FRIDAY, NOVEMBER 19, 2004

Volume 4, Issue 6

FREE

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
16 23 36 44 47
Meganumber: 10
Jackpot: $13 million

FANTASY 5
10 14 27 35 39

DAILY 3
Daytime: 1 0 0
Evening: 6 4 4

DAILY DERBY
1st: 10 Solid Gold
2nd: 05 California Classic
3rd: 09 Winning Spirit
RACE TIME: 1:48.95

NEWS OF THE WEIRD
BY CHUCK SHEPARD

Kenji Hishida, 39, was arrested in September in Kobe, Japan, and charged with stealing several pairs of uniform trousers from a West Japan Railway office. He was later revealed by authorities to have been stealing clothes from that and other public transportation offices for 15 years and to have more than 10,000 uniforms. And Joseph Rizza, 56, was charged recently with two counts of vandalism to neighbors' property in Brighton, Mass.; according to a psychiatric evaluation submitted to his judge, Rizza believes he has "a responsibility to keep trees from producing pine cones."

TODAY IN HISTORY

In 1984, nearly 500 people died in a firestorm set off by a series of explosions at a petroleum storage plant on the edge of Mexico City.

Ten years ago: The U.N. Security Council, anxious to stop Serb attacks on the "safe area" of Bihac in northwest Bosnia, authorized NATO to bomb rebel Serb forces striking from neighboring Croatia.

Five years ago: Hundreds of anti-American protesters battled riot police and set stores and banks ablaze as President Clinton rode through Athens in a tight security cocoon and proclaimed a "profound and enduring friendship" with Greece. World leaders at the Organization for Security and Cooperation in Europe in Turkey signed a treaty cutting the number of tanks and non-nuclear weapons systems across Europe.

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DNA links jailed man to SM murder

After nearly three decades, police have found suspect in 1975 murder

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Photo courtesy of Pasadena Star-News
(Left) John Whitaker when he was released from state prison in 1994. (Right) Whitaker when he was arrested in Oregon.

POLICE HDQRTRS. — A 29-year-old murder case has been reopened, and investigators are eyeing a man who for the past several years has reportedly led a double life as a civic leader in Pasadena.

John Laurence Whitaker is now sitting in an Oregon jail as he fights extradition to California to stand trial for two murders, one of which occurred in Santa Monica in 1975. Whitaker also has been charged with killing a prostitute in Laguna Beach in 1983.

Whitaker has been living under the alias of John Whitaker Betances in Pasadena, according to a story broken by the Pasadena Star-News earlier this month. Whitaker, 57, reportedly was a respected civic leader, who ran unsuccessfully for a seat on the Pasadena City College board of trustees in 2001. He also was involved in the local school district as a recruiter for a program that trains fathers to volunteer in schools.

But Whitaker's double life was

See **DNA LINK**, page 5

New fire inspection fee challenged by landlords

BY JOHN WOOD
Daily Press Staff Writer

CITY HALL — Attorneys here are preparing to defend a new $60 fire inspection fee being challenged in court by a group of Santa Monica property owners.

The Apartment Association of Greater Los Angeles, a trade group for landlords, and Robert Sullivan of Sullivan-Dituri Company Realtors have filed suit against City Hall claiming the new fee is illegal because it's essentially a tax that was never approved by landlords or voters.

Santa Monica City Attorney Marsha Moutrie on Thursday defended the new inspection fee, saying an earlier appeals court decision upheld a similar fee in Los Angeles.

"We're legally authorized to do that," she said. "The courts have upheld such fees."

The charge applies to thousands of apartment and commercial buildings in Santa Monica, but not single-family homes. Finance Director Steve Stark said it is expected to raise $410,000 a year

See **FEE CHALLENGE**, page 6

Out of gas

Carolyn Sackariason/Daily Press
After 80 years, the service station in Santa Monica Canyon has dried up. Canyon Service & Detail recently closed up shop after its owners lost their dispute with the property owners. The station used to sell high octane gas at upwards of $5 a gallon. The 17,000-square-foot parcel at 507 Entrada Dr. is on the market for $2.3 million. The historic property is owned by descendants of Francisco Marquez, who, with Ysidro Reyes, was granted the 6,600-acre-plus Rancho Boca de Santa Monica by the Mexican government in 1838.

Police bust couple in alleged identity theft ring

By Daily Press staff

Santa Monica police arrested two people involved in a suspected identity-theft crime organization on Wednesday.

Santa Monica Police detectives developed information that Alexander Rizkalla, 51, and Nora Rizkalla, 40, both of West Los Angeles, were allegedly involved in manufacturing fraudulent credit cards, checks, passports and driver's licenses. Those items were used for purchases from various stores throughout Santa Monica, Beverly Hills and West LA.

Police searched the Rizkallas' home located in the 3600 block of Greenfield Avenue in West LA. Police seized several computers, printers, narcotics paraphernalia, and more than 100 items used to manufacture fraudulent checks and commit identity theft from inside of the residence and its garage.

The Rizkallas were taken to the Santa Monica Jail and booked for identity theft, forgery and narcotics-related charges. They are currently being held on $250,000 bail. The Los Angeles District Attorney's Office on Thursday filed 11 felony counts against the Rizkallas.

Anyone having additional information regarding the case is encouraged to contact Santa Monica Police Detective Maury Sumlin at (310) 458-8437 or the Santa Monica Police Department at (310) 458-8491.

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11 High Cost Home Inspection Traps You Should Know About Weeks Before Listing Your Home For Sale

WESTSIDE - According to industry experts, there are over 33 physical problems that you will come under scrutiny during a home inspection when your home is for sale. A new report has been prepared which identifies the eleven most common of these problems, and what you should know about them before you list your home for sale.

Whether you own an old home or a brand new one, there are a number of things that can fall short of requirements during a home inspection. If not identified and dealt with, any of these 11 items could cost you dearly in terms of repair. That's why it's critical that you read this report before you list your home. If you wait until the building inspector flags these issues for you, you will almost certainly experience costly delays in the close of your home sale or, worse, turn prospective buyers away altogether.

In most cases, you can make a reasonable pre-inspection yourself if you now what you're looking for. And knowing what you're looking for can help you prevent little problems from growing into costly and unmanageable ones. To help homesellers deal with this issue before their home is listed, a free report entitled "*11 Things You Kneed to Know to Pass Your Home Inspection*" has been compiled which explains the issues involved.

To hear a brief recorded message about how to order your FREE copy of this report, call 1.888.465.4534 and enter ID#1003. You can call anytime, 24 hours a day, 7 days a week. Call NOW to learn how to ensure a home inspection doesn't cost you the sale of your home.

This report is courtesy of Steve Matilla, Matilla Realty, Not intended to solicit properties currently listed for sale. Copyright ©1997.

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Get extra R and R, Aries

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

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

ARIES (March 21-April 19)
★★ Insights will come naturally if you don't push too hard to perform. Someone at a distance has a lot to share. A partner has a lot to suggest and adds to your insight. Allow an associate to take the lead for a while. Tonight: Plan on some extra R and R.

TAURUS (April 20-May 20)
★★★★★ You gain exactly what you want through unexpected sources and actions. Groups help you zero in on what you want. You feel as if a whole team is working beside you. Use the moment to move a project along rather than postpone it. Tonight: Where the gang is.

GEMINI (May 21-June 20)
★★★ Take your time dealing with work and partners. The product of your day could make all the difference. You accomplish a lot through your diligence and hard work. Clear your desk and get as much done as possible. Tonight: A must appearance.

CANCER (June 21-July 22)
★★★★ Your ability to read between the lines draws another perspective. But be ready to do your own research and get to the bottom of a changing situation. Use your imagination, and you'll get answers. Tonight: Take off ASAP.

LEO (July 23-Aug. 22)
★★★★★ A partner surprises you and helps you revamp your schedule and decisions. You need to follow through on what is important to both of you. As a result, you will gain and someone else will feel pleased. Don't be pushed by a family matter. Tonight: Make plans to stay together.

VIRGO (Aug. 23-Sept. 22)
★★★★ Take the opportunity to listen to someone, as unpredictable as you might find him or her. You'll gain a wealth of knowledge. Refuse to be critical or overly reactive. Accept what is being offered. Stand back and refrain from criticizing. Tonight: Go along with plans.

LIBRA (Sept. 23-Oct. 22)
★★★★ Spending more might not get the results you want. Yes, it can and will update your office, but it might not be the solution to a better product. Pace yourself and question a purchase more carefully. Get feedback. Tonight: Off to the gym.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ Your unpredictability comes through and sheds light on your well-being. You have a strong will; directing it properly could be a different story. Investigate options with your unique curiosity. Your ideas are worth listening to. Tonight: Let your spirit emerge.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ You are coming from a strong source of vitality and uniqueness. You could summon unusual strength from your anger. You might want to think through any impulsive actions. Check out the ramifications. Tonight: Happily head home.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ A friend drives a hard bargain. You might want to go along with this offer, but you could opt to step back. Others see you as unpredictable. Actually, you are taking an unusually strong stand. Tonight: Be spontaneous.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Your intuition comes through for you in a big way. You know what to do to draw the reactions you want. Sometimes having an authority figure or boss on the warpath might help you make a point. Tonight: Your treat.

PISCES (Feb. 19-March 20)
★★★★★ Others find you to be unpredictable and difficult, as you see the inevitable occur. Part of the energy comes from you. News from a distance invigorates your energy and perhaps a change in plans. Tonight: Anything is possible.

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1427 Third Street Promenade, Ste. #202 • Santa Monica, CA 90401 • www.smdp.com

PUBLISHER
Ross Furukawa . . . . . .ross@smdp.com
EDITOR
Carolyn Sackariason . . . . . .sack@smdp.com
STAFF WRITER
John Wood . . . . . .wood@smdp.com
ADVERTISING SALES MANAGER
Robbie P. Piubeni . . . . . .rob@smdp.com
ADVERTISING ACCOUNT EXECUTIVE
Rob Schwenker . . . . . .schwenker@smdp.com
ADVERTISING ACCOUNT EXECUTIVE
Stewart O'Dell . . . . . .stewarto@smdp.com

PRODUCTION MANAGER
Alejandro Cesar Cantarero II . . . . . .alex@smdp.com
PRODUCTION DESIGNER
Mauricio Feldman-Abe . . . . . .mauricio@smdp.com
PRODUCTION DESIGNER
Mary Hoang . . . . . .maryh@smdp.com
EXECUTIVE TRAFFIC MANAGER
Brenda Casas . . . . . .brenda@smdp.com
CLASSIFIED REPRESENTATIVE
Mitch Troy . . . . . .mitch@smdp.com
CLASSIFIED REPRESENTATIVE
Mirella Reyes . . . . . .mirella@smdp.com

NIGHT EDITOR
Lori Luechtefeld . . . . . .lori@smdp.com
NIGHT EDITOR
Michael Tittinger . . . . . .mikeyt@smdp.com
CIRCULATION MANAGER
Mike Aviles . . . . . .mike@smdp.com
CIRCULATION
Keith Wyatt . . . . . .keith@smdp.com
CIRCULATION
Glenn Bolan . . . . . .glenn@smdp.com
SPECIAL PROJECTS
Dave Danforth . . . . . .dave@smdp.com
MASCOT
Maya Furukawa . . . . . .maya@smdp.com

LOCAL

COMMUNITY BRIEFS

Beach Bowl kicks off this weekend

By Daily Press staff

Get ready to rumble on Saturday.

The Moorpark College Raiders will battle the College of the Desert Roadrunners in the fifth annual U.S. Bank Beach Bowl on Saturday, Nov. 20, at 4 p.m. at Santa Monica College's Corsair stadium.

The game features two teams coming off extremely successful seasons, both ranked in the top 15 in the California Community College Football Poll for Southern California. Finishing the season by winning its last two games, College of the Desert completed a 6-4 campaign, earning Southern California's 14th place ranking, its first bowl bid since 1994 and a match-up with the 12th ranked Moorpark College Raiders. Moorpark, which also finished 6-4, returns to the bowl scene after missing out on a bowl in 2003.

"It's just an honor to be part of it all again," said Moorpark head coach Jim Bittner. "We got so used to it, it became something we just expected. After missing it last year, we're happy to be back into it again. We are excited about playing College of the Desert and Coach Swearingen, he's one of the premier coaches in Southern California. He's just outstanding. He'll have that team ready, I guarantee you."

The U.S. Bank Beach Bowl became part of the California Community College bowl series in 2000 when SMC defeated Citrus College in the inaugural game. The game's success continued in 2001, 2002 and 2003 with victories by Glendale College, LA Harbor College and Fullerton College.

"We are very grateful that U.S. Bank continues to sponsor this bowl game, which means a lot to our school and community college football. We deeply appreciate our year-round partnership with U.S. Bank in putting together what should be another incredibly exciting game," said Dr. Rhonda Hyatt, Santa Monica athletic director and game organizer.

College of the Desert is a two-year community college and a member of the Commission on Athletics, with a full-time enrollment of 3,550 and student count of 10,350.

Moorpark College is located in the foothills between the cities of Simi Valley and Moorpark. It is nestled on 134 acres. The college has been serving the citizens of the Ventura County since it opened in 1967 with a current enrollment of approximately 14,500 students.

U.S. Bank is continuing its support of Santa Monica and the entire Los Angeles and Orange County areas, where it has contributed more than $500,000 in grants during 2004.

Food from the heart

By Daily Press staff

It will be a heartfelt day in Santa Monica on Saturday when hundreds of hungry people will gather for a pre-holiday meal.

The Heartfelt Foundation will feed more than 400 needy families in Santa Monica and West Los Angeles. The foundation has been serving the Santa Monica community for more than 25 years.

The event will be held from noon to 3 p.m. in the Santa Monica College parking lot at Pearl and 19th streets. More than 2,000 people are expected, and 175 volunteers will roll up their sleeves to help dish it out.

Call (310) 576-9913 for more information.

Students getting their groove on

By Daily Press staff

Santa Monica College students will join more than 40 students from several area high schools — all dual-enrollment students who are taught by SMC professors — in a concert Dec. 5 that will feature Mexican, Brazilian, ballet and Salsa dance.

Performing will be Folklórico de SMC — the acclaimed multi-cultural student

See **BRIEFS**, page 6

SURF REPORT

On Friday look for a mix of NW (295-300+) wind/ground swell and SW (190-205) Southern Hemi. Most areas see knee- to waist-high surf, top NW breaks and combo spots hit chest-plus sets. Swell blend fills in a bit more on Saturday. Winds are light Friday morning, building out of the WNW in the 8- to 12-knot range for the afternoon. Similar winds for Saturday.

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

Today the water is:

64°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	2:23	1.8	3:55	-1.1	8:41	6.8	10:25	4.0
SUNDAY	2:58	2.2	4:48	-1.1	9:20	6.8	11:30	3.7
MONDAY	3:39	2.6	5:47	-0.9	10:05	6.6	N/A	N/A
TUESDAY	4:29	2.9	6:54	-0.6	12:49	3.6	10:59	6.1
WEDNESDAY	5:48	3.2	8:06	-0.3	2:22	3.7	12:06	5.6
THURSDAY	7:50	3.3	9:14	-0.1	3:40	4.0	1:33	5.0
FRIDAY	**9:44**	**2.8**	**10:13**	**0.1**	**4:32**	**4.4**	**3:08**	**4.6**

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The Q Line

The Santa Monica City Council is considering letting businesses have a portion of residents' coveted parking spaces — spaces that are currently restricted to outsiders in certain neighborhoods.

Although no official action has been taken, some members of the council think businesses should be able to have their employees park in residential neighborhoods. They believe it would free up parking spaces on major thoroughfares for customers.

So this week, Q-Line wants to know, **"Is this a good idea? Should residents give up some of their parking for businesses?"**

Call (310) 285-8106 before 5 p.m. on Friday and we'll print your responses in the weekend edition. Please limit comments to less than a minute. It might help to think first about the wording of your response.

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OPINION

LETTERS TO THE EDITOR

Protect the people's parking

Editor:

I hope the members of the Santa Monica City Council respect the wishes of the residents of Santa Monica and protect our hard-won preferential parking permits (SMDP, Nov. 11, page 1). Any responsible governing body should take parking into account before issuing zoning and business permits. If a contractor wants to build an apartment building, he is not allowed to do so until he solves parking problems for the potential residents — businesses should be held to the same standards. Businesses should be prepared to provide parking for their employees and their customers — either via public parking lots in the vicinity or by adding parking spaces to their properties.

It took the residents of Ninth Street, between Michigan and Pico, four years to finally acquire the right to pay to park in front of their own homes. Please do not take that right away from us by selling our parking places out from under us. This would place us back to where we were before our struggle began.

Susan Archibald
Santa Monica

Give 'em parking garages

Editor:

Regarding lead story by John Wood about a Santa Monica City Council scheme to address parking debacle (SMDP, Nov. 11, page 1).

The controversy about the lack of parking in commercial areas which sit next to residential neighborhoods has gone on far too long. The council's decision to reduce resident preferential parking passes and turn them over to businesses for employees is just not the right move. The city's decision will only cause more problems and more animosity.

For years the council has set an example for creative solutions, merging the right balance for competing interests; shown visionary environmental initiative and led the city in positive ways. But this contentious parking issue deserves more thought than a shortcut of taking spaces from residents and giving them to business.

It's worth noting that the council shares the blame, because by allowing single family homes to be torn down on every block and then building 10-unit apartments and condos with added people and cars, the inevitable crisis has been realized.

A better solution should be based on two simple agreements. First, residents deserve uninhibited preferential parking, and they can maximize that parking by driving fewer giant SUVs.

Second, businesses located near residential neighborhoods need and deserve considerations for owners and employees.

With those realities in mind, long-term solutions must include small-scale parking garages throughout the city to accommodate small businesses. Also, our city should build designated isolated bicycle paths to provide safe alternatives to driving.

In the short term, the Big Blue Bus should sell discounted monthly passes to businesses which can sell or give them to their employees. Also, employees should receive discounted monthly permits to park in downtown garages and the Santa Monica Airport with expanded service by the Big Blue Bus.

Solving an annoying parking fight between residents and businesses shouldn't lead to more friction, but unfortunately the current city scheme does just that. It's time for our council to be creative in ways that has the additional benefit of reducing traffic, congestion and pollution.

Chuck Levin
Santa Monica

Dream on

Editor:

Was it not merely days ago that many of our Santa Monica City Council members were lamenting the woes of traffic congestion, limited parking and residential anxieties? Low and behold, in answer to our prayers, the new vision for Santa Monica, ala Macerich Co., appears in the form of gigantic skyscrapers rising up from our coastline to blight out our sun (SMDP, Nov. 17, page 1). It's no mystery why developers have asked city officials to attend an invitation-only reception in an attempt to lay out their vertical reasoning — no doubt to rationalize their plans to council members in an attempt to eliminate any community opposition to their behemoth project.

As usual, this looks like an act first, make excuses later scenario typical of certain officials who pay lip service to wanting community input before engaging in any urban development projects. Listening is one thing, respecting what we say as a community is another. The empire of the car dealerships is a good example of this strategy. How many Santa Monica residents, other than Herb and Brenda Katz, were ever asked for their input before the development of what many of us now refer to as "dealership row?" No one that lives in my Euclid Street neighborhood. That's for sure.

It's polite rhetoric for the vice president of Macerich Co., Randy Brant, to say that they are looking forward to public input, but in reality that's just big business way of saying, "Don't worry, we're going ahead with our plans."

Ms. Justin L.B. Gagnon
Santa Monica

GUEST COMMENTARY **BY ALEX EPSTEIN**

Environmentalism's dangerous campaign for 'safety'

The environmentalists' proclamations of danger and doom are not honest errors. They are a dishonest scare-tactic to make their anti-industrial policies appealing.

America's domestic shortage of natural gas is, as Alan Greenspan has observed, "a very serious problem." Fortunately, there is a proven technology that could enable Americans to access plentiful natural gas stores from overseas: Liquefied Natural Gas (LNG) — natural gas cooled and condensed into a portable liquid, 1/600th its original volume. Given these facts, one might expect energy-short state governments to eagerly approve corporations' proposals for new LNG facilities. Instead, bowing to pressure from environmentalists, they are repeatedly rejecting them.

Environmentalists level many objections against LNG. For example, that LNG facilities would displace "plant and animal life" or that LNG tankers may require harbors to be dredged. But one objection has been more effective than all the rest combined: the claim that LNG is catastrophically unsafe. The Sierra Club calls LNG "extremely volatile," and labels LNG tankers and storage facilities an "enormous risk" that "endanger our health and safety." A documentary popular among opponents of LNG claims that an LNG mishap or a terrorist attack on an LNG facility could incinerate an entire city.

Is LNG a disaster waiting to happen? Consider its history. In the last 60 years in the United States, only one person has died in an LNG-related accident. Countries like Japan use LNG accident-free to get nearly all of their natural gas. In 1995, LNG facilities in Kobe, Japan, went undamaged in an earthquake that registered 6.8 on the Richter Scale. LNG's admirable safety record is the result of two fundamental factors. First, contrary to environmentalist propaganda, LNG is not an especially volatile, hazardous material — it is far less hazardous than many commonly used substances, such as propane, since it can become explosive and flammable only under rare conditions. Second, LNG producers protect against these conditions by using advanced safety technologies and procedures, such as double-hull tankers, safety-systems with automatic shutdown, and the use of offshore facilities far removed from population centers.

But what about the claim that the risk of infiltration by terrorists justifies banning LNG — such as Massachusetts Governor Mitt Romney's statement, in response to a proposed facility, that there "is simply no way that it makes sense to site an LNG (facility) in this location in the post-9/11 world?" This is no more valid than saying that because terrorists can do massive damage by crashing planes into buildings, planes and buildings should be banned. Would environmentalists accept the argument that since arsonists can do massive damage by burning trees — witness the California forest fires — trees should be banned? The fact that something can be misused to harm others is an argument only for forbidding that misuse, where possible, and not for depriving individuals of the many beneficial uses of trees, planes or LNG. And in the case where the danger comes from a foreign aggressor, it is the aggressor, not one of his unlimited potential targets, that must be eliminated.

The fallacious technique of arguing against the "safety" of a technology by citing some potential misuse is not unique to LNG. It is used by environmentalists to oppose other life-promoting technologies, such as nuclear power and biotechnology. And this technique itself is just one of the many pseudo-logical, pseudo-scientific methods environmentalists use to condemn technologies as "unsafe." Environmentalists got the pesticide DDT and the apple preservative Alar off the market with claims that each causes cancer — based on studies using mice fed the equivalent of over 100,000 times normal human consumption. To "prove" that fossil fuels cause cataclysmic climate change — first, global cooling in the 1970s, now, global warming — environmentalists cite the predictions of wildly inaccurate computer models that, according to climatologist Dr. Patrick Michaels, perform "worse than a table of random numbers when applied to U.S. temperatures."

The environmentalists' proclamations of danger and doom are not honest errors based on an overzealous concern for human safety and well-being — they are a dishonest scare-tactic to make their anti-industrial policies appealing to those who do not share the environmentalist belief that nature should be preserved at human expense. Observe that environmentalists are utterly indifferent to the human toll of abandoning "unsafe" technologies — of natural gas shortages, of the $200 million lost by apple-growers over the Alar scare, of the energy crises created by anti-nuclear, anti-fossil fuel policies.

Safety in the pursuit of technology is a valid concern, but only within the context of a preeminent regard for human well-being and its greatest benefactor: industrial civilization. Given their track record of dishonest arguments and the anti-industrial goals that motivate them, environmentalists' screams about "safety" should be dismissed out-of-hand and not be permitted to further thwart technological progress.

(Alex Epstein is a writer for the Ayn Rand Institute in Irvine. The Institute promotes the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead").

LOCAL

DNA technology helping to solve more cold cases

DNA LINK, from page 1

turned upside down earlier this year when a Laguna Beach Police Department detective started doing his homework. When detective Paul Litchenberg learned there was a discrepancy on the number of cold cases the Orange County District Attorney's Office had recorded for Laguna Beach, Litchenberg in April began sifting through the evidence room.

He gathered DNA samples from a 1983 murder scene and matched them with the Department of Justice's database of convicted felons.

"This case had not been investigated at all, and it was a fluke (that we were altered to it)," Litchenberg said. "I had a hit immediately."

Whitaker's DNA was linked to Patricia Ann Carpenter, whose partially nude body was found dumped along the road in Laguna Beach, according to the Star-News. Whitaker's DNA had been in law enforcement databases since 1994 when he was released from a California prison after serving 10 years for rape, Litchenberg said. Whitaker was discharged from parole in 1997 and moved to Pasadena a year later, the Star-News reported.

Through an Internet search, Litchenberg found Whitaker in Gresham, Ore., in July. He apparently left Pasadena in 2003 after separating from his wife, who was unaware of his previous life. In Oregon, Whitaker moved in with a woman he met over the Internet. But because he failed to register as a sex offender, Whitaker was arrested.

Litchenberg spent a few days in Oregon, where he questioned Whitaker about the previous murders. But Whitaker denied he played any part.

"He talked the entire time, even under Miranda," Litchenberg said. "It came to a point where he wouldn't confirm or deny, but he gave bits and pieces that only a killer would know."

Looking at police records, Litchenberg noticed Whitaker had been questioned by Santa Monica police nearly three decades ago, so he contacted detectives here.

In September, Santa Monica investigators got a hit on one of their cold cases — this time Whitaker's DNA matched evidence taken from the body of Bodil Rasmussen of Carson, who was found dead in the parking lot of the old Sea Castle at 1725 Appian Way, said Santa Monica Lt. Ray Cooper. She too had been raped — and strangled.

"We believe her body was dumped here," Cooper said.

Whitaker and Rasmussen had been neighbors in Carson. Soon after her murder, police suspected Whitaker as her killer, and he was arrested. But the Los Angeles District Attorney's Office dropped the case because there wasn't enough evidence. That's partly due to a lack of forensic technology available at the time, Cooper said.

"We talked to (Whitaker) at length 29 years ago," he said. "He had conflicting statements ... his contact with her, the timeline of events, and he gave false information."

Whitaker had been with Rasmussen the night before her death. He told Santa Monica detectives that he was a medical student and had a legal background, according to the Star-News. What he failed to tell them was that he was a parolee who had been convicted of sodomy in 1964 and served three years in a New York state prison. He also failed to tell them of the rape for which he served time in a California prison in the '80s and early '90s.

Cooper said the case will soon be sent to the DA's office once it's decided how it will be prosecuted. Because of the pending murder case in Orange County, there likely will be a combined prosecution with LA County, Cooper said.

"There will have to be negotiation on where it will be tried," he said, adding he's unsure when charges will be filed. "This case is 29 years old, we have a little background work to do and locate the witnesses."

Because Whitaker is refusing to be extradited, Litchenberg has filed a governor's warrant, which will order Whitaker to stand trial in California. Once the warrant is signed by Gov. Arnold Schwarzenegger, Whitaker will be brought to California. Litchenberg expects the process to take months. However, Whitaker's next court date is Dec. 6, when the expected transport could be decided.

As DNA evidence testing continues to advance, more unsolved cases are likely to be reopened, Cooper said. In 2003, Santa Monica detectives reopened a 1998 murder case using DNA evidence. A random match-up of DNA samplings conducted by the Department of Justice in the California prison system linked a convicted felon to the murder of a Santa Monica woman.

David Thomas Wright, a twice-convicted felon with an extensive arrest record, has been charged with capital murder for allegedly killing Aviva Labbe on June 14, 1998, in Santa Monica. Wright was found in state prison serving a six-year sentence for battery of a Santa Monica police officer during an unrelated incident. Wright is scheduled to go to trial in December.

Cooper said a 2001 robbery and rape case was recently reopened and charges have been filed against the suspect.

"DNA is advancing so rapidly we are able to recover evidence from cold cases," he said. "We are applying these technologies, and we are having significant success to even current cases.

"If we have a viable lead or a viable suspect, we will immediately submit the evidence," Cooper added. "As time goes by, you are going to see more success."

Proposition 69, passed by California voters on Nov. 2, should help law enforcement agencies further. The state can now expand the collection of DNA samples to include all convicted felons, some convicted non-felons and those who have been arrested for certain offenses.

The SMPD's success in solving cold cases is partially attributed to chief of police James T. Butts Jr.'s ability to secure federal grants that help fund the lengthy investigations.

Cooper estimates that one case will cost tens of thousands of dollars before it's closed permanently. And that doesn't include locating witnesses and paying to have them come to LA to testify.

"There is a lot of process involved, and it takes a lot of time to do this," he said.

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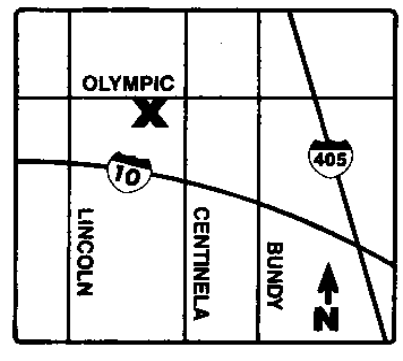

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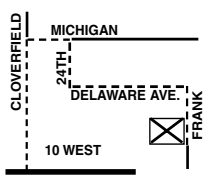

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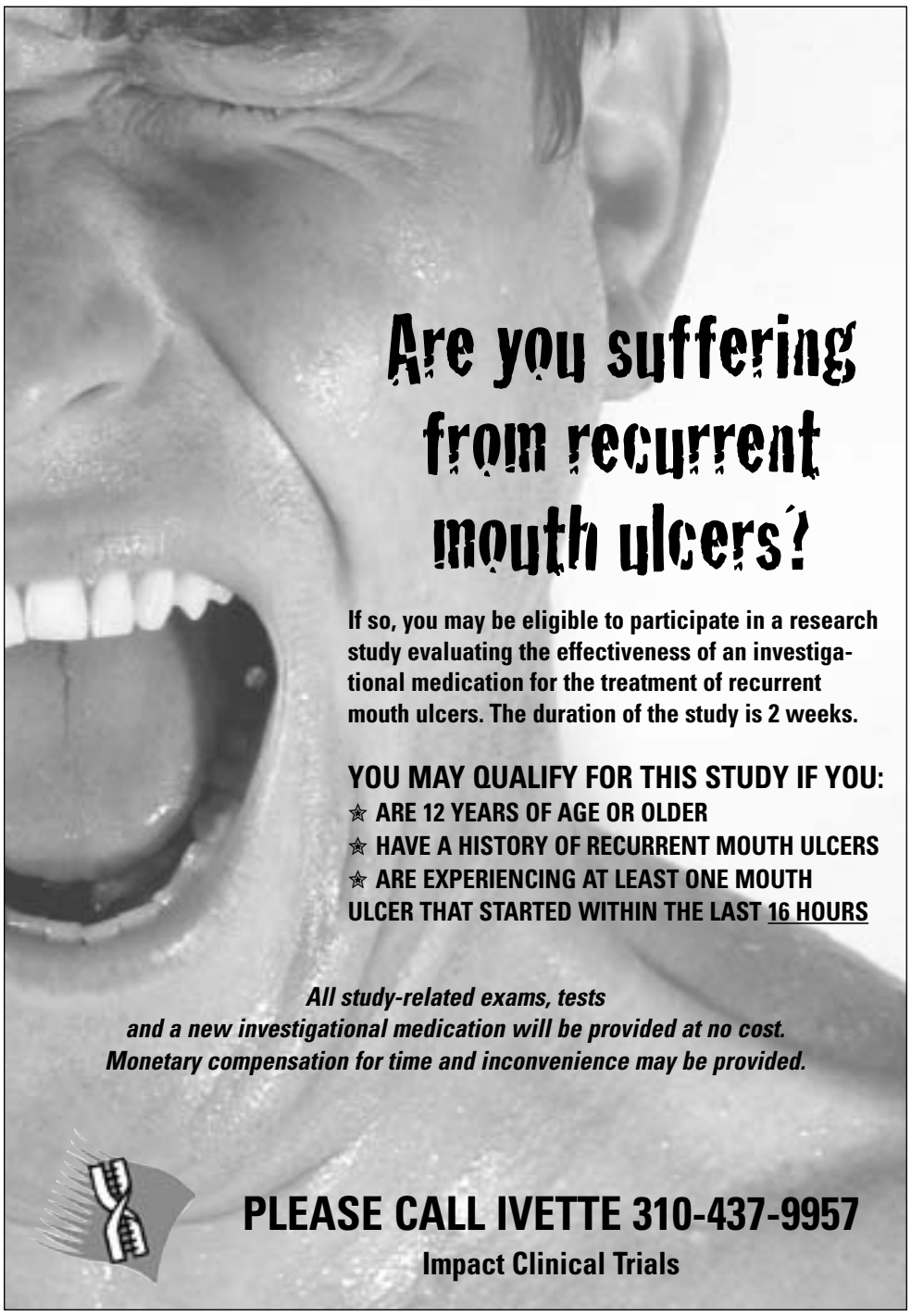

LOCAL

Appellate ruling upholds fee

FEE CHALLENGE, from page 1

for the Santa Monica Fire Department.

At issue in the lawsuit is Proposition 218, which limits how a city can impose new charges on property owners, said attorney Craig Mordoh of The California Apartment Law Information Foundation, which is overseeing the lawsuit. The fire inspection charge was passed by the City Council, and bills were recently sent out to property owners.

"It was done, nobody really saw it and then, when the bills started to arrive at the property owners' mailboxes, they started to be concerned," Mordoh said. "We want the fee to be knocked out. And if they intend to file a new fee ... follow proper procedures."

Moutrie declined to discuss Mordoh's lawsuit specifically, saying her office hadn't yet been served with it. She did, however, point to a lawsuit against the city of Los Angeles by developer Lincoln Properties. The ruling in that case upheld an inspection fee that never went before voters, Moutrie said.

"In general, as to the law, there is an appellate opinion that upholds an inspection fee that Los Angeles adopted as against a 218 challenge," Moutrie said.

The $60 fee is applied annually to all multi-family properties in Santa Monica. Santa Monica Fire Department Chief Jim Hone called the revenue it provides crucial.

"It's important to the fire department because it prevented us from having to reduce services or staff," he said. If the fee were abolished "our services would need to be cut or other services would need to be cut in City Hall to keep us at the same level of service. It's simple economics."

COMMUNITY BRIEFS

BRIEFS, from page 3

dance company that has performed throughout California and Mexico — along with dance students from Santa Monica, Gardena and Hamilton high schools, as well as the Los Angeles Center for Enriched Studies (LACES). This is the first time that dual-enrollment high school students will be performing with SMC.

The program will be performed at 7:30 p.m. Sunday, Dec. 5, at Morgan-Wixson Theater, 2627 Pico Blvd. Tickets are $10. Call (310) 434-4856 or (310) 434-4594.

From Mexico, dances from several regions — Veracruz, Sonora, Chihuahua, Durango, Sinaloa and Jalisco — will be featured.

Folklórico de SMC is under the direction of Judith Douglas. The SMC professors teaching in the high schools — whose students get both high school and college credit for their classes — are Raquel Ramirez at Gardena, Linda Yudin at Hamilton, Laura Canellias at LACES and Angelina Meany at Santa Monica.

SMC's dual-enrollment program is offered at 14 high schools in the Los Angeles area, as well as the Museum of Contemporary Art, which has a partnership program with several high schools. In addition to dance, the dual-enrollment program offers college-level courses in art, English, speech, music and psychology.

The acclaimed Folklórico de SMC — with its performances, music and costumes — seeks to train performers, educate audiences, and disseminate information about the rich history and lore of Latino and other cultures.

The troupe has toured extensively throughout Mexico and California for more than 15 years at schools, festivals and special events.

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STATE

One in four Californians considering relocation toward lower prices

BY JIM WASSERMAN
Associated Press Writer

SACRAMENTO — High rents and rising home prices are pushing one in every four Californians to consider moving elsewhere in the state or leaving California entirely, says a new statewide survey on places people call home.

While Californians value their quality of life near ocean shores and mountain views, the survey released Thursday shows nearly half of those under 35 are considering moves toward cheaper prices and that 60 percent of adults worry their children won't be able to buy homes in their part of the state.

Even many homeowners now see little upside to rising prices that have greatly inflated their property values, believing they couldn't afford to buy another house in their own neighborhoods, said Mark Baldassare, the study's author and statewide survey director for the Public Policy Institute of California.

"We're at a point where it's very hard for people who are moving from other states to think about coming to California," Baldassare said. Instead of being optimistic about life in California, a new generation "coming into the owning stages of their lives ... are exactly the people who are talking about moving elsewhere.

"You're talking about your work force. You're talking about your future," he said.

The survey, the most comprehensive of its kind in years in California, reveals the moving-out sentiment is highest in coastal areas and that many are acting on it. The PPIC recently reported that since 1995 more than 350,000 coastal Californians have moved to the less expensive Central Valley.

The PPIC surveyed 2,502 people between Oct. 21 and Nov. 1 in English, Spanish, Chinese, Korean and Vietnamese. The survey, funded by the Irvine, Packard and Hewlett foundations, has a margin of error of 2 percentage points.

California's traditionally high mortgage costs are also further discouraging renters, the survey reports. Only one in five who hope eventually to buy a house are confident they can do it.

The results dovetail with findings this month by the California Association of Realtors showing that only 19 percent of the state's households can afford the state's median-priced home of $465,000. That's a 5 percent drop from a year ago. Nationally, the median-priced home — where half cost more and half cost less — was $186,600 in September.

The results also come as California's builders push up more homes and apartments than any year since 1989. After building 134,000 single-family homes and 54,200 apartments last year — 188,000 in all — industry officials say they're on track to build 205,000 in 2004.

But while they fret about the high costs of housing and the shortage of affordable housing, many Californians also believe that's too many new homes, the survey shows.

Stressed by traffic, crowded schools and other consequences of growth in their neighborhoods, at least half believe state government is doing enough — and even too much — to encourage housing construction.

One in five likely voters told the PPIC that state government does too much to stimulate housing. And six in 10 believe the state should keep its tough environmental laws even if it discourages supply and causes housing prices to rise still more. Baldassare said likely voters tend to be homeowners.

Key findings of Public Policy Institute of California statewide housing survey

By The Associated Press

Californians considering a move elsewhere in state or leaving California for cheaper housing:
24 percent of all adults
37 percent of renters
31 percent of those 18-34
25 percent of those 35-54
16 percent of homeowners
14 percent of those 55 and older

Californians very concerned that housing costs will prevent their children from buying a home near them:
52 percent of all adults
59 percent of Bay Area
55 percent of Orange, San Diego
51 percent of Los Angeles
48 percent of Inland Empire
44 percent of Central Valley

Californians who believe they can afford a house in their part of the state:
23 percent of all homeowners
23 percent of those 18-34
24 percent of those 35-54
22 percent of those 55 and older
15 percent of those earning under $40,000 a year
18 percent of those earning $40,000 to $80,000 a year
33 percent of those earning more than $80,000 a year

Source: Special Survey on Californians and Their Housing, Public Policy Institute of California

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STATE

Analysis places next year's deficit at $7 billion

BY TOM CHORNEAU
Associated Press Writer

SACRAMENTO — An improving economy is no match for runaway spending by state agencies and lawmakers will face a budget deficit next year of $6.7 billion, according to a report released Wednesday by the Legislature's nonpartisan budget analyst.

A variety of one-time solutions and loans used to paper over this year's budget will expire at the end of June, leaving the Legislature and Gov. Arnold Schwarzenegger with a big gap to fill and hard choices to make.

"We still have a lot of hard work to do," said Legislative Analyst Elizabeth Hill, whose office advises the Legislature on financial issues. "We really haven't addressed the large structural imbalance facing the state of California."

Lawmakers and the governor agreed last summer on a $105 billion budget that included more than $7 billion in one-time solutions, fund transfers and borrowing. Those options aren't available for the next budget, Hill said, and even with the state's improving business activity there's little chance California "can grow its way out of the deficit."

Without higher taxes to increase revenues, big cuts in spending or a combination of both, the state will face an even larger deficit of nearly $10 billion in 2006-2007, Hill said. She recommended a combination of taxes and cuts.

Lawmakers can close some of the deficit by tapping the remaining $3.5 billion from the $15 billion bond issue voters approved in March, but Hill warned against any new borrowing. California already has $26 billion in debt for ongoing budget needs, including bond sales and loans from local government, schools and transportation accounts.

By 2006-2007, it will cost the state $4 billion a year to pay for the existing loans, which is more than the state pays for the University of California system, Hill said.

Schwarzenegger said earlier this month that he still opposes higher taxes and believes the budget can be balanced by cutting the growth rate of key programs, although he didn't detail the specific programs. He's due to submit his budget plan to the Legislature on Jan. 10.

The debate between more service cuts or higher taxes has already started. Some Democratic leaders have said they will fight for higher taxes if the alternative is the choice is between taxes and deeper cuts to social and public health programs.

On Wednesday, however, Assembly Speaker Fabian Nunez, D-Los Angeles, said only that the state deficit is a "great threat" to the future and hinted that he would support a tax increase.

"We will work with the administration to craft an honest budget that tackles the budget gap without Band-Aids or gimmicks," said Nunez in a statement.

California wouldn't face this choice now if the Legislature had passed many of the spending cuts Schwarzenegger proposed last January, said Senate Republican Leader Dick Ackerman of Fullerton.

Hill said the state could reduce the size of next year's deficit and those in ongoing years by ignoring $1.4 billion in additional money schools could claim because of unexpected higher tax collections this year.

Lawmakers could do that without taking the politically charged step of suspending a voter-approved spending guarantee for schools, called Proposition 98, Hill said. Proposition 98 was already suspended in August as part of the current budget agreement, so the increased money collected this year falls under that agreement, she added.

Schools won't be hurt if they don't get the extra money, Hill said, because they already agreed to a funding minimum that didn't include it. If that money is left in the state's general fund, the project budget shortfall would drop from $6.7 billion to $3.9 billion, because the savings would apply to both the 2004-2005 budget and the 2005-2006 budget.

That's unacceptable, said Kevin Gordon, executive director of the California Association of School Business Officials.

During last year's negotiations with the governor, school officials accepted a $2 billion cut from money to which they were entitled. They also looked forward to more money being available from an improving economy, Gordon said, and schools are already planning on spending that $1.4 billion.

State Superintendent of Public Instruction Jack OConnell today issued the following statement in response to the Legislative Analysts Office recommendation that the Legislature not live up to our obligation to schools under this years budget agreement and to not fully fund Proposition 98 in the upcoming budget cycle.

State Superintendent of Public Instruction Jack O'Connell agreed, noting that since 2000 public schools have lost $9 billion in state money.

"The fact that these cuts were followed by the flattening of our test scores after five years of steady improvement certainly is no coincidence," O'Connell said in a statement. "While money is not the only factor, it plays a critical role in student achievement."

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STATE

Company drops insurance cost-calculator amid criticism

BY ELLIOT SPAGAT
Associated Press Writer

SAN DIEGO — A software maker has dropped a tool that some critics say led many homeowners to be stuck with inadequate insurance coverage in last year's Southern California wildfires.

Marshall & Swift/Boeckh LLC said there was "misunderstanding" about its Quick Quote cost-calculator, which let insurance agents estimate the cost of replacing a home with just a few keystrokes.

It asks for a home's ZIP code, year of construction, square footage and a few other questions. A more detailed survey — which takes into account details from whirlpool spas to fireplaces — takes more time to complete but offers more accurate estimates.

Marshall & Swift, based in New Berlin, Wis., withdrew the calculator "to eliminate any possibility of consumer confusion about our products," said Bob Dowdell, chief executive officer. He called on other companies to drop similar shortcut methods to estimate a home's replacement cost.

The firm is contacting owners of its systems to strongly recommend that they discontinue using Quick Quote, a spokeswoman said Thursday. Clients soon will no longer be able to input Quick Quote data into the company's calculation system.

Marshall & Swift introduced the abbreviated survey a few years ago to let agents give shoppers a ballpark estimate of what kind of coverage they might need, oftentimes over the phone. The company insists it was never designed to write insurance policies.

After the October 2003 fires destroyed more than 3,600 homes in Southern California, many displaced homeowners found they had inadequate coverage, casting an unwelcome spotlight on Marshall & Swift. Of the 756 complaints fielded by the California Department of Insurance after the fires, 318 are about inadequate coverage.

California Insurance Commissioner John Garamendi, along with some consumer watchdogs and attorneys for wildfire victims, suspected that the Quick Quote calculator was spitting out lowball numbers on how much it costs to replace a home.

George Kehrer, executive director of Community Assisting Recovery Inc., a nonprofit group that assists displaced homeowners, told Garamendi last month at a hearing in San Diego that he bought the software after the fires and found that Quick Quote consistently underestimated the cost. The more detailed estimate, however, was "within spitting distance" of the actual loss.

Garamendi welcomed the decision to withdraw the abbreviated survey.

"The Quick Quote does give potentially inaccurate information," he said in an interview, adding that the more detailed questionnaire "appears to be extremely useful and extremely accurate."

Marshall & Swift estimates that 61 percent of U.S. households are underinsured by an average of 25 percent. That's an improvement from several years ago when it found that 73 percent of homeowners were underinsured by an average of 35 percent.

California air regulators setting standards for watercraft, railroads

BY DON THOMPSON
Associated Press Writer

SACRAMENTO — California stepped into another area that has been the exclusive jurisdiction of the federal government Thursday, as state air regulators adopted stricter fuel standards for watercraft and locomotives.

The new diesel standards will apply only to locomotives and marine vessels that operate within the state, such as harbor vessels and engines that transfer cars within railroad yards.

But like California's clean air standards for gasoline, the rules force refiners to create two grades of fuel: one to meet federal Environmental Protection Agency regulations, known in the trade as EPA diesel; the other to meet tougher California Air Resources Board regulations, known as CARB diesel.

The board estimates the new standards will cut airborne particulates from locomotives and watercraft by about 25 percent, nitrogen oxides (NOx) by about 3 percent, and sulfur oxide emissions by 78 percent — a boon for asthma sufferers who live near train tracks or rail yards.

There was no formal opposition to the rules adopted Thursday, while support came from railroads, environmental groups, the American Lung Association, British Petroleum, regional air regulators and air pollution equipment manufacturers.

Refiners and the air board said many intrastate trains and watercraft already use diesel that meets the California requirements, so the change is not expected to cause significant diesel shortages.

California has regulated the sulfur content of diesel used in motor vehicles since 1993. It lowered the allowable content last year beyond federal requirements, but exempted locomotives and watercraft. The regulations adopted Thursday end the exemption five years earlier than similar federal standards for watercraft and locomotives that are set to take effect in June 2012.

The federal regulations do not require the same eventual reduction in particulates and NOx as do the new state standards, which take effect in 2006 in the south coastal region, and statewide in 2007.

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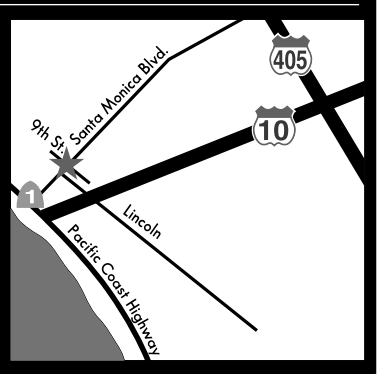

Entertainment

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FINDING NEVERLAND
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Starring: Johnny Depp, Kate Winslet

KINSEY
Kinsey's history is nimbly recounted, and bristles with fun and, on occasion, arresting poignance. Captivating cinema that feels particularly relevant in these retrogressive times.
Starring: Liam Neeson, Laura Linney

AFTER THE SUNSET
Surely the world doesn't need another weak Elmore Leonard knock-off populated with one-dimensional characters engaging in humdrum high jinks.
Starring: Pierce Brosnan, Salma Hayek

THE INCREDIBLES
Boasts the total package: Great cast, invigorating storytelling, state-of-the-art 3-D animation and, best of all, that elusive quality known as movie magic.
Starring: Holly Hunter, Craig T. Nelson

ALFIE
Remake is lighter in tone, decidedly more farcical than the original. Law's a movie star who's awfully easy on the eyes and boundlessly talented.
Starring: Jude Law, Susan Sarandon

RAY
An instant inductee into the pantheon of great biographic movies. There isn't a moment in the entire picture in which we're not convinced Foxx IS Ray Charles.
Starring: Jamie Foxx, Regina King, Kerry Washington

BIRTH
Even a mildly disappointing third act twist cannot mitigate the intensity of "Birth," which ranks among the year's best.
Starring: Nicole Kidman, Lauren Bacall

SAW
Gratuitously violent, unoriginal and entirely too loud. Proof that atmospherics and gore alone do not a compelling serial killer thriller make.
Starring: Cary Elwes, Danny Glover

IT'S ALL ABOUT LOVE
As the designated interpreters of the director's scattershot musings, Phoenix and Danes are hopelessly lost.
Starring: Joaquin Phoenix, Clare Danes

THE GRUDGE
Americanized version of a commercially successful, albeit humdrum Japanese horror flick is silly rather than chilling.
Starring: Sarah Michelle Gellar

SURVIVING CHRISTMAS
It's entirely likely star Ben Affleck will come to rue this wreck even more than last year's notorious flop, "Gigli."
Starring: Ben Affleck, James Gandolfini

SIDEWAYS
A fantastic movie from Alexander Payne, who may very well be America's most provocative cinematic storyteller.
Starring: Paul Giamatti, Virginia Madsen

UNDERTOW
The cast imbues every scene with genuine emotion, working within the confines of a rich, intense narrative.
Starring: Dermot Mulroney, Jamie Bell

SHALL WE DANCE?
It's pure pablum, set to Rodgers and Hammerstein numbers. Better to sit this one out.
Starring: Richard Gere, Susan Sarandon

TEAM AMERICA: WORLD POLICE
Isn't as consistently smart or amusing as the irreverent creators' TV series, "South Park," or their previous forays into feature filmdom.
Starring: Trey Parker, Matt Stone

Cage on a rage: Thriving on trouble on and off screen

BY DAN DUNN
Special to the Daily Press

Q&A

It was established at the outset that neither the interviewer nor the interviewee were all that keen on the usual obsequious celebrity features Hollywood junkets are designed to engender. "I get it," said the actor Nicolas Cage, glancing out the window of his 21st floor suite at the expanse of west Los Angeles. "I know why I'm here, and I know why you're here. But at the same time, I can't help feeling a bit exposed, like I'm giving away the secrets to my tricks and destroying the illusion or magic of whatever it is we've created together."

Cage's latest creation is the big-budget adventure "National Treasure," and while he seemed reluctant to expound on the making of that film, he was more than willing to talk about what he referred to as a "life-changing experience" he had recently while on safari in South Africa. It was out in the jungle that the notoriously tempestuous star came face to face with an animal he claims he can truly relate to: The "painted," or wild, dog.

"There is something really fascinating about seeing a wild dog in its true element. We have dogs all around us in everyday life, but when you see them out there in the wild, it's pretty far out — like seeing a caveman or something," said Cage. "Of all the animals, they have the highest kill ratio — something like nine out of 10."

Getting up close and personal with such efficient killers is certainly quite dangerous, and Cage wouldn't have it any other way. He's 40 years old now, but the passage of time has done nothing to quell his inner-turbulence. This is a man who admittedly thrives on trouble, both on and off screen. Hence the impulsive marriage proposals, the well-publicized tiff with former best bud Sean Penn, and a few film roles that have baffled critics and fans alike.

"I asked David Bowie once how he was able to constantly reinvent himself, and he said he never allowed himself to get comfortable with what he was doing," Cage said. "He always stayed uncomfortable. I took that advice to heart, and a lot of my choices have been made with a sense of discomfort."

Of all the career choices Cage has made, none was met with more skepticism than when he followed up his Academy Award-winning turn as a suicidal drunk in "Leaving Las Vegas" with the lead in producer Jerry Bruckheimer's explosive 1996 action flick, "The Rock." It was a pronounced turn away from the atypical roles that had defined his career to that point, and it led to accusations of selling out from the likes of Penn and many others. Cage has since re-teamed with Bruckheimer several times, including "National Treasure," and he makes no apologies for his forays into action hero-dom.

"In trying to find a place that I could grow from, I was challenged by the idea of being in an adventure film, or an action film," Cage said. "No one had ever seen me in that light before. It wasn't for lack of me wanting to do it, I just wasn't perceived that way because of the types of roles I'd been playing, like 'Wild At Heart' and 'Moonstruck.'

"Jerry Bruckheimer presented the idea to me, and I thought, well, this is different," Cage added. "This is a challenge. This is something I'm not sure I can do, and therefore it was stimulating to me. I'm always looking for ways to grow and challenge myself, and possibly keep the audience guessing too."

As for his take on his body of work, which includes over 40 films, Cage said he's proud of what he's accomplished, even if some of it is now a bit of a blur.

"I've had the experience where I'm watching something I was in, and I don't remember making that movie," he said. "I'm almost able to see it as an audience member who had nothing to do with the film.

No gold, jewels found in 'National Treasure'

BY DAN DUNN
Special to the Daily Press

Review

Despite a promising high concept, the best that can be said about "National Treasure" is that it could have been worse. For evidence, look no further than Nicolas Cage's previous ill-advised collaborations with ubiquitous producer Jerry Bruckheimer — (in descending order of dreadful) "The Rock," "Con Air" and "Gone in 60 Seconds." On second thought, there's no point in revisiting that troika.

As is almost always the case with Bruckheimer's behemothly budgeted spectacles, this sprawling treasure hunt is cacophonous, eye-popping and unabashedly devoid of nuance. When they're not circling the globe in expensive vehicles or dodging bullets and explosions, cookie-cutter characters such as Cage's Benjamin Franklin Gates communicate almost exclusively in action-flick hokum. And what Gates is saying is that written in invisible ink on the back of the Declaration of Independence is a map that leads to the fabled Knights Templar treasure, rumored to be the most valuable bounty of all time.

And no, you're not alone in thinking that sounds daffy. In fact, generations of Gates men have been roundly ridiculed for believing such a fortune exists — a bit of family history that director Jon Turteltaub uses at the outset to pit Gates against his pop, Patrick (Jon Voight), a treasure hunter who's hung up his headlamp after years of fruitless searches and heartbreak.

Having established at least a modicum of internal conflict for the hero, Turteltaub trots out the staples of the genre: The fashionably sinister bad guy with the foreign accent (Sean Bean), the techno-geek/perpetual punchline (Justin Bartha) and the eye-candy (German beauty Diane Kruger). Of the three, Bartha fares best, saving a little face after his career-torpedoing turn as the touched kid in "Gigli." There are some funny moments in "National Treasure," and all of them involve Bartha's Riley. Kruger, on the other hand, at times seems to be reading off cue cards, and she's far too young to be believed as the conservator of the National Archives. This frivolous fluff certainly didn't challenge Cage, but he does manage to instill Gates with humanity not often discernible in Bruckheimer's heroes. Gates the gold-digger has got soul, even though the material he's mining doesn't.

(Rated PG for action violence and some scary images. Running time: 100 minutes)

Diane Kruger is high on Hollywood

BY DAN DUNN
Special to the Daily Press

Q&A

Three years ago, Diane Kruger was just another model trying to make it as an actress. Then the German beauty beat out thousands of others for the role of Helen in "Troy," opposite scantily clad studs Brad Pitt, Eric Bana and Orlando Bloom … and everything changed, virtually, overnight. Kruger then got down in "Wicker Park" with Josh Hartnett and can currently be seen smooching Nicolas Cage in "National Treasure." The 28-year-old dished to us recently about her incredible good fortune.

On working with Nic Cage:
"I was totally star-struck when I first met him. He's always been one of my favorite actors, and I've had a crush on him since I was 12. He turned out to be exactly the way I imagined he'd be: A little eccentric, a little crazy, and very, very funny."

On working with Hollywood heartthrobs:
"Three years ago, I was in drama school, and now I'm here and I've worked with these amazing guys. It's still kind of surreal. It hasn't sunk in yet. When I worked with Josh Hartnett, all my girlfriends went crazy and wanted to know how it was to kiss him. But, really, it's not as sexy as people think. It's not like we're making out for real. It's embarrassing to take off your clothes in front of a guy when there are 60 other people in the room."

On modeling versus acting:
"The goal of the model is to look beautiful in every single picture and to pose for the camera. Acting is just the opposite — forgetting about the camera and not always worrying about looking good."

On giving up her dream of being a professional ballerina at the age of 13:
"It was one of those times in life where you have to be truthful with yourself and analyze your situation. Did I really want to do that? Did I have enough talent? Ballet is a very difficult world, and even if you make it to the top, it's a very limited career."

On the pros and cons of fame:
"My life so far hasn't changed all that much on the negative side. Even if people come up to me on the street, it's only to say they liked me in a movie. It did get a little crazy in Germany after 'Troy' was released, with the press really trying to dig up stuff about me and my family. But right now I'm just happy people care."

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'Bad Education' shocking

BY DAN DUNN
Special to the Daily Press

Review

"Bad Education" is alternately forceful and meandering, and ultimately heartbreaking. Taking an uneven stab at film noir, the Spanish director Pedro Almodovar — whose work is usually much more florid — indulges cross-dressing fetishes, maligns child-molesting priests and celebrates French New Wave cinema. Yes, folks, the holiday movie season has officially arrived. By ordinary (not Almodovar) standards, "Bad Education" is provocative. Yet it lacks the sense of daring, coherent vision and subversive wit that is so prominent in the Spanish auteur's best work. However one judges the creative merits of the film, one thing's for sure: Almodovar's subject matter here is sure to stir things up in America, arriving as it does in the wake of widespread revelations of sexual abuse by clergymen. Too bad it seems as though he's content to simply shock, rather than engage, his audience. Even worse, despite his claims to the contrary, it feels like Alomodovar is using this semi-autobiographical piece to settle scores with the priests who educated him.

It's 1980 in Madrid, and Enrique Goded (Fele Martinez) is a twenty-something filmmaker of some merit. One day a stranger arrives at Enrique's office claiming to be his boyhood love, Ignacio Rodriguez (Gael Garcia Bernal). Ignacio gives Enrique a story he's written called "The Visit," which graphically recounts his schoolboy sexual encounters and the horrors visited upon him by a predator named Father Manolo. Cue flashback. The story also delves into the misadventures of Ignacio's adult alter ego, Zahara, a drug addict transvestite who impersonates Sara Montiel (a sort of Spanish Mae West gay icon of the '60s and '70s). Bernal, delivering a fine performance, is a dead ringer for Julia Roberts in drag. The film is in Spanish, with English subtitles.

(Not rated. Running time: 105 minutes)

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NATIONAL

New mad cow disease case might be a bunch of BSE

BY JOHN HEILPRIN
Associated Press Writer

WASHINGTON — A second case of mad cow disease may have turned up in the United States but meat from the suspect animal has not entered the food chain, Agriculture Department officials said Thursday.

The officials released few details and refused to say where the possibly diseased animal was found. They said it would be four to seven days before more could be confirmed, a delay that livestock industry representatives said would cause turmoil in the beef market.

Mad cow disease, or bovine spongiform encephalopathy, attacks an animal's nervous system. People who eat food contaminated with BSE can contract a rare disease that is nearly always fatal, variant Creutzfeldt-Jakob disease.

The possible case comes 11 months after the United States had its first case of mad cow disease. Japan and other countries are still maintaining bans against U.S. beef as the result of the earlier case.

Suspicions about another case of the disease came because of an inconclusive test result, officials said.

"The inconclusive result does not mean we have found another case of BSE in this country," said Andrea Morgan, associate deputy administrator of the USDA's Animal and Plant Health Inspection Service.

She said the inconclusive results "are a normal component of screening tests, which are designed to be extremely sensitive so they will detect any sample that could possibly be positive."

"It is important to note that this animal did not enter the food or feed chain," Morgan said. "USDA remains confident in the safety of the U.S. beef supply. Our ban on specified risk materials from the human food chain provides the protection to public health, should another case of BSE ever be detected in the United States."

Morgan said initial efforts had begun to trace back the animal from where it was tested to the farm from which it originated.

Alisa Harrison, a department spokeswoman, said the case involves one of thousands of "high-risk animals" subjected to new screening procedures that took effect June 1 to address complaints that too few animals in the United States are tested for the disease. Those are animals that died on the farm, have trouble walking or showed signs of nerve damage.

She said no quarantines have been established on slaughterhouses, feedlots or farms. "There's no reason to do that since it's an inconclusive result," Harrison said. "Should it be positive, we will be ready."

The department has been planning to screen 268,000 such "high-risk" animals within 18 months. It uses screening programs developed by Bio-Rad Laboratories of Hercules, Calif., that have been used in Europe for a number of years.

State agriculture officials said the animal did not originate in Kansas, Montana, New Jersey, North Carolina, North Dakota or Wyoming.

Barb Powers, director of Colorado State University's Veterinary Diagnostic Laboratory in Fort Collins, Colo., which handles BSE tests for the government, said she learned of the new possibility from news reports. That indicated it did not come from Colorado, Hawaii, Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Utah or Wyoming.

The wait to find out more about this possible new case of BSE has "put the entire industry really in limbo," said John McBride, a spokesman for the Livestock Marketing Association, based in Kansas City, Mo.

"With final results not being available for four to seven days, it's going to disrupt the livestock market. Buyers are going to be reluctant to buy, sellers are going to be reluctant to put their livestock on the market," he said. "The effect on the market could be profound.

Officials at the Cattlemen's Beef Promotion and Research Board, which is based in Centennial, Colo., and monitors consumer perceptions and attitudes, had no immediate comment.

Just before the start of the July Fourth weekend, the department had announced two other possible cases of the brain-wasting illness in the United States — but then said follow-up testing had proved negative. Both were subjected to the more definitive testing after initial screenings for infection were inconclusive.

In the only confirmed U.S. case, a Canadian-born Holstein was found to have been infected, but just that one case caused Japan and more than three dozen other countries to refuse U.S. beef. That hurt U.S. export sales and the farm economy.

Bush administration officials are now focused on trying to get those bans lifted and with establishing a national identification system for tracking livestock and poultry from birth through the production chain.

Such a system has worried producers who prefer to keep their records confidential or run a voluntary ID clearinghouse that would provide government officials with limited access.

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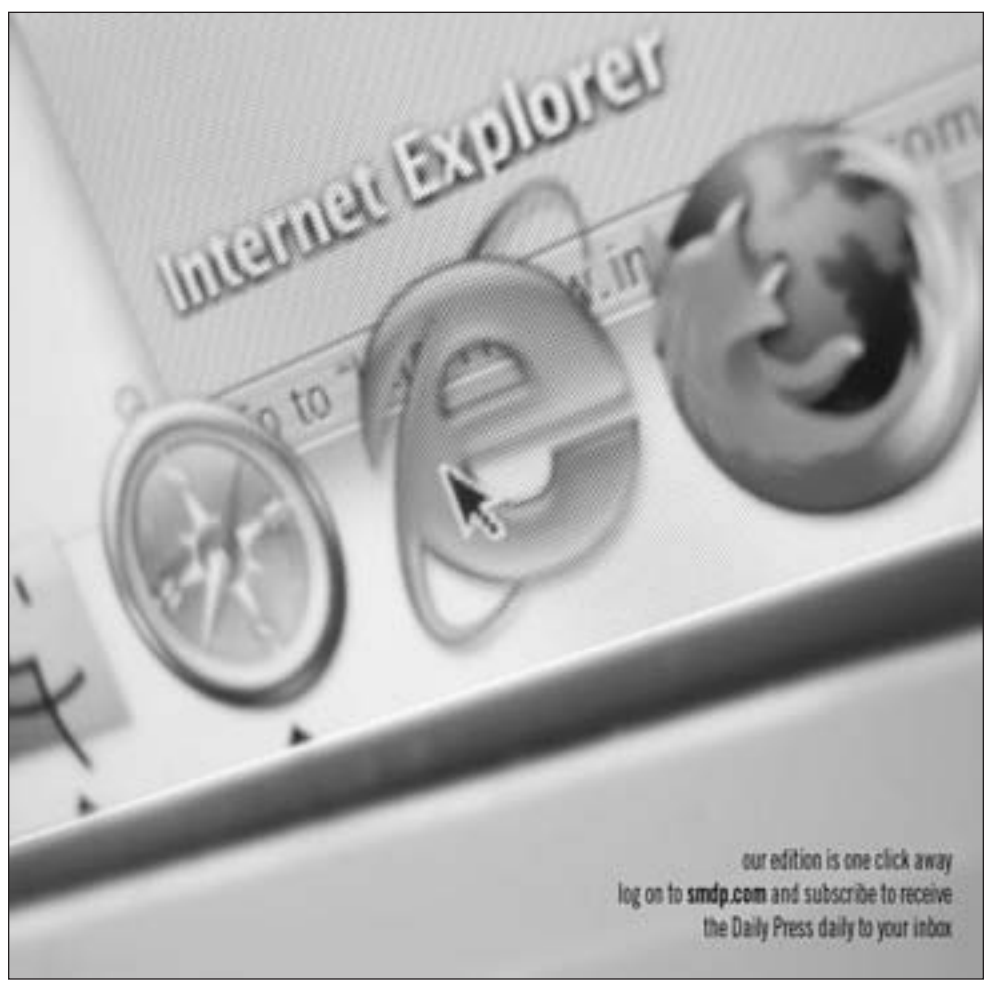

Gambling, growth make Las Vegas the 'ninth island'

BY KEN RITTER
Associated Press Writer

LAS VEGAS — In Hawaii, ABC stores are ubiquitous, catering to tourists from what seems like every corner in paradise.

But away from the islands in the mainland United States, the only ABC stores to be found are located in Nevada's city of sin and glitter. It's no coincidence.

Company chief Paul Kosasa said he put three of his stores with the distinctive blue and white alphabet logos in Las Vegas, in part, because so many people from Hawaii are attracted to the desert city referred to by many as the "ninth island."

More people from Hawaii moved to Nevada from 1995 to 2000 than the combined populations of the islands of Lanai and Molokai, and the equivalent of half the Hawaiian population travels every year to and from Las Vegas.

Coming to Las Vegas "can be like a reunion," Kosasa said. "You see people you haven't seen in a long time."

Indeed, when 200 transplants from Maui, Lanai and Molokai gather every two years from their adopted homes in California, Washington, Oregon and Minnesota, they rendezvous at an aging downtown Las Vegas hotel.

"Hawaii people are natural gamblers," said Ted Kamada, a retired former Los Angeles schoolteacher and reunion organizer who graduated from high school in Maui in 1950. "Las Vegas is a natural thing for them."

"This is where everyone felt comfortable," said Chuck Hazama, longtime former mayor of Rochester, Minn., as he found high school friends in the cocktail-hour crowd filling a ballroom at the California hotel-casino. "In Hawaii, it's called 'ohana' — family."

Others come to Las Vegas and never leave — yielding to what Matt Wray, a sociology professor at the University of Nevada, Las Vegas, called "chain migration" and "commonalities between the economies."

The first, he said, "is where people tell relatives and friends, 'Come on over. I can help you find a job.' Or, 'Come stay with me while you find a job."'

The second, Wray said, "goes beyond tourism and hospitality in that the major category of job opportunities (in Las Vegas) is the service industry, and Hawaii's economy is a service economy."

Steven Lum, a Las Vegas real estate businessman, figures there were a few hundred transplans from Hawaii among the 600,000 people living in southern Nevada when he arrived in 1986.

Since then, about 25,000 people have swapped Hawaiian driver's licenses for Nevada licenses, according to Nevada Department of Motor Vehicles records.

From 1995 to 2000, some 12,079 people moved from Hawaii to Nevada, according to the U.S. Census, outstripping the combined number of 10,597 residents on Lanai and Molokai.

Lum calls it a trade-off for those choosing to leave the laid-back life in the lush islands for booming but sun-baked southern Nevada, now home to 1.6 million of Nevada's 2.3 million residents.

"In Vegas, you have a higher standard of living," Lum said. "In Hawaii, the quality of life is better. It depends on what the person wants."

Melissa Nahooikaika's family chose opportunity. When the 18-year-old and her parents were looking to move before she entered high school, they put Kona and the Big Island behind them and put down roots in southern Nevada. Her dad found work building houses in one of the fastest-growing areas in the nation.

"The price of living was really high there," Nahooikaika recalled as she stepped from a Jeep Cherokee with "Hawaiian By Blood" stenciled on the rear window.

Generations have faced the same problem, said Hazama, 72, a member of Maui County's H.P. Baldwin High School class of 1950 who winters in Hawaii and spends summers in Minnesota.

"The cost of living in Hawaii is so prohibitive," he said, "and there's a lack of opportunities for young people to find jobs."

For those making the move, Lum lures Hawaii transplants with his business name, No ka Oi Realty, which translates as "number one."

"In Hawaii, people struggle," he said. "On the island, most younger families may own a condo or a townhome. Here, they hear of their friends with big houses."

Everyone in Hawaii knows someone who moved to Las Vegas, said tourist Melodi Kekauoha, 36, who said that while visiting the city she and her husband, Joel, planned to see friends who made the leap across the Pacific.

"The demand for Las Vegas travel in Hawaii is huge," said Keoni Wagner, marketing vice president for Hawaiian Airlines in Honolulu.

Nearly 229,000 commercial airline passengers made the one-way trip from Honolulu with Las Vegas as their final stop last year — up almost six times from travel levels in 2000, according to the federal Bureau of Transportation Statistics. And travel from the islands is up nearly 27 percent from January to August this year.

To meet demand, Hawaiian Airlines plans to add a red-eye flight in April 2005 for those who Wagner said "don't go to Las Vegas to sleep, but who hit the casinos, the shows and revel in the night life." With the advantage of two time zones, bleary-eyed gamblers can leave Las Vegas at 2:45 a.m. and arrive in Honolulu for breakfast. Aloha Airlines also launched a direct daily flight this year between McCarran International Airport and Honolulu.

McCarran, which tallies both commercial and charter passengers, reported 690,772 traveled to and from Hawaii in 2003. For such a small state — Hawaii has a population of only 1.2 million — it is in the top 12 for visitation to Las Vegas.

For many, a first trip from Honolulu to Las Vegas was on a cheap 1970s charter flight and a $9.90 room-and-meal package arranged by Boyd Gaming Corp., owner of several downtown hotels, including the California.

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NATIONAL

Couple washed away in flood blames Hawaii guidebook

By The Associated Press

WAILUKU, Hawaii — A Tennessee woman says she and her husband were washed away in a flash flood because they had relied on a guidebook that directs tourists to remote areas of the island.

"We had no idea we were somewhere we should not be," Beth Pickel told the Maui News on Tuesday from her home in Nashville.

The Pickels said they got into trouble Sunday when, following the guidebook "Maui Revealed," they drove to Nahiku to visit the Blue Pool. The couple crossed a stream to get to the pool, but when they tried to get back, the stream had turned from a trickle into a torrent because of rains in the mountains.

The Pickels tried to swim across, but were swept down to the sea, where they became separated. Kirk Pickel made it back to the pool, while his wife climbed out on the opposite shore, where she could run for help.

A fire crew arrived on the scene, but was unable to reach Kirk Pickel, who had to be lifted to safety by a rescue helicopter.

Beth Pickel said she was upset that the book did not specifically mention that rain in the mountains could cause flash flooding downstream, even in areas where the weather was clear, as it was Sunday at the pool.

Lisa Williamson, director of marketing at the guide's publisher, Kauai-based Wizard Publications, said the book addresses flash floods and other hazards.

She note the book says: "Flash floods can occur in any fresh water stream anywhere in the world, even paradise. Be alert for them."

"It would be redundant to mention this hazard for every single stream on Maui," Williamson said.

Beth Pickel also complained there were "no trespassing" signs at the pool, saying she and her husband wouldn't have gone if they had known it was on private property.

But Williamson said Maui County had informed the publisher before the guide was published that the land at the Blue Pool is public, and no landowner has ever said anything to the contrary.

Meanwhile, Peter Young, chairman of the state Board of Land and Natural Resources, has asked guidebook co-author Andrew Doughty to revise future editions of "Maui Revealed" when describing the Ahihi-Kinau Natural Area Reserve and surrounding sensitive places.

"We believe that with the recommended changes, visitors using your book will be safer and have a better quality experience, and at the same time, the natural and cultural resources of the area will receive less direct human impact," Young said in a letter to Doughty on Monday.

Doughty and co-author Harriett Friedman moved to Kauai about 10 years ago and formed Wizard Publications. They wrote "The Ultimate Kauai Guidebook," followed by "Hawaii the Big Island Revealed," and then "Maui Revealed."

The books are very popular with tourists, but have been criticized by landowners, public safety authorities and business owners. Critics say the books encourage tourists to go on private property, despoil formerly hidden places with crowds and too bluntly review restaurants, visitor-oriented businesses and tourist attractions.

Nevada land sale, wilderness bill passes Congress, sent to president

BY ERICA WERNER
Associated Press Writer

WASHINGTON — Legislation authorizing the sale of federal land in Lincoln County and opening the way for a water pipeline to Las Vegas headed to the president Wednesday after final passage by Congress.

President Bush was expected to sign the Lincoln County Conservation, Recreation and Development Act after the House passed it on a voice vote.

"This proposal enjoys the support of the entire Nevada congressional delegation and is the result of exhaustive public participation," said Rep. Jim Gibbons, R-Nev.

"This bill is well-balanced," said Rep. Shelley Berkley, D-Nev. "It will help Lincoln County flourish and create economic opportunities for its citizens."

The bill directs the Bureau of Land Management to auction up to 90,000 acres of federal land in the large, sparsely populated county just north of Las Vegas and Clark County. It establishes a utility corridor that would allow the Southern Nevada Water Authority to build a pipeline to tap into groundwater in eastern Nevada and draw as much as 200,000 acre-feet of water per year — enough for more than half a million households — for thirsty Clark County.

The legislation also designates 768,294 acres as wilderness, while 251,965 acres now reserved for wilderness study would be released for other uses.

Although Nevada's two senators and three House members supported the bill, some opposition came from environmentalists who wanted more wilderness protected and feared the effects of transferring so much water to southern Nevada.

The water authority would get the right of way free, even though Interior Department officials had sought payment for environmental studies and other work.

The bill says Utah must be included in discussions about the water transfer plan after the state's lawmakers expressed concern about losing water from its aquifer. Utah also was added to a study of ground water quality, volume and other issues required by the bill.

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NATIONAL

GOP governors happy, but not euphoric in face of real problems

BY ADAM NOSSITER
Associated Press Writer

NEW ORLEANS — Republican governors gathered for their annual meeting here Thursday, buoyed by President Bush's re-election but facing familiar budget, social and fiscal problems back home.

They were cheered by news that a Republican had the lead for governor in Washington state, although the election was so close that a recount was required by law. If the results stand, it will increase the GOP majority of governors to 29.

And the group's chairman, Bob Taft of Ohio, trumpeted the fact that 65 percent of Americans live under Republican governors. "We can now travel from the East Coast to the West Coast without leaving Republican territory," he said.

However, pressing matters in their respective capitols kept the euphoria down at the low-key gathering — as evidenced by the significant absence of the party's statehouse stars: Jeb Bush of Florida, Arnold Schwarzenegger of California and George Pataki of New York.

Only 20 of the 28 Republican governors were attending. The leader in Washington state, Dino Rossi, was also expected. Corporate lobbyists and executives from the Republican Governors Association's business sponsors — Pfizer, Chevron, UBS Financial and the like — far outnumbered state chief executives; some of the governors even wore neck-cords stamped with the logo of a Washington law firm helping to sponsor the event.

The governors gave a standing ovation to Bush's campaign manager, Ken Mehlman, after hearing him describe how the president's victory was crafted: notably, with a focus on what he called "cultural issues," by expanding the pool of evangelical voters, and by increasing conservatives as a percentage of the electorate.

But it was quickly back to the real world. "The election is over now," said Mike Rounds of South Dakota. "America expects Democrats and Republicans to get things done, practical things," he said.

His remark was echoed later by Kenny Guinn of Nevada, the vice chairman, in an interview. "We're relieved the election is over. There's no time to gloat over it, because all of us as states have issues to deal with. We're looking at cuts or raising taxes, and that's the last thing any of us want to do."

The Massachusetts governor, Mitt Romney, spoke of the challenge of "restructuring the safety net without putting our finances in peril."

Indeed, the states have made cuts totaling some $1.4 billion in the 2005 fiscal year, according to the National Association of State Budget Officers. Deficits still loom, and though taxes as a percentage of personal income are lower than at any time since the 1950s, the philosophy of Thursday's group was summed up by Gov. Haley Barbour of Mississippi, the former chairman of the Republican National Committee: "I'm a governor who is against raising anybody's taxes."

Barbour, in particular, faces a budget gap of over $600 million in some estimates, a balky legislature and limited financial resources. Many others are in his boat. Still, like others here, the Mississippi governor talked up the benefits of having Bush remain in the White House.

"It gives us a great partner," he said. "He's much more inclined to give the states more authority, and allow the governors flexibility."

Others were more specific in their expectations. Taft, whose state went for Bush despite the loss of tens of thousands of jobs, zeroed in quickly on that issue. He wants "from the standpoint of Ohio, leadership on the economy. The number I watch is how many jobs there are in Ohio." And Taft added the expectation that Washington meet its "obligation" to fund the programs it mandates.

Mehlman focused his remarks on the intensive targeting of potential voters that he suggested was the key to Republican success. And he emphasized the significance of what some post-election commentators have downplayed: "Cultural issues increasingly become more important for us," said the strategist, tapped by Bush to be the next RNC chairman.

Among other things, "our goal was to expand our evangelical voters," he said. And the Republican's share of them did increase, up perhaps a half-dozen points, to 78 percent.

He spoke of a new emphasis on economic data specific to voters: "We did what Visa does: we acquired a lot of consumer data. Based on that we acquired a model based not on where they live, but how they live. If you drive a Volvo and do yoga, you vote Democrat. If you drive a Lincoln and own a gun, you vote for George W. Bush."

That remark by the former White House political director drew laughter from the assembled governors.

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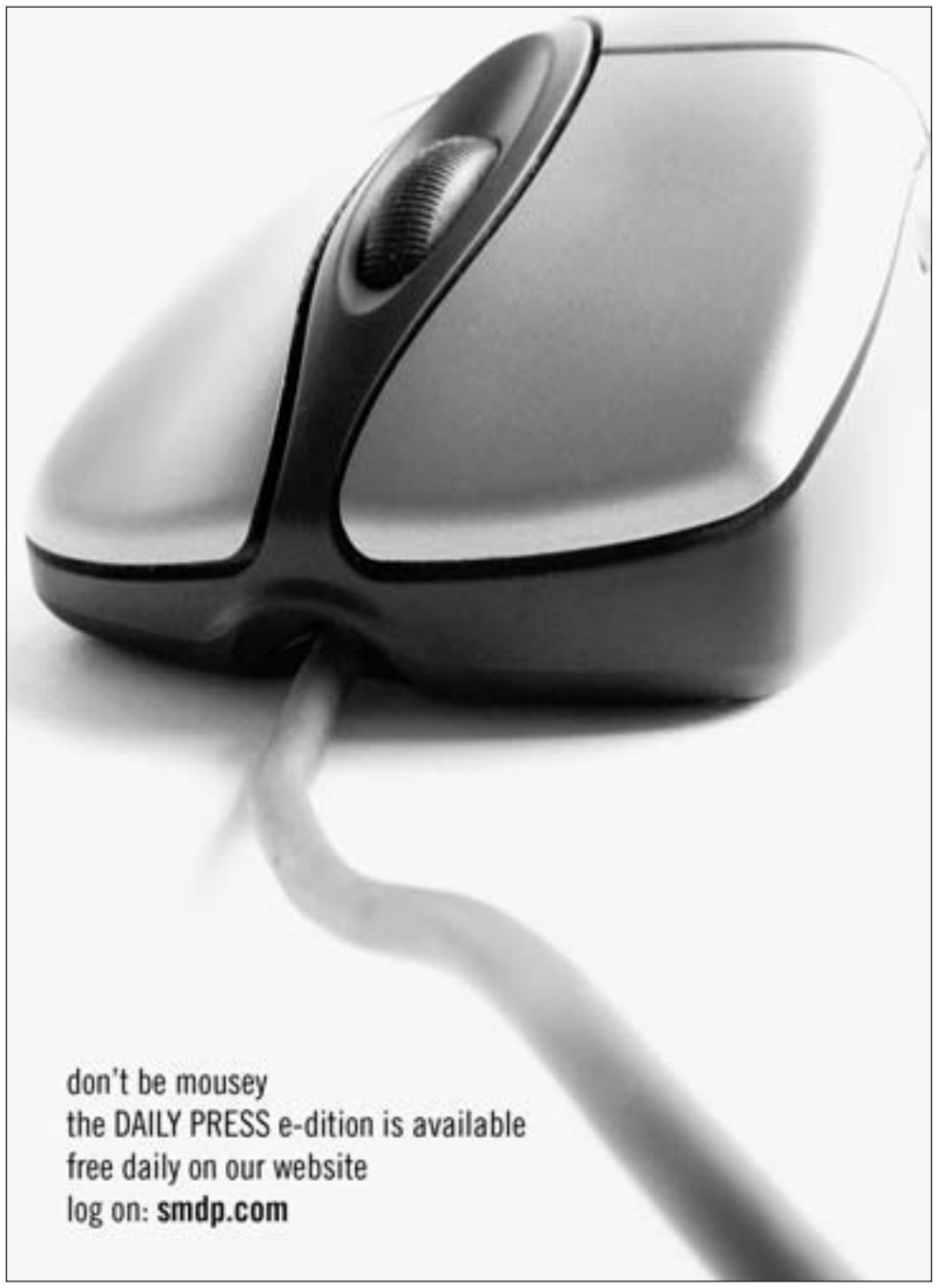

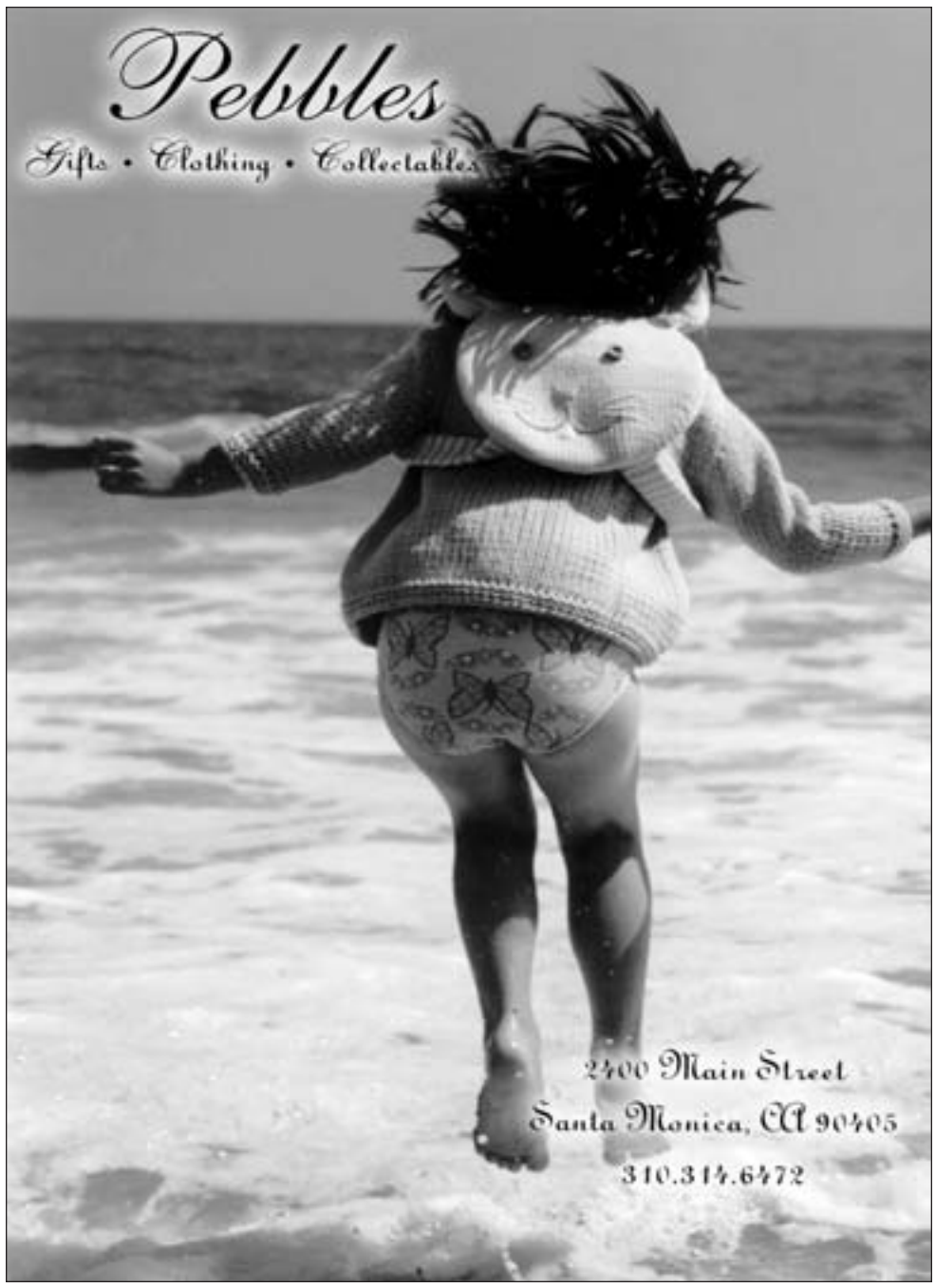

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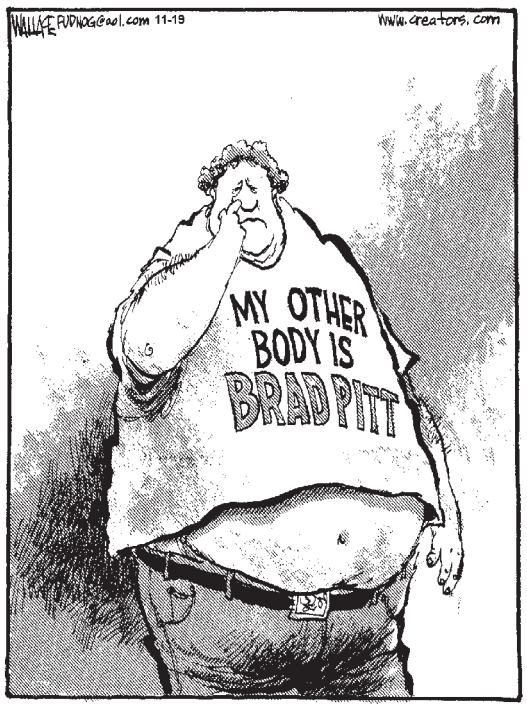

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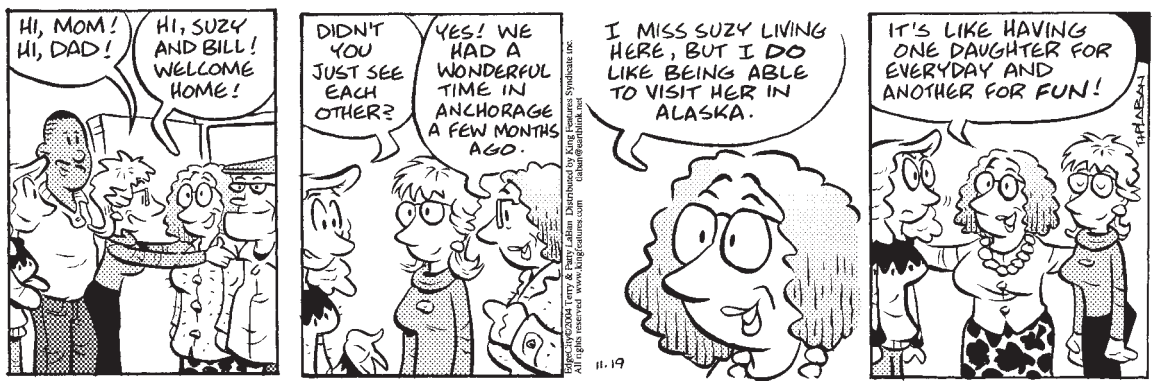

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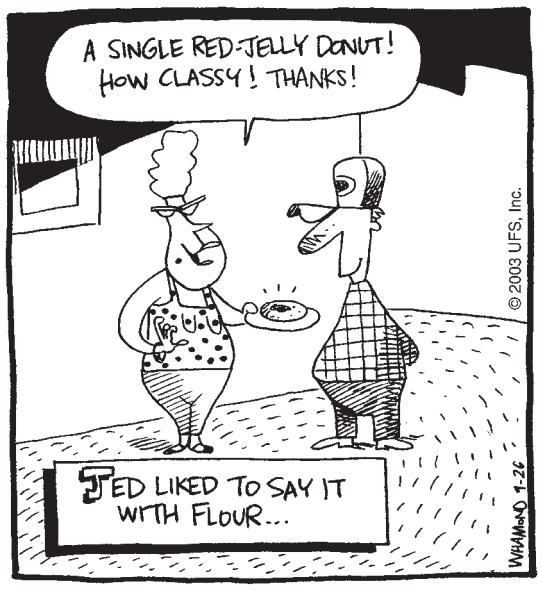

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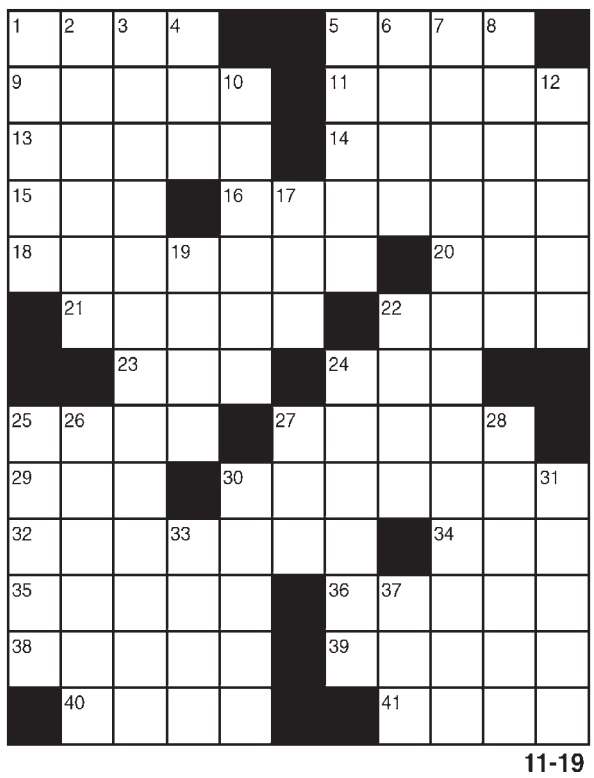

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This statement was filed with the County Clerk of LOS ANGELES County on 10/25/2004. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 11/19/2004, 11/22/2004, 11/29/2004, 12/06/2004

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PEOPLE IN THE NEWS

Colin Firth would dump 'Bridget' for Bond

By The Associated Press

NEW YORK — Colin Firth is done being Bridget Jones' nice guy, but he's not against donning British agent 007's tuxedo.

"At the moment, I can't think of anything I would be less attracted to," says Firth about the possibility of a third "Bridget Jones" film.

The 44-year-old actor tells Entertainment Weekly magazine that he'd seriously consider taking over the James Bond franchise from Pierce Brosnan.

Unlike another famous Colin — Colin Farrell, who says he's not interested in the role despite being Brosnan's choice — there's been no talk of Firth grabbing Bond's Walther PPK.

"No one has approached me, but I would not be averse to it," Firth tells EW in its latest issue.

"Bridget Jones: The Edge of Reason," the sequel to the 2001 original, stars Firth as the stiff tacky sweater-wearing lawyer Mark Darcy and Renee Zellweger as Bridget Jones.

Firth, whose screen credits also include "Love Actually" and "Shakespeare in Love," said he isn't interested in Mark Darcy-like roles.

"I'm attracted to dark stuff," he said, "and I'm in that mode right now."

LOS ANGELES — Ricky Gervais, the star and co-creator of the underground comedy hit "The Office," decided to say goodbye to his white-collar workplace drones by showing them some mercy.

The BBC series, which ran for two six-episode seasons and became a Golden Globe-winning hit in the United States on BBC America and DVD, concludes in a 90-minute special released on home video this week.

Gervais, who plays the pathetically desperate manager at a British paper merchant, said most of the humor has come from putting his David Brent character through gut-wrenching embarrassments.

For the conclusion, he and co-creator Stephen Merchant agreed that since Brent was merely a fool, not a villain, it would be nice to end things for him on an upbeat note — slightly.

Brent meets a woman who tolerates his boorishness long enough for him to gain some self-perspective.

"We decided not to tie it up completely, but we left it with a mood of hope," Gervais said in a recent phone interview from London. "I just think he got a metaphorical hug for the first time in years, and he grew up a little bit — at age 42."

The finale still gives Brent his share of humiliations: He squanders his life savings to make a horrid music video with him singing "If You Don't Know Me by Now," and then gets two drinks tossed in his face when he participates in "The Dating Game."

Gervais is now developing a show called "Extras," in which he plays a background actor who tries to become more than just glorified scenery.

Like "The Office," he said, the new show is a sendup of "people thinking that fame can sort their lives out."

Once again, desperation is his chief source of humor.

"I think it's fun to make them laugh, then make them squirm," he said. "Or it's funny if you make someone squirm, and squirm and squirm until they laugh nervously. It's just like, imagine a bad soliloquy at a funeral. It doesn't get funnier, does it? If the vicar gets the name wrong, you go, 'Oh my God ...'"

COLUMBUS, Ohio — The original Mr. Wendy is back. Pictures of Wendy's founder Dave Thomas, who died of liver cancer in January 2002, will be featured in a series of ads celebrating the fast-food chain's 35th anniversary, company officials told The Associated Press.

The first television and print ads will be out Friday and more TV spots will air for a month beginning Monday, said Bob Bertini, spokesman for Wendy's International Inc.

The ads will reference Thomas' business philosophies such as "Just be nice" and "Don't cut corners."

"(Thomas) believed that customers deserved something better," said Don Calhoon, Wendy's executive vice president of marketing. "He believed customers deserved to have the food the way they wanted to have it and not the way the restaurant wanted to serve it. That lives on today and will never change."

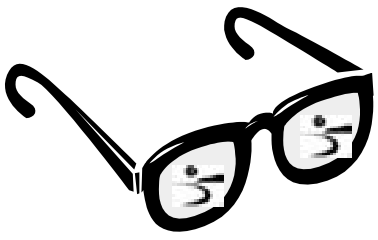
Thomas pitched Wendy's hamburgers, fries and other fare in more than 800 TV ads over 12 years, emphasizing the quality of the chain's offerings with a folksy, straightforward delivery.

After his death, the company switched to a campaign that focused on the quaint appeal of Thomas and Dublin, the upscale Columbus suburb where Wendy's is based.

More recently, the company's ads featured Mr. Wendy, an "unofficial" spokesman who often embarrassed his wife by promoting the Wendy's menu everywhere he went.

The humor-based campaign, which the company will abandon, distracted from Wendy's emphasis on the quality of its food, said Rao Unnava, a marketing professor at Ohio State University.

"This is just something to link back with Mr. Thomas and from then on they will have a campaign focused on the quality of food," Unnava said of the new campaign. "That will happen in the January-February time frame."



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