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Santa Monica Daily Press

A newspaper with issues

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11 18 27 33 34

DAILY 3

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Evening: 3 1 9

DAILY DERBY

1st: 07 Eureka!
2nd: 05 California Classic
3rd: 09 Winning Spirit

RACE TIME: 1:43.64

NEWS OF THE WEIRD

BY CHUCK SHEPARD

Police in Edwardsville, Ill., charged David Wroten, 20, with fraud in September after, they say, he took out membership in an online dating service by paying with a check drawn on the county jail, where he had been held earlier this year for theft. Wroten, like all inmates, had been issued a check for the cash he had on him when he was booked, and he allegedly copied the check form. Police were confident Wroten was their man because, naturally, he had posted a photograph of himself on the dating service site.

TODAY IN HISTORY

FIVE YEARS AGO: President Clinton addressed a World Trade Organization conference in Seattle, where he defended his administration's policies in the face of sometimes violent street demonstrations.

An international team of scientists announced it had mapped virtually an entire human chromosome.

On World AIDS Days, United Nations officials released a report estimating that 11 million children worldwide had been orphaned by the pandemic.

QUOTE OF THE DAY

"No man knows his true character until he has run out of gas, purchased something on the installment plan and raised an adolescent."

MARCELENE COX
AMERICAN WRITER

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Lonely at the top: Millionaire has rent quadrupled

Prominent real estate investor lives in Beverly Hills, but keeps a penthouse apartment in Santa Monica

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — Officials here have quadrupled the rent millionaire Robert Bisno must pay for his beachfront Santa Monica apartment, it was announced this week.

A prominent real estate investor with holdings throughout Los Angeles and across the state, Bisno lives in an exclusive enclave of Beverly Hills, but also keeps a rent-controlled penthouse in a high-rise tower in Ocean Park.

Bisno rented his 16th-floor, 1,088-square-foot apartment at The Shores apartment towers in 1996 for a little more than \$900 a month, according to city documents. Adjustments for inflation have left his rent at about \$1,100. That's just a quarter of the \$4,045 Bisno's luxury unit would command on the open market, a hearing officer at City Hall decided. A Santa Monica law allows landlords to charge part-time tenants market rates.

While Bisno prepares to appeal the rent hike, he also is leading a court fight against City Hall over the legality of the law, passed by the Rent Control Board in March of 2003.

"The major issue is that this policy ... is not something that the Rent Control Board can decide — that's something only the voters of Santa

Monica can decide," said Allan Abshez, Bisno's attorney. "This is a pure windfall for the landlords' wallets. It doesn't benefit rent control. It doesn't benefit renters."

Abshez last week filed written arguments against the law in a state court of appeals, after Santa Monica Superior Court Judge James Bascue threw the case out earlier this year. In his court filing, Abshez maintained the Santa Monica Rent Control Board was acting beyond its powers by enacting the law, which he added does nothing to alleviate the housing shortage or promote affordable housing.

Called Regulation 3304, the law was passed under pressure from landlord groups in Sacramento, who were pushing for a statewide law. Reg. 3304 was designed to weed out renters who use their units as second homes, or for office or storage space.

Tenants initially feared the law would be troublesome because it could encourage landlords to keep tabs on their comings and goings, even rifle through their refrigerators and mailboxes looking for evidence that tenants weren't using their units full time.

Those fears dissipated when complaints under Reg. 3304 dropped off after the first few months. As of Tuesday, 145 landlord complaints had been filed

See **SPIKED**, page 6



Carolyn Sackariason/Daily Press

DOWN IN FRONT: A construction worker toils away on the renovated Aero Theater on Tuesday. American Cinematheque hopes to have all the bells and whistles in place for the venue's Jan. 6 opening night.

Showtime! Aero poised to draw back curtains

BY CAROLYN SACKARIASON

Daily Press Staff Writer

MONTANA AVE. — It's been nearly two years since the historic Aero Theater pulled the curtain on its last film. But after an extensive renovation and excessive delays, the throwback movie house is ready for its encore.

American Cinematheque, a nonprofit arts organization, is scheduled to air its first film on Jan. 6 with actor Dennis Quaid on hand as a special guest. Those attending opening night will get a sneak preview of Quaid's new movie, "In Good Company," said Gwen Deglise, who is supervising the Aero's programming.

Through January, there will be

a host of foreign films being showed, some during public events and some that will be private, according to Deglise.

American Cinematheque took over the Aero 20 months ago and had hoped to open by the fall of 2003, but the opening date was pushed back until the spring of this year, and then until September. Finally, American Cinematheque is confident the projector will begin rolling in January.

"It's been amazing ... you think the renovation will go as planned, but you cannot predict what is going to go wrong," Deglise said, adding the interior work should be done by the middle of this month. "We are keeping our fingers

See **AERO**, page 7

A two-pronged attack brings AIDS to forefront

By Daily Press staff

The fight against AIDS boils down to two basics: Money and care.

Today, in honor of World AIDS Day, two Santa Monica-based organizations are individually doing their parts to provide those basics and bring one of the world's biggest health crises to the forefront locally.

Each year since 1998, the first

of December has served as a day to bring messages of compassion, hope, solidarity and understanding about AIDS to every country in the world, organizers say. Recognized and supported by the World Health Assembly, the United Nations and numerous sovereign nations, World AIDS Day is the only international day of coordinated action against AIDS.

The U.S. premiere screening of the documentary film "AIDS

Treatment: Reaching the People?" will be shown for free tonight at the Laemmle Theatre, 1332 Second St., at 7 p.m. The film documents the lives of patients and medical teams in HIV/AIDS treatment programs in Malawi, Thailand and Guatemala. The premise of the film is that six million people urgently need treatment to survive. Doctors discuss what it will take for HIV/AIDS medicines to reach them in time.

Doctors Without Borders/Médecins Sans Frontières (MSF) has been caring for people living with HIV/AIDS in developing countries since the mid-1990s. The first MSF ARV programs began in 2000 in Thailand and South Africa.

MSF field volunteers Dr. Gildon Beall, who worked in Thailand and China; Dr. Deborah Milligan, who worked in Kenya,

See **AIDS**, page 6

Jacquie Banks

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Add some spice, Capricorn

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) ★★★★★ A change of pace as well as the moods of others eases a lot of the pressure at work. Add a creative and humorous dimension to the day. Others finally respond. Be careful about a flirtation. It could go a lot further. Tonight: Let off steam. You need to.

TAURUS (April 20-May 20) ★★★★★ Slow down some and use the day to anchor in on basics. It might be more important than you realize to handle a family member or domestic issue now. Slow down, but be sensitive to a key partner. Tonight: Be a charmer.

GEMINI (May 21-June 20) ★★★★★ Your Ruler in retrograde might already be causing you a hassle or two. Pull back and avoid reacting. In the next few weeks, when strange or odd happenings occur, think about how you could have prevented the problem. Tonight: At a favorite haunt.

CANCER (June 21-July 22) ★★ Take a strong hand with your finances. Right now you don't want to go hog-wild, no matter what. Tame your Christmas-gift spending by choosing more experience-type gifts. Give a loved one a foot rub for Christmas. Use your imagination. Tonight: Plow through your Christmas list and at least decide who gets what.

LEO (July 23-Aug. 22) ★★★★★ You're in your prime, finally resolving difficult feelings and returning to your sunny, happy self. You embody the feeling of the holidays as you add a little joy in the life of nearly everyone you talk to. Verify the time of a meeting. Tonight: You are the cat's meow.

VIRGO (Aug. 23-Sept. 22) ★★ You might need some time off to regroup or to just rest up. With the last few days and the retrograde of your Ruler's sign, you might be up for several bad-hair days. Lie back and relax, even if a boss is difficult or there is a misunderstanding. Tonight: Cocoon.

LIBRA (Sept. 23-Oct. 22) ★★★★★ Your friends help you with whatever you want to accomplish. Some might just want to take off and make this an easy day. Others naturally brainstorm and come up with solutions. Your flirtatious side emerges. Tonight: Where the crowds are.

SCORPIO (Oct. 23-Nov. 21) ★★★★★ Others might flake out, but the dependable Scorp comes through no matter what. Bosses and those you care about note your diligence and positive attitude. Weigh a moneymaking scheme carefully. Tonight: Count on a late dinner.

SAGITTARIUS (Nov. 22-Dec. 21) ★★★★★ What you hear might be a bit far-out. Check out facts on your own. Your imagination leads to daydreaming and many different ideas and solutions. Detach from the moment and relax your mind. Ask yourself why someone would behave in the way he or she is behaving. Tonight: Be where there is music.

CAPRICORN (Dec. 22-Jan. 19) ★★★★★ Let someone else make the first move. If you do lie back, you will be in a position of power and control. You might want to let this person air out his or her ideas, keeping your opinion to yourself right now. You'll learn a lot about this person. Tonight: Add some spice to a relationship.

AQUARIUS (Jan. 20-Feb. 18) ★★★★★ You might be reactive to others, but you are also having a good time. Allow your love of people and causes to emerge. Others appreciate your efforts. Sort through projects, and take on the one you want. Tonight: Follow another's lead.

PISCES (Feb. 19-March 20) ★★ You're one of the few who can get work done. Dig in while others run off and are frivolous and silly. You get that way sometimes too. With those in charge, "yes" is the right word. Go along with this person. Tonight: Do some holiday shopping on the way home.

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LOCAL

COMMUNITY BRIEFS

That's Swede! A Christmas steeped in tradition

By Daily Press staff

A slice of Sweden is coming to Los Angeles for the holidays with the Swedish Women's Educational Association's 25th annual Christmas Fair.

The event will take place on Sunday, Dec. 5 from 10 a.m. to 5 p.m. at the Hollywood Palladium at 6215 Sunset Blvd. The fair will feature Swedish food, original handicrafts, a raffle and cultural performances. You will be able to enjoy singing and dancing around the Christmas tree, feast on open faced sandwiches and many other delicacies.

In the Swedish tradition Lucia — the queen of light — comes in December, the darkest winter month, bringing the promise of light and the upcoming Christmas holiday. Early in the morning on Dec. 13, Lucia and her maidens — dressed in white, carrying candles and singing traditional songs — appear in homes, offices and schools all through Sweden. That tradition will be re-enacted in pageants taking place at 12 p.m. and 3 p.m. on Dec. 5. Actress Ann Margaret will be on hand to crown Lucia at noon.

In addition to the Lucia pageant's performances, Swedish Folk-dancers will perform their traditional dances.

The top raffle prize at the fair is a round-trip ticket from Los Angeles to a city in Scandinavia with three nights at a hotel in Denmark, Norway or Sweden donated by Scantours. Other prizes include two round trips on JetBlue from California to anywhere in the United States and cruises to Mexico from Hästens Beds for Life.

The SWEA is a non-profit organization that has 27 chapters throughout North America. The Los Angeles chapter held its first Christmas Fair at the Pacific Design Center in 1978, then moved to the Palladium 10 years ago.

More information about SWEA is available at www.swea.org. Questions about the fair, or the organization can be sent to losangeles@swea.org.

Elementary students host a worldly celebration

By Daily Press staff

The John Muir School will be celebrating more than just the holidays this month. The school's first Intercultural Celebration will be Saturday, Dec. 11, from 12 p.m. to 3 p.m. in the cafeteria.

The fundraiser will have ethnic cuisine from local restaurants, music and dancing, a raffle and flags created by the students. A student from each class will receive a Citizenship Award at the event.

Local residents and school supporters are welcome to celebrate Muir's students and learn about diversity along with members of the school community. For more information, contact Nicole Picard, Muir PTA fund-raising chair at (310) 392-2449 or zarpic@adelphia.net. Planning meetings for the event will be Dec. 2 and Dec. 8-10 from 8:30 a.m. to 9:30 a.m., in room 205 at the school.

St. Joe's receives thanks

By Daily Press staff

Six teams of mother-daughter volunteers recently brightened up the Thanksgiving holiday for low-income families with infants and toddlers.

National Charity League of Los Angeles' Ticktockers, a national non-profit community service organization for mothers and their high school daughters, hosted a Thanksgiving turkey dinner for 23 families on Nov. 23 at St. Joseph Center's Infant Toddler Development Center in Venice. The center provides free, full-day child care for low-income working mothers with children ages 6 months to 2 years old.

"It's always important to be of service to the entire community on holidays," said Katie Wendelin, a first-year NCL Ticktockers. "It was hard work, but it was fun, too."

INTERESTED IN YOUR DAILY FORECAST?
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SURF REPORT

On Wednesday, look for 2-3 ft., knee- to chest-high sets, occasionally 5 ft. and fair+ conditions.

Building new NW ground swell will be filling in throughout the day and picking up the surf at exposed beaches. NW'er holds for Thursday then winds down Friday. A new, long period NW (290-300+) ground swell will be on the rise. That's good for waist- to chest-high waves at many NW exposed spots.

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

Today the
water is:

58°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	2:10	2.3	3:51	-0.5	8:29	6.2	10:27	3.6
SUNDAY	2:36	2.5	4:28	-0.4	8:57	6.0	11:15	3.4
MONDAY	3:01	2.7	5:09	-0.2	9:27	5.8	N/A	N/A
TUESDAY	3:27	3.0	5:54	0.1	12:12	3.3	9:59	5.5
WEDNESDAY	3:57	3.2	6:44	0.3	1:25	3.3	10:36	5.2
THURSDAY	N/A	N/A	7:38	0.5	11:20	4.7	N/A	N/A
FRIDAY	6:57	3.5	8:31	0.7	3:49	3.7	12:22	4.3

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The Q Line

Macerich Co., which owns the Santa Monica Place mall, recently unveiled its plans to raze the current mall and replace it with three 21-story luxury apartment towers. There also will be an extension of the Third Street Promenade to Colorado Avenue and two other high rises with retail and office space, affordable housing and park space.

Some love the plan, which will generate millions of dollars for the city by creating a

new downtown. Others say it will ruin the Santa Monica skyline.

So this week, Q-Line wants to know, "Do you support the idea? Why or why not?"

Call (310) 285-8106 before 5 p.m. on Friday and we'll print your response 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

"THE U.S. CONSTITUTION" (THE FINE PRINT)

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Article 2:

Clause 5: No Person except a natural born Citizen,
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be eligible to that Office who shall not have attained
to the Age of thirty five Years, and been fourteen
Years a Resident within the United States.

* Unless that person is named Arnold Schwarzenegger.

*So
King*

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LETTERS TO THE EDITOR

Skyscrapers would be a boon for Santa Monica

Editor:

The city of Santa Monica has the opportunity to significantly increase tax revenue with the Macerich Co.'s Santa Monica Place project. As is the case across California, the city continues to struggle to find funding for improved public safety, childcare services and social service programs.

The current mall struggles to generate a maximum stream of tax revenue because the site is underutilized. The proposed project would generate a significant new stream of parking fees, property taxes, business licenses and sales tax revenue, all of which would better position the city to fund essential services.

I strongly support this development and I hope for the sake of all Santa Monica residents that the City Council will move forward with this project by directing city staff to enter into negotiations with Macerich on a development agreement.

Irene B. Zivi
Santa Monica

Republicans and their souls

Editor:

(Editor's note: This letter was originally addressed to Incites columnist Ed Silverstein).

Thanks for writing such an awesome editorial posted in the Nov. 24 edition of the Santa Monica Press (page 4).

It is wonderful opinions and thoughtful insight such as yours that will assure us 60,605,282 "souless Republicans" will continue to remain in power.

Thomas C. Turner
Santa Monica

Bad mass transit by design

Editor:

The light rail article (SMDP, Nov. 23, page 1) points out once again how we will waste money on another bad train. I love trains and have used them around the world. To make a train work in LA is obvious. Connect people with where they are to where they want to go.

To put a train underground in Los Angeles is expensive and stupid. These are the same people that decided to have the train stop two miles from LAX?

For decades people paid to ride on the monorail at Disneyland. How about a monorail with big windows? We have great weather. Why not above ground?

How about connect the airport to Santa Monica and Long Beach first? That way the tourists and travelers support the train. Then run it above the freeways since they go to most of the places we want to go and have a bus or taxi take us from that point. Imagine if a tourist or local could get off of a plane, go from LAX to Santa Monica, shop on Third Street, board a train that runs down Santa Monica Boulevard to Century City, shop some more, then go to Beverly Hills and shop some more, all without a car or bus. Ever heard of the Red Car?

I would venture to say a well designed system starting from LAX would generate a profit and pay for expansions via the Sepulveda Pass to the Valley. Maybe have Disney pitch in for a train from LAX to Disneyland.

The MTA must start from LAX and branch out from it. The MTA must think about making a system that meets our needs and pays for itself. We do not need another underground billion dollar connection from Parker Center to MacArthur Park.

David Alsabery
Santa Monica

GUEST COMMENTARY BY DR. GAIL WYATT AND RUSSELL BENNETT

AIDS is not a world away, it's in our own backyard

In recent years, great strides have been made in raising awareness among Americans of how AIDS is devastating Africa. While it is important to address the global impact of the disease, we cannot ignore the growth of the epidemic here at home, especially among particular segments of society.

Minorities, who comprise more than 50 percent of the population in Los Angeles County, are hardest hit by HIV and AIDS. They suffer from greater infection rates and are more likely to die from the disease.

The mistaken beliefs that cocktail drug therapies have cured the disease and that the AIDS crisis is now half a world away have obscured the reality that infections in the United States, especially among minorities, have continued to rise. For too long, we have closed our eyes and allowed the disease to plot its own course through our nation.

Ignoring a problem does not make it disappear. We must re-examine and change our approach to reach the people in this country who are most at risk.

The fact that those hardest hit in the United States are not getting the same attention afforded to those in Africa is due to a lack of awareness among politicians and the media. This was demonstrated at the 2004 Vice Presidential debates when neither candidate was able to address the moderator's question about the impact of AIDS in African-American women, for whom it is the leading cause of death among those ages 25 to 34, according to the National Center for Health Statistics.

The curtain shielding our leaders from the reality of AIDS in this country must be opened, and all of us must take action to reduce the risk of infection.

Tragically, the current infection rates speak volumes about how the battle against AIDS has failed minorities in the United States. In particular, African-Americans and Latinos are much more likely to be infected with HIV than non-Hispanic whites. Although African-Americans make up slightly less than 13 percent of the nation's population, they have accounted for 39 percent of the estimated AIDS cases since the beginning of the epidemic, according to the Centers for Disease Control and Prevention.

Although the rate of AIDS is lower among Hispanics, many of them are becoming infected at a younger age. Thirty percent of Hispanic women and 23 percent of Hispanic men were under 30 years old when diagnosed, significantly younger than other groups, according to the California Office of

AIDS. These grim numbers make it evident that current efforts to stop AIDS are not reaching everyone equally.

In order to slow HIV infection rates, we must change our methods of education and prevention, starting with examining the history and culture of the most affected groups, and creating messages and programs that will resonate within those communities.

For example, many African-American women may be hesitant to have frank conversations with their boyfriends or husbands about their sexual history or inquire if they have ever used intravenous drugs. We cannot close our eyes to the amount of unprotected sex that occurs in the prison system — much of which is rape. And because African-American and Hispanic men make up a significant percentage of the prison population, they often become infected while they are incarcerated, and unwittingly pass that infection to their sexual partners when they are released. To stop AIDS in its tracks, we need to give men and women tools that can

facilitate open communication with their partners and families.

Just as important as the right prevention message is culturally appropriate care. For example, we cannot assume that simply having a doctor who is trained to treat AIDS, a bilingual health professional or even one whose ethnicity matches that of the person seeking care is enough to persuade patients that they will be understood and treated within a familiar cultural and religious context. Our health professionals require cultural competence training in order to increase the chances that a relationship with patients can be established in health care systems that have not always been available to everyone. We need to address the fears and concerns of young adults and adolescents, who may react to information about AIDS differently from those older individuals. The business today is about survival and learning that good health is not an option but a necessity.

Today, on World AIDS Day, we will mark a quarter century of the blight of AIDS in our country. Honest talk about sex in the context of the groups most affected is one way we can begin moving toward more successful prevention methods. We have to make the battle against AIDS on the home front just as important as the one overseas.

(Gail Wyatt, Ph.D. is the UCLA AIDS Institute director and Russell Bennett is a PacifiCare representative).



OPINION



Talking turkey with one about to be basted

PISTACHIO PERSPECTIVE

BY SUSAN ANN CONNOR



It was the Wednesday evening before Thanksgiving and I was about to assess the food preparation process. A good long stare at the inside of my icebox always brought clarity. I opened up my fridge, and it was jammed. You'd think I was serving an army instead of a party of five. Holiday ingredients were bursting out all over. I couldn't even see my precious popcorn that I always keep cool and in full frontal view. Instead, there was a naked turkey staring me in the face.

I looked at the big 'ole bird with unexpected sentiment. He looked so sweet, yet a little unhinged and wanton. Just my type. I wondered about his path ... how he got from his wobbling gobbling days to the stationary nippy nights of my refrigerator.

Fixated on the plump fella, I began to feel a connection, as well as a draft from the frosty winds of the open icebox. It was almost as if he wanted to have a chat with me ... to talk turkey, if you will.

Realizing I was being a dang fool, I snuck a quick too-da-lou smile at him and with a shiver closed the door. Just before it latched, I swore I heard something. Never one to ignore audio, I opened it up again.

"You talkin' to me," I said.

"I'm talking turkey to you," he said.

"Really?" I said.

"Really," he said.

"Whoa," I said to myself. "This is a little nutty." I was getting way carried away here.

"Just go with it," he yelped in perfect turkey vernacular. "Whaddya got to lose?"

He was right. I could take a few minutes to talk to a deceased turkey. Why not? This was Thanksgiving after all, and he was the designated ambassador. The worst that could happen was that someone might see me. And that was unlikely, because it was dark and the blinds were closed.

"Okay, so what's up, my fine feathered friend?"

"Ex-feathered. But that's cool. Let me introduce myself. I'm Tony."

"Tony? Sure it's not Tom?"

"Very funny. No. Tom was just a nickname Benjamin Franklin gave all us male turkeys to spite his pal, Thomas Jefferson. Ya see, Ben wanted us to be named the national bird of the United States, and Tom didn't. Truth be told, we did feel a little slighted. Eagles are fabulous, but they simply can't trot."

"That's an interesting piece of information, Tom ... I mean Tony."

"Yeah, but that's not what I wanted to talk about. I want you to know I lived a good life. At the top of my game, I could run 20 mph in the woods and fly 55 mph in short spurts. I had the finest feet and the widest wings. Wasn't another Tom, Dick or Harry that could catch me. And the hens, they went wild over me. I'd gobble and they'd come clucking."

"Oh, Tony ... you're such a cad."

"Well, that's history now, too. But there's just one more thing I need to tell you. Being in your fridge was my destiny."

I couldn't help but smile at that one. 'Cause I sure do love turkey.

"Go on," I said, trying to imagine Tony flirting with a sorority of clucking hens.

"Here's the deal. A turkey's fate pretty much is to be gobbled up. And we're good with that. Our philosophy is like our good friends, the Native Americans, who know every animal serves as a message or a healing medicine. Us turkeys simply sacrifice ourselves so you may live and be sustained. Some call us noble, but it's not a martyr thing. Nor do we expect anything back in return. It just makes us feel good to 'give-away.' We totally get an endorphin rush when we help and nourish others."

"Well, thank you, Tony. I'm very grateful for you."

"And I, you."

At that, our conversation came to an abrupt end. It had to. My fingers were nearly frozen, and it was time to make my pumpkin bread. Gazing at Tony one last time, I curtsied, shut the fridge and trotted off. Thus began yet another wonderful Thanksgiving holiday. Hope yours was as whimsical as mine. Lalalala ...

(Susan Ann Connor can be reached at pistachiocolumn@aol.com).

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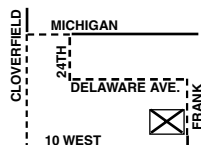
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LOCAL

Reg. 3304 challenge goes to court of appeals

SPIKED, from page 1

with City Hall and just 57 rent increases granted, said Tracy Condon, a spokeswoman for the Rent Control Board. The law requires landlords to establish proof that tenants are part-timers, and allows renters to demand hearings and appeals, which the Rent Control Board presides over.

A hearing officer initially determined Bisno was not a full-time tenant in August of 2003. That decision was appealed. After the law was temporarily stayed to adjust the way increases were calculated, the Rent Control Board last summer denied Bisno's appeal. A separate hearing was held in October to determine the new rent level, and the hearing officer's decision was announced this week.

In the rent-setting hearing, Michael Boge, a portfolio manager for Douglas Emmett & Co., the company that owns The Shores, asked that Bisno pay upwards of \$4,500 a month for his penthouse apartment. Boge pointed out that Bisno rents a corner apartment on the 16th floor, adding it commands superior views of both the ocean and city. What's more, the building's penthouse apartments are more prestigious and safer than other apart-

ments because residents need a special access key to reach them.

"It's a different feel," added Boge, saying hallway floors are tiled rather than carpeted and historic photographs of Santa Monica line the hallways. "More importantly, there's a level of exclusivity people want to have on those floors."

Though he didn't pinpoint an exact figure, Abshez argued Bisno's rent should be drastically lower, adding Bisno had spent thousands of dollars repainting and recarpeting his apartment, as well as installing a new dishwasher. Abshez also took issue with the other units in the building Boge chose to compare with Bisno's, saying he should have looked at more units on lower levels.

"The landlord here simply tried to select the most expensive comparables, not all comparables," said Abshez, who during the hearing also argued Douglas Emmett already earned a fair return and, therefore, should reduce the current rent.

In the end, hearing officer Lynn Naliboff averaged the rents of 16 identically shaped units rented at market rates since 2000. All of the units were on the 11th floor or above. Naliboff raised the average by \$100 because Bisno's is a penthouse unit, but also reduced the average by \$220 for repairs already completed.

Organizations hoping to bring AIDS to light

AIDS, from page 1

and Dr. Rick Hamner, who worked in Malawi, will all be on hand to discuss the film following its showing. KPPC's Talk of the City host Kitty Felde will moderate.

The film will also air at 3 p.m. at the Freud Playhouse at Charles Young Drive and Hilgard Avenue on the UCLA campus. The discussion will be moderated by professor Roger Bohman. The event is free and open to the public. To RSVP, call (310) 593-2800 or go to www.doctor-withoutborders.org.

Also in recognition of World AIDS Day, Santa Monica-based Children Affected by AIDS Foundation (CAAF) has announced it will give more than \$600,000 in grants next year to 58 organizations spanning 22 states.

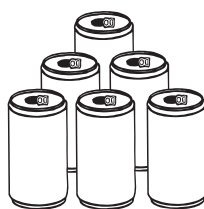
The grants, ranging from \$2,000 to \$25,000, are made to non-profit agencies to assist children in the areas of basic needs, including food, transportation and clothing; care, including medical care, mental health counseling and daycare; and social and recreational programs such as summer camp, special outings and parties. In recognition of the growing AIDS pandemic, CAAF also makes targeted grant awards for international AIDS initiatives.

One of the recipients locally is Caring for Children & Families with AIDS, based in L.A. Caring for Children & Families with AIDS and the Therapeutic Recreation & Arts for Kids Program provide children with recreational, social and artistic activities designed to promote normalcy in their childhood.

CAAF was founded in Los Angeles in 1993 by Joe Cristina, a Mattel, Inc. executive whose desire to help children was inspired by the outpouring of support he received when he disclosed his own HIV-positive status. CAAF is the sole organization in the United States that addresses the daily needs of children infected with or affected by HIV/AIDS. While other pediatric AIDS organizations search for the cure, CAAF is dedicated to caring for children who are infected or affected by this epidemic now.

MSF currently provides antiretroviral treatment to more than 23,000 patients in a total of 27 countries: Benin, Burkina Faso, Burundi, Cambodia, Cameroon, China, Democratic Republic of Congo, Ecuador, Ethiopia, Guatemala, Guinea, Honduras, Indonesia, Kenya, Laos, Malawi, Mozambique, Myanmar, Nigeria, Peru, Rwanda, South Africa, Thailand, Uganda, Ukraine, Zambia and Zimbabwe.

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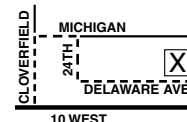


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LOCAL



Historic theater is not a designated landmark

AERO, from page 1

crossed that nothing goes wrong.

"We are so eager to open," she added. "But there will be a lot of stress until then."

In addition to City Hall delays, workers have had to deal with the unexpected twists and turns of renovating a theater for which they don't have blueprints, said Jack Koberling, of Woodland Hills-based Sierra Pacific Constructors and the superintendent of the project. He said the building is so old that many factors played a part in the delay — like when he ripped down a wall only to discover termites. Re-wiring the electrical system also was a major job.

Tuesday was the first day the theater was operating on its new electrical system. A transformer will be brought in this week, which will force electricity to go out temporarily on the block between Euclid to 12th streets on Montana Avenue. Beyond that, the next three weeks will be focused on putting the bells and whistles on the theater's interior. A few dry runs will take place with the new projector and sound system prior to opening night.

The half-million dollar renovation project at the Aero has taken longer than American Cinematheque's \$12 million renovation of the historic 1922 Egyptian Theatre in Hollywood took. Cinematheque, which signed a 10-year-lease with theater owner James Rosenfeld in April 2003, presents a diverse, year-round series of rare and unusual films and videos from all over the world at the Egyptian Theatre. The Aero will feature films similar to those shown at the Egyptian.

Those films will be viewed on a larger movie screen with a state-of-the-art sound and projection system. American Cinematheque will run 35 and 70 millimeter films, as well as wide screen. The new screen is 14 feet wider and six feet higher than the theater's former one, Koberling said. Five speakers are located behind the screen, with three along each side wall and four in the back. A large sub-woofer also is located behind the screen.

There are new seats and many new features in the theater. The symbolic marquee that stands above the theater located at Euclid Street and Montana Avenue remains intact, as well as the theater's art deco interior.

The Aero was originally a World War II-era movie house that used to play films around-the-clock for military plane manufacturer McDonald Douglas employees. Later, it became a popular movie venue among the general public. Patrons, who sat on wooden, metal and cloth seats, sometimes strained to hear the low-tech sound system. The theater's finicky, outdated projector was known to spontaneously self-destruct with a loud bang, and turn a show into an unintentional cliffhanger. But kids always got a free piece of bubble gum on the way out the door.

In addition to City Hall delays, workers have had to deal with the unexpected twists and turns of renovating a theater for which they don't have blueprints.

For 11 years, the theater ran second-run blockbusters under operator Chris Allen, who fell behind on the \$10,000-a-month rent during his final months. Allen's step-mother bought the theater in 1979 and sold it to Rosenfeld in 1996. By the end of Allen's time at the theater, only five or six people were arriving for most showings, which put the theater's future at risk.

In May 2000, a representative of Robert Redford announced to the Santa Monica City Council that the actor/director had plans to buy the theater and restore it as part of a planned chain of independent movie houses. But Redford's plan soon unraveled due to financial problems.

Rosenfeld then began his search once again to find the right operator for his theater. He approached American Cinematheque in 1998 after visiting the Egyptian, but it wasn't until the end of 2001 that discussions between the two parties became serious.

Theater fans were relieved the Aero, located on a street fast becoming the Rodeo Drive of Santa Monica, had been saved from conversion to a clothing store, the fate of so many former small theaters.

Single-screen movie houses have become a dying breed over the years. It's gotten increasingly difficult to find an operator that has access to and can afford films that aren't mainstream, Rosenfeld told the Daily Press last year.

Despite several attempts, the 1939 art deco building hasn't been historically landmarked. The Wilshire/Montana Neighborhood Association and the North of Montana Association petitioned the city's Landmark Commission to declare the theater a historical landmark three years ago. But the associations withdrew the petition in 2000 because landmark status could have hindered the deal with Redford.

Landmark status limits changes to the architecture of a building. Even owners who wish to restore a building to its historical appearance sometimes view the status as a hindrance.

The status also does nothing to preserve a building's historic use, only its appearance. Other theaters with landmark status have been turned into GAP stores and restaurants that feature old marquees and box offices.

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STATE

Study: Cancer fighter helps patients live longer

BY PAUL ELIAS
AP Biotechnology Writer

SAN FRANCISCO — Genentech Inc. said this week its novel colon cancer-fighting drug Avastin helped some of the sickest patients stay alive two months longer than expected, giving the drug an additional boost on its way to blockbuster status.

The South San Francisco-based biotechnology titan made the announcement ahead of a major conference for cancer researchers and doctors scheduled for January, when the company said it would release more detailed results from a large-scale human experiment using Avastin in combination with a chemotherapy treatment.

"This study provides additional evidence that adding Avastin to chemotherapy results in a significant survival benefit for patients with either untreated or relapsed

metastatic colorectal cancer," said Dr. Hal Barron, Genentech's chief medical officer.

The company said patients receiving Avastin and chemotherapy survived, on average, for 12 months compared to 10 months for patients receiving chemotherapy only.

"For individual patients, two months can be quite critical to get their affairs in order and spend time with their families," said Dr. Sunil Gupta, an oncology executive at the Paris-based pharmaceutical company Sanofi-Aventis SA, which makes the chemotherapy regimen. "It's also important because in cancer treatment, advances over the last several decades have been incremental in this manner."

The Food and Drug Administration initially approved Avastin in February to be used in combination with another chemotherapy therapy to treat colon cancer patients.

Since then, Avastin has accounted for \$354 million in sales through Sept. 30.

Avastin is designed to choke the blood supply that feeds tumors and is the first drug of its kind to be approved by the FDA.

Genentech said Monday it planned to discuss its newest Avastin results with the FDA about approving the new combination for widespread use.

Analysts expect the drug, which costs each patient about \$4,400 per month, to surpass \$1 billion in annual sales in the next few years. The company also is investigating Avastin's possibilities to treat other forms of cancer, including breast, lung and kidney.

Trading in Genentech's shares on the New York Stock Exchange was briefly halted midday Monday as the company made its announcement. The shares rose 49 cents to close at \$49.21.

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STATE



Plan to release more delta water stirs controversy

BY JULIANA BARBASSA

Associated Press Writer

FRESNO — A plan to increase fresh-water pumping from the San Joaquin-Sacramento river delta is pitting Central Valley farmers who want the water for their crops against environmentalists and delta farmers who fear the move will undermine years of fishery and water quality restoration efforts.

The proposal would increase the amount of water pumped out of the delta, a fragile ecosystem that already supplies water for 22 million Californians as far south as Los Angeles and irrigates millions of acres of Central Valley farmland.

The increased flow would help stabilize the amount of water delivered to farmers in the western half of the Central Valley, giving them the ability to better plan for long-term or higher-value crops, farmers in the region said. Those farmers, who have had their water flows limited over the past decade as water was diverted to wildlife refuges, say it is time they get the water they were promised.

But environmentalists say the move could reverse years — and millions of dollars worth — of ecosystem restoration work. Reducing fresh water flows to the delta could affect its water quality by increasing salinity and temperature, possibly threatening the salmon that have been slowly returning to the region's rivers, advocates say.

Opponents to the plan also say it undermines a decade of cooperation under CalFed, a state-federal water management program designed to balance the water supply demands of urban and rural users with environmental considerations.

"This is an old-fashioned water grab," said Barry Nelson of the Natural Resources Defense Council.

Since 1992, CalFed has overseen the spending of about \$500 million in state and federal funds to reverse some of the damage that 150 years of mining and water diversion did to the delta. The effort has helped restore the delicate balance between fresh water from the moun-

The restoration effort has brought back a naturally reproducing salmon population that had almost disappeared.

tain rivers and salt water from the San Francisco Bay that is essential to salmon and other species of marine and plant life.

The restoration effort has brought back a naturally reproducing salmon population that had almost disappeared. In the early 1990s, only a few hundred winter-run Chinook salmon were making their way through the Golden Gate Bridge, through the delta and up Sierra Nevada rivers like the Tuolumne, Merced and Sacramento. Now, thousands of fish fight the currents to make their way up the rivers every winter.

At the center of the current controversy is the state-operated Harvey O. Banks pump, nestled in the Sierra Nevada foothills near Tracy. The linchpin in California's Byzantine plumbing system, it currently sucks more than 4 billion gallons of water a day out of the delta. The proposal would increase its pumping limit by up to 25 percent.

For the past 12 years, water agencies that serve farmers in the Central Valley have endured federally mandated water cutbacks so that water quality could be improved and fisheries could be restored, said Tupper Hull, a representative of Westlands, an agency that delivers delta water to nearly 600,000 acres of farmland.

Growers working about 1 million acres in the western valley have been getting only between 40 percent and 70

percent of their water allotment, while nearly 1 million cubic feet of water they had relied on annually was used for wildlife restoration.

"The impact of that was felt down in the Central Valley," said Jeff McCracken, a spokesman for the federal Bureau of Reclamation. "It's been very hard to give them the water they need."

Now, farmers are pointing to the increased numbers of salmon swimming up Sierra Nevada rivers, and saying it's time for state and federal agencies to send them their share of water.

An increased flow of fresh water from the delta would give Central Valley farmers a more reliable water supply, they say.

"It would help us plan better. When we make investments, we can't have uncertainty be a part of it," said Dan Errotabere, who farms 3,500 acres of lettuce, almonds, garlic and other crops in the Westlands. He is the irrigation district's chairman.

But environmental groups and farmers who work the low-lying islands inside the delta's meandering canals want the water cutbacks to Central Valley farmers to remain in place. They worry that the increased pumping will affect the delicate ecological balance of the delta.

That could degrade water quality, kill thousands of endangered fish and further alter river flows, said Nelson of the NRDC.

Water quality is "absolutely a question of survival" for delta farmers, said Dante John Nomellini, who represents the Central Delta water agency. The agency serves about 120,000 acres of farmland in western San Joaquin County.

It doesn't make sense to take more water out of the delta while water quality is still a worry for farmers, urban users and environmentalists in the region, Nomellini said.

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NATIONAL



Environmentalists see forest trouble through trees

BY JOHN HEILPRIN

Associated Press Writer

WASHINGTON — Environmentalists see some of their worst fears playing out as President Bush moves to cement a second-term agenda that includes getting more timber, oil and gas from public lands and relying on the market rather than regulation to curb pollution.

Bush's top energy priority — opening an Alaska wildlife refuge to oil drilling — is shaping up as an early test of GOP gains in Congress.

"This is going to be a definitional battle, and we're ready," said Deb Callahan, president of the League of Conservation Voters.

Though the election didn't emphasize such issues, administration officials believe the results validated their belief that many environmental decisions are better made by the marketplace, landowners and state and local governments.

James Connaughton, chairman of the White House Council on Environmental Quality, said the administration will continue a "partnership with the oil and gas sector" but also will work with conservation organizations — as long as they are "willing to engage constructively on defining priorities

and practices in domestic production."

Bush's environmental priority is to rewrite the Clean Air Act to set annual nationwide limits on three major air pollutants from power plants and to allow marketplace trading of pollution rights rather than regulation to meet those goals.

He does not plan to change his mind on his rejection of the Kyoto international climate treaty that would impose mandatory caps on carbon dioxide emissions. "Kyoto's unworkable," Connaughton said.

Because of an environmental group's lawsuit, the EPA is preparing to issue first-ever regulations to cut mercury pollution from coal-burning power plants and new standards for cutting soot in the air and reducing power plant pollution that drifts between states.

Mike Leavitt, administrator of the Environmental Protection Agency, foresees more EPA water monitoring and preparations against chemical and biological attacks.

"I believe the mission that the president has given me in a second term, and the agenda and the philosophy that was validated by the election, was more progress, faster, being achieved in a way that will maintain economic competitiveness as a nation," he said.

Republicans in Congress plan to re-examine other landmark 1970s laws: the Endangered Species Act protecting rare plant and animal species and their habitats, and the National Environmental Policy Act that requires the government to judge beforehand if actions might damage natural resources.

One area where environmentalists and the White House could find agreement is ocean issues. The administration is looking at setting catch quotas for individual fish species, new protections for fragile coral reefs and ecosystem-based management of rivers and streams, Connaughton said.

Some huge regional issues also will get attention. They include restoring the Florida Everglades, aiding the recovery of Pacific Northwest salmon, improving water quality in the Great Lakes and dealing with drought in the West and coastal erosion in Louisiana.

The administration put off until after the election a final decision on a plan to allow road building and logging on 58 million acres of remote forests where both are now banned.

Interior Secretary Gale Norton's agency is rewriting 162 plans for managing about one of every 10 acres in the United States. The decisions will affect

whether wildlife protections or new oil and gas drilling projects are favored. Norton wants to give local governments more say.

Administration officials say they will more broadly apply the "healthy forests" law that Congress approved in his first term. It lets companies log large, commercially valuable trees in national forests in exchange for clearing smaller, more fire-prone trees and brush.

The administration wants forest managers to clear such trees and underbrush from up to 4 million acres at risk of fire, about 300,000 acres more than current efforts. It hopes to double that to 8 million acres within a decade, said Agriculture Department Undersecretary Mark Rey, who directs forest policy.

Environmentalists still view the courts as their last resort.

The day after the election, the staff of law firm Earthjustice "gathered to face the news that the most anti-environmental administration will be back for four more years," Buck Parker, the firm's executive director wrote supporters. But, he added, "We're more determined than ever to carry on."

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BY BRENT PARSONS

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Sell After Year	Rent Cost in Santa Monica	Own Cost at \$303,632	Sale Gain	Advantage to Own
1	\$25,956	\$49,928	\$24,737	\$764
2	\$52,690	\$69,006	\$72,606	\$56,289
3	\$80,227	\$88,670	\$127,321	\$118,878
4	\$108,590	\$109,002	\$189,890	\$189,478
5	\$137,803	\$130,095	\$261,470	\$269,179

you to your dream home in Santa Monica, you may want to consider one of these homes.

Current listings in Santa Monica show condos from \$350,000 to \$2,700,000, and home prices from \$595,000 to \$4,999,999. If you can afford a little more than your \$2,100 rent, and have good credit, you could get into the condo for \$350,000 at a monthly payment of \$2,444, including insurance and taxes. If you need to stick as close to \$2,100 as possible, you can still be back in Santa Monica, in your own home in a few short years.

The table below shows how much money you would be spending in rent each month if you continue to rent at \$2,100 per month with a modest standard of living increase of 3 percent each year. It also shows the cost of owning and your gain, should you sell the home (equity). Keep in mind, that equity is something that you will never get out of renting. It is your road to your dream home.

A few things to think about:

The LA Times recently reported that in Santa Monica, home prices are up 43.6 percent and condo prices are up 33.1 percent since June 2003. There are some that think that the "bubble" is going to break and that homes purchased this year will lose equity. In order to satisfy those that think that the rate of appreciation on homes in Southern California is maxed out, the "sales gain" and "advantage to own" figures below are based on less than half of this amount, 15 percent.

So, if you could purchase one of the 110 homes listed today at \$303,632 or lower and within five years have at least \$269,179 in equity — based on only a 15 percent appreciation — so that you could purchase your dream home in Santa Monica, wouldn't you consider it?

(Should you have any questions or need a referral for a good insurance company, call Brent Parsons (310) 943-7657).

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Sold	143 FOXTAIL DR	SANTA MONICA	90402
Santa Monica	SqFt: 3,222	List Price: \$1,950,000	Bed: 4
11/24/2004	Lot Size: 9,357	Sold Price: \$1,800,000	Bath: 3.50
Sold	727 MARINE ST	SANTA MONICA	90405
Santa Monica	SqFt: N/A	List Price: \$699,000	Bed: 2
11/22/2004	Lot Size: 2,496	Sold Price: \$699,000	Bath: 1.00
Sold	1032 19TH ST #2	SANTA MONICA	90403
Santa Monica	SqFt: 655	List Price: \$435,000	Bed: 1
11/22/2004	HOD: \$152	Sold Price: \$405,000	Bath: 1.00
Sold	2405 34TH ST #4	SANTA MONICA	90405
Santa Monica	SqFt: 1,456	List Price: \$635,000	Bed: 3
11/29/2004	HOD: \$265	Sold Price: \$625,000	Bath: 2.50
Sold	1517 HARVARD ST #3	SANTA MONICA	90404
Santa Monica	SqFt: 600	List Price: \$389,000	Bed: 1
11/24/2004	HOD: \$184	Sold Price: \$389,000	Bath: 1.00
Sold	1234 12TH ST #4	SANTA MONICA	90401
Santa Monica	SqFt: 1,265	List Price: \$599,000	Bed: 2
11/23/2004	HOD: \$275	Sold Price: \$575,000	Bath: 2.50
Sold	2433 28TH ST #J	SANTA MONICA	90405
Santa Monica	SqFt: 1,675	List Price: \$699,000	Bed: 2
11/24/2004	HOD: \$360	Sold Price: \$680,000	Bath: 2.00
Sold	2721 2ND ST #107	SANTA MONICA	90405
Santa Monica	SqFt: 643	List Price: \$375,000	Bed: 1
11/23/2004	HOD: \$280	Sold Price: \$370,000	Bath: 1.00
Sold	1615 CENTINELA AVE	SANTA MONICA	90404
Santa Monica	SqFt: 4,323	List Price: \$1,150,000	Gl: \$75,684
11/23/2004	Lot Size: 6,726	Sold Price: \$1,025,000	GRM: 15.85

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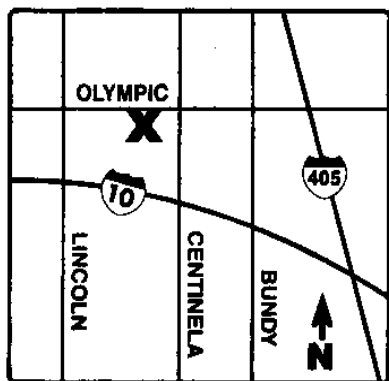
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DAYS ON THE MARKET

BY JODI SUMMERS

Each year, Forbes.com compiles a list of the world's richest individual businessmen and businesswomen. According to Forbes' 2004 list, 37 of 587 billionaires came from the real estate industry.

The richest of the real estate billionaires — Walter, Thomas and Raymond Kwok — ranking 22 on the billionaires' list — call Hong Kong home. Like many financial titans, they inherited the foundation of their fortune. Upon their father's death in 1990, the three brothers inherited Sun Hung Kai Properties — valued at \$11.4 billion in real estate holdings. They have since diversified the business and have flourished with their SmarTone cellular phone service, as well as KMB bus operations.

The richest man in the United Kingdom is Gerald Cavendish Grosvenor. The sixth Duke of Westminster is 36 on the list. His real estate holdings, which he inherited and expanded to its current value of \$8.7 billion, span the former British Empire and include properties from Hong Kong and Washington, D.C. In his native country, Cavendish Grosvenor holds properties in London's posh Mayfair and Belgravia neighborhoods, as well as an additional 150,000 acres in the English countryside.

Fukuzo Iwasaki of Japan is next on the list at No. 72. Mr. Iwasaki inherited much of his \$5.7 billion, but has managed to really monopolize the family holdings. He is the founder and owner of Iwasaki group, a huge transportation, tourism and hotel conglomerate in southern Japan. An Iwasaki hotel on Japan's world-heritage nature preserve island of Yakushima is accessible only by an Iwasaki-owned airline. Last year he sold a property in Tokyo's Ginza to U.S. retailer Tiffany & Co. for \$150 million and closed down one resort.

Germany's richest man is Karl-Heinz Kipp. A self-made real estate mogul with a net worth of \$4.6 million, he ranks No. 94. Kipp founded the Massa chain of German department stores in 1948. A savvy entrepreneur, he sold the chain in 1985, but retained the underlying real estate, which he now rents.

As you might expect, the richest American real estate titan lives in California. Newport Beach resident Donald Bren ranks 116 on the billionaire's list and is a self-made man.

Dubbed by Forbes as America's richest landlord — with a net worth of \$4 billion, Bren compounded his fortune by purchasing the remaining preferred shares of profitable Irvine Apartment Communities. He makes large donations to further education.

Singapore's reigning mogul is Kwek Leng Beng and family, thanks to Hong Leong Group Singapore, a conglomerate with more than 300 companies, including 12 listed on the stock exchange. His City Developments is a leading real estate developer in Singapore. Mr. Beng who is growing his inherited is worth \$2.8 billion and ranks No. 176.

The youngest real estate billionaire is 42-year-old Stefan Schvrghuber. The Munich, Germany resident (No. 170)

inherited much of his \$2.9 billion net worth and now owns the Schvrghuber Unternehmensgruppe conglomerate. Holdings include Bayerische Immobilien AG, one of Germany's largest listed real estate corporations; the Paulaner and Hacker-Pschorr breweries; the Arabella-Sheraton hotel chain; Bavaria International regional airline; cable cars, golf resorts and parking garages.

No. 205 on the list is the most infamous. New York real estate mogul Donald Trump has a net worth of \$2.5 billion and more than 18 million square feet of office and residential space in Manhattan. The Donald has spent the majority of his life expanding the real estate portfolio he inherited from his father. His property collection has included such prestigious properties as the Plaza on the southeast corner of Central Park, Trump Tower on Fifth Avenue near Tiffany's, as well as various properties along Central Park South and Park Avenue. His latest project is the 80-acre West Side rail yard development. An avid golfer with a 4-handicap, Trump owns courses in Westchester County, NY.; Palm Beach, Fla.; and Bedminster, NJ. Other New Jersey holdings, the Trump Hotel and Casino in Atlantic City recently filed for bankruptcy.

Australia's richest real estate mogul, Frank Lowy made his money in shopping malls and a comes in at 216 with a net worth of \$2.4 billion. He oversees a \$24 billion portfolio of 117 shopping centers on three continents. Last year he sold his 99-year lease on the World Trade Center's subterranean shopping plaza to the Port Authority of New York and New Jersey for \$140 million. At the request of the Australian government, Lowy is helping to revive the country's languishing soccer league.

The richest woman on the list comes in at No. 231. She is Hong Kong's Nina Wang, who inherited her \$2.3 billion from husband Teddy Wang. At the moment, she is mired in litigation over the control of Chinachem Group, the company she founded with her husband and headed after he was kidnapped in 1990. Her husband was never heard from again and was declared dead in 1999.

The only other female on the list — coming in at No. 247 — is the infamous Queen of Mean, Leona Helmsley. The widow and heir of New York real estate tycoon Harry Helmsley. She inherited much of her \$2.2 billion fortune, she owns various pieces of prime real estate around Manhattan, including the Empire State building. Recently, she's been battling lawsuits. A 2002 lawsuit alleged that she fired an employee for refusing to have sex with her. Another former employee who said he was fired for being gay won a 2003 case.

One of the few residential real estate billionaires (No. 437) is Australian Harry Triguboff, who with a net worth of \$1.3 billion, joined Forbes list for the first time in 2004. The chief executive of \$590 million (sales) Meriton Apartments grew his empire over the past four decades by building B-grade housing in second-rate neighborhoods. Triguboff learned development as a child watching his father do construction in Tientsin, China.

(E-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219).



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Hammer time: Do's and don'ts of improvements



IN YOUR SPACE

BY CHRISTINA S. PORTER

When looking for new space for your business, your chances of finding one that is already built out for your needs is highly unlikely. The scope of tenant improvements can range from just replacing the carpet and adding a fresh coat of paint to major structural changes to the entire building. There are many things to consider when reconfiguring a space to meet your needs. Who pays for them, how, and what are the bigger concerns.

Who will be paying for the improvements? Like so many of the terms in a lease, market conditions dictate who pays for tenant improvements. In the current market, landlords will undoubtedly be paying the lion's share. How much the landlord will pay for the tenant improvements is dependent on the term of the lease and the lease rate.

The rule of thumb is that a longer lease affords a larger tenant improvement allowance, allowing the landlord to amortize the cost over a longer period of time. Most landlords include a tenant improvement allowance in their budget that is reflected in the rental rate. Here's an example: If your tenant improvement

allowance is \$100 and you have a five-year lease, then the landlord has budgeted to be repaid for the cost of those tenant improvements in the amount of \$20 per year. So if you only want a three-year lease, then the tenant improvement allowance will only be \$60. What type of tenant improvements you are requesting will determine whether the landlord will agree to pay for them. An owner will be more interested in alterations that could possibly benefit future tenants. Alterations that are specific to your use will be less interesting to a landlord, unless of course there are other factors motivating them to have you as a tenant. In my years in this business, I have seen many different scenarios — sometimes the tenant pays, sometimes the landlord pays, sometimes they split it. How it plays out is particular to each transaction.

From a landlord's perspective, full payment at the completion of the tenant improvements is probably the favorite scenario. If the tenant is responsible for his own tenant improvements and is getting a tenant improvement allowance from the landlord, then full payment at the beginning of construction is most likely the first choice. Somewhere in between is where it usually ends up. If the tenant is responsible for its own alterations and the landlord has no monetary obligation with regard to the alterations, then it will presumably have a set of requirements to be met by the contractor — insurance, bond-

ing, etc. — and may even insist upon the tenant choosing one from his own list, along with the right to supervise the construction. When the landlord hires a contractor and it's not possible to withhold payment until completion of the tenant improvements, one method used is a down payment with progress payments during the construction. If the tenant is in charge of the improvements and is not getting a tenant improvement allowance from the landlord, then timing of the payments is between the tenant and the contractor, and payment could be structured as suggested above but between tenant and contractor instead of landlord and contractor.

One significant point to consider prior to making an agreement is security for the landlord's payment of the tenant improvement allowance. A letter of credit from a bank with a large deposit, along with the above mentioned progress payments, or payment in full upon completion, seems to be the most common form of reimbursement. In reality, none of these provide a practical way to recover payment should the landlord default. It seems that an "offset" provision in the lease is the most natural way of securing payment of the tenant improvement allowance. An offset provision is one that states that a tenant may keep the rental payment in lieu of the tenant improvement allowance reimbursement until it has been fully paid off. An "offset" also could be called "rental abate-

ment" or "free rent," which is customarily negotiated in the lease prior to execution, and is a convenient way for the landlord to contribute to the cost of tenant improvements, especially if the landlord does not wish to be involved in the administration of them. In an article written by commercial real estate attorney Susan Fordo, regarding security for the reimbursement of the cost of tenant improvements, "although it is important for the tenant to raise it (the question of a letter of credit), it is equally important for it not to insist on it." She suggests that what the tenant can insist on in return is to "require that the obligation be binding on anyone succeeding to the landlord's interest in the building (specifically the lender)."

There are many things to consider prior to building out your space. How to structure the payment or reimbursement of tenant improvements is one of the more critical factors, but none of them should be taken lightly. It's important that you understand all of the provisions in your lease that address this issue. Each landlord has his own idea on how he prefers to handle alterations and the payment or reimbursement for his costs.

(This article is for informational purposes only and not meant to be taken as advice. Christina S. Porter is in the business of leasing and selling office and industrial buildings. She can be reached at (310) 806-6104, or cporter@naicapital.com).

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NATIONAL



Immigration initiative headed for federal court

BY ANANDA SHOREY

Associated Press Writer

TUCSON, Ariz. — Opponents of a ballot initiative aimed at cutting illegal immigrants off from public benefits asked a federal judge Tuesday for an order that would keep it from becoming law.

Proposition 200, which was approved by voters Nov. 2, is unconstitutional because it usurps the federal government's power to regulate immigration, according to a lawsuit filed here on behalf of a group of illegal immigrants, including some whose children are U.S. citizens, and government employees.

The lawsuit argues that the law will jeopardize the "health and well-being" of families who depend on public benefits for basic necessities and could potentially cut them from all state services, including schools and emergency services.

The measure wasn't intended to affect federally mandated services.

The suit says that provisions of the law requiring people to present IDs to vote will disenfranchise thousands, disproportionately affecting Hispanics who are less likely to have the kinds of identification required.

The Mexican American Legal Defense and Educational Fund, which filed the suit, asked to have it certified as a class action.

The suit asks the court to declare the initiative unconstitutional and issue an

injunction preventing it from taking effect. In the short term, it requests a temporary restraining order that would prevent Proposition 200 from becoming law until the lawsuit can go to trial.

Without a restraining order, the measure will go into effect when Gov. Janet Napolitano proclaims it law, which is expected to happen by Thursday, Napolitano spokeswoman Jeanine L'Ecuyer said.

"She has already said she is not going to play games with this," L'Ecuyer said.

Proposition 200 requires produce proof of immigration status when obtaining certain government services and proof of citizenship when registering to vote. Government workers who don't report illegal immigrants who try to get benefits face jail time and a fine.

Arizona Attorney General Terry Goddard concluded that Proposition 200 applies only to welfare benefits.

But supporters of the measure filed a lawsuit Nov. 18 seeking to broaden its scope to include benefits such as public housing, food assistance, college education and employment benefits.

The attorney general's office had not responded to the lawsuit by Tuesday, said Randy Pullen, chairman of Yes on Proposition 200.

Regarding MALDEF's lawsuit, Pullen said, "I think we are on real solid ground constitutionally."

Arizona court rules against polygamist push for eviction

BY PAUL DAVENPORT

Associated Press Writer

PHOENIX — An Arizona appellate court ruled Tuesday that leaders of a polygamist sect on the Arizona-Utah border could not evict a couple after ousting the man from the sect.

The man was removed when his wife refused to allow her 15-year-old daughter to wed a 39-year-old married man.

However, the Arizona Court of Appeals said the case did not resolve underlying legal issues.

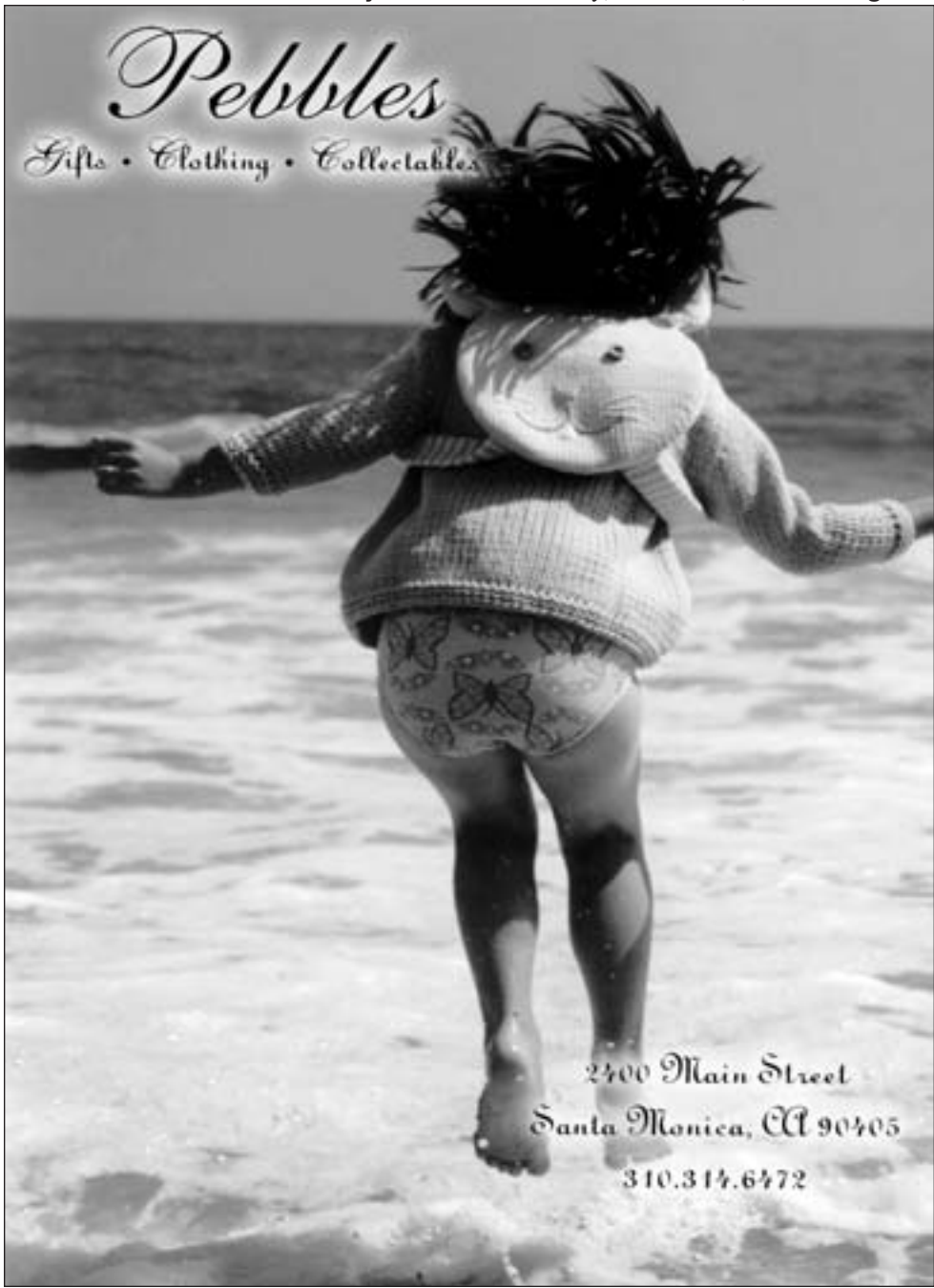
The Court of Appeals upheld a Mohave County trial judge's ruling dismissing an eviction action filed against Milton and Lenore Holm by a trust controlled by leaders of the Fundamentalist Church of Jesus Christ of Latter Day Saints.

The Holms live in a house on trust land in Colorado City, and the trust claimed it had a landlord-tenant relationship with the Holms and that they could be evicted.

The couple denied they were tenants, said they had a life-estate interest in the property and argued that allowing the trust to force them from the property would unjustly enrich the trust at their expense.

The Court of Appeals upheld the trial judge's dismissal of the eviction action but said he was wrong to rule that the Holms' arguments were correct.

An eviction case is too narrow to resolve the underlying "genuine dispute" and other proceedings would be needed to untangle the underlying legal and factual issues, Judge Susan A. Ehrlich wrote for the panel.



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Scientists fuel the mission to extract hydrogen

BY MARK THIESSEN

Associated Press Writer

SALT LAKE CITY — If hydrogen created in a nuclear reactor ever winds up fueling cars and homes and businesses decades from now, it might all owe its thanks to a pottery kiln in Salt Lake City.

A government laboratory and a private electrochemistry company on Monday announced they had been selected to lead a \$2.6 million project to develop hydrogen by high temperature electrolysis. If successful, their efforts could lead to fuel that could reduce the county's reliance on fossil fuels.

High temperature electrolysis, once thought to be cost prohibitive, could become economically feasible by using the next generation of nuclear reactors to split water into hydrogen and oxygen using electric energy, officials with both Ceramtec Inc., and the Idaho National Engineering and Environmental Laboratory said.

"We have been able to show that we

can produce hydrogen at commercially attractive rates in a very small unit and at conditions that are typical of a high temperature, helium-cooled reactor," said INEEL researcher Steve Herring.

The sample, about the size of a paperback book, had its successful test in the kiln, used to simulate the high temperatures that would be created in the so-called generation four nuclear reactors, about 1,800 degrees Fahrenheit.

During the test, the sample placed inside the kiln had a paper-thin sheet of ceramic inside it. At the elevated temperatures, oxygen can migrate through the membrane. When an electric voltage is applied, it extracts oxygen from the stream, leaving hydrogen behind. The oxygen continues through the membrane and is discharged on the other side.

There are other methods that could be used to produce the high temperatures needed for the separation process, like harnessed wind power with solar concentrators, but using a nuclear reactor is the only one being considered by this team.

Researchers said the process of obtaining hydrogen by splitting water using electric energy has been known for about 150 years, but costs in terms of dollars and electric energy made it an unpopular choice.

"High temperature electrolysis has the potential to change that by reducing the amount of electrical energy required and using a proportion of thermal energy in its place," said Joseph Hartvigsen with Ceramtec.

Ceramtec and INEEL will partner with Hoeganaes Corp. in New Jersey and the University of Washington for the project to increase the sample size 100-fold over the next three years.

The Department of Energy is hoping for a demonstration of commercial-scale hydrogen production using the process by 2017. The government is considering building the necessary next-generation power plant at INEEL, research Michael Anderson said.

The small-scale experiment "is a significant step on the trail to this commercial-scale demonstration," Anderson said.

It's also part of the energy department's goal of developing the technology needed for commercially viable hydrogen.

Researchers admit it would be decades if not a generation before hydrogen power and its infrastructure is as commonplace as the one in place today for petroleum-based energy, such as refineries and gas stations.

Instead, Herring said, the most immediate use of hydrogen using the new process would be to upgrade poor quality petroleum for use as motor fuels and then synthesizing existing fuels that cars can use, like gasoline, diesel and jet fuel, he said.

"Then the third stage in the use of hydrogen would be the use of pure hydrogen as a transportation fuel," he said.

It's estimated that a 300 megawatt reactor could provide the power to run 300,000 homes or provide transportation for about 500,000 people. Herring estimated that currently, Americans use one gallon of gasoline per person per day.

"That's a quarter of a billion gallons of gasoline use, so it's important to make a dent in that," he said.

Seafood makers deemed too crabby for own good

BY MATT VOLZ

Associated Press Writer

ANCHORAGE, Alaska — Federal regulators have fined Iccle Seafoods Inc. and two other companies \$3.44 million, saying the companies worked as one to corner the Adak crab market, processing millions of pounds above their limit over the past two years.

The fine is one of the largest civil penalties assessed by the Commerce Department's National Oceanic and Atmospheric Administration, administration officials said.

NOAA investigators said Adak Fisheries and Adak Fisheries Development operated as one company under the administration of Iccle Seafoods in processing and marketing the brown king crabs caught between January 2002 and February 2004 in the remote island in the Aleutian chain.

Iccle Seafoods President and Chief Executive Officer Don Giles said the company had cooperated with the investi-

gation throughout but disagreed with the findings.

The violation notice says Seattle-based Iccle Seafoods was a partner in Adak Fisheries, the only fish processor on Adak. Adak Fisheries leased space in its plant to Adak Fisheries Development, the island's sole crab processor. Adak Fisheries Development is separately incorporated but owned by Adak Fisheries, according to NOAA. Both companies used the same employees and management, investigators said.

Under the American Fisheries Act, if once company controls more than 10 percent of another, they are considered the same company and are capped as one company. Iccle Seafood's cap was just under 222,000 pounds for the two years, but the combined companies processed 3.8 million pounds above that limit, according to NOAA.

The company can pay the fine, ask for an extension, negotiate a settlement or request a hearing.

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White supremacist pleads guilty to making threats

By The Associated Press

RENO, Nev. — A self-proclaimed leader of the Aryan Nations says he meant to scare newspaper employees and government workers with a rambling e-mail laced with hatred and death threats, but never intended to follow through.

Steven Holten pleaded guilty Monday in U.S. District Court to one count of transmitting a threat in interstate commerce.

Holten, 40, with a shaved head and a black and red swastika tattooed on his neck, said he was sorry he sent the e-mail.

"It was intended to be a threat to make certain concepts known to them," he said. "I had no intention or means by which to carry out those threats or harm anyone."

Instead, he said, the purpose "was to express other viewpoints of the Aryan Nations or myself. Maybe to scare them into thinking or believing it was a threat."

After determining that Holten's decisions were not affected by the "drug cocktail" he said he was prescribed for AIDS or the Prozac he was taking "for stress and anxiety," the judge accepted his guilty plea and set sentencing for March 7.

Holten sent the mass e-mail on Sept. 20

to about 100 people working for the Reno Gazette-Journal, the San Francisco Chronicle, several state government agencies and others he felt did not support his white supremacist views, Assistant U.S. Attorney Paul Pugliese said.

"We of Aryan Nations are angry, and we hate and we kill," the message said. "Our violent terrorist actions will be a shock to the citizens of Reno and San Francisco. It will be gruesome, and something that has never been seen ever."

A federal grand jury indicted Holten on Oct. 6 for sending the e-mail and he pleaded innocent to the felony charge on

Oct. 7.

Holten changed his plea on Monday. Fredilyn Sison, the assistant public defender representing him, declined to say why.

The charge carries a penalty of up to five years in prison and a \$250,000 fine.

However, Pugliese said Holten will receive two points in his favor for taking responsibility for his actions.

Depending on how the judge evaluates the offense, Pugliese said, Holten could face 12 to 18 months in prison on the low end, or 3 1/2 to just more than 4 years on the high end.

Bush looks to mend fences with northern exposure

BY DEB RIECHMANN

Associated Press Writer

OTTAWA — President Bush sought Tuesday to patch up relations with Canada after years of bickering, flying to the capital for talks with Prime Minister Paul Martin on trade, security and a host of tough hemispheric and global issues.

Bush's landing here marked the first official visit by a U.S. president in nearly 10 years.

Relations between the Bush administration and Canada got off to a rocky start when Bush, a new president, chose Mexico instead of Canada as the first country he'd visit. Trade disputes and the war in Iraq further soured the friendship.

Martin, Canada's former finance minister and a wealthy shipping magnate, however, has repeatedly expressed a desire to rebuild U.S.-Canada relations, which cooled under his predecessor, Jean Chretien. The dialogue became even more strained when Chretien decided against sending troops to Iraq.

"Under Chretien, relations were terrible," John Hulsman, research fellow in foreign policy at Heritage Foundation, said of the former prime minister whose aide called Bush a "moron" in November 2002. "It got so bad that in the Parliament one time they forgot to turn the mikes off and someone was calling Bush a bastard."

Bush will not make a customary speech at the House of Commons in Ottawa where the sometimes raucous Parliament has been known to heckle speakers. Bush's unpopularity is expected to be

protested by demonstrators upset about trade issues, Iraq and U.S. efforts to get Canada involved in the continental missile defense shield and Iraq.

The two-day visit was focused on creating goodwill, but thorny economic issues were also sure to arise at the meeting between the leaders whose nations have the world's largest trading partnership. The United States and Canada do more than \$1 billion in business a day; 85 percent of Canada's exports go to the United States.

Bush and Martin also are expected to talk about security on the U.S.-Canada border, the war on terrorism and efforts to expand democracy to other corners of the world.

Canada stood with France and Germany in deciding not to send troops to Iraq, but pledged \$300 million for reconstruction and is helping train Iraqi police officers in Jordan. Martin is expected to offer to send Canadian observers to help oversee January elections in Iraq.

The two nations are fighting over a tariff the United States has placed on imports of pine, spruce and other easy-to-saw softwood lumber logged in Canada. On average, the United States adds an extra 27 cents to every \$1 worth of softwood lumber imported from four Canadian provinces.

U.S. officials accuse Canada of subsidizing the lumber business, saying it does not charge companies large enough to log on public lands. Canada is challenging the tariff through international trade organizations. The World Trade Organization has sided with Canada in a series of prelimi-

nary rulings, but the dispute is far from over.

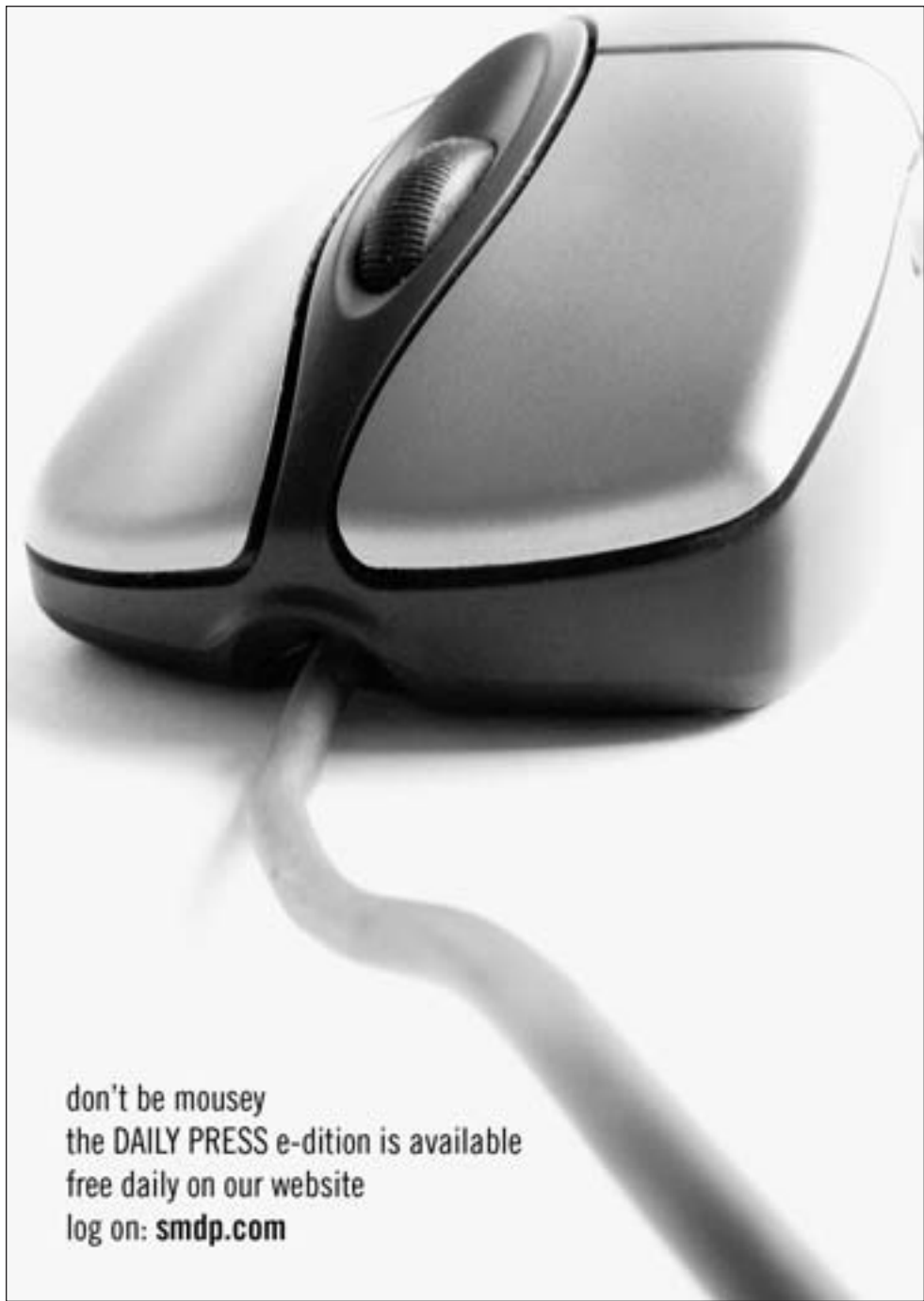
Canadian ranchers are upset about the U.S. ban on live Canadian cattle that was imposed after a lone case of mad cow disease was discovered in Alberta in May 2003. The United States is Canada's biggest beef customer, and the American ban has cost the Canadian cattle industry billions of dollars.

Bush will be served Alberta beef at a dinner tonight that Martin is hosting at the Canadian Museum of Civilization.

Under a rule recently drafted by the Agriculture Department, Canada would be allowed to resume exports of certain kinds of beef. That rule will be reviewed for the next several months by the Office of Management and Budget.

The United States and Canada are working jointly on environmental issues as well as health and safety standards and regulations that won't slow down trade and economic exchange across North America, according to a senior administration official, who spoke on condition of anonymity.

On Wednesday, Bush will travel to Halifax, Nova Scotia, to give a speech, thanking Halifax and other maritime provinces that received tens of thousands of Americans stranded after the Sept. 11, 2001 terrorist attacks. More than 200 jetliners heading for the United States were diverted to Canada after the terrorist attacks in New York and Washington. About 7,000 people on 44 planes went to Halifax.



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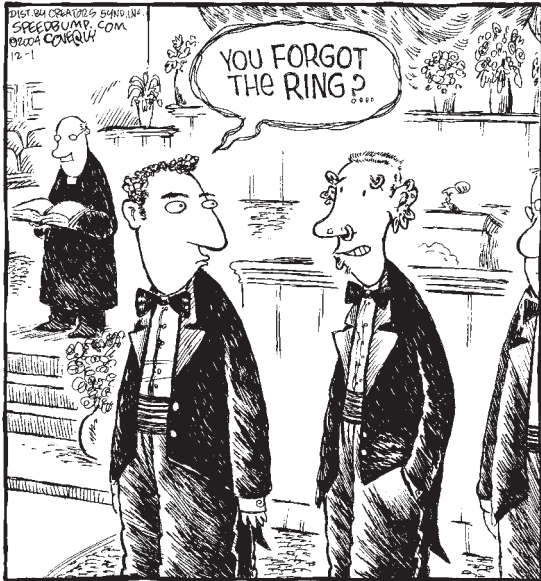
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- 19 Have debts
- 22 Kilt pattern
- 24 Yellow stone
- 26 Earth
- 27 Will name
- 28 Perimeters
- 30 Ship of 1492
- 31 Supporter's vote
- 32 Radiant
- 34 Do in
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- 38 An Internet connection
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- 43 Where El Misti rises
- 44 City on the Loire
- 45 Prepares for war

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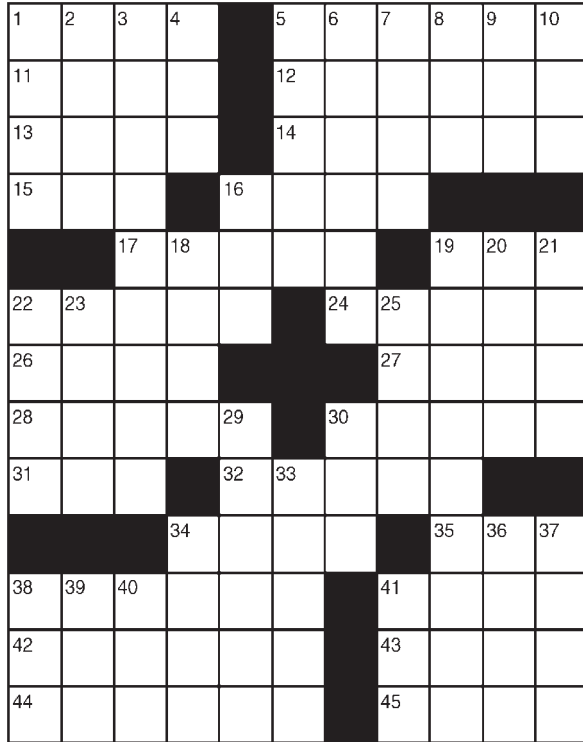
- 1 Argument
- 2 Zorro attire

3 2003

- Kevin Costner film
- 4 Receipt addition
- 5 Early physician
- 6 Spotted cat
- 7 ASAP, in the ER
- 8 Wrestling victory
- 9 Time for planning
- 10 Went ahead
- 16 Auction signal
- 18 Stash
- 19 2003 thriller at sea
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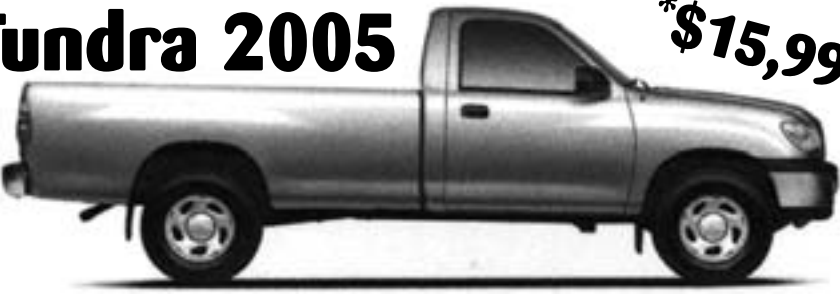


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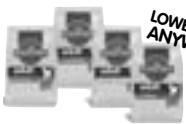
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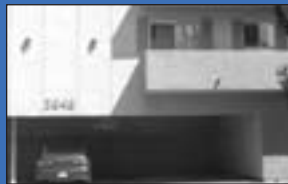
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