybody!

Do the names Ayman Abdelrahman Taha, Kareem Rashad Sultan Khan or James Michael Ahern ring a bell? Few people know that Army SSG Taha, Cpl. Khan or Maj. Ahern, as American Muslims, were all awarded the Bronze Star and Purple Heart for exemplary conduct against armed belligerents and made the ultimate sacrifice during Operation Iraqi Freedom.

Was it a betrayal of their faith to serve their country? It's veterans and the families of veterans that live to tell their tales and help remind the rest of America who we are.

STEVE BREEN grieves with and for the families of Fort Hood, Texas. He can be reached at dulcamarax@yahoo.com.

The Q Line

Just compensation?

A recent survey showed that SMMUSD Superintendent Tim Cuneo is one of the highest paid in the county. Cuneo's contract has been criticized by some parents and the local teachers union.

So, this week's Q-Line question asks:

Does Cuneo deserve this pay, and will it have any impact on whether or not you would support another parcel tax to fund local schools?

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


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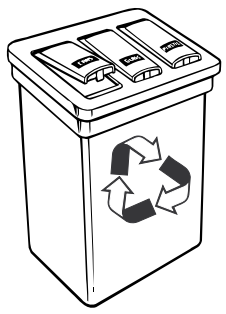
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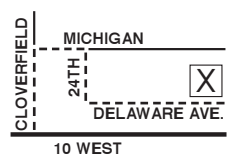
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LOEWS



Real Estate 101

Mike Heayn
Send comments to editor@smdp.com

Cash isn't always best

USING CASH TO PAY FOR MANY THINGS makes sense. You can buy pretty much anything you can afford with cash. However, there are instances when you do not want to accept or use cash. One time you do not want to use cash is when you are paying or collecting a rental payment. Even with a receipt, issues can arise if either party disagrees with the amount paid. To avoid an owner/tenant rental payment conflict owners should have several methods of rental collection including checks, cashier's checks, bank transfers, bill pay, credit cards and Paypal.

Before discussing ways to collect rent, it is important to designate a location for the rental payments to go. Do you want rent payments delivered to a specific address, such as a business address? Or do you want them dropped off in a locked mailbox where the tenant lives? I personally find that a locked mailbox on site is easier for me and the tenants. In today's information age, it is a pain having to mail checks and a chore that seems archaic. As an owner you should figure out the easiest way for the tenant to get you rent, mailing a rental payment is no longer the easiest method. And remember what is easy on the tenants is usually easy on the owner.

Once you have a location established for the tenants to drop off rent, make sure you do not change the location too often. Constantly changing where to place the rent check confuses everyone, especially the tenants. Most owners want rent in the form of a check or cashier's check. This is a good way to collect rent as there is a clear paper trail for both the owner and tenant should a dispute arise. As an owner, time becomes a factor due to recurring monthly expenses and receiving rent sooner than later is always beneficial.

Most owners are familiar with the Internet and online banking. Many banks have systems setup for easy acceptance of bank money transfers or Bill Pay. However, it is good to know the difference between the two. A bank money transfer online is simply one person transferring funds from one account to another. This transfer could be between someone's personal accounts or between two people's accounts. Bill Pay is a system setup where a person authorizes the bank to pay a bill on their behalf. With Bill Pay the bank actually cuts and mails a check to the recipient. The main difference is a bank money transfer is instantaneous or happens the next day depending on the bank, while Bill Pay can take a few days.

The reason to setup alternative rental payment means is so the owner can have multiple ways of receiving rent and the tenant has multiple ways to pay rent. Most tenants have credit cards so it is a good idea to look into a credit card payment service. Many apartment owners who own several units have credit card systems in place. The downside is the cost. A company that accepts credit card payments on an owner's behalf will likely charge a fee per transaction, along with a monthly service charge. If you do not own many units, putting a credit card system in place does not make economic sense. However there is an alternative: Paypal.

Most people are familiar with Paypal due to Ebay, the online auction company. Paypal is a service which collects money from the payer, i.e. the tenant and pays the recipient, i.e. the apartment owner over the Internet. Both parties must sign up for Paypal and according to Paypal's Web site the costs vary based on transaction size, but it will come to around 3 percent of the total monthly rent. An owner must decide if they want to absorb the cost of the transaction fee, have the tenant absorb the cost or split it down the middle. In the end, this is just another option available to collect rent.

The expression goes "with a larger net, you can catch more fish." The principal is the same with rental collection. The more options you have for rental collection, the more opportunities the tenant has to pay the owner. A check or a cashier's check is a great way to collect rent as both leave a clear, easy to follow paper trail. However, bank transfers, bill pay, credit cards and Paypal are also wonderful ways to collect rent. Remember, the more options the tenant has to pay rent, the fewer excuses they have to offer.

MIKE HEAYN is a real estate investor and commercial loan consultant, specializing in Multi-Family Lending. He can be e-mailed at maheayn@yahoo.com.

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BANKING

Senate Democrats hope to limit Fed Reserve's powers

ANNE FLAHERTY
Associated Press Writer

WASHINGTON Senate Democrats on Tuesday proposed stripping the Federal Reserve of its supervisory powers and creating instead three new federal agencies to police banks, protect consumers and dismantle failing institutions.

The 1,136-page bill, released by Senate Banking Committee Chairman Chris Dodd, would represent a significant shift in power in federal oversight of the U.S. market. The Fed has been a dominant figure in managing the economy, although many lawmakers blame the central bank for not doing enough to prevent last year's crisis.

"We saw over the last number of years when (the Fed) took on consumer protection responsibilities and the regulation of bank holding companies, it was an abysmal failure," said Dodd, a Connecticut Democrat.

Dodd's proposal prompted cheers from consumer advocates and other Democrats, including Sen. Mark Warner, D-Va., an influential moderate who said swift action was necessary to prevent future government bailouts of big banks.

"Never again should the American taxpayers have to hear about 'too big to fail,' where the American taxpayer has to pick up the slack," Warner said.

But the financial industry quickly pushed back.

The bill "would produce conflicts among regulators, undermine the state-chartered banking system and impose extensive new regulatory burdens on those banks that had nothing to do with creating the financial crisis," said Edward Yingling, president of the American Bankers Association.

While Republicans were expected to oppose much of the bill, Sen. Bob Corker, a Tennessee Republican on Dodd's committee, issued a statement setting an optimistic tone.

"I'm more hopeful than I was a few weeks ago that we will be able to come up with a bipartisan bill," said Corker, who has worked closely with Warner on banking issues.

Among the top points of contention is Dodd's desire to create a Consumer Financial Protection Agency to protect consumers taking out home loans or using credit cards against predatory lending and surprise interest rate hikes.

Republicans and industry officials say that creating another bureaucracy will make it harder for banks to do business and would limit the availability of credit.

Other provisions in Dodd's bill would:

• Consolidate federal supervision of banks under a "Financial Institutions Regulatory Administration."

WALL STREET

Erratic stocks worry investors

TIM PARADIS
AP Business Writer

NEW YORK Caution returned to the stock market Tuesday as investors decided to slow an advance that has lifted the Dow Jones industrial average 475 points in five days.

Stocks mostly fell in light trading, though the Dow tacked on 20 points to close at a new high for the year. The modest advance came a day after the Dow shot up 200 points for the second time in three days.

Broader indexes slipped as the market again took its direction from the dollar. Stocks drove higher Monday as the dollar weakened and slipped Tuesday as the currency rose.

"People are reaching for a little less risk today after we've had such a run," said Bill Stone, chief investment strategist at PNC Wealth Management.

Record-low interest rates in the U.S. and the resulting slide in the dollar have been major forces behind the surge in stocks in recent months. A weaker dollar allows investors to borrow money cheaply, while low interest rates also encourage them to hold any assets other than low-yielding cash, such as stocks, commodities and bonds.

The falling dollar has enabled many investors to look past some of the economy's persistent trouble spots, including unemployment. The jobless rate rose to 10.2 percent in October, the highest level in 26 years.

A number of market watchers still believe this recent surge in stocks has been overdone given the weakness that remains in the economy, such as the large amounts of souring loans on banks' balance sheets. Still, some analysts said the ability of major stock indexes to hold their recent gains is a welcome sign.

Ryan Detrick, senior technical strategist at Schaeffer's Investment Research, said it's a good sign that the market isn't as volatile as last month, when big advances were followed by big drops. He sees a day of modest movess as a healthful sign of a market consolidating its moves.

"That fact that we're now sustaining some of the gains is encouraging," he said. "We expect that we'll continue to stair-step higher to the end of the year."

The Dow rose 20.03, or 0.2 percent, to 10,246.97, its highest close since Oct. 3, 2008. The Dow traded up to 10,260.80, a 12-month high. The five-day gain is the Dow's first since September and has pushed the index up 4.9 percent.

The broader Standard & Poor's 500 index fell 0.07, or less than 0.1 percent, to 1,093.01, after six days of gains. The Nasdaq composite index fell 2.98, or 0.1 percent, to 2,151.08.

Three stocks fell for every two that rose on the New York Stock Exchange, where volume came to 1.1 billion shares, compared with 1.2 billion Monday.

Bond prices mostly rose, sending yields down, after an auction of 10-year notes drew decent demand. The 10-year yield fell to 3.48 percent from 3.49 percent late Monday.

The bond market is closed Wednesday for Veteran's Day though the stock market will be open.

Mixed earnings reports gave investors little incentive to add to their holdings.

Bond insurer MBIA Inc. tumbled $1.28, or 26.7 percent, to $3.52 after posting a third-quarter loss on weaker results at its insurance business.

Priceline.com Inc. jumped to a nine-year high after the online travel booking company said it was seeing an increase in customers booking airfare and hotel rooms. The stock rose $30.49, or 17.6 percent, to $204.22 after trading as high as $209.19.

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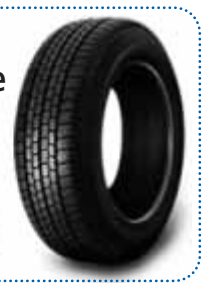
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Republican congressman's health vote a costly one

KEVIN MCGILL
Associated Press Writer

NEW ORLEANS The only Republican in the House to vote for a Democrat-backed health care bill is already seeing some backlash: He's had two fundraisers canceled and some campaign contributors have asked for their money back.

But Rep. Anh "Joseph" Cao said Tuesday he stands by Saturday's vote. "At the end of the day we all have to represent our respective districts," he told The Associated Press.

Cao rejected any notion that he might leave the Republican Party. And House minority whip Eric Cantor of Virginia said he plans no political retaliation against Cao.

"No," Cantor said when asked if retaliation was planned. "Because I am well aware that Anh Cao is a thoughtful legislator. He weighed the pluses and minuses of the bill in his vote."

Cantor, in New Orleans for a fund raiser for Rep. Bill Cassidy, R-Baton Rouge, made it clear he was unhappy with the vote but said the party still supports Cao (pronounced 'GOW).

Cao is a 41-year-old Vietnamese-American who won an upset victory over black Democrat William Jefferson in a mostly black, mostly Democratic district. Jefferson had been politically hobbled by a criminal indictment and has since been convicted.

Soon after taking office, Cao drew harsh criticism in the New Orleans-based district for siding with his party against President Barack Obama's economic stimulus bill. But he has also broken with the party before on issues including an expansion of health insurance for children.

A former Jesuit seminarian, Cao said he joined the Republican Party because of its opposition to abortion. "But I've never been a partisan politician," he said. "If you were to listen to me on some of the issues on the hill, I have addressed my frustration toward partisan politics."

Cao was lobbied by the White House to help pass the health bill. In those discussions, he said he stressed the needs of his district, which was hit hard by Hurricane Katrina in 2005, including the need for more disaster recovery loans and hospitals. He said no promises were made by the White House to get his vote. He added that at the time of the discussions Saturday he could not commit to support the bill because an amendment he insisted on that explicitly prohibits federal funding of abortions had not yet passed.

Louisiana Republican Party spokesman Aaron Baer said the party disagreed with Cao's vote but he knew of no plans to attempt to oust Cao in next year's GOP primary.

Bryan Wagner, a New Orleans Republican leader who helped guide Cao's campaign last year, noted that Senate opposition to the House bill is strong and said much of the anger against Cao will die down "as people see that Senate passage of a similar bill is not something that's coming."

The state Democratic Party declined comment on Cao's vote Tuesday afternoon.

Cao's victory last year was heralded by national Republican leaders but it came under unusual circumstances: Jefferson, once immensely popular, had to fight off challengers in a Democratic primary and runoff before facing Cao. And the general election had been delayed by two hurricanes earlier in the year. Without Barack Obama's presence at the top of the ballot, black turnout was down and Cao won a narrow victory.

Ed Chervenak, a University of New Orleans political science professor, said it will be difficult for Cao to repeat the victory. Two African-American Democrats have already said they plan to seek the seat and Chervenak expects the black vote will be better mobilized this time.

"Either way he votes he faces an uphill climb in his re-election," Chervenak said. "The demographics of the district are just aligned against him."

EPA: Toxic chemicals in freshwater fish widespread

DINA CAPPIELLO
Associated Press Writer

WASHINGTON Nearly half of lakes and reservoirs nationwide contain fish with potentially harmful levels of the toxic metal mercury, according to a federal study released Tuesday.

The Environmental Protection Agency found mercury — a pollutant primarily released from coal-fired power plants — and polychlorinated biphenyls in all fish samples it collected from 500 lakes and reservoirs from 2000-2003. At 49 percent of those lakes and reservoirs, mercury concentrations exceeded levels that the EPA says are safe for people eating average amounts of fish.

Mercury consumed by eating fish can damage the nervous system and cause learning disabilities in developing fetuses and young children.

Fewer lakes and reservoirs — 17 percent — had fish containing polychlorinated biphenyls, or PCBs, above recommended levels. PCBs were widely used as coolants and lubricants until they were banned in the late 1970s, but because they last in the environment for long periods of time, they can still be found in fish. PCBs have been linked to cancer and other health effects.

The study is the latest to highlight how widespread mercury pollution has become.

In August, the U.S. Geological Survey released a study of fish contamination based on a a survey of 300 streams nationwide. That research found mercury in all fish sampled, but only about a quarter of the fish had mercury levels exceeding EPA levels.

The EPA said Tuesday its findings underscore the need to further reduce mercury pollution and make sure that fish consumption advisories are followed.

Earlier this year, the Obama administration said it would begin crafting a new regulations to control mercury emissions from power plants after a federal appeals court threw out plans drafted by the Bush administration and favored by industry.

The EPA also has also proposed a new regulation to clamp down on emissions of mercury from cement plants.

Obama salutes Fort Hood victims, promises justice

BEN FELLER
Associated Press Writer

FORT HOOD, Texas Sketching out lives that ended too soon, President Barack Obama remembered those slain at Fort Hood as husbands and fathers, immigrants and scholars, optimists and patriots — an expectant mother, a granddaughter of veterans, a music teacher.

Just below his speaking platform Tuesday, before thousands of mourners, the dead were remembered in a traditional Army way: 13 pairs of combat boots, each with an inverted rifle topped with a helmet. A picture of each person rested below the boots.

"Neither this country, nor the values that we were founded upon, could exist without men and women like these 13 Americans," Obama told the throng. "And that is why we must pay tribute to their stories."

Obama had words, as well, for a nation demanding answers for last Friday's massacre at this Texas Army post. He spoke forcefully if indirectly of the alleged shooter's motives, never mentioning Maj. Nidal Hasan by name.

"It may be hard to comprehend the twisted logic that led to this tragedy," Obama said. "But this much we do know: No faith justifies these murderous and craven acts."

It was an apparent reference to reports that Hasan had communicated with a radical Islamic imam. A vast investigation is under way, including questions about what the government knew about Hasan and whether action should have been taken.

The president's remarks at a memorial service were personal, more about how the victims lived than how they died.

He talked about Pvt. Michael Pearson's love of music, Maj. Eduardo Caraveo's journey to America as a teenager, Pvt. Francheska Velkez's excitement about becoming a mother, Capt. John Gaffaney's two decades as a psychiatric nurse — and so on through the honor roll of 10 men, three women.

The president spent more time meeting privately with the wounded and with loved ones of those killed than speaking in public.

His tone stern, Obama pledged to the crowd that "the killer will be met with justice — in this world, and the next."

On a steamy Texas day, Obama stepped into a scene filled with military resolve and tender moments. Soldiers helped wounded friends to their seats. A little girl in a black dress and shiny shoes clutched her mother's hand as hurting families streamed in.

Thousands upon thousands gathered on a field for the ceremony. Right below the stage was a traditional military tribute to the fallen — 13 pairs of combat boots, each with an inverted rifle topped with a helmet. A picture of each person rested below the boots.

Riflemen fired a last salute. A bugler played taps.

After the ceremony, Obama walked solemnly along the row of boots, placing a commander-in-chief's coin next to each victim's photo in tribute.

Then soldiers and loved ones traced the same path to remember those lost and give a final salute, one woman nearly collapsing with grief.

Even as Obama honored the dead, there was fingerpointing back in Washington about what the military knew of Hasan, an Army psychiatrist, before the shooting rampage.

Two U.S. officials said a Washington-based joint terrorism task force overseen by the FBI was notified of communications between Hasan and a radical imam overseas and the information was turned over to a Defense Criminal Investigative Service employee assigned to the group. But a military official denied prior knowledge of the Army psychiatrist's contacts with any Muslim extremists.

All of the officials spoke on condition of anonymity because they were not authorized to talk about the case on the record.

In Texas, one soldier who attended the memorial said the mood at Fort Hood was turning from sadness to anger as soldiers learned more about Hasan's background.

"A lot of folks are angry because they feel this could have been prevented," said Spc. Brian Hill, a 25-year-old soldier from Nashville, Tenn., who was injured in Iraq and walks with a cane. "Somebody should have been paying attention."

Obama, in his public remarks, spoke of the tranquility and liberty enjoyed by most Americans, and said the 13 fallen gave their lives for it.

"That is their legacy," he said.

As much as the president made the moment about the gunman's victims, the ceremony also was about him. Presidents inevitably must take the lead in times of tragedy, and this was Obama's moment to offer himself as consoler in chief.

The president worked through several drafts of his speech, including three on the Air Force One flight down to Texas. He viewed the personal stories as the most important part of the speech, a senior aide said.

About the victims and the soldiers who rushed to help them, Obama said, "We need not look to the past for greatness, because it is before our very eyes."

Obama and first lady Michelle Obama devoted considerable time to three private meetings with those affected by the shooting rampage, meeting first with families of those killed, then with some of those wounded and their families, and later with those still hospitalized.

"Just the president being here was a great morale booster to show the country he was here for the families," said Ronald Fiveash, a sailor whose brother was shot four times but survived.

Sheila Wormuth, whose husband is stationed at Fort Hood, came with her 3-year-old daughter to show their support. While her husband wasn't at the shooting site, she said, "what happens to my husband's brothers and sisters happens to us."

Bonita Childs, 46, drove 30 miles to attend the ceremony, even though she had no connection to Fort Hood.

"I thought coming here today and showing my gratitude was the least I could do," she said.

In a memorial offered in deeply personal terms, Obama spoke every victim's name and told of their lives.

"These men and women came from all parts of the country," Obama said. "Some had long careers in the military. Some had signed up to serve in the shadow of 9/11. Some had known intense combat in Iraq and Afghanistan, and some cared for those did. Their lives speak to the strength, the dignity and the decency of those who serve, and that is how they will be remembered."

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D.C.-area sniper executed

DENA POTTER
Associated Press Writer

JARRATT, Va. John Allen Muhammad, the mastermind of the sniper attacks that terrorized the nation's capital region for three weeks in October 2002, was executed Tuesday.

Muhammad died by injection at 9:11 p.m. at Greensville Correctional Center in Jarratt, prison spokesman Larry Traylor said.

He said Muhammad had no final statement and that Traylor didn't hear him utter any words during the execution.

Muhammad was executed for killing Dean Harold Meyers, who was shot in the head at a Manassas gas station during a spree that left 10 dead across Maryland, Virginia and Washington, D.C.

"We extend our condolences not only to the families and loved ones of the victims, but also to the family and loved ones of John Allen Muhammad," said J. Wyndal Gordon, one of Muhammad's attorneys. "It's just a tragic situation all around."

Earlier, Gordon had described Muhammad as fearless and insisted he was innocent.

"He is absolutely unafraid and he will die with dignity — dignity to the point of defiance," Gordon said.

The shootings terrorized the region, as victim after victim was shot down while doing everyday chores: going shopping, pumping gas, mowing the lawn. One child was shot while walking into his middle school.

People stayed indoors. Those who did go outside weaved as they walked or bobbed their heads to make themselves a less easy target.

The reign of terror ended on Oct. 24, 2002, when police captured Muhammad and his teenage accomplice, Lee Boyd Malvo, as they slept at a Maryland rest stop in a car they had outfitted for a shooter to perch in its trunk without being detected.

Muhammad and Malvo also were suspected of fatal shootings in other states, including Louisiana, Alabama and Arizona. Malvo was sentenced to life in prison.

The U.S. Supreme Court turned down Muhammad's final appeal Monday and Gov. Timothy M. Kaine denied clemency Tuesday.

Cheryll Witz was one of several victims' family members who traveled to Virginia to watch the execution. Malvo confessed that he shot her father, Jerry Taylor, on a Tucson, Ariz., golf course in March 2002 at Muhammad's direction.

"He basically watched my dad breathe his last breath," she said. "Why shouldn't I watch his last breath?"

Muhammad met with family members in the hours before his execution but did not have a spiritual adviser, Traylor said.

Sotomayor poses for magazine

JESSE WASHINGTON
AP National Writer

Sonia Sotomayor heeded White House advice to paint her fingernails a neutral shade during her Supreme Court confirmation process — up to a point.

At a White House reception after her confirmation, Sotomayor showed her freshly painted red nails to President Barack Obama, along with her red-and-black semi-hoop earrings, according to an article in the new issue of Latina magazine to be released Nov. 17. Obama joked that Sotomayor had been briefed on proper nail color and earring size.

"Mr. President, you have no idea what you've unleashed," Sotomayor replied, according to the article by her close friend Sandra Guzman, who was at the event.

While Obama was still deciding whom to nominate, Sotomayor wondered if the job was right for her. Just three weeks before the president announced his choice, Sotomayor confided to a friend that she was leery of losing privacy and time with her mother and wanted to withdraw her name from consideration.

"This is not about you," attorney Lee Llambelis said she told Sotomayor. "It's about the little girls and boys, brown and black, who live in the projects and poor communities around our nation, who can dream bigger if you are in the Supreme Court."

Sotomayor has granted few, if any, sit-down interviews since becoming the first Hispanic justice on the Supreme Court. She did not give a formal interview to Guzman, the former editor-in-chief of Latina, but agreed to be photographed inside the Supreme Court building.

The article details Sotomayor's personal life, including a 1983 divorce from her high school sweetheart, Kevin Noonan; a broken engagement to a Bronx contractor, Peter White, in 2000; and her most recent relationship, "a friend with no strings attached."

Guzman said she once sought advice on her own marital problems from Sotomayor, who told her, "To find happiness in love ... we have to make up our own rules."

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Vatican on lookout for signs of alien life

ARIEL DAVID
Associated Press Writer

VATICAN CITY E.T. phone Rome.

Four hundred years after it locked up Galileo for challenging the view that the Earth was the center of the universe, the Vatican has called in experts to study the possibility of extraterrestrial alien life and its implication for the Catholic Church.

"The questions of life's origins and of whether life exists elsewhere in the universe are very suitable and deserve serious consideration," said the Rev. Jose Gabriel Funes, an astronomer and director of the Vatican Observatory.

Funes, a Jesuit priest, presented the results Tuesday of a five-day conference that gathered astronomers, physicists, biologists and other experts to discuss the budding field of astrobiology — the study of the origin of life and its existence elsewhere in the cosmos.

Funes said the possibility of alien life raises "many philosophical and theological implications" but added that the gathering was mainly focused on the scientific perspective and how different disciplines can be used to explore the issue.

Chris Impey, an astronomy professor at the University of Arizona, said it was appropriate that the Vatican would host such a meeting.

"Both science and religion posit life as a special outcome of a vast and mostly inhospitable universe," he told a news conference Tuesday. "There is a rich middle ground for dialogue between the practitioners of astrobiology and those who seek to understand the meaning of our existence in a biological universe."

Thirty scientists, including non-Catholics, from the U.S., France, Britain, Switzerland, Italy and Chile attended the conference, called to explore among other issues "whether sentient life forms exist on other worlds."

Funes set the stage for the conference a year ago when he discussed the possibility of alien life in an interview given prominence in the Vatican's daily newspaper.

The Church of Rome's views have shifted radically through the centuries since Italian philosopher Giordano Bruno was burned at the stake as a heretic in 1600 for speculating, among other ideas, that other worlds could be inhabited.

Scientists have discovered hundreds of planets outside our solar system — including 32 new ones announced recently by the European Space Agency. Impey said the discovery of alien life may be only a few years away.

"If biology is not unique to the Earth, or life elsewhere differs bio-chemically from our version, or we ever make contact with an intelligent species in the vastness of space, the implications for our self-image will be profound," he said.

This is not the first time the Vatican has explored the issue of extraterrestrials: In 2005, its observatory brought together top researchers in the field for similar discussions.

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SOLAR FORWARD

Renters group speaks out against smoke from balconies and patios

FROM SMOKING PAGE 1

issued a press release on Monday asking that the council not only update the ordinance to include patios and balconies, but also require landlords and condo owners to disclose the location of smoking and non-smoking units to potential tenants and buyers.

Esther Schiller, the executive director of Smoke Free Air for Everyone, which is a network of individuals affected by secondhand smoke, said that many cities are moving toward adopting comprehensive ordinances, which require that smoking and non-smoking units be separated over time and regulate the activity inside and outside of the buildings, creating places where it's acceptable.

> **"WE SHUT THE DOORS, WE SHUT THE WINDOWS, WHICH IS PRETTY INCONVENIENT AND NOT GUARANTEED TO STOP ALL THE SMOKE ANYWAY."**
>
> **Mike Horelick**
> Santa Monica resident

"It's not an attempt to make it impossible for people who smoke to continue to smoke," Schiller said.

The city of Oakland in 2007 became the first in California to require the designation and disclosure rule for all landlords and condo sellers. Approximately 85 percent of apartments in Oakland are non-smoking today.

Officials in Calabasas recently passed a stringent law that requires 80 percent of all apartment buildings and condos be permanently designated as nonsmoking. The law will not go into effect until 2012.

The local ordinance established a method through which residents could challenge a neighbor who smokes in a common area, allowing them to seek damages of at least $100 in court. The penalty goes up to $200 and $500 for the second and third offenses in the same year.

Councilwoman Gleam Davis, who was not on the council when the outdoor common area ban was adopted, said she is open to the idea of expanding the ordinance, but has concerns about landlords using the law to evict tenants.



Brandon Wise *brandonw@smdp.com*

HOT TOPIC: **Some area tenants would like City Hall to strengthen anti-smoking laws.**

She also has concerns about the impact to smokers who light up on balconies and patios because they have children inside.

"Certainly I recognize that all of the evidence is indisputable that secondhand smoke is incredibly dangerous and I think we need to do whatever we can to minimize nonsmokers' exposure to it," Davis said. "We have to look at the whole picture so we're careful there's no unintended consequences for renters and others in the city."

Paul Scott, a cancer survivor who lived in an Ocean Park condo that he now rents to a tenant, said he's dealt with smoke seeping through walls and drifting from neighbors' balconies.

He was diagnosed with bladder cancer in 2002 and lost both of his parents, who were smokers, to cancer. His surgeon and oncologist said the cancer was caused by secondhand smoke.

"Contrary to what many people might think, I am not telling people who want to smoke they can't, but I am very strict about their smoking interfering with other people's rights to a clean environment," Scott said.

melodyh@smdp.com

Security guards and police presence expected at celebrity preschool

FROM PAPARAZZI PAGE 1

a visit to the nursery school after receiving calls and letters of concerns from more than 30 parents, including celebrities. He reportedly witnessed photographers hooking their cameras onto a fence, some even climbing up the divider between the playground and a nearby alley.

Preschool officials said last month that the problem has not been as intense during the summer when classes were not in session but expected the photographers to come back this month when one of the celebrity families was believed to return.

The Santa Monica Police Department has responded to more than a dozen calls regarding the paparazzi.

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SPORTS BRIEFS

MLB

Scully to broadcast in 2010

Vin Scully says he will continue in the broadcast booth for the Los Angeles Dodgers through the 2010 season, then decide whether he will walk away.

He told The Associated Press on Tuesday that he still loves the job he's had with the team for 60 years, but that it's hard to be away from his wife during a long season.

Scully, who turns 82 later this month, and his wife Sandy celebrated their 36th wedding anniversary Tuesday. He was to speak to the Hollywood Radio & Television Society later in the day, while she stayed home because of a bad back.

Scully's tenure with the Dodgers is the longest of any current sports broadcaster with the same team. He calls all nine innings of the team's television broadcasts, while the first three innings of his games are simulcast on the radio.

In July, Scully said he would retire after the 2010 season and immediately regretted saying so.

"I still love the job. I'm trying to figure out if I can walk away," he told the AP. "I'm the horse pulling the wagon with a lot of people on the wagon, so I'm really not sure. God willing, I'll do next year and then we'll just have to wait and see."

ASSOCIATED PRESS

NBA

Shaquille O'Neal, wife splitting up

Shaquille O'Neal's wife is splitting up with the Cleveland Cavaliers center.

Shaunie O'Neal filed for legal separation with intent to divorce Monday in Los Angeles. She cited irreconcilable differences.

Shaunie O'Neal is seeking spousal and child support and full legal custody of the couple's four children. No monetary amounts were listed in the court filing.

The O'Neals were married six years, 11 months.

Shaquille O'Neal is a 15-time All-Star center with four NBA titles with the Los Angeles Lakers and Miami Heat. He was traded from the Phoenix Suns to the Cleveland Cavaliers in June.

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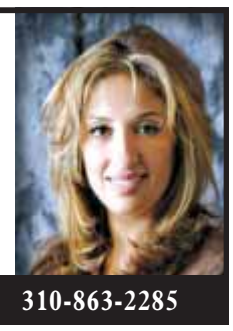
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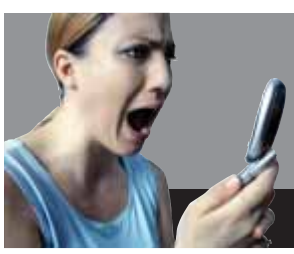
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Surf Conditions **Water Temp:** 62°

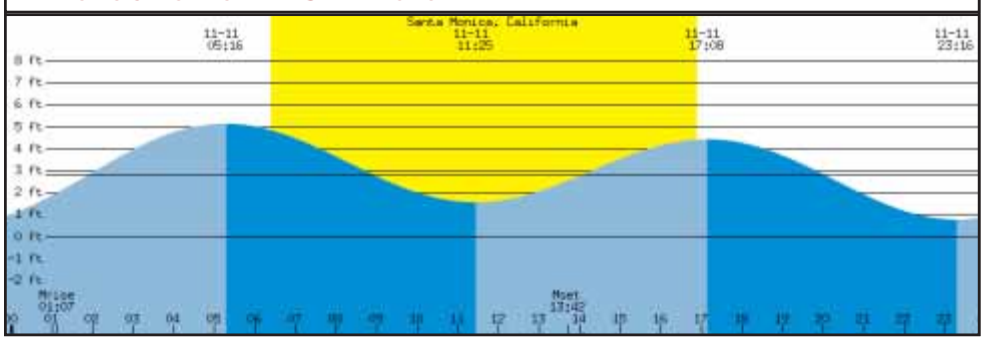
Swell Forecast

Looks a bit smaller with NW swell around waist to chest, and south facing breaks knee to waist. Winds are expected to be light and variable in the AM, and onshore in the afternoon 8-12 mph.

Long Range Synopsis

We may see an increase in NW wind swell as the storm passes through our area.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous four weeks up to the ending date of **October 14, 2009**

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QUICK STATS (for the last 28 days)

- Number of sewage spills -- 1
- Number of beach closures due to a sewage spill -- 1
- Number of wet days -- 2
- Number of A grades for dry/wet weather -- 41 / 14
- Number of (C,D,F) grades for dry/wet weather -- 4 / 0

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

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

LOCATION	DRY	WET
Las Cerritos Beach, at Arroyo Seguit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	ns
El Pescador State Beach, between Lachusa and Las Alisos creeks.	A+	A+
Encinal Canyon at El Matador State Beach.	A+	A+
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	A	A+
Latigo Canyon Creek mouth.	A+	ns
Solstice Canyon at Don Blacker County Beach.	A	A+
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A	F
Surfrider Beach at Malibu Colony fence.	C	ns
Surfrider Beach (breach location)- daily.	A	C
Malibu Pier - 50 yards east.	F	ns
Carbon Beach at Sweetwater Canyon.	A+	A+
Las Flores State Beach at Las Flores Creek (point zero).	A+	A+
Big Rock Beach at 19948 PCH stairs.	A	ns
Pena Creek at Las Tunas County Beach.	A+	A+
Tuna Canyon.	ns	ns
Topanga State Beach at creek mouth.	A	F
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	D	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A	ns
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	ns
Will Rogers State Beach at Pulga Canyon storm drain.	A+	A+
Will Rogers State Beach at Temescal Canyon drain.	A+	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A+	F
Santa Monica Beach at Montana Ave. drain.	A+	ns
Santa Monica Beach at Wilshire Blvd. drain.	A+	ns
Santa Monica Municipal Pier.	F	F
Santa Monica Beach at Pico/Kenter storm drain.	A	F
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	ns
Ocean Park Beach at Ashland Ave. drain.	A+	F
Venice City Beach, at the Rose Ave. storm drain.	A+	A+
Venice Beach at Brooks Ave. drain.	A+	ns
Venice Beach at Windward Ave. drain.	A	A+
Venice Fishing Pier - 50 yards south.	A+	ns
Venice Beach- projection of Topsail St..	A+	ns
Marina del Rey, Mothers' Beach- lifeguard tower.	A	F
Dockweiler State Beach at Ballona Creek mouth.	B	F
Dockweiler State Beach at Culver Blvd. drain.	A+	A+
North Westchester Storm Drain at Dockweiler State Beach.	A+	A+
Dockweiler State Beach at World Way (south of D&W jetty).	A	ns
Dockweiler State Beach at Imperial Hwy drain.	A+	A+
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	ns
Dockweiler State Beach at Grand Ave. drain.	A+	ns

LEGEND

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

Heal the Bay'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.

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

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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.

NBA

Abdul-Jabbar treated for case of leukemia

BEN WALKER
AP National Writer

NEW YORK Kareem Abdul-Jabbar is being treated for a rare form of leukemia, and the basketball great said his prognosis is encouraging.

The NBA's all-time leading scorer was diagnosed last December with chronic myeloid leukemia, he told The Associated Press on Monday.

The 62-year-old Abdul-Jabbar said his doctor didn't give any guarantees, but informed him: "You have a very good chance to live your life out and not have to make any drastic changes to your lifestyle."

Abdul-Jabbar is taking an oral medication for the disease. He is a paid spokesman for the Swiss pharmaceutical company Novartis, which makes a drug that treats the illness.

Citing the way Los Angeles Lakers teammate Magic Johnson brought awareness to HIV, Abdul-Jabbar said he wants to do the same for his form of blood cancer, which can be fatal if left untreated.

"I've never been a person to share my private life. But I can help save lives," he said at a midtown Manhattan conference room. "It's incumbent on someone like me to talk about this."

Abdul-Jabbar became concerned last year after feeling odd sensations. He went for tests at UCLA, where he dominated college basketball in the late 1960s, winning three straight NCAA championships from 1967-69.

"I was getting hot flashes and sweats on a regular basis," he said. "That's not normal, even for my age."

An exam showed his white blood cell count was "sky high" and a doctor quickly diagnosed his condition. At first, all Abdul-Jabbar heard was the word "leukemia."

"I was scared," he said. "I thought it was all the same. I thought it could mean I have a month to live."

"That was my first question," he said. "Was I going to make it?"

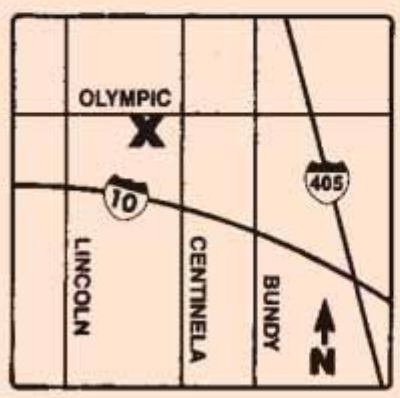
A longtime student in martial arts, Abdul-Jabbar said he took the approach of a samurai, to face death without fear.

"I had my face on," he said.

Instead, doctors told him CML was treatable with proper medication and monitoring.

Abdul-Jabbar is a special assistant with the Lakers and said he hasn't had to cut back his level of activity of coaching, change his regimen or adjust his diet. "I'm able to sneak out for Thai food," he said.

"There is hope. This condition can be treated. You can still live a productive, full life," he said. "I'm living proof I can make it."

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MOVIE TIMES

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

Call theater for information.

AMC Loews Broadway 4
1441 Third Street Promenade

Astro Boy (PG) 1hr 34min
2:30

The Boondock Saints II: All Saints Day (R) 1hr 57min
1:00, 4:00, 7:15, 10:00

Saw VI (R) 1hr 31min
5:00, 7:30, 9:50

Zombieland (R) 1hr 21min
2:15, 4:45, 7:45, 10:10

A Serious Man (R) 1hr 45min
1:50, 4:30, 7:00, 9:40

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

Paranormal Activity (R) 1hr 39min
12:30, 2:50, 5:10, 7:20, 9:40

Disney's A Christmas Carol (PG) 1hr 36min
12:40, 3:00, 5:20, 7:40, 10:00

Disney's A Christmas Carol in Disney Digital 3D (PG) 1hr 36min
2:20, 4:40, 7:00, 9:20

The Fourth Kind (PG-13) 1hr 38min
12:20, 2:40, 5:00, 7:30, 9:50

Where the Wild Things Are (PG) 1hr 34min
1:50, 4:20, 6:50, 9:45

Men Who Stare at Goats (R) 1hr 30min
12:50, 2:30, 3:10, 4:50, 5:30, 7:10, 7:50, 9:30, 10:10

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

The Maid (La nana) (NR) 1hr 34min
1:40, 4:40, 7:45, 10:10

New York, I Love You (R) 1hr 43min
1:50, 5:00, 7:50, 10:15

Irene In Time (PG-13) 1hr 35min
1:45, 4:50, 7:30, 10:00

P10 Film Fiesta (NR)
1:00, 3:10, 5:30, 10:10

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

The Box (PG-13) 1hr 56min
11:30am, 12:00, 12:30, 2:10, 3:00, 4:50, 7:30, 9:20, 10:20

Couples Retreat (PG-13) 1hr 47min
3:30, 6:30

Julie & Julia (PG-13) 2hr 3min
6:00, 8:45

Law Abiding Citizen (R) 1hr 48min
11:20am, 2:00, 4:40, 7:20, 9:50

Michael Jackson's This Is It (PG) 2hrs 1min
11:50am, 1:30, 2:30, 4:10, 5:10, 6:50, 7:50, 9:30, 10:30

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

Midweek break, Scorpio

ARIES (March 21-April 19)
★★★★ Exciting defines your morning. Your sense of direction could be tested by a conversation. You need to do a reality check. Do you have all the facts? Be sensitive to the possibilities. The unexpected runs through your day as a theme. Tonight: Stick with a project.

TAURUS (April 20-May 20)
★★★★★ Allow more creativity and productivity into your life. Lots of ideas keep popping up. Think positively, and you might even surprise yourself with a solution. A boss or someone you look up to could be creating a lot of confusion. Tonight: Let the fun begin.

GEMINI (May 21-June 20)
★★★ Home is where the heart is -- so much so, you might like to stay at your pad and work from home. Consider an office or home-based business. You might be much happier working from home than you think. Someone is giving a mixed message. Tonight: At home.

CANCER (June 21-July 22)
★★★★★ Communication is starred. You hear news that takes you in a new direction. A partner might not want to see the facts as they are, and therefore is creating confusion. Be realistic. Tonight: Visit with a pal.

LEO (July 23-Aug. 22)
★★★ Be aware of your financial involvements, especially if there is a hazy detail or question. Stay on top of your game; be willing to play devil's advocate and say no. A partner reacts out of the blue. Tonight: Invite a friend out for dinner.

VIRGO (Aug. 23-Sept. 22)
★★★★★ Your positive vibe allows greater give-and-take. You are on top of your game, no matter what occurs. Someone in your daily life is tossing a haze over a situation. The unexpected occurs when dealing with others. Tonight: Whatever makes your heart and mind smile.

LIBRA (Sept. 23-Oct. 22)
★★★ Take your time assessing a situation. Understand what is happening behind the scenes. You seem to know what to do in order to get the reaction you want. You easily misunderstand what someone says. This person's intentions are good. Tonight: Vanish while you can.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ Zero in on what you want. Realize what must happen with a child or loved one. Examine your intentions with a family member. Do you have a personal agenda here? This person cannot get your message. Look to better communication as a path to success. Tonight: Midweek break.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ All eyes look to you. Act like the boss, give orders like a boss, and you could achieve the type of success and respect you crave. The unexpected occurs at home when you least expect it. Maintain a sense of humor. Tonight: Burning the candle at both ends.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ You will want to fill in where you see a lack. In some cases, this could involve learning a new skill or learning more about a skill. In any case, detach enough from yourself to see where change might be needed. Tonight: Surf the Net. Put on some music.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Relate directly to those individuals in your life who make your life work. Do nothing halfway, and you will be much happier. If you give 100 percent and you experience a backfire, you can relax, because you know that you have given your best. Tonight: Togetherness is the theme.

PISCES (Feb. 19-March 20)
★★★★ Others want what they want. You could be conflicted. You might misunderstand what someone else says. In any case, you discover a lot about key associates and friends. In some cases, you actually might want to run away. Tonight: First decide what you want, then look at suggestions.

Happy birthday

Many people support your long-term goals. In fact, so many that you might be taken aback. Knowing your long-term priorities might be instrumental. The first step is knowing your goals; step two is creating them. Confusion surrounds communication around home and family. Don't allow rifts to develop. If you are single, you'll meet someone through your friends. This person could be quite exciting and fun. If you are attached, socialize with couples and people you both enjoy more often. Don't become self-absorbed as a couple. You can count on VIRGO.

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

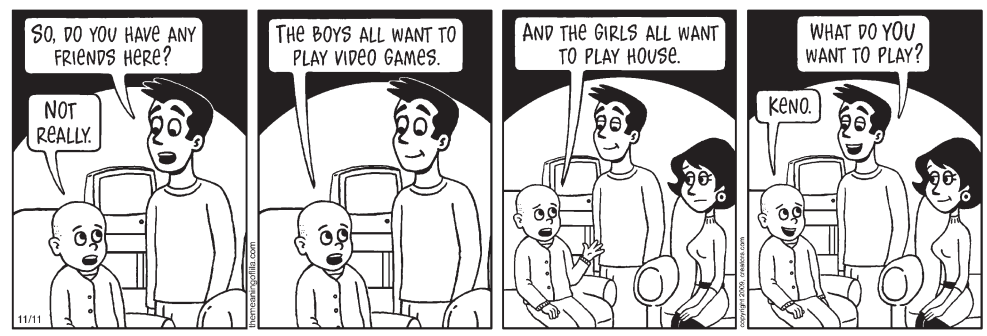
Girls and Sports

By Justin Borus and Andrew Feinstein



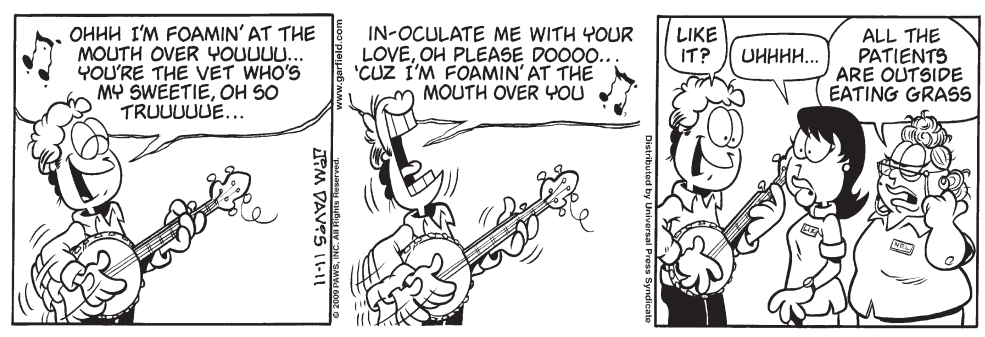
The Meaning of Lila

By John Forgetta & L.A. Rose



Garfield

By Jim Davis



Strange Brew

By John Deering



Speed Bump

By Dave Coverly



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Sudoku

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

Difficulty Level ★★★

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

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

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

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MYSTERY PHOTO

Leslie Thomas *news@smdp.com*

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

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Grazing site
7 Minor argument
11 Show up
12 Buffalo's lake
13 Marsh birds
14 Despicable
15 Country music?
17 Vault part
20 Sports spot
23 German article
24 November marcher
26 Ring legend
27 Is for two
28 Hubbub
29 Brunch cocktails
31 "How I Met Your Mother" role
32 Play part
33 On this spot
34 Start again
37 Small nail
39 Desert sight
43 Meter maid of song
44 Shown as true
45 Follow orders
46 Capitol group

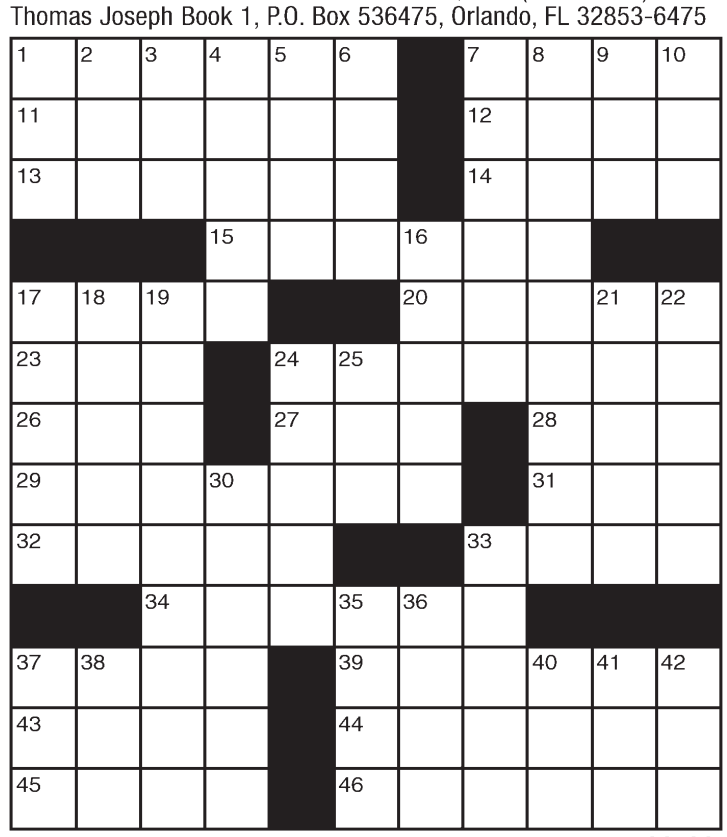
DOWN

1 Buddy
2 Blunder
3 Coach Parseghian
4 Singer Shore
5 Kitchen sight
6 Sunset spot
7 Harsh
8 Interest charge
9 Trouble
10 Course start
16 Despises
17 Washington's successor
18 Archaeology find
19 FBI statistic
21 Consumerist Ralph
22 Battery end
24 Rose holders
25 Memorable time
30 Eventually
33 Ibis' cousin
35 Game callers
36 Deep mud
37 Dude's address
38 Chest bone
40 Gardner of "Mogambo"
41 Obtain
42 Hydrocarbon suffix

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

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



11-11

DAILY LOTTERY

MEGA MILLIONS: 7 11 27 40 46
Meganumber: 8
Jackpot: $77M

SUPER LOTTO PLUS: 6 10 34 39 44
Meganumber: 1
Jackpot: $18M

Fantasy 5: 1 5 7 16 30

DAILY 3: MIDDAY: 9 7 5
EVENING: 3 1 8

DAILY DERBY:
1st: 04 Big Ben
2nd: 12 Lucky Charms
3rd: 02 Lucky Star
RACE TIME: 1.41.20

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

■ Robin Magee, a law professor at Minnesota's Hamline University, was charged with state income tax evasion in September for failing to file in 2007 and for filing returns for 2004, 2005 and 2006 only very recently. Magee told the St. Paul Pioneer Press that she was "unable" to file on time because she has "extreme" attention-deficit disorder. Among the lapses of attention, according to prosecutors, was Magee's claim of eight tax exemptions, even though she is single and has no dependents.

■ Parenting Made Simple: The father of the baby is only 13 years old, but his own dad told reporters in Manchester, England, in October that the kid "will make a good father" and "is taking his responsibilities very seriously." He is "mature for his age" and "knows what he's about." The new dad said he plans to quit school and work full-time to support the child and the 16-year-old mother (though the earning power of a 13-year-old is uncertain).

■ The French-speaking citizens of Quebec, said to feel chronically underappreciated in English-speaking Canada, might have received a boost in spirits in September when the Canadian military ordered its airmen assigned to the North American Aerospace Defense Command to learn French. However, the contract was awarded to French instructors of a company in the United States, which many Canadians feel is even more chronically overappreciated.

TODAY IN HISTORY

1960 A military coup against President Ngo Dinh Diem of South Vietnam is crushed.

1962 Kuwait's National Assembly ratifies the Constitution of Kuwait.

1965 In Rhodesia (modern-day Zimbabwe), the white-minority government of Ian Smith unilaterally declares independence.

1967 Vietnam War: In a propaganda ceremony in Phnom Penh, Cambodia, three American prisoners of war are released by the Viet Cong and turned over to "new left" antiwar activist Tom Hayden.

WORD UP!

soporific \sop-uh-RIF-ik; soh-puh-\ , adjective; 1. Causing sleep; tending to cause sleep.

Santa Monica Daily Press

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833 5TH St. SM unit 101 2+2 $2295 stove, carpet, blinds, swimming pool, laundry, granite countertops, wood/tile floors, intercom entry, gated parking, no pets. (310)393-2547 www.jkwproperties.com

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L.A. 1523 Holt Ave unit 1+1 large lower unit stove, fridge, hardwood, parking, cat OK with deposit, $1175, $500 off move-in (310) 578-7512 www.jkwproperties.com

L.A. GROVE area 428 N Orange Grove unit 101 1+1 stove, fridge, blinds, tile bathroom separate tub/shower hardwood/ vinyl floors, on-site laundry no pets $1195/mo $500 off move-in (310) 578-7512 jkwproperties.com

MAR VISTA 12760 Matteson Ave #8 1+1 $925/mo stove, fridge, tile and vinlyn floors, blinds, parking, laundry, no pets non smoking call between 5:30-7:30pm units shown by appt.only $750 off move-in (310) 439-1928 jkwproperties.com

MAR VISTA 12450 Culver Blvd. Unit 224 1bdrm/1bath, carpet, granite counter tops, gated parking, intercom entry, stove, fridge, utilities included, laundry, no pets. $1000/mo $500 off move-in on site manager (888)414-7778 www.jkwproperties.com

MAR VISTA 12766 Matteson Ave #8 2+2 $1375/mo stove, fridge, tile and vinlyn floors, blinds, parking, laundry, no pets call between 5:30-7:30pm units shown by appt.only $500 off move-in (310) 439-1928 jkwproperties.com

MAR VISTA 12766 Matteson Ave #6 1+1 $1025/mo stove, fridge, tile and vinlyn floors, blinds, parking, laundry, no pets call between 5:30-7:30pm units shown by appt.only $500 off move-in (310) 439-1928 jkwproperties.com

MAR VISTA near Marina. $1050/mo 1bd+den 1ba, carpet, blinds, stove, refrigerator, laundry, parking, no pets. 310-456-5659.

MAR VISTA: 11932 Courtleigh Dr. unit 9, $1050/mo. 1+1 stove, fridge, carpet, blinds, carpet, utilities include, intercom entry, laundry, gated, parking, no pets. $500 off move-in (310) 737-7933 jkwproperties.com

PALMS ADJ/ LaCienga Hghts. $925.00 1 Bdrm, 1Bath, NO PETS, stove, refrg, parking 2009 Preuss Rd., #10 Open daily 9am-7pm . Additional info in unit

For Rent

MAR VISTA: 12434 CULVER Blvd. unit 1 2+2 stove, fridge, AC, carpets blinds, laundry room, intercom entry, gated parking, no pets.$1395/mo $500 off move-in (888)414-7778 www.jkwproperties.com

MARVISTA-LA $1495.00 2bdrms, 2 baths, no pets, balcony, stove, refrig, dshwshr, washr/dryr, 2-car garage gas-fireplace. 12048 Culver Blvd. #202 Open daily 9am-7pm. Additional info in unit

MV/MDR adj. $900 Large Studio, single, Full kitchen, stove & refrigerator, large closets, carpets, laundry, parking. Info (310)828-4481 or (310)993-0414 after 6p.m.

MV / MDR adj.$1100 one bedroom upper appliances, new carpet, private balcony, laundry, parking, Info (310)828-4481 or (310) 993-0414 after 6 p.m.

PALMS 2+1 3633 Keystone ave stove, blinds, tile flooring, carpets, ceiling fan, laundry,parking, AC, no pets. $1375/mo $500 off move-in (310)578-7512 www.jkwproperties.com

PALMS 3346 S. Canfiled #205 $950 1+1 upper, stove, fridge, blinds, bamboo & vinyl floors, on-site laundry, garage parking, intercom entry no pets.$500 off move-in (310)578-7512 jkwproperties.com

PALMS 3540 Overland 1+1 unit 2 $850 Stove, fridge, carpet, blinds, laundry, street parking, no pets. $700 off move-in special. (310)578-7512 www.jkwproperties.com

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PRIME LOCATION Westwood, North of Santa Monica 2+2 remodeled, gate/garage no pets 1607 Greenfield Ave. $1750 (310)666-4033

SANTA MONICA $1200.00 1 bdrm, 1 bath, no pets, stove, refrig, patio, parking 2533 Kansas Ave., #109 Open daily for viewing 8am to 7pm. Additional info in apt Mgr: apt #101

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North of Montana	$2,897,500	$1,395,000
Between Wilshire & Montana	$1,872,500	$839,000
South of Wilshire	$899,000	$599,999
Sunset Park	$1,249,000	$629,000
Ocean Park	$1,550,000	$1,022,000

Statistics Updated Every Monday

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