

Santa Monica Daily Press

A newspaper with issues

Heavy Metal Christmas



Alex Cantarero / Daily Press

Santa Monica artist Anthony Schmitt created a shopping cart Christmas tree at the Edgemar shopping center at 2435 Main St. The tree is constructed of 61 shopping carts and stands 29 feet high. The artist chose the carts as a symbol of this country's abundance and its downtrodden, who sometimes use the vehicles to transport their belongings. The tree, which will be completed with ornaments, will remain at Edgemar through Jan. 1.

Design consultants urge city to think 'small' downtown

BY ANDREW H. FIXMER

Daily Press Staff Writer

A team of consultants urged Santa Monica officials and residents Sunday to think about the small places downtown that can be improved.

Approximately 50 Santa Monica city officials, activists and residents attended the Third Street Promenade Uses Task Force meeting on how downtown Santa Monica can be better redesigned to remain a viable economic center.

They were told by consultants from Project for Public Spaces, a New York City-based firm hired by the city to help guide the redesign efforts, that Santa Monica needs to liven itself up by focusing on creating small workable public spaces. The city is paying the consultants \$54,000 to assess the downtown.

Workable spaces should be social and attract people, be highly accessible, have multiple and complimentary uses and activities and be comfortable and beautiful, the consultants said.

Task force members were shown a photo montage of other cities around the world to illustrate what works and how Santa Monica measures up.



Andrew H. Fixmer/Daily Press

Santa Monica Mayor Mike Feinstein, center, guides residents and city officials Sunday on how the city could better redesign Second Street.

"We're designing our communities around parking and traffic instead of creating the public spaces we all

See DOWNTOWN, page 5

City looks for transit solutions

BY ANDREW H. FIXMER

Daily Press Staff Writer

Frustrated with rampant traffic congestion, about 125 supporters of a proposed light rail line gathered Thursday to talk about mass-transit solutions.

The meeting brought residents, elected officials and mass-transit planners with the Los Angeles County Metropolitan Transportation Authority together at the Ken Edwards Center to discuss plans for a proposed light rail line that would

run from downtown Los Angeles to Santa Monica.

Officials de-briefed interested residents on the status of the plan, called the "Exposition Light Rail Project," which they said is only lacking in funding at this point.

A blueprint allocating federal dollars for transportation projects over the next six years will be approved early next year in which millions of dollars could be given to fund the light rail.

The plan is both highly recommended by the Metropolitan Transit Authority and the Federal Transit Administration in Washington, but the fight for the federal dollars remains fierce in these budget-tightening times.

"There is very little money available anywhere these days," said planning commission chairman Darrell Clarke, who is involved with Friends4Expo Transit. "So you use it where it can be best utilized, and sending a light rail line down the incredibly congested Interstate 10 corridor is an incredibly good use."

And Clarke said that's why it's so good that many residents turned out for the meeting, which was attended

See SMALL CLAIMS, page 6

See TRANSIT, page 5

Santa Monica's small claims court goes dark

Disputes will still be heard alongside traffic contests

BY JOHN WOOD

Special to the Daily Press

Betrayed, cheated, lied to — for years the wronged sought justice in a tiny Santa Monica courtroom.

From David-and-Goliath kind of lawsuits to matters of principle so divisive they pit old friends against one another, the most impassioned battles have been fought in this cramped, out-of-the-way room that sits across the hall from juvenile court.

There has been a lot of compromise reached here, too. Not just the strong-armed judgments of "Judge Judy" and "The People's Court," but real negotiations between sincere parties with genuine grievances.

Now it's gone dark.

Department U in the Santa Monica

Courthouse, also known as the Byron Y. Appleton Honorary Courtroom, has served as the people's small claims court for more than 18 years.

But with a statewide budget shortfall forcing drastic measures, that all has changed. As part of a countywide plan that closed 29 courtrooms Nov. 1, Appleton's courtroom has fallen silent.

Some of the cases heard here over the years were petty, but others carried far more weight than their \$5,000 price tag.

A movie director suing studio execs over copyright infringement, a coalition of tenants taking on their laggard landlord for withholding security deposits, a blue-collar couple uncovering a pattern of forgery in the disbarred lawyer they hired to represent them.

Along with the courtroom closures, Los Angeles bade farewell to the dedicated judge pro tem program, which for years allowed volunteer lawyers to be the workhorses in the

county's most rambunctious courtrooms.

Small claims trials in Santa Monica are now bunched together with traffic disputes, with both being heard by Commissioner Donna Groman, who recently transferred from the Clara Shortridge Foltz Justice Center downtown.

While many regret the loss of the pro tem program, Santa Monica Superior Court Presiding Judge Alan B. Haber said the changes were unavoidable.

"The budget has been the engine that has driven this change," he said. "The court just needs the staff to be used elsewhere."

By hearing traffic and small claims in one courtroom, the courthouse will free Department U's clerk for substitute assignments. No other jobs will be lost in the transition. Caseload and day-to-day operations will not be affected, Haber said.

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

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

♊ ARIES (March 21-April 19)

★★★ Though you believe you're crystal clear, you might not be. Air out problems. Discuss issues. Help others feel that they are part of the decision-making process if you want better end results. Know when to put a halt to spending. Create more togetherness. Tonight: Get into the holiday spirit.

♉ TAURUS (April 20-May 20)

★★★★ Making your point could be nothing less than challenging, to say the least. Understand much more of what you need to happen. Your loose and easy style helps others relax and understand what might be needed. Tonight: Drop in on an older relative.

♊ GEMINI (May 21-June 20)

★★★★ Reach out for loved ones who want to gain a better perspective. Don't get stuck in negative thinking. Rather, flow with opportunities. Keep smiling no matter what might be going on. Your instincts guide you with a trip. Tonight: Seek out information.

♋ CANCER (June 21-July 22)

★★★★ Aim for more of what you want. A partner might support you just for form, even if he or she might not grasp the whole story. Understand how much trust this person gives you. Think in terms of gains. Tonight: Where the crowds are.

♌ LEO (July 23-Aug. 22)

★★★★ Others, specifically a key associate, manage to confuse things. What is new about this picture? Let go of trying to control all the different people in your life. You will be happier, and so will they. The only person you can control is you. Tonight: A must show.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Your emotional makeup gets tested, with confusion coming at you from left and right. True to form, you should be able to detach and gain perspective. You also might giggle yourself sick for hours, once you see the big picture. Now isn't that easier? Tonight: Rent a movie.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Your playfulness takes you in a new direction, but the question remains: Just how far off the beaten path do you want to go? Ultimately, you're the only one who can decide. A trusted friend or colleague might toss cold water on your wildness. Tonight: Anchor via a friendship.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Others certainly present you with a plethora of opportunities. You also might not be getting the whole story. Worse yet, you might not care or want to hear it. Be a bit of a cynic, even if you want to relax and be agreeable. Tonight: The party could go to the wee hours.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ What you hear might not be what others are saying. Sort through your reality by asking more questions, if you so choose. Some of you might just decide to close your door and get into work — also not a bad idea. Tonight: Soak away stress in a hot bath.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ It might take all your imagination to puncture some sense into another's wild tale. It might not be deception, but a case of an overly active imagination. Focus on those around you and a more dynamic approach with colleagues. Tonight: Use care with funds.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ How you see a situation might be more of a case of wishful thinking. Of course, this might be all right if you don't want anything more in your life. Could you, in some form, be taking away from your opportunities? Be realistic. Tonight: Playtime.

♓ PISCES (Feb. 19-March 20)

★★★★ Express what's on your mind more often. You might not have the answers, but just need feedback. Express your willingness to explore alternative options. What heads your way could be most special. Tonight: Brainstorm with a buddy.

QUOTE of the DAY

"What do you give the man who has everything? Penicillin."
— Jerry Lester

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LOCAL



Gavel II Gavel

From the people's court in the Santa Monica Courthouse

By John Wood

A lesson from the tutor

A Playa del Rey tutor taught the parents of her pupils a lesson after they refused to pay her bill.

Katie Fisher, a credentialed teacher who works as an after-school tutor, sued Cheri Noda of Marina del Rey, saying Noda refused to pay for Fisher's services.

"She had been very dependable at first," explained Fisher, who was paid in cash after each of her first two visits, minus \$10 when Noda said she didn't have change.

Noda had agreed to pay \$50 per session for Fisher's one-hour, twice-weekly sessions with her son and daughter. But after six sessions, Noda had paid only the \$90. On two additional occasions, Noda left notes outside her home apologizing that her children were not available for their scheduled tutoring.

Superior Court Judge John H. Reid, sitting in for an ill Commissioner Donna Groman, ruled against Noda, who did not appear in court, for \$260 plus court costs.

If the sweater fits, pay for it

Posh Montana Avenue retailer Lori Innes of Giselle must pay Brian Cousins, owner of Suss Design, for a shipment of sweaters delivered October 30, 2001.

"(They) basically stopped payment on this check and then closed the account," Cousins told the court. "It was very crafty."

Lori Innes of Giselle did not send a representative to court.

Superior Court Judge John H. Reid ruled against the upscale women's boutique for \$958 plus court costs. The judgment amount represented the \$848 cost of the sweaters, a \$25 fee Cousins paid to his bank when the check bounced and interest accrued over the past year.

A Hollywood job, Northridge-style

A Beverly Hills woman sued her movers last week after they failed to reimburse her for an entertainment center they damaged in August.

Keara Daly, who hired Northridge-based Hollywood Moving & Storage for her move from Santa Monica to Beverly Hills, asked the court to award her \$625, the full value of the damaged furniture.

"I was in a different room talking to one of the movers when I heard a loud crash," said Daly, who had two movers help transport her things. "I guess (the other mover) was assessing how it would be moved."

Daly said the movers, who did not appear in court, stonewalled her when she tried to collect reimbursement.

"The manager's response is that he doesn't have any record (of the move), and that the employee's been fired," she said. "It's the most bizarre story."

"I just wanted to reach some agreement with them," added Daly.

Superior Court Judge John H. Reid ruled against the movers for \$356 plus court costs, the estimated amount it will cost to repair the damaged entertainment center.

DID YOU KNOW?:

More movies are produced in India than in Hollywood.

surf report

Information compiled by Jesse Haley

We should see a trend of moderate surf this weekend, with a west by northwest swell on the decline.

Breaks throughout the county look about waist-high today, mostly with some plus sets in the chest-high range.

Today we see the arrival of new swell out of the northwest.

The new swell is expected to improve Sunday, when best northwest exposures could see shoulder high waves.

Most of L.A. will miss the steep angled swell, but South Bay locations pick it up best.

By Sunday there should be consistent chest-high surf at southern spots.

Wind conditions look light, better in the mornings, with some onshores in the afternoon.



Today's
Tides:

Low-	12:45 a.m.	1.03'
High-	7:06 a.m.	5.33'
Low-	1:38 p.m.	0.77'
High-	7:31 p.m.	4.15'

Location	Monday	Tuesday	Water Quality
County Line	2-3'/Fair	2-4'/Fair	A
Zuma	2-3'/Fair	2-4'/Fair	A
Surfrider	2-3'/Fair	1-3'/Fair	A
Topanga	2-3'/Fair	1-2'/Fair	B
Breakwater	3-4'/Fair	3-4'/Fair	B
El Porto	3-4'/Fair	3-5'/Fair	A

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The Q Line

Now that Measure EE, the \$300 parcel tax that the Santa Monica-Malibu Unified School District board hoped would inject some needed cash into the public school system, has failed at the ballot box, and SMMUSD Superintendent John Deasy has described the district's financial situation as "catastrophic," things aren't looking too good for teachers and students alike.

But there has been talk that the district may put another measure before the voters during a special election in March, and teacher layoffs, student bus fee hikes and classroom size increases, among

other things, may be avoided.

So Q-line wants to know:

"Should the voters bail out the school district and ensure the public education system won't suffer? Or should the school board find a way to tighten their belts during these lean economic times just like everyone?"

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LETTERS

Beware of bikers

Editor:

The opinion letter of Jeanette Ross in last week's SMDP resonates with my own personal experience in connection with sidewalk bicycle riders. When exiting the driveway where I live about a month or so ago, I had a clear path up to the top of the ramp and ascended and was watching for traffic heading in the direction in which I wanted to make a turn on to the busy street. Suddenly, I heard yelling, and turned to my right to see two teenagers, one female mounted on her bicycle and the other a male who was off his bike.

I was stunned to see them, since there was no one in sight when I ascended the ramp. I got out of my car, and they both continued yelling at me and shouting what will the boy do now, indicating that his bicycle, now laying on the ground to the side of my car, was his only form of transportation. I was so upset, and so taken aback, but also relieved that the young man was all right. I then asked him to pick up his bike and show me that it was damaged. He did, and it appeared to be damaged, but I am not even sure of that. I never once thought about the fact that they were breaking the law by riding on the sidewalk, against the flow of traffic, and personally felt responsible.

The truth is, however, that he hit me. We resolved the matter, and it was only after some time had elapsed that I began to feel I had been set up. I kept going over and over it in my mind, trying to figure out how it could have happened. I also began wondering about the laws regarding riding bicycles on the sidewalk. So I called the police, and they said it is against the law, and that both of the teenagers could have been cited. I attempted to file a police report, but the police would not take the report. I told them that a friend just told me that she knows of a location where kids do this intentionally so that their parents can sue, but that did not phase the officer, and he, in fact, said that we do not have that problem where I live.

Not too long after that, I was existing an alley from the parking lot of a shopping center between 14th and Euclid streets on Wilshire Boulevard in my car, when, all of a sudden, across my path, passed a man riding his bicycle on the sidewalk. Fortunately, I was going slow enough to avoid him, but he startled me, and I wanted to let him know that it is illegal, but I did not say a word.

Then, coincidentally, today, as I was walking northbound in the pedestrian walking path in Palisades Park, suddenly from behind me came a man on a bicycle heading in the same direction as I was, riding on the sidewalk, against traffic, and I told him that it is against the law to ride on the sidewalk. He insisted that it was not, and I repeated it, and he told me not to tell him what to do in a very hostile manner.

Furthermore, in the street, on both sides of Ocean Avenue, adjacent to the park, are clearly marked bicycle paths. I had reason to believe that he might have been homeless because of the large black plastic trash bag he was carrying on the handle bars of

his bicycle, but I cannot be certain of that.

So I have had these experiences with bicycle riders riding on the sidewalk both behind the wheel of my car and as a pedestrian.

Julia Reeves
Santa Monica

Feinstein should win an award

Editor:

Assuming the quote is accurate ("Internal Slate Politics..." Daily Press 11/13/02), there can be no doubt that Michael Feinstein wins this year's award for disingenuousness, bad faith and dirty politics in Santa Monica. As one of "Abby's people" who "bullet voted" for her at this summer's convention of Santa Monicans for Renters Rights, I find it amazing for Mr. Feinstein to now claim that the SMRR endorsement of Abby Arnold was illegitimate.

In choosing to vote for only one candidate instead of three at the convention, I was expressing my choice that it was most important for Abby to be one of the three endorsed. That did not mean that other candidates were not worthy. It was a tactical decision on my part, within the rules, to ensure that my preferred candidate would prevail.

How is that democratic choice — to forego two of my votes — "illegitimate?" How is that "stealing the convention?" Surely an advocate of alternative voting systems, such as Mr. Feinstein, can appreciate such tactical voting, especially since he and his supporters did the same thing in 1994 and 1996. Of course, maybe if your side wins, then it's different.

On the other hand, signing and distributing a "hit piece" at the SMRR convention which claims that a candidate is unworthy of consideration based on distortions of that candidate's record — that's okay?

Attempting to guilt-trip convention attendees into voting for one's favored candidate because of her ethnicity, as Mr. Feinstein did in his oral remarks at the SMRR convention, that's also okay?

Openly campaigning for a defeated candidate, who happens to be a fellow Green Party member, in opposition to the endorsed SMRR candidate, thus splitting the vote and helping to re-elect Bob Holbrook — also okay?

Who is kidding whom?

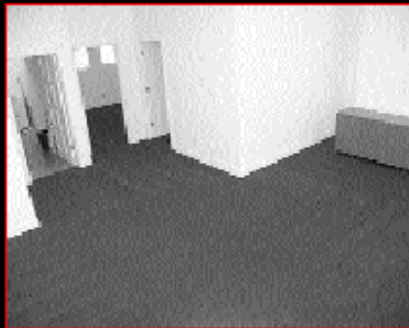
SMRR and its current leaders have some soul-searching to do in the next two years. Abby Arnold's campaign renewed a lot of people's faith in SMRR's potential; it would be a shame if that potential is subverted by so-called "progressives" who claim to support democracy, but only when the votes go their way.

Brad Jones
Santa Monica

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

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LOCAL



Task force sent to the street for downtown's answers

DOWNTOWN, from page 1

want," said Fred Kant, president of the consulting firm. "When you concentrate on small spaces, you create places that work for people that use them but also for the pedestrians that are just passing by."

To illustrate their point, the crowd was split into five teams and sent to specific spots throughout the downtown to look for the characteristics that make a space "workable" and to figure out how the space could be improved.

The groups were sent to their assigned locations and returned to the meeting an hour later to report on their findings, which the consultants will include in their final report on how to improve the downtown.

Kant urged the groups to think about what should be done and let the bureaucrats work out how to accomplish it later.

Many of the groups reported that areas of downtown didn't draw pedestrians or felt disconnected from the rest of the city. They recommended the city redesign parts of Second Street and Ocean Avenue to make them more pedestrian friendly, make the Promenade more accessible to the streets on either side of it and incorporate more vending carts and food merchants.

While the groups were assessing their assigned spots downtown, one task was to

ask residents what they thought about the area and what could be improved.

"We're designing our communities around parking and traffic instead of creating the public spaces we all want."

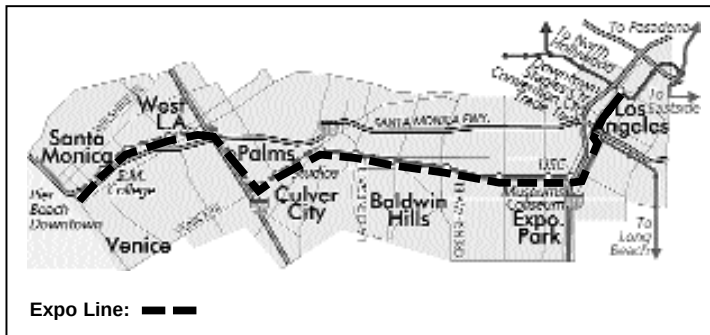
— FRED KANT, PRESIDENT,
Project for Public Spaces

In Palisades Park, near the intersection of Broadway and Ocean boulevards, a woman who declined to give her name said she like to go jogging in the park in the morning, but she said the park felt too dangerous to use at night.

"If it seemed a little safer, I would stop and use it more," the woman said.

Jim, a homeless man who gave only his first name, said he thought the park was a great place to sit.

"But it needs to be cleaned up a little better," he said, "and the bathrooms could be nicer."



Santa Monica may have long wait for MTA light rail

TRANSIT, from page 1

by representatives of Congressman Harry Waxman (D-West Hollywood), Congresswoman Maxine Waters (D-Los Angeles) and several members of the state Legislature.

Clarke said residents made a strong impression on the officials that there is a definite desire for the light rail project to be completed.

"Elected officials are always curious about where the public support is going, and I think we impressed upon them that if people will turn out for a meeting on a Thursday night, they'll go the distance to support the light rail line," he said.

The line would run along what is known as "Exposition Corridor," roughly paralleling and adding the equivalent capacity of up to two more lanes to the Santa Monica Freeway, which is the No. 1 congested freeway in the nation.

"It won't solve our traffic problems, but it's a piece of the solution," said Santa Monica City Councilwoman Pam O'Connor, who is also an MTA board member.

"We can dedicate buses and lanes, and we're reconfiguring lanes, but here's a corridor that we have that can be used purely for transit," she said. "Light rail carries more people."

Already the MTA has committed to building part of the light rail project from downtown Los Angeles to the intersection of Robertson and Pico boulevards in Culver City.

But the second half of the project, which would extend the light rail line to Santa Monica, is still under investigation.

O'Connor said there still isn't an agreement about which path the possible line would take to reach Santa Monica.

"When we get that phase completed, we'll need to come to some agreement about the alignment, but there is still a lot more to be done before we get to that point," she said.

In addition to the rail line, the tracks would incorporate a boulevard-like setting of trees and bike paths.

"It would be a park-like setting," Clarke said. "I think it'll be very beautiful and a welcome addition to every community it passes through."

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LOCAL

Sense of humor needed in the people's court

SMALL CLAIMS, from page 1

UNREST IN THE PEOPLE'S COURT

This little courtroom has seen a lot of fights.

Businesses have folded, relationships dissolved and, on a few occasions, blows have even been thrown.

Lois Tietz, a retired Santa Monica small claims clerk for 13 years, said the fireworks often came when least expected, as in the case of two Santa Monica small businessmen who came to court over a simple contract dispute.

Both sides were well-mannered and quiet, Tietz said, and appeared to be seeking an amicable resolution to a fairly mundane business misunderstanding.

A mutually agreeable judgment was entered, the parties politely thanked the judge and left the courtroom. So did the bailiff. Tietz and the pro tem, thinking nothing out of the ordinary, started on their daily paperwork.

But a few minutes later, an excited courthouse staffer burst into the courtroom. He said the two men had lost their tempers, locked fists and were fighting their way up and down the hallway.

"The plaintiff probably thought he got a little better deal and he decided to let the defendant know that," Tietz said. "Then the next day, the defendant was back, wearing a neck brace, filing a claim of his own."

Other times the tension in Appleton's courtroom was all consuming, like the case of a local brawl that ended up in small claims, Tietz said.

Cops were called out to a movie theater after two patrons started throwing punches in the middle of a show.

One of the men, a young actor, wound up with a ripped shirt and a black eye.

The other gentleman, unhurt, said he attacked because the actor came on to his wife. But the actor, whose blind date was sitting to his right, said he inadvertently brushed against the man's wife, sitting on his left, because he was nervous and his legs were twitching.

The actor sued his attacker for \$5,000, saying he missed an audition because of the unsightly injury and was humiliated in front of his blind date.

"He lost his job, his shirt and his girlfriend," Tietz said. "And when the poor kid saw the guy in court, he lost his head, too. He started another fight."

That's when the bailiff stepped in. The actor was reimbursed for medical expenses and the cost of his shirt, but not for the missed audition or the humiliation he said he suffered in front of his date, who refused to see him again.

LAWYERS PUT 'HUMAN FACE' ON PROCEEDINGS

Before the transfer of Commissioner Groman, a different pro tem heard small claims trials in Santa Monica each day.

Some of the pro tems were unforgiving and efficient. Others were painstakingly particular. But whatever the style — one pro tem earned a reputation for his Aloha shirts and sunglasses — each one brought a unique perspective to the bench.

Ron Papell, a West Los Angeles personal injury attorney who served on the bench for four years, said he'll miss putting a human face on the legal system.

"Unless you're a masochist, who wants to go in front of Judge Judy?" he asked, adding that small claims is often the public's sole point of contact with the courts. "You want to encourage mediation, explain your rulings and be reasonable. Not embarrass people or talk down to them."

Papell, who once referred to himself as a disgruntled comedian, depends on his sense of humor to keep parties comfortable.

One of his cases involved a man who sub-let a room in his apartment to an attractive young woman. Her rent was late one month, so the man broke into her room while she was showering.

She sued for invasion of privacy. The man countersued for the rent money, late charges and "a bunch of other stuff" thrown in to make his case more credible, Papell said. Tensions in the courtroom were high.

"I asked the guy in court, 'Did you think you would get the money from her in the shower?'" mused Papell. "Fortunately, we were able to fashion a resolution."

After some back-and-forth arguing, Papell denied the man's claim and asked the woman to pay a discounted rental fee.

PLAYING JUDGE KEPT LAWYERS ON THE BALL

Lawyers are forbidden in small claims court.

As a result, show-business moguls sit side by side with show-business wannabes, mansion owners next to homeless people and business owners next to service workers — each without benefit of whispering counsel.

The mix can make things weird. And pro tem judges, not necessarily accustomed to the role, had to learn quickly:

- Two blue-haired senior citizens, ready to duke it out over \$20, being pulled apart by a bailiff.

- A pro tem accepting testimony via cell phone from a Las Vegas casino.

- A man, armed with a worm- and larvae-infested bag of walnuts, demanding of the court, "Why won't anyone test my nuts?"

Sticky situations arose frequently and judges had to stay on the ball.

"You don't have a lot of time. You don't have research," said Donald Burris, a Los Angeles civil litigation lawyer who recently spent his 100th day as a judge pro tem. "You have to act quickly."

Jane DuBovy, a Pacific Palisades attorney and 12-year veteran of the pro tem program, said the experience forced her into an active, decision-making role, which helped her professionally.

"It's too bad that attorneys aren't going to be offered this opportunity to really get their hands into the raw system," DuBovy said. "Too often, we're isolated with all of the meetings, details and schmoozing."

DuBovy always ruled on cases while the parties were present in court, and never took matters under submission. People came for a ruling and that's what they should get, she said.

Peter Steinberg, a civil litigation attorney who volunteered as a judge pro tem for 17 years, said he was disappointed to learn pro tems were making way for a

See SMALL CLAIMS, page 8

ENTERTAINMENT



In the game of life, Halle Berry is an overachiever

BY SEAN DALY

Special to the Daily Press

BEVERLY HILLS — When the weight of the world becomes a bit overwhelming, Halle Berry likes to reach for a Payday candy bar and her favorite paintbrush. "I paint all kinds of things: people, scenery, still life," she reveals, flashing a movie star smile from ear to ear. "It's a great form of self expression ... and a fantastic stress reliever." Not that Berry, 36, has much to be worked up about these days. After collecting a Best Actress Oscar for "Monster's Ball" in March, the former high school cheerleader and runner-up to the Miss USA crown takes on her biggest role to date — as "Bond Girl" Jinx, a highly trained NSA assassin — in the new 007 adventure "Die Another Day," opening this weekend.

It's a role she almost died for — literally. As Berry tells it, she began to choke on a piece of freshly cut fig while rehearsing a steamy love scene with co-star Pierce Brosnan. "I guess I was being a little too sexy for my own good," the actress giggles during her first interview of the morning at The Four Seasons Hotel. "I pulled out this knife and was trying to give the air of 'Danger, Danger,' so I started cutting this fig and it got caught in my throat." That's when Brosnan, wearing only his briefs, came to the rescue. "I gave her a whack on the back," he explains.

Such are the days when Berry most looks forward to relaxing at the Los Angeles estate she shares with R&B singer Eric Benet, her husband of nearly two years, and 10-year-old India (Benet's daughter with Tami Stauff, who died at age 25 in 1993). "When you are with a kid or with a child, you get to just play and have fun," she beams. "I get a good dose of love every day when I go home. It's better than any drug."

It's also a nice antidote to Berry's frenetic work schedule. Since completing production on "Die Another Day," the 5'7" Cleveland native has lined up six new projects, including a modern day remake of the Pam Grier classic, "Foxy Brown." "I am usually scrimping and scraping and trying to figure out what I am going to do next," she admits. "Now I have some choices and people are going to take me more seriously when I say I want to produce."

The younger of two daughters born to Jerome, an African American hospital attendant, and Judith, a Caucasian psychiatric nurse, Berry has always been a classic Type-A overachiever. As a senior at Bedford High School in 1984, she was a member of the National Honor Society, class president, and, yes, even prom queen. "They accused me of stuffing the ballot box because this school has never had black image of beauty before," Berry remembers. "I didn't want to be the only black kid. I wanted to be like everybody else."

Berry, a graduate of Cuyahoga Community College, talks candidly about the need to fit in and the role it has played in shaping who she is today. As a teen, she remembers: "I became whatever (other kids) wanted me to become, so that they would like me. If it's being the clown, then I'm the class clown. If it was getting straight A's so I could fit in with the smart kids, that's what I would do. I was like a chameleon."



Halle Berry

It's only in the last few years that Berry — a diabetic, who was insulin-dependent for more than six years before turning to holistic medicine — has truly grown comfortable in her own skin. She has done so partly with the help of psychotherapy. "My mom had me in therapy when I was 10," she shares, candidly. "She was a psychiatric nurse in a hospital, so I have always used therapy as an outlet to create an objective opinion."

"I am usually scrimping and scraping and trying to figure out what I am going to do next. Now I have some choices and people are going to take me more seriously when I say I want to produce."

— HALLE BERRY
Actor/model

Another big part of Berry's confidence comes from a guy named Oscar. She was nominated for the industry's most prestigious award just weeks after beginning work on "Die Another Day," but Berry insists she would have signed on for the role even after taking home the gold statue. "I saw Jinx as empowering," she explains. "I got to be sexy and strong at the same time."

The film includes a sequence showing a bikini-clad Berry wading ashore in a silent homage to Ursula Andress' "Bond Girl" Honey Rider, from the 1962 classic, "Dr. No." That scene, shot in Spain during unseasonably cold weather, left a firm impression on her co-stars. Asked for his fondest memory during filming, Brosnan jokes: "Halle coming out of the surf is way up there!"

For the most part, Berry remains covered up in the rest of the film. Not that the

See BERRY, page 8

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County shuts down pro tem program in Santa Monica

SMALL CLAIMS, from page 6

commissioner.

"It was a good thing to have many different members of the bar preside over these hearings," said Steinberg, who once led parties in an auto-accident dispute to the courthouse parking lot to inspect damages first-hand. "It's a real education."

APPLETON: A 'WISE AND CARING' MENTOR

Steinberg was close to Byron Y. Appleton, a local lawyer who for years spearheaded the small claims cause. In 1999, Steinberg and a handful of others presented an ailing 68-year-old Appleton with a plaque commemorating his ongoing commitment to the community.

A month later, Appleton died of leukemia. The plaque was mounted on Department U's wall and the little courtroom was formally dedicated in his honor.

Appleton, who was at the helm as the small claims limit grew from \$1,000 to its current level of \$5,000, was widely regarded as the champion of the people's court.

He authored a small claims manual to supplement the formal one mailed out from Sacramento. He coordinated seminars and ongoing education. He gave awards and held special functions. Appleton even did all the scheduling for the pro tems himself.

"It was a huge, enormous job," said his retired clerk Tietz, who now volunteers for Kaiser Permanente. "This all came in a time when the courts were really broke, and Byron really gave his all."

Pro tems remember him fondly, too.

Burris described Appleton as "a lovely human being." Steinberg called him a "wise and caring person." And Papell referred to Appleton as a "very, very sweet and dedicated man."

"He genuinely cared about the community," Papell added. "He was the kind of person you wanted to put on a pedestal."

DAY-TO-DAY CONTINUES UNCHANGED

Though small claims trials are now heard down the hall in Department T

under Commissioner Groman, caseload and just about everything else will remain the same, according to Judge Haber.

"Our court is constantly watching the correlation between caseload and staffing," he explained. "There's no cost to Santa Monica whatsoever. No additional bench officers are being brought to the district."

Los Angeles County currently receives state funding for 591 officers, which includes judges, commissioners and judicial referees.

Some have questioned if combining small claims and traffic might be too heavy a caseload for one court. Before the switch, Santa Monica's small claims court heard up to 20 cases a day, and the traffic court heard as many as 30 arraignments and eight trials on a daily basis.

Though Commissioner Groman hears all 58 items each day — 24 in the morning and 34 in the afternoon — she remains optimistic.

"We'll just have to run an efficient courtroom," she said. Groman also served as a pro tem during her 17-year career as a child custody lawyer before taking the bench downtown five years ago. "This truly is the people's court. People with righteous claims. I think it's a great opportunity."

Both Groman and Haber expressed

gratitude for the dedication pro tem judges have shown the Santa Monica Courthouse over the years. Pro tems not only volunteer their time, but also pay themselves for the ongoing education required to serve.

"We're very grateful for their volunteer work," said Haber, who explained that the court will continue to use pro tems when judges are sick or on leave.

Though many pro tems regret they won't be a daily part of the small claims proceedings anymore, most are looking ahead.

DuBovy, whose son is autistic, will continue her work with A2Z Educational Advocates, a non-profit organization that helps parents secure education for kids with special needs. Papell, an art collector, will coordinate an effort to decorate the lecture halls and libraries of Southwestern Law, his alma mater, with contemporary works. And Steinberg plans to spend more time throwing a baseball with his son.

Before stepping down from the bench, Steinberg had a message for the commissioner, who is on track to meet some of Santa Monica's more flamboyant and engaging characters in the months ahead.

"Have a good sense of humor," he said, laughing. "You're going to need it."

Berry knows what it's like to have a scrutinized life

BERRY, from page 7

actress, who appeared topless in both "Swordfish" and "Monster's Ball," has any problems with nudity. "I have always thought the naked form was beautiful and graceful," she says. "In fact, every piece of art, every sculpture in my home is of an unadorned body. I realized it was my fear of being judged — especially here in America — that is why I hadn't done it before."

Benet, 35, doesn't seem to mind his wife's sexy on-screen persona either. These days he's more concerned about tabloid rumors that the couple's marriage may be on the rocks. Berry's relationships have been in and out of the headlines for years. One ex-boyfriend, she has said, hit her so hard she lost 80 percent of hearing in one ear. (She has a hearing aid, but rarely wears it). She also filed a restraining order against ex-husband David Justice, a professional baseball player, during their bitter divorce in 1997. Later that year, Berry met Benet following one of his concerts. They secretly married in 2001, and today the actress declines to discuss their marriage or clear up any rumors.

Berry is, however, surprisingly candid about the much publicized traffic mishap for which she was charged with "leaving the scene of an accident" and ordered to pay \$13,500 in fines and perform 200 hours of community service in 2000. "I couldn't speak out about it for a long time on the advice of my lawyers," she explains, crediting the incident for helping her become more comfortable with herself. "During that time, I had to let the rumors swirl, I read the headlines and I heard the jokes. I realized I have always been so concerned with what people thought about me. I wanted them to like me. But during this time I couldn't do what I normally do — speak out and



Halle Berry as 'Jinx' in upcoming film, '007: Die Another Day'.

change their minds."

"Now I realize that I survived," she continues. "The ones who always supported me did, and the ones who didn't like me or support me still didn't. And they never will. So why should I care?"

Berry knows she is not the only celebrity to be placed on trial in the court of public opinion. That's why she reached out recently to friend and neighbor Winona Ryder. "As luck would have it, she lives on the corner of my street," Berry explains. "So I left her a couple of notes along the way. I don't know what really happened with her, and I haven't followed it that closely, but I know what it's like to have the public shine a light on your head."

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STATE



WWII Japanese-American camps seek preservation

BY TOM HARRIGAN

Associated Press Writer

LOS ANGELES — Just one of the internment camps where 120,000 Japanese-Americans were held during World War II has come under a National Park Service program, prompting an effort to seek preservation status for what remains at the other nine camps.

The preservation efforts were outlined during a three-day All-Camps Summit which ended Sunday.

The series of workshops included participation by at least 400 Japanese-Americans forced to live and work behind barbed-wire and guard towers between 1942 and 1945 while considered possible security risks.

Organizers also expressed the urgent need to gather as much information about the camps as possible from surviving internees who are now mostly in their 70s and older.

"We've been losing so many members," Daisy Used Satoda, who spent her high school years at the Topaz camp in Utah, told the Los Angeles Times prior to the weekend gathering. "That's why we want to get things into print."

"Hopefully the sansei (third-generation Japanese Americans) and the yonsei (fourth-generation) will continue to tell the story," said Eddy Kurushima, who spent time at the Jerome internment camp in Arkansas before entering U.S. military service. "But after that, I don't know what will happen."

Efforts to preserve and in some cases reconstruct the Manzanar Camp, 200 miles north of Los Angeles, have been the most successful so far. Fifty buildings are still standing from the 1,300 built to house entire families brought there, mostly from Southern California.

Other preservation efforts are at work for other internment camps in Idaho, Utah, Wyoming, Colorado, Arizona and Arkansas.

Early opposition of local veterans' groups to preservation plans at Manzanar were deflected when supporters invited a member of the 442nd Regimental Combat unit of Japanese-Americans who fought in Europe in World War II. He told of the 442nd's liberation of the Dachau

concentration camp in Germany.

"It's probably one of the most important parks in the national system (because) ... it tells a different story, one of social justice," said Frank Hayes, the National Park Service superintendent at the Manzanar National Historic Site.

Hayes noted that current National Park Service priority focuses on the \$5 billion backlog of maintenance and repair for buildings, roads, trails and other facilities at existing parks.

State and national officials continue to study the proposed preservation of as much of the internment camps as possible, including 13 centers in California where internees were assembled and held while the camps were being prepared.

The uphill effort to get state and national designations and funding for preservation of Tule Lake camp in Northern California has made some progress.

Senator Feinstein says FBI hasn't answered questions about Berkeley

By The Associated Press

SAN FRANCISCO — Sen. Dianne Feinstein says she wants a congressional hearing to find out whether the FBI used unlawful methods of obtaining information from the University of California, Berkeley five decades ago, a newspaper reported Sunday.

Feinstein said she asked the bureau to respond to activities it allegedly used on campus during the 1950s and '60s following a June 9 article by the San Francisco Chronicle. Feinstein has said the article pointed to "significant misuses of FBI power."

She said the FBI failed to respond adequately to her inquiries in a five-page letter she received last week.

"I found the response frankly disappointing in its inadequacy," Feinstein told the Chronicle.

Feinstein is a ranking member of the U.S. Judiciary Committee, which oversees the FBI. Her inquiry drew

Jimi Yamaichi, 80, of San Jose, helped build many of the structures at the camp that housed 19,000 persons. He said a jail he helped build, the only one in the internment system, is now falling apart.

The jail's interior walls still bear poetry and cries for help written by prisoners held there, said Tule Lake Committee president Pat Shiono.

At an area high school, the donation of 30 about the books Japanese internment saga led to inclusion of its history in the school curriculum, Shiono said.

A few years ago while researching how land where Tule Lake once stood was parceled out in a postwar lottery, Yamaichi said he met a farmer whose opposition to preservation was obvious.

"I'm a redneck. I still have a rifle in my car and I can use it," Yamaichi said the farmer told him.

support from Congress and on campus.

A spokesman for FBI Director Robert Mueller reached late Sunday declined to comment.

Following a 17-year legal fight involving Freedom of Information Act requests, the Chronicle reported the bureau, among other things, worked to have then UC President Clark Kerr fired, worked with the CIA to pressure the Board of Regents to get rid of liberal faculty and gave then-Gov. Ronald Reagan's administration information that could be used against campus protesters.

The letter Feinstein received did not address whether the FBI worked to remove Kerr, but it said he had been investigated five times only after the White House requested it when he was being considered for a federal job or to receive access to classified information.

Kerr was fired in 1967 and has told the Chronicle he was surprised to learn about the FBI's alleged involvement.



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NATIONAL

To loyalists, foes, bin Laden engulfed in myth-making mist

BY CALVIN WOODWARD
Associated Press Writer

WASHINGTON — Osama bin Laden has a fatal kidney disease. Unless it is diabetes. Or kidney stones.

He fought with distinction on the front lines of the Afghan war against the Soviets. Unless he made a petulant nuisance of himself and was tolerated only because he brought cash and road-building machines.

He snatched his trademark rifle from the cold, dead hands of a Soviet general, proving his prowess as a fighter, it is said in some quarters. In other quarters, it is said he knows little more about the gun than how to hold it.

This most wanted of men is among the least understood. Each phantom sign has only stoked the enigma. Now comes a disembodied voice on a tape that is believed to be his.

There he is, say admirers, bin Laden unadorned, seemingly invincible and sticking it to America once again.

But listen to those strange beeps on the tapes, say others, hopefully. Could that be a dialysis machine, life support for a feeble dying man?

Myth-making and mystery surround every ounce of information about the terrorist leader known variously as Osama bin Muhammad bin Laden, Usama bin Laden, the Prince, the Emir, Abu Abdallah, Mujahid Shaykh, Hajj, the Director, the Contractor, and still more names.

"The fact we haven't been able to find him just builds the myth," said Michael S. Swetnam, co-author of a book profiling al-Qaida, and chairman of the Potomac Institute for Policy Studies in Arlington, Va.

Each cunning escape or lucky break, he said, only feeds the belief that "that man and his followers must truly be blessed by Allah."

Bin Laden is the Saudi-born son of a Yemeni-born construction magnate, an outcast among more than 50 children. Bin Laden made his name helping the Afghan resistance, bringing in heavy equipment to

cut roads and tunnels and build hospitals and supply depots in the late 1980s.

Yossef Bodansky, a terrorism adviser to the U.S. government, opened a file on him 20 years ago, when he learned of the "dedicated and very serious young man." Bin Laden will go far, he believed then, without knowing which direction. America was interested in dedicated opponents of Moscow at the time.

Exited from Saudi Arabia in 1991 for his political opposition, bin Laden and his nascent al-Qaida terrorist organization went after the United States, its interests, its people and anyone who got in the way.

"The urgent thing was communism but the next target was America," bin Laden said of that transition, adding years later: "Hostility toward America is a religious duty, and we hope to be rewarded for it by God."

By his own words, bin Laden was so tranquil in the face of danger that he once fell asleep during a bombardment from Russians 100 yards away. "I was never afraid of death," he said.

By another account, that of then-BBC producer John Simpson, bin Laden was so incensed by the presence of Simpson's Western film crew during an attack on Russian positions that the lanky Arab offered an Afghan truck driver the equivalent of \$300 to run down the journalists.

The Afghans merely laughed, Simpson recalled with relief, and bin Laden "ran off to one of the mujahedeen's sleeping quarters and threw himself onto one of the beds, beating his fists on the pillow in frustration."

Former business associates claim to have seen bin Laden beardless and in Western suits in his days working for the family enterprises before he his days as an Islamic fighter and terrorist.

They remember him as an unsettled figure, cowed by his older, playboy brother, Salem, an avid pilot and fluent English-speaker who died in 1988 when his light aircraft crashed into power lines in San Antonio.

U.S. officials have abetted the mystery,

attributing acts to him in the early 1990s that he may have only cheered after the fact; missing him with missiles; apparently missing him again in the Tora Bora mountains; running a propaganda campaign that included dropping leaflets over Afghanistan with fake photos of him without his beard.

"We've played into his hands all the way," Swetnam said.

There are even accounts of him boozing and womanizing in Beirut in his youth but they have been passed through the West with a whiff of wishful thinking, originating with a man who purported to be his barber then.

Adherents believe they know a differ-

ent bin Laden: a selfless guardian of the faith, a rich man living without adornments, a fighter of superpowers.

Adding to the enigma is a host of maladies he is said to bear, at various times terminal kidney disease, terminal cancer, diabetes, kidney stones, hypochondria, blood disorders, missing toes. What is known for sure: He has walked with the aid of a stick and, for a man under 50, has looked older than his years.

Swetnam said al-Qaida's deadly 1998 attacks on U.S. embassies in Africa and the Clinton administration's response — a failed attempt to kill him with cruise missiles — were transforming events for the terrorist.

Laws not stopping gay couples from saying vows in Nevada

By The Associated Press

LAS VEGAS — Nevada refuses to recognize same-sex marriages, but that's not stopping gay couples from saying their vows in Las Vegas wedding chapels.

Despite Nevada voters' overwhelming support of a constitutional ban on gay marriage earlier this month, the symbolic ceremonies still take place every day, the Las Vegas Review-Journal reported.

The unions hold no legal weight, but same-sex couples say that does not mean they are meaningless.

"A holy union looks very much like a wedding," said the Rev. Jay DiCotignano of the American Catholic Church in Nevada, an independent church that does not frown upon homosexuality or female clergy. "It is something that very clearly has a value. It means the relationship has moved to another level."

In 1995, DiCotignano and his partner, Jayson, already had been together for five years, and they wanted to get legally married. They couldn't, so they pledged themselves to each other in a holy union, a church ceremony similar to a wedding.

Four years after the wedding, the 42-

year-old DiCotignano felt a spiritual calling and joined the priesthood. Now, he regularly performs holy unions for gay couples, many of them from out of state.

Anita McFarlin, who has worked at the Viva Las Vegas Wedding Chapel for about two years, said gay marriages account for a small portion of its business.

"A lot of them are from out of town," she said, estimating 5 percent of the 400 ceremonies at the chapel each month involves a gay or lesbian couple.

The civil commitment ceremonies do not bother gay marriage foes, said Richard Ziser, chairman of the Coalition for the Protection of Marriage.

"We really don't pay much attention to it at all," he told the Review-Journal. "If they want to have commitment services, that's fine by us. As long as the law does not recognize them."

That attitude irks many gay couples, but Las Vegas tourists Susan Maven and Tina Elrod said they realize there is little they can do about it.

"We pay taxes," Elrod said. "We work. We go grocery shopping. We do just about everything a heterosexual couple does."

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INTERNATIONAL



Israel's army takes over Hebron; Sharon's gov't debates tougher steps

BY RAMIT PLUSHNICK-MASTI
Associated Press Writer

HEBRON, West Bank — Prime Minister Ariel Sharon toured the place where Palestinian gunmen mowed down 12 Israeli guards and soldiers, and indicated Sunday that troops would seize land from Palestinians to better protect Jewish settlers there.

The Palestinian attack on Friday provoked outrage in Israel and led to a renewed Israeli military takeover of Hebron. Hard-liners in Sharon's Cabinet demanded a tough response.

Sharon said Sunday that Israel would bolster the tiny Jewish settlements in Hebron by linking four small enclaves with the neighboring Jewish settlement of Kiryat Arba to the east, Israeli radio stations reported.

That means Israel probably would have to take land where Palestinians live, a move that would face massive resistance. There was no word on how Sharon planned to link the settlements, and officials in Sharon's office did not return phone messages seeking comment on the reports.

About 450 Jewish settlers live in enclaves near the center of Hebron, a city with about 130,000 Palestinian residents. Several thousand settlers live in Kiryat Arba, about a half-mile away, and tens of thousands of Palestinians live between them.

Sharon toured the site with Defense Minister Shaul Mofaz and top army commanders as army tanks rumbled through the empty streets that Israeli troops control again. The army has arrested at least 40 Palestinians since Saturday and again has imposed a curfew, military officials said.

At a Cabinet meeting, Foreign Minister Benjamin Netanyahu renewed his call for expelling Palestinian leader Yasser Arafat, while Sharon again rejected the proposal, as he has several times in the past.

"Arafat himself is often engaged in financing and launching the terrorism," Netanyahu said. "If any of us still clings to the illusion that we can deliver the task of protecting Israeli lives to the Palestinian Authority, this is an illusion."

Other Cabinet members also want Sharon to take stronger action. But Sharon has said he must weigh several factors, including the U.S. desire to control regional tensions as it seeks Arab support for a possible war against Iraq.

The liberal Israeli newspaper Haaretz expressed the sense of despair some Israelis feel after more than two years of violence that shows no sign of ending.

"It is a hopeless war of attrition on both sides," the newspaper said in an editorial Sunday. "So long as Palestinians do not draw appropriate conclusions about the pointlessness of continuing terrorism, and so long as Israel offers them no hope in the political channels — the killing will go on."

According to Palestinians, Israeli troops have taken over seven homes to use as lookout posts and have demolished two homes of suspected militants of Islamic Jihad, the group that carried out

the attack.

Israeli Housing and Construction Minister Natan Sharansky also said Israel might build additions to the Jewish settlements to connect the settler areas, which include the Tomb of the Patriarchs, a site holy to Jews, Muslims and Christians.

"We have to build settlement contiguity between Kiryat Arba, the Tomb of the Patriarchs and the settlement community in Hebron," Sharansky told Army Radio.

Netanyahu signed a 1997 peace agreement when he was prime minister that divided Hebron into Jewish and Palestinian sectors. He said Sunday that he considered the deal canceled because of Palestinian attacks there.

Israeli troops moved into Hebron and other West Bank cities in June following a series of Palestinian suicide bombings. Such moves reduced, but did not halt, Palestinian violence, and prompted criticism that Israel was imposing harsh restrictions on ordinary Palestinians, who often were unable to go to work or school.

The army pulled out of Hebron three weeks ago, saying the area was calm. Across the West Bank, the withdrawal was followed by new Palestinian attacks.

Meanwhile, Jewish settlers placed three shipping containers in a vacant lot near the scene of the Friday night shooting, saying they were establishing a new Jewish outpost in Hebron. "Death to Arabs," read the graffiti spray-painted on one of the containers, which will be used as makeshift homes, the settlers said.

"This is our place. It's our land. If we don't occupy it, they will, and they'll kill us," said one woman at the site, who refused to give her name.

In Jerusalem, about 2,000 people, many of them settlers, attended the funerals for the three civilian security officers at Kiryat Arba who were killed in the shooting.

In a village near the Palestinian town of Tulkarem, an Islamic Jihad activist was shot and killed by Israeli troops as he fled his home with his brother, Palestinians said. The brother, who also belonged to the militant group, escaped.

The Israeli military had no immediate comment.

The violence came during U.S. envoy David Satterfield's visit to the region. He was trying to calm the situation, while the U.S. State Department denounced the ambush as a "heinous crime."

Arafat spokesman Nabil Abu Rdenah said the Israeli takeover of Hebron was meant to derail the American efforts for a cease-fire.

"The continuation of the Israeli military escalation is not going to lead anywhere, apart from creating more violence," Abu Rdenah said.

The Palestinian Authority did not condemn Friday's shooting. Its policy has been to denounce violence inside Israel but not criticize attacks against Israeli soldiers and settlers in the West Bank and Gaza Strip because the Palestinians want these areas for a future state.

The 12 Israelis killed and the 14 wounded in the Friday shooting all belonged to the army, the police or were local security guards.



Jassim Mohammed/Associated Press

Iraqi soldiers watch while a U.N. bus full of U.N. employees enters the United Nations headquarters in Baghdad, Iraq, Sunday.

U.N. inspector: Question of war or peace up to Iraq

BY GEORGE JAHN
Associated Press Writer

LARNACA, Cyprus — The chief U.N. weapons inspector landed in Cyprus Sunday to assemble his team for a return to Baghdad and said the "question of war and peace" awaits an answer from Saddam Hussein.

President Bush has warned that Saddam faces military action if he fails to cooperate fully with the inspectors, who will fly to Iraq on Monday. Saddam faces a three-week deadline to reveal weapons of mass destruction or provide convincing evidence he no longer has any.

Chief U.N. inspector Hans Blix and Mohamed ElBaradei, overseeing the International Atomic Energy Agency's search for nuclear arms, flew to Cyprus from Vienna, Austria. They joined about two dozen other members of the advance team assembling here to prepare for a resumption of inspections after a nearly four-year absence.

"The question of war and peace remains first of all in the hands of Iraq, the Security Council and the members of the Security Council," Blix said.

Blix, who will lead the overall mission, said his team was prepared to meet the challenge of ensuring Iraqi compliance. But he said he hoped Iraq would not try to hide anything.

The 74-year-old Swedish diplomat said inspectors would be taking along much more sophisticated equipment than was available when the inspection program was suspended in December 1998.

"We do of course expect to get tips from the (U.N.) member states," Blix said. "We also have modern equipment that is superior to what we had in the past. But...we would like the Iraqis to declare, and this is an opportunity for them to do so and we hope that they will seize that opportunity."

Bush is insisting on "zero tolerance" of the Iraqi delaying tactics and deceit which marked the previous inspection effort.

However, Blix favors cooperation instead of confrontation with the Iraqis, and the differences in approach could create tension between the inspectors and the Bush administration, U.N. officials said Sunday on condition of anonymity.

One official said the Americans are keen

to beef up the mission with staff and equipment Blix may not consider necessary.

"We're happy for the handshake, but we don't want the hug," said the official, referring to Blix's interest in U.S. support but also in avoiding the appearance that Americans are running the show.

ElBaradei spoke of "second-guessing" when asked about pressure from Security Council members. Blix acknowledged input from different governments, but said, "It is we who will decide what to do."

Although Blix has urged the United States to provide more intelligence support for his mission, he also warned over the weekend of the pitfalls of such cooperation, saying in Paris that the previous inspection mission failed in part because of its close association with government intelligence agencies and Western states.

The last inspectors left Baghdad in December 1998 amid Iraqi allegations that some were spying for the United States and countercharges that Iraq was not cooperating with the teams. Their departure was followed by four days of punishing U.S. and British airstrikes on Iraq.

Blix and ElBaradei warned Sunday they would not tolerate attempts to coerce their staff into surreptitiously sharing information with governments.

"I can never guarantee that everyone will be 100 percent in my service," Blix said. "But if we find anyone doing anything else, it's bye-bye."

In a nod to U.S. concerns, Blix and ElBaradei said inspections will be tough, thorough and leave no space for deceit.

"We do not take 'no' for an answer," said ElBaradei, an Egyptian. "We have to verify to make sure a 'no' is actually a 'no.'"

Blix has said that preliminary inspections likely will resume Nov. 27, with full-scale checks beginning after Iraq files a declaration of its banned weapons programs by a Dec. 8 deadline.

Blix then has 60 days to report back to the U.N. Security Council with his findings.

Saddam agreed Wednesday to allow U.N. weapons inspectors to return to search for chemical, biological and nuclear weapons after the Security Council approved a toughly worded resolution.

Baghdad, however, insisted in a nine-page letter to U.N. Secretary-General Kofi Annan that it does not have any such weapons.



SPORTS

USC Trojans are starting to get their act together

BY KEN PETERS

AP Sports Writer

LOS ANGELES — It's taken a while, but the Southern California Trojans are playing the way Pete Carroll hoped they would when he took the coaching job before last season.

"We're committed and focused right now," Carroll said. "Our seniors are doing a great job of leading and it's all set up a great game next week against UCLA. We've got to keep the wins coming. We haven't done anything extraordinary so far."

The No. 7 Trojans haven't exactly been ordinary in recent weeks, though. After a 3-2 start, they've won five in a row, the last four in dominating fashion.

Fifth-year senior Carson Palmer has finally been living up to his early promise, Justin Fargas has emerged as a fine runner and the USC defense has been solid.

"We're all getting used to playing together," senior safety Troy Polamalu said. "It's too bad it took this long."

Having beat Arizona State 34-13 to run their Pac-10 mark to 6-1, the Trojans next play crosstown rival UCLA on Saturday at the Rose Bowl. USC finishes the regular season against another rival, Notre Dame, the following weekend.

Palmer threw for two touchdowns and ran for another, and Fargas rushed for 125 yards and a TD in Saturday's win over Arizona State.

"We try to play with a lot of confidence and stick together as a team," said Fargas, a senior in his first season at USC after transferring from Michigan. "We feel we can play with everyone. We've come together and put together a winning season."

S.D. Chargers defeat S.F. 49ers in overtime

BY BERNIE WILSON

AP Sports Writer

SAN DIEGO — Steve Christie, one of the NFL's best kickers in the clutch, made a 40-yard field goal with 4:11 left in overtime, lifting the San Diego Chargers to a 20-17 overtime win over the San Francisco 49ers on Sunday.

Christie got his chance because San Francisco's Jose Cortez was wide right on a 41-yard attempt. It was Cortez's fourth miss in three weeks, including two in regulation at Oakland on Nov. 3 before he won that game in overtime with a 23-yarder.

Christie had a 44-yard attempt blocked by Dana Stubblefield as the first-half clock expired, and kicked a 36-yarder with 5:05 to play to pull the Chargers to 17-10. The Chargers (7-3), who trailed 17-7 going into the fourth quarter, rallied to snap a two-game losing streak and kept pace with Denver for the AFC's best record.

San Francisco (7-3) blew a chance to pull into a tie with Green Bay for the NFL's best record, and saw its three-game winning streak end.

After Cortez missed, Brees moved the Chargers from their 31 to the 49ers 22. He threw passes of 19 yards to Tim Dwight and 18 to Eric Parker, a rookie who made his first reception to help set up Christie.

Brees was impressive in driving the Chargers to the tying score, a 1-yard pass to wide-open fullback Fred McCrary with 31 seconds to play. He completed 6 of 10 passes for 58 yards, including a 23-yarder to Dwight on the first play.

Two plays before the touchdown, on third-and-goal from the 8, 49ers rookie cornerback Mike Rumph grabbed rookie receiver Reche Caldwell's jersey in the end zone and was flagged for pass interference, giving the Chargers first down from the 1.

Brees completed 29 of 50 passes for 336 yards and two touchdowns, with one interception. LaDainian Tomlinson, the NFL's leading rusher, had 88 yards on 24 carries, giving him 1,053 for the year. He also caught eight passes for 57 yards. Curtis Conway had seven catches for 152 yards.

San Francisco's Terrell Owens caught a 32-yard

One thing the Trojans didn't do the past two weeks is allow themselves to look ahead to UCLA and Notre Dame.

Heavily favored against both Stanford and Arizona State, the Trojans beat the Cardinal 49-17 a week before defeating the Sun Devils.

"We are tuned in to every game now," Carroll said. "A lot of the top teams are struggling at this time of the year."

With the Trojans using a balanced attack against

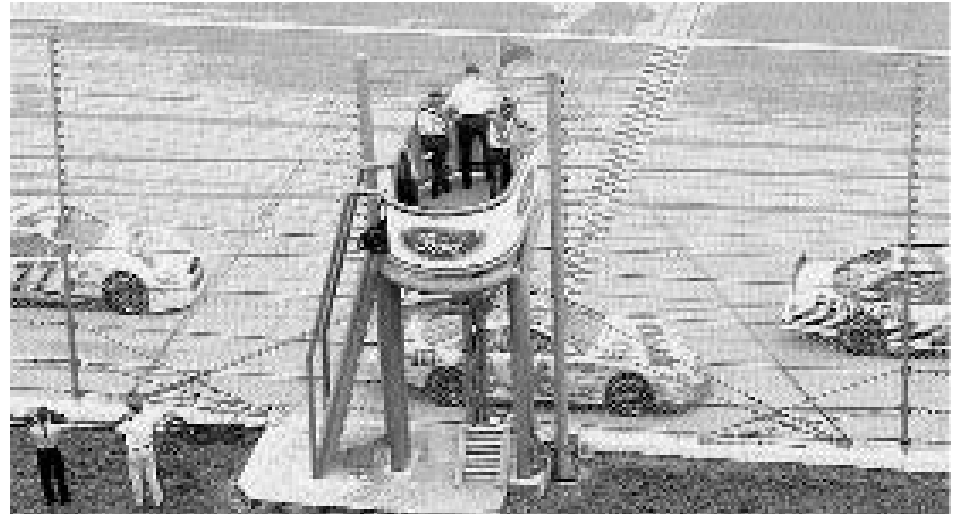
Arizona State, Palmer didn't have to carry the load with his passing. He completed 20 of 34 passes for 214 yards and threw for touchdowns of 18 and 2 yards.

"We've had a tremendous schedule and there hasn't been a week where Carson hasn't risen to the occasion for us," Carroll said. "He's rock solid in his resolve."

Fargas carried 26 times and topped the 100-yard mark for the second time at USC.

"We want to keep it going because there's something special going on here," Fargas said.

Sunday drivers



Steve Mitchell/Associated Press

The green flag is dropped as driver's Steve Park, right, Ken Schrader (36), center, and Dave Blaney (77), left, race Sunday for the start of NASCAR's Winston Cup Ford 400 at Homestead-Miami Speedway in Homestead, Fla.

touchdown pass from Jeff Garcia on fourth-and-4 just before halftime, then had a 76-yard catch-and-run TD three plays into the second half to give the 49ers a 14-7 lead.

Owens finished with seven catches for 171 yards. Garcia was 25-of-43 for 337 yards, with two TDs and one interception.

Owens, known for his controversial TD celebrations, was relatively sedate, posing in the end zone after each TD catch and flexing his muscles.

On his first TD catch, which tied the game at 7, he blew past cornerback Alex Molden at the line of scrimmage, caught Garcia's pass over his shoulders and scored.

On the third play of the third quarter, Owens got past Molden again, caught Garcia's pass, slipped safety

Rogers Beckett at the Chargers 40 and angled into the end zone for a 14-7 lead. He stood on the ball with one foot and flexed his right arm.

Cortez kicked a 24-yard field goal for a 17-7 lead midway through the third quarter.

The Chargers then blew two scoring chances.

A 35-yard touchdown pass to Conway late in the third quarter was called back after Conway stepped out of bounds, then came back in to make the catch.

Early in the fourth quarter, Brees moved the Chargers from their 25 to the Niners 4 in just three plays, but was intercepted in the end zone by Quincy Stewart. Chargers coach Marty Schottenheimer covered his head with his hands on the sideline.

Brees gave the Chargers a 7-0 lead with a 4-yard pass to Caldwell late in the first quarter.

Texas tumbles in AP media poll; Miami remains a unanimous No. 1

By The Associated Press

Miami was a unanimous No. 1 in the AP media poll again, while Ohio State remained second despite a shaky win and Texas tumbled out of the top 10.

The Hurricanes (9-0), who did not play Saturday, received all 74 first-place votes and 1,850 points from the sports writers and broadcasters on the AP panel. Miami hosts No. 17 Pittsburgh on Thursday night and still has games left against Syracuse and No. 13 Virginia Tech.

Ohio State (12-0), which struggled to a 23-16 overtime win at Illinois, had 1,766 points — five less than a week ago. The Buckeyes are home against No. 12 Michigan on Saturday needing a victory to clinch a spot in the BCS national title game in the Fiesta Bowl on Jan. 3.

Miami remained No. 1 in the USA Today/ESPN coaches poll with all 61 first-place votes, and Ohio State was second.

Miami and Ohio State are the only unbeaten teams remaining in Division I-A, and are expected to hold the

top two spots when the Bowl Championship Series standings are released Monday. Last week, Ohio State edged Miami for first place by .69 points.

Texas (9-2) was upset by Texas Tech 42-38 and fell to No. 11 from a co-No. 4 ranking a week ago.

Washington State (9-2) did not play on Saturday, and remained No. 3, followed by Oklahoma, Iowa, Georgia, USC, Notre Dame, Alabama and Kansas State.

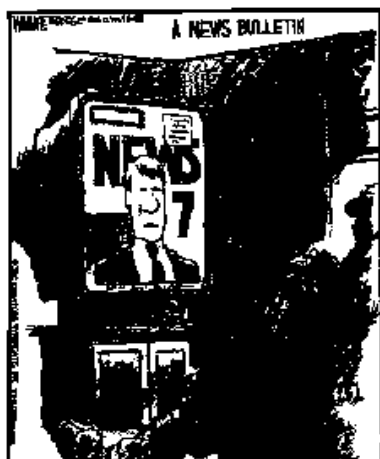
The Hawkeyes (11-1, 8-0 Big Ten) completed their regular season with a 45-21 win over Minnesota and moved up one spot from last week.

Georgia (10-1) also advanced one place after clinching the SEC East title with a 24-21 win over Auburn.

LSU (7-3) also took a big fall after its 31-0 loss to Alabama, dropping seven spots to No. 21.

Boise State (10-1), Texas Tech (8-4) and UCLA (7-3) were the new additions to the poll at Nos. 23, 24, and 25, respectively. Auburn, North Carolina State and Oregon dropped out.

Natural Selection®
By Russ Wallace



"This just in ... a new survey finds that 57% of the general public do not especially care for the other 43%."

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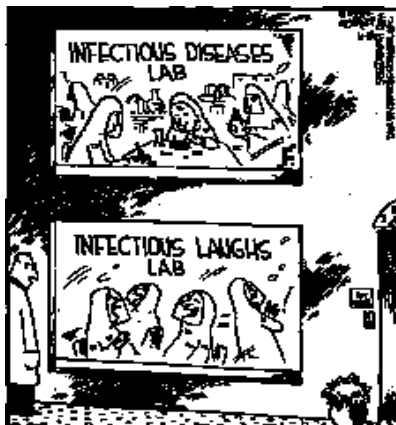
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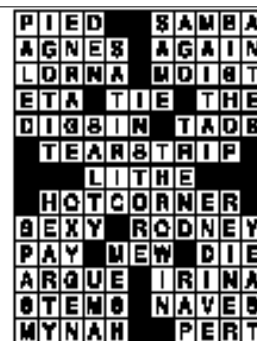


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BY THOMAS JOSEPH

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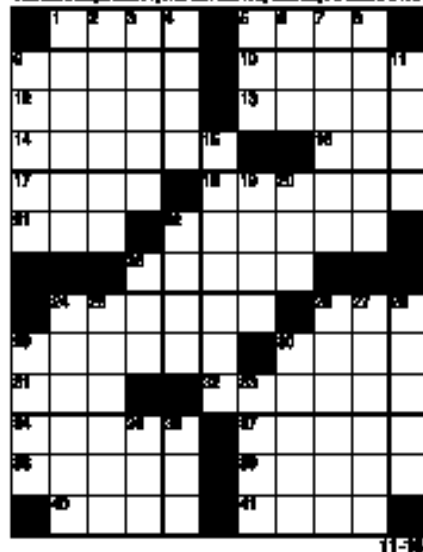
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NEWS OF THE WEIRD

by Chuck Shepard

Linda Henning, 48, went on trial for murder in Albuquerque in September, charged as being the dupe and accomplice of cancer-curing, 2,000-year-old guru Diazin Hossencofft in the murder of his wife, the late Girty Chew Hossencofft. Henning was described by longtime friends as exceptionally level-headed, right up until the day she met the charismatic Hossencofft, after which she became "crazy as a loon," according to one, in that she believed that reptilian aliens were ready to take over the world, using cryogenic pods. (She wrote that reptilian George W. Bush maintains his human visage through "the use of magnetic fields to create holograms.") Hossencofft has since come clean about his frauds, but Henning apparently continues to believe.





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1995 SATURN SL1: Excellent condition. AM/FM Cassette, Automatic, A/C, sunroof. \$5,000! Only 64,000 miles. Maroon. (310)264-0887.

1996 BMW 318TI, excellent condition, pre-certified. 54,000 miles. \$8500.00 (310)291-0337

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BLISSFUL RELAXATION! Heal your body, mind, spirit. Therapeutic, Swedish, Deep-tissue, energy balancing, non-sexual. Introductory specials from \$45.00/hr. In/out. Lynda, L.M.T. (310)749-0621

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BOOKKEEPING SERVICES Personal, sole practitioner, small business. Accounts payable/receivable, bank reconciliations, payroll, financial statements. (818)512-4512

Services

HOUSE CLEANING - Available 6 a.m. to 2 p.m. Windows, laundry, general house cleaning. References available. Responsible. Reasonable prices. Call Lalo (310) 313-0848.

CALIFORNIA ENGLISH Teacher Specialist - Tutoring all aspects of English. Call (310)393-7557.

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Services

FRENCH TUTOR: All levels, basic skills, conversation, trip preparation. Call (310)434-0113 E-mail: chantal@france.com

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DIABETIC WEIGHT-LOSS Bath Shampoo. Free sample. Ralph Sahara, P.O. Box 62174, Honolulu, HI.

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Calendar

Monday, November 18, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
Comedian (R) 11:45, 2:00, 4:15, 6:45, 9:15. Femme Fatale (R) 11:00, 1:45, 4:30, 7:15, 10:00. Jackass: The Movie (R) 12:00, 2:15, 4:45, 7:00, 9:30. Half Past Dead (PG-13) 12:15, 2:45, 5:15, 7:45, 10:15.

Mann Criterion
1313 Third St.
The Ring (PG-13) 12:45, 4:00, 7:30, 10:40. My Big Fat Greek Wedding (PG) 11:20, 2:00, 4:40, 7:20, 10:00. Punch-Drunk Love (R) 11:45, 2:30, 5:15, 7:45, 10:15. Harry Potter and the Chamber of Secrets (PG) 9:30, 10:30, 12:00, 1:00, 2:15, 3:30, 4:30, 6:15, 7:00, 8:00, 10:00, 10:30.

AMC Theatre SM 7
1310 3rd Street
Red Dragon (R) 4:20, 7:20, 8:15, 10:15. Mile (R) 1:00, 3:15, 4:00, 6:15, 7:05, 9:15, 10:00. Santa Clause 2 (G) 1:10, 2:10, 5:00, 7:00, 7:45, 10:05. I Spy (PG-13) 1:45, 4:05, 4:45, 7:50, 9:25, 10:00. The Transporter (PG-13) 1:20, 10:05. Sweet Home Alabama (PG-13) 1:55, 4:30, 7:25, 9:55.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
Bowling for Columbine (R) 1:30, 4:15, 7:30, 10:15. Far From Heaven (PG-13) 11:30, 2:00, 4:30, 7:00, 9:30.

Laemmle Monica
1332 2nd St.
Real Women Have Curves (PG-13) 1:00, 3:15, 5:30, 7:45, 10:00. Spirited Away (PG) 1:00, 4:00, 7:00, 10:00. Bank Ben 1:45, 4:35, 7:30, 10:05. El Crimen del Padre Amaro (R) 1:30, 4:20, 7:15, 10:05.

Aero Theatre
1328 Montana Ave.
Secretary 5:00, 10:00. White Oleander 7:30.

Today

Community

Toddler Time, 10 a.m. Barnes & Noble at the Promenade and Wilshire. (310)260-9110.

Dodd Art Gallery showing Dafne Nesti "Paintings" and Dodd Jolsapple "New Works". Nov. 17th through Dec. 16th, 5pm to 8pm, 1650 20th Street, Santa Monica. For more information please call (310) 828-5825.

Y Canned Fitness Week! November 4 thru 19. Just bring in ten cans of food per visit and you can participate in any one of our fitness classes, fitness center & lap swim for FREE! SM Family YMCA is located at 1332 Sixth Street. For more information please call (310)393-2721 ext. 118.

Conversations with God study group in Santa Monica every Monday night 7-8:30 pm, sequentially exploring and implementing

the concepts of the "with God" books authored by Neale Donald Walsch. Meets in an ocean front condominium, donation \$5. For further information call Grant at (310) 399-8982.

Music/ Entertainment

Harvelle's Blues Club present Sports Happy Hour, 5pm to 8pm. 100 inch movie screen with high definition LCD projector, JBL surround sound, drink specials, \$3.00 Happy Hour Buffet. 1432 4th Street. Between Broadway and Santa Monica Blvd. (310)395-1676

Unurban Coffee House presents Hot Topics Night hosted by Ali every Monday evening. Signup is at 8pm. Open panel discussion and open forum. 3301 Pico Blvd. (310)315-0056

Tuesday

Community

Ongoing support groups for peo-

ple 55 and older. Current openings in, So, What Are You Going to Do With the Rest of your Life? Tuesdays, 10:00 to 11:30am. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

UCLA Healthcare will conduct its annual Flu-Shot Clinic from 3pm to 7pm. Community Room at Santa Monica Place shopping mall, Broadway and 4th Street in Santa Monica. \$10. No reservations. For information only, call

(800)516-5323.

Crossroads Schools in Santa Monica invites local musicians (grades 3-7) to join orchestra rehearsals. Rehearsals are ongoing and are held each Tuesday of the school year, from 3:15 to 4:15. Students may join at anytime. Cost is free, students must bring their own instruments. 1714 21st Street, SM. For more information please call (310)829-7391

Purposeful Parenting - FREE Workshop! Successfully shaping the emotional life of your child without losing your temper or sanity. Ages 0-5. 6:30pm, Santa Monica Family YMCA, 1332 6th Street. Members and non-members are welcome. Child watch available. RSVP (310)358-3380

Music/ Entertainment

Unurban Coffee House presents Stitch 'n' Bitch every Tuesday evening. Chicks, yarn, coffee & chat. 7:30pm to 9:30pm. 3301 Pico Blvd. (310)315-0056

Calendar items are printed free of charge as a service to our readers. Please submit your items to todaypaper@smcp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor.

KEEP YOUR DATE STRAIGHT

Promote your event in the Santa Monica Daily Press Calendar section.
Fax all information to our Calendar Editor: Attention Angela @ 310.576.9913



BACK PAGE

Grand Central's lost-and-found is a hub of forgetfulness

BY VERENA DOBNIK

Associated Press Writer

NEW YORK — What could an artificial leg, an Armani jacket, a \$15,000 diamond ring and a glass eyeball possibly have in common?

Those and other objects, strange and mundane, wound up at the lost-and-found department of Manhattan's Grand Central Terminal, a monument to scatterbrained commuters.

On any given day, about 4,000 lost possessions line the steel gray shelves and racks of a mammoth room off the terminal's lower concourse, just across from the famed Oyster Bar. On a sunny fall day, the windowless chamber sheltered a single crutch, a police badge and architectural blueprints. One bin was marked "September glasses," another "October glasses."

Last year, Pete Seeger's banjo landed there, but it found its way back to the folk singer who lives north of New York City.

About 125,000 passengers use the Metro-North railroad daily to commute from the city's northern suburbs and Connecticut, with Grand Central as the terminus.

Perhaps the oddest item to make it to the lost-and-found was an urn of human ashes, although that may have been a product of intentional forgetfulness.

The urn was never claimed, said Fred Chidester, an ex-cop who managed the lost-and-found for years. Months later, a man called Metro-North to say that he had read about the abandoned ashes; he claimed he knew the woman who left

"Everyone thought that if you lost something in New York, that was the end of it. The surprise is that a lot of people turn in stuff in New York City. New Yorkers are still basically honest."

— PAUL NOGUCHI
Bucknell University professor

them on the train — as revenge for her husband's alleged infidelity.

"He would call her at home to say the train was late, or that the train bypassed the station, or that he fell asleep. But those were excuses so he could meet his girlfriend," Chidester said. "So when he died, his wife thought it was fitting that she leave his ashes on the train."

No. 1 on Grand Central's list of most commonly lost items is the cell phone, with 250 to 300 turned in each month.

Keys are the next most common item, followed by eyeglasses, coats and jackets, and umbrellas. (This year's drought has cut down on the number of lost umbrellas.)

The fact is, forgetfulness is weather-sensitive: When it turns cold, the coat racks expand.

"You can tell the weather down here," says Margie Anders, a spokeswoman for Metro-North.

The smorgasbord of lost items in the past few years has included a film script with director's instructions scribbled in the margins, a .357 Magnum handgun, fishing poles and a child's violin. Laptops

and blue blazers, the corporate commuter's gear, turn up all the time.

After 90 days, most items become the property of the finder if he or she is interested. One man was honest enough to turn in a \$1 bill — and penny-wise enough to leave his name in case it was not claimed.

Otherwise, the items are given away. On this day, seven bags of clothing were ready for charitable donation.

In early November, 249 pairs of eyeglasses were going to The Lions Club in Connecticut, which recycles the lenses and gives them to the poor in Third World countries. Coats and toys go to such charities as Goodwill and Toys for Tots.

Items worth \$5,000 or more, such as digital cameras and jewelry, are stored in a safe and, by law, must be kept for three years before they're up for grabs.

The \$15,000 diamond was stashed away in one of three bags forgotten by a woman at the Poughkeepsie train station. She was lucky, and got everything back.

On average, the Grand Central lost-and-found has a rather high return rate. So far this year, about 60 percent of the

items turned in have been retrieved by their owners.

That compares favorably to Tokyo Station, where about 30 percent of items find their way back to their owners, says Paul Noguchi, an urban anthropologist who has studied lost-and-found around the world.

"Everyone thought that if you lost something in New York, that was the end of it," says Noguchi, a professor at Bucknell University in Lewisburg, Pa. "The surprise is that a lot of people turn in stuff in New York City. New Yorkers are still basically honest."

The success rate at Grand Central may also be due to methodology: Each lost item is entered into a computer database, with details such as label names and contents of pockets.

Employees also take the initiative to find an item's owner — for instance, looking through a cell phone to locate a home number.

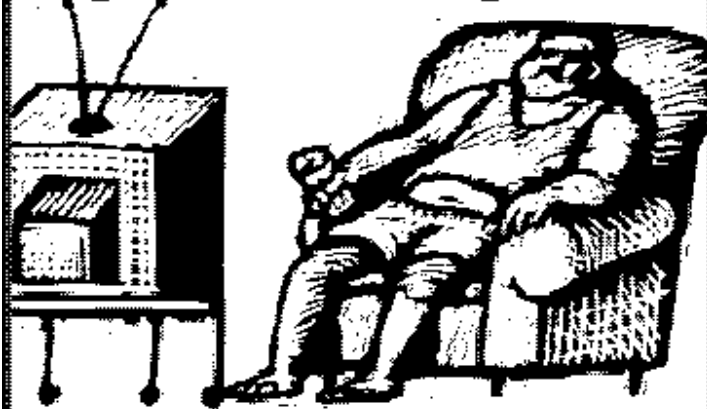
"It's partially a detective job," says Mike Nolan, current manager of Grand Central's lost-and-found.

Some people walk away with a smile. Russ Cooper, who calls himself "a regular customer" at Grand Central's lost-and-found, left his sports jacket on the train to New Haven, Conn., in October.

"It was the first chilly day of the season," said the acoustics consultant from Wilton, Conn., who wasn't used to wearing a jacket.

After he retrieved it, Cooper reached into a pocket. "Let's see if my keys are still here," he said, flashing a smile as he pulled out a full keychain.

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