

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

30, 31, 5, 24, 36

DAILY 3

Afternoon picks: 1, 1, 7

Evening picks: 7, 4, 7

DAILY DERBY

1st Place: 5, California Classic

2nd Place: 8, Gorgeous George

3rd Place: 1, Gold Rush

Race Time: 1:43.34



NEWS OF THE WEIRD

by Chuck Shepard

In August, computer technician Goran Andervass received the equivalent of US\$100,000 as settlement of his wrongful-firing lawsuit against Riksbanken, the Swedish national bank, over a 2001 incident that began when a colleague, meeting with him in his Stockholm office, ostentatiously passed gas. Andervass became very upset and started shouting at the man. Supervisors cautioned Andervass, who began a downward emotional spiral and began to take abundant sick leave, leading to further sanctions and eventually to his dismissal.



QUOTE OF THE DAY

"Bad spellers of the world, untie!"

— Graffiti



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File photo

City workers routinely maintain the landscape throughout Santa Monica, particularly palm trees, which account for 17 percent of all trees in the city.

Palm tree fans not easily swayed by its shortcomings

BY GINGER D. RICHARDSON

Associated Press Writer

PHOENIX — Phoenix is having a love affair with palm trees.

It's no secret that the stately, easily identifiable tree provides little shade, harbors pests, is often messy and can be expensive and difficult to maintain.

Despite all that, Phoenix keeps planting them. And experts say they see no

indication of that changing anytime soon.

"They are a unique tree that is easy to recognize, and there is that association with the tropical paradise," said Steve Priebe, a horticulturist with the city of Phoenix. "Everyone wants to deny that we live in the desert, especially when it's 100 degrees outside in October."

"Palm trees perpetuate that idea of a

See PALM TREES, page 6

Recovery slow for SM economy

Forecaster: Real-estate bubble will burst, traffic will be key concern for SM

BY JOHN WOOD

Daily Press Staff Writer

Transportation will play a key role in the economic fortunes of Santa Monica, according to a forecast delivered Tuesday by an economist from the UCLA Anderson School of Business.

That's because many companies are abandoning their offices by the sea for downtown LA locations, and some business travelers appear to be choosing somewhere other than Santa Monica to stay.

The issue? Traffic.

"This is obviously a healthy economy. People have jobs," said Christopher Thornberg, a senior economist at the UCLA Anderson Forecast, a branch of the business school that tracks and predicts financial trends. "The question is the business economy. And the issue is, you can't move on the damn 405."

Thornberg gave a 45-minute presentation on the state of the economy to a group of nearly 100 local merchants at the monthly luncheon of the Santa Monica Chamber of Commerce, held in the penthouse of the Four Points Sheraton on Pico Boulevard. He said he expects the economy to continue to improve but said businesses should be wary of the current recovery, which has relied less on the creation of new jobs and more on consumer spending.

See ECONOMY, page 5

Gay bar pays off former worker

Man sued for sexual discrimination

BY JOHN WOOD

Daily Press Staff Writer

SM COURTHOUSE — The operators of a gay bar in West Hollywood agreed in a settlement hashed out here last week to pay a former worker an undisclosed amount to drop a sexual battery and harassment lawsuit.

Lawyers for Revolver, the bar, and David Northrup, a straight man who did marketing and promotion there briefly in 2001, stayed late Tuesday at the courthouse and worked out the terms of the confidential agreement with Santa Monica Superior Court Judge Alan Haber.

In the lawsuit, Northrup claimed he was fired by the bar's owner on trumped-up charges of selling illegal drugs. Northrup maintained he was actually fired because he was straight and he repeatedly objected to the forthright comments and actions of his gay co-workers and customers.

But Mark Bates, owner of Revolver, said Northrup resigned on his own. He said he spent tens of thousands of dollars before finally settling the case to stem the loss.

See LAWSUIT, page 6



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★★-So-so ★-Difficult

HAPPY BIRTHDAY for Wednesday, December 3, 2003

Investigate the many different options that are put on your plate this year. You will fall from one opportunity to another. However, don't think that a project is a done deal until it is. You walk around this year with a pair of rose-colored glasses on. You often feel that a partner is overly serious, especially as you are generally in such a happy, fun mood this year. Help this person loosen up by understanding where he or she is coming from. If attached, you will want to spend time with your sweetie to help him or her through this period. If single, romance happens without you looking for it. You might find yourself seriously considering changing your status in the late fall. You gain because of your creativity and luck this year. Concentrate on what you want. Mix yourself with ARIES, and great wildness will happen.

ARIES (March 21-April 19)

★★★★★ You wake up inspired to conquer the world, or maybe just your world, and you go on to do just that. Others respond to your imaginative streak and find you ingenious. Do adequate research on a key project before you go with it. Tonight: Accept the role of king or queen for the evening.

TAURUS (April 20-May 20)

★★★ You will be a lot happier if you go along with others' expectations. Keep your opinions to yourself for now. The right time to express your feelings will come. A partner might say something disturbing, or you might be a bit sensitive today. Tonight: Curl up with a good book.

GEMINI (May 21-June 20)

★★★★★ What you have been mulling over can now become a reality if you want it to. Enlist the support of those around you, verbalizing more of this desire. Someone who might have played devil's advocate reverses his or her opinion. Tonight: Where the crowds are.

CANCER (June 21-July 22)

★★★★ The boss rules, whether you like it or not. So toss opinions away and do your work. A boss appreciates the lack of flak and your willingness to trust his or her judgment. You do make a difference and will be rewarded accordingly. Tonight: A must appearance.

LEO (July 23-Aug. 22)

★★★★★ Spontaneity is the way to go right now. Use your fire and do what comes naturally. Though you might turn some heads, ultimately everyone responds very well. A key person in your life cares enormously about you. Tonight: Opt for something different and exotic.

VIRGO (Aug. 23-Sept. 22)

★★★★ Others dominate the scene, though they certainly have innovative ideas. More and more, you might be thinking about working from home. Think about what this really would mean to you and what a lifestyle change it would be. Tonight: Join your favorite person.

LIBRA (Sept. 23-Oct. 22)

★★★★★ Review decisions with an eye to progress and change. It could take time to convince another that what you think is a great idea, but you will ultimately, if not today. Just express that Libra charm, and others' defenses will soften. Tonight: Accept an invitation.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Review what those around you consider a great idea. Questions that come forward right now might help you see the financial implications of a decision very soon. Pace yourself carefully; even you have limited energy. Tonight: Easy does it.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ "Playful" describes your mood, though not everyone can respond. You have a way of looking at things that others don't. You might even decide not to share your logic. Follow your sixth sense, as it will guide you properly. Tonight: Show your spunk.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ You will tend to give others the benefit of the doubt in your present mood. Your instincts are excellent with finances. You might want to check in with an authority figure or an expert, but you're on the right course. Tonight: Put your feet up.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Your imagination delights many around you. You seem to hit the bull's-eye no matter what you do. Flow with the money and be your impulsive self right now. A friend could be instrumental in a change. Tonight: Happy out.

PISCES (Feb. 19-March 20)

★★★★ You could feel cramped by a money matter. There might not be a way around this problem that you can see right now. Use your intuition and imagination, topped with a brainstorming session with a trusted friend or adviser. Tonight: Start your holiday shopping, if you haven't already.

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LOCAL



COMMUNITY BRIEFS

LA organization serves Thanksgiving dinner

By Daily Press staff

Eight mothers and daughters from the National Charity League of Los Angeles served Thanksgiving turkey with all the trimmings to 39 mothers and their children at St. Joseph Center's Infant Toddler Development Center last week.

"[The NCL] stepped in at the last minute," said Maria Alderete, SJC's coordinator of volunteers. "I don't know what we would have done without them."

The NCL is a national nonprofit organization of mothers and daughters who join together in community projects to foster a sense of responsibility in the girls and to strengthen their mother-daughter relationships. The NCL girls, grades eight through 12, have helped at St. Joseph Center for the past four years by caring for children, serving meals and mentoring fifth- and sixth-graders after school.

"We get the great pleasure of helping people," said Judith Schley, the LA Chapter's philanthropic chairperson for the 12th grade. "It's a lesson of compassion that we share with our daughters."

"They are an inspiration to us," said Leticia Garcia-Greenman, director of family services at SJC. "Without the volunteer efforts of organizations like the National Charity League, the center would not be able to provide our ongoing continuum of services to men, women and children with special needs."

SJC has 11 programs, providing emergency services, child care, case management, employment training and senior services to more than 8,000 men, women and children each year at eight sites throughout Venice, Santa Monica and West LA.

Ex-RAND employee gives \$10M to RAND Graduate School

By Daily Press staff

Former RAND Corporation analyst Frederick S. Pardee has donated \$10 million to the RAND Graduate School, RAND president and CEO James A. Thomson announced today.

The donation is the largest ever made by an individual to RAND, a nonprofit research corporation, and one of the largest gifts ever by an individual to a single Ph.D. program in the United States. It will be added to the endowment of PRGS, which stood at \$4.3 million before the new donation. This endowment ensures that PRGS remains self-supporting.

"This generous gift ensures that the Pardee RAND Graduate School will continue its outstanding work and produce graduates who will help build a better world and help find solutions to the greatest challenges facing humankind," Thomson said.

In appreciation of Pardee's donation, the graduate school has been renamed the Frederick S. Pardee RAND Graduate School.

Founded in 1970 as one of America's original eight graduate programs in public policy and the only one based at a think tank, PRGS has awarded more doctorates in policy analysis than any other institution.

All PRGS students receive fellowships that pay for all tuition costs and health care, and a stipend based on the work they perform on RAND research projects. Past graduates of PRGS have gone on to careers in government, business, nonprofit institutions and academia.

Pardee, 71, worked as an economic analyst at RAND from 1957 to 1971 and went on to become a real-estate investor. He recalled that when he first joined RAND, he was making \$7,500 a year and never imagined he would ever be in a position to donate millions to support the work of his employer.

"I don't consider this a gift to RAND," Pardee said. "I consider it a gift to the world, because PRGS graduates will work to change the world for the better."

Pardee also donated \$5 million to RAND in 2001 to create the RAND Frederick S. Pardee Center for Longer Range Global Policy and the Future Human Condition. The center works to explore trends and potential developments in the world 35 to 200 years into the future. Pardee had previously donated \$10 million to create a similar center for the study of the future at Boston University. The philanthropist earned bachelor's and master's degrees from BU's School of Management in 1954.

"I've concluded that one is placed here to make a difference, and I want to make a difference by supporting institutions that will shape the future," Pardee said.

surf report

A new mix of SW swell, some leftover/fading W-WNW swell and some new local windswell will hit today. Most spots will have knee- to chest-high waves.

OUTLOOK: Similar surf will hold into Thursday but the focus of the energy will shift to the better SW/combo spots. New steep NW swell will start to arrive late on Thursday.

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

Today the water is:

60°

**Sunrise: 6:34 a.m.
Sunset: 4:46 p.m.**

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	12:57	1.1	2:08	-0.9	7:15	6.7	8:23	4.5
SUNDAY	1:34	1.4	2:55	-1.4	7:51	7.0	9:18	4.4
MONDAY	2:12	1.7	3:44	-1.5	8:30	7.2	10:15	4.1
TUESDAY	2:53	2.1	4:36	-1.5	9:13	7.1	11:17	3.9
WEDNESDAY	3:38	2.4	5:33	-1.2	9:59	6.8	N/A	N/A
THURSDAY	4:31	2.8	6:34	-0.8	12:28	3.8	(10:50)	6.2
FRIDAY	5:43	3.1	7:40	-0.4	1:48	3.8	(11:51)	5.6

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The Q-Line

To the relief of Santa Monica merchants, the City Council last week rejected a proposed law that would have restricted businesses on how much noise they can generate at certain times of the day.

While politicians said the law as proposed couldn't be passed because too little research was done, a new ordinance will come back to them after staffers do some more work.

Some question whether it's businesses making all of the noise in Santa Monica, or if it's just a fact of living in a con-

densed, high-traffic city. Others suggest that the current noise ordinance isn't even enforced adequately.

So this week, Q-Line wants to know, "Is Santa Monica too loud? Who's making all the noise?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.



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OPINION

LETTERS

MTBE out, fluoride in

Editor:

Thank you for all your recent coverage of the MTBE disaster, but why is there no coverage of the pending fluoridation of Santa Monica's water supply? The City Council put forth great effort to eliminate MTBE from our water but is now deliberating adding both arsenic and lead via fluoridation. There seems to be a rather strange inconsistency in the actions of Santa Monica's City Council, which would be laughable were it not for the dire consequences involved.

Rea Bayone
Santa Monica

Homeless don't get much more visible

Editor:

In response to Charles Springer's article and misunderstanding of the homeless issue, and a comment to Maria Rodriguez's letter (SMDP, Dec. 1, page 4).

First of all, the homeless are not invisible. They are all over the parks, the Promenade, the doorways of shops, in my yard, in the middle of Wilshire Boulevard, in the alleys and everywhere in Santa Monica. They harass me and my family at the doors of Wild Oats, Polly's Pies, Starbucks and while I shop at the Third Street Promenade and have gone so far as to pull a knife on my husband at 6 a.m., while he walks our dog, threatening to "cut your (my) puppy."

As for voting rights, why should the homeless be able to vote, considering their only interest in our city is the availability of free services and handouts, at the expense of the rest of us, with zero contribution in return?

With regards to the homeless applying for jobs, aren't most of the big construction jobs in the area union? Aren't we for the unions? That's why I'm not supposed to shop at Vons, right? That's why I was supposed to support the living-wage measure, right? And, why would I want some crusty, drunk, drugged-out possible rapist or murderer working on my property?

As to the "competition" from illegal immigrants for jobs, let's see. These "immigrants" have homes, they appear to bathe, have relatively clean clothes on, and STAND up, rather than sleeping anywhere they fall down. These immigrants often have many persons living under one roof, but they PAY for their own roof, and often send money to support relatives and family members in their native countries, showing not only responsibility for themselves, but for others.

Lori Emerson
Santa Monica

Don't like the smoke, walk upwind

Editor:

Regarding your story on Santa Monica might outlaw smoking at the beach, (SMDP, Dec. 1, page 1).

It's hard enough to light a smoke on the beach! So when we finally accomplish this task, you now want to take away our right to some relief and enjoyment? Walk a yard upwind, you'll inhale sea breeze believe me. (And while you're strolling, pick up a little plastic garbage while you're at it, won't you? I'll try to, too. Thanks.)

Hank Rosenfeld
Ocean Park

Guns are what kill

Editor:

Amazingly enough, not word is offered by this prestigious think tank concerning guns and gun control in the U.S. (RAND study on gun violence, SMDP, Dec. 1, page 1). The gun industry has flooded the market with these weapons of mass destruction, and present gun-control laws have gigantic loopholes, thanks to the gun lobbies.

Until the federal government legislates uniform gun-control laws, the killing will continue. Many states have no laws, and the present administration bows to the NRA.

Ruth Rosen
Santa Monica



New Medicare bill throws seniors to the wolves



INCITES

By Ed Silverstein

A few years ago my niece, then 18 months, suffered a severe leg break when her sister tripped taking her out of the crib. Her frantic parents rushed her to the emergency room where she was fitted with a partial body cast.

The doctors warned that the break might leave the toddler with a permanent limp. For her parents, the next few weeks were filled with severe anxiety, as well as the challenges of occupying an active child nearly immobilized by the cast. The cast finally was removed, and to everyone's relief, my niece was fine.

Less pleasant was the notification by their HMO, Empire Blue Cross, that \$2000 of their emergency room claim was being denied.

The basis for the denial was a single sentence buried in a 76-page rulebook. It states that the HMO must be notified of an emergency-room visit within 24 hours —

or as soon as reasonably possible — otherwise half the claim will be denied.

Unfortunately for my wife's sister and her husband, they were too busy worrying about whether their child would ever walk properly again to wade through a massive tome that, as far as I can see, has no other purpose but to create criteria in which to deny otherwise legitimate claims.

Now the Bush Administration and the Republican party leadership, with the inexplicable collusion of the AARP, have passed their version of the Medicare Prescription Drug Benefit Bill. It is weighted with enough industry pork to make even a pig farmer jealous. Bush, under threat of veto, insisted on a shameful prohibition against Medicare's negotiating for price reductions on prescription drugs.

What is more of a concern is that this bill is the first step in a neo-conservative plan to dismantle and privatize Medicare, one of the country's most successful programs. True, the initial assault will rely on coaxing seniors into private HMOs by enticing them with additional benefits. The extra costs are not coming out of the pockets of the health-insurance industry, but rather will be footed by taxpayers by way of tax cuts and giveaways.

But what about seniors who elect to join HMOs? They will likely find themselves navigating the same confusing maze of treacherous rules that tripped up my sister and brother-in-law. And this will be far more overwhelming for those seniors who suffer from memory lapses, impaired vision, physical disabilities or age-related dementia.

My 95-year-old grandmother is amazing, but she is not capable of memorizing a 76-page book. And every time she has to go to a doctor she must hire an aid to accompany her, so forcing her to first see a primary care doctor to approve a visit to a specialist creates an undo burden. At her age, even such a brief delay could result in a minor condition's deteriorating into one that is life threatening.

And don't expect the HMOs to show seniors any special consideration. Shortly after Empire Blue Cross denied my niece's emergency room claim, my brother-in-law was killed in the World Trade Center attack. Sympathy and support poured in from everywhere with one notable exception.

Despite my repeated appeals to personnel at every level in the organization, including their CEO Dr. Michael Stocker,

Empire Blue Cross refused to budge. They adamantly stood behind a heartless and highly questionable policy that took away money from a tragically widowed woman left alone with three young kids.

Add to this callousness the strong opposition by Bush and top Republicans to any meaningful Patients Bill of Rights, and seniors who opt into HMOs might very well find themselves in a nightmare.

We must stop this scheme now. The AARP must work with moderate Republicans and thinking Democrats to revoke special-interest provisions that are intended to seduce seniors out of Medicare and will raise the cost of health care. And in light of record deficits, it's unconscionable to allow a prohibition against using Medicare's vast buying power to reduce the price of prescription drugs.

We must ensure that those in their golden years are guaranteed the best medical care possible. They have earned it and have paid for it. And, after all, aging creates enough natural hardships for seniors without our government throwing them to the wolves.

(Ed Silverstein is a free-lance writer aging in Santa Monica. Comments can be e-mailed to edsincites@aol.com.)

LOCAL



Local merchants waiting for economic recovery

ECONOMY, from page 1

"Consumers never slowed down," Thornberg said. "In fact, consumers have been buy-buy-buying along with no slow-down."

While four of the top 10 booming cities in the country are in California — Fresno, San Bernardino/Riverside, San Diego and Sacramento — so are two at the other end of the spectrum. Both San Jose and San Francisco are still reeling from the dot-com bust.

Los Angeles has generally stayed the course. The city lost 3,700 jobs last quarter but posted gains in retail, government and construction sectors, Thornberg said. He added that LA's troubles are largely external, and he expects the financial, information, education and health sectors to lead the local recovery.

Here in Santa Monica, which was hit hard by the dot-com bust and by a slump in post-production business, Thornberg said the issue of office-space vacancies is probably most important. He said a light-rail line from downtown to the westside likely would be an enormous boost to the local economy.

Gwen Pentecost, a senior analyst at City Hall, agreed the drop-off in office occupancy is a key symptom of the economic downturn. Though Pentecost said recently people have begun to move back, 15.3 percent of office spaces are still vacant.

"We've got room to lease out here, certainly, if anyone's interested," she said.

Kathy Dodson, president and CEO of the chamber, said the issue over traffic could quickly become one of the most crucial issues in Santa Monica.

"Let's face it, tourists want to stay at the beach," she said. "But not having to get on our freeways and drive is going to be a huge incentive."

As for the real-estate boom, Thornberg said he was only recently convinced the high prices constitute an inflated bubble. The local median house price is now at \$700,000, up from \$300,000 in 1996. And while prices continue to go "absolutely nuts," interest rates have stayed low, he said. Thornberg added it's a trend he doesn't expect to last long.

"What mortgage rates giveth, so they can taketh away," he said, adding that current prices are inflated by about 10 percent to 15 percent. Mortgage rates, which once dipped below 5 percent, should rise back to 6.5 percent by the end of 2005, Thornberg said.

But the bottom line is housing prices and rents will continue to rise locally as the regional population grows by about 1.5 percent each year, thousands of units are bought and sold each month, and the demand for housing increases, Thornberg said.

"Bear in mind, even if you're anti-growth, they're still going to come here," he said.

As for the economy, Thornberg said he expects consumers and government groups, which have led the recovery so far, to hand the baton to businesses. But he warned that an "Internet hangover" has left the labor market funky, the U.S. dollar vastly overvalued and everyone more wary of corporate malfeasance. Thornberg also said the recovery might be hampered by uncertainties over the future of oil revenues and international relationships.

"The economy looks good but there's some fundamental problems underneath,"

he said, projecting a 2.5 percent to 3 percent economic recovery this quarter and the same for next year. Thornberg added that unemployment, currently at about 6 percent, will drop to 5 percent but not to the low of 3 percent, which he said was a symptom of an overheated labor market.

The third quarter of this fiscal year posted an 8.2 percent gain nationwide, the biggest jump in more than a decade, Thornberg said. But that gain was led by consumers who were battling with high unemployment and considerable debt, Thornberg said.

Enticed by "bizarrely low" interest rates, the consumers have taken out loans despite the bad economy, Thornberg said.

"We need to see consumers limit their spending, or there will be a new downturn in 2005-2006," he added, saying it's a common misperception that low interest rates mean better deals. In fact, low interest rates are tied to higher prices, and the two generally even each other out, he said.

In the meantime, Thornberg said some jobs have been created, but they're not showing up on the ledger sheets. He said 350,000 "household" jobs have been created in Southern California in the last three years, largely for subcontractors.

The bottom line is the state needs to readjust its expectations, which were set high during the late 1990s, and limit spending, Thornberg said, adding that the current budget problems are structural and not cyclical.

"There is no quick fix," he said. "Tough choices are going to have to be made."

In Santa Monica, Dodson said local merchants have different experiences with the recent uptick.

"Retail sales reflect that this is a better year than last year," she said after the presentation. "I probably wouldn't go any further than that."

Kenny Miller, general manager of Volkswagen Santa Monica, said despite his outfit's status as the No. 1 in sales and service in the country, he has not experienced the pluses of the recent economic recovery.

"The last couple of months have been the worst that I've experienced," he said, adding that Volkswagen Santa Monica sold 147 cars in October and 122 in November, but that in a good month his dealership will sell 200. "What's happening to me? What can I do?"

Top 10 wrong reasons for the weak economy

- 10) E-mail spam
- 9) Kobe, Shaq infighting
- 8) Internet music downloads
- 7) France
- 6) "W" becoming president
- 5) Poor fall television ratings
- 4) Jobs moving to India and China
- 3) Deflation-dread disorder
- 2) Weak consumer confidence
- 1) 9-11 and the "War on Terror"

Source: Christopher Thornberg, senior economist, UCLA Anderson Forecast

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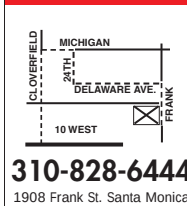
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LOCAL

Phoenix residents up in arms over palm trees

PALM TREES, from page 1

lush vacation-type escape."

Phoenix and Valley Metro Rail officials recently caused a stir when they announced intentions to spend more than \$300,000 to remove, store and replant about 110 palm trees that line Central Avenue to make way for light rail.

The trees, which were brought to the area by Dwight and Maie Heard, who established the Heard Museum on Central Avenue, must be preserved because they are eligible for historic designation, officials have said.

The announcement touched a chord with the community, sparking phone calls and back-and-forth debate between palm lovers and haters.

In The Arizona Republic, residents poured out their feelings in letters to the editor.

"What a waste of money," read one.

"Ugly and useless" is the way another reader described them.

Phoenix maintains about 25,000 of the trees in public areas. The palms, which are in parks, road medians and other areas, cost \$25 to \$35 each to prune and trim each year.

And Phoenix isn't the only city willing to pay the high cost of maintaining them.

Santa Monica plants palm trees routinely, and they account for 17 percent of the city's tree population. Walt Warriner, the city's community forester, said there are about 6,500 palm trees in Santa Monica. He pointed out that trees, like all landscapes, are very subjective.

"There's a general conception that trees are low maintenance," Warriner said. "There is no such thing as a low maintenance tree unless it's a picture of a tree in a photo or painting."

In the past few years, Chandler officials have made a concentrated effort to plant the trees along several major gateways into the city, spokesman Dave Bigos said.

"We've used them with decorative pavers in the intersection, as a landmark feature," Bigos said. "We think it tends to make a statement that you are entering a new city."

Now, Chandler has about 450 of the trees that it monitors and takes care of through an annual maintenance contract.

In fact, horticulturists and arborists say the palm tree is as in vogue as it has ever been, despite the fact that it is increasing-

ly maligned by those who think it is more trouble than it's worth.

Palm trees provide little shade for residents who bake in the desert sun. The different species are magnets for a variety of diseases and destructive pests, not to mention unpleasant critters like scorpions and Africanized honeybees.

"There is no such thing as a low maintenance tree unless it's a picture of a tree in a photo or painting."

— **WALT WARRINER**,
Community forester,
City of Santa Monica

"There are always a lot of people who plant them and then want to get rid of them," said Rick Hecox, whose company, Phoenix Palm Tree Collectors, buys and removes palms from local residents. "They are tall, they are messy, they have to be trimmed once a year, and of course, they are 30 feet in the air."

Arborists agree that the trees come with challenges.

"Obviously, there are some drawbacks," said Daniel Rumore, an arborist for Scottsdale. But Rumore, who also has his own landscape business, admits that he, too, feels a sort of sentimentality toward the palm.

"I think they definitely have their place," he said. "Like a lot of other people, I see them and think of some exotic foreign land."

But some landscapers, such as Carol Shuler, say that although the allure of the palm hasn't abated, there is an increased desire among developers to use plants that are native to Arizona.

"Part of what we want to do here, what should be done everywhere, is retain a sense of place," said Shuler, whose firm, C.F. Shuler Inc., does landscaping architecture and consulting. "You should be walking around town and just know that you are in Phoenix."

"This isn't LA, or San Diego or Texas, and what we plant should make that statement and reflect that."

Straight man sues gay bar

LAWSUIT, from page 1

Bates declined to comment on the settlement because it's confidential by law. Asked if he was happy with it, he said, "No. I am pissed off. I think I was set up. I think he intended to get fired from the very beginning, and I just ran out of money, and I couldn't afford it."

According to his complaint, Northrup was repeatedly accosted by gay customers and co-workers who commented that he was attractive, made explicit sexual innuendoes and spoke openly of their sexual conquests.

Northrup could not be reached for comment. His lawyer declined to comment on the case and said it would violate the confidentiality of the settlement.

In his legal complaint, Northrup target-

ed senior manager John St. Jarre and co-worker Bo Trumball. He said St. Jarre repeatedly failed to protect him from sexual battery and harassment, and actually made the situation worse on several instances by laughing at the activity.

Northrup was hired in January of 2001 and was only employed for three weeks. Bates agreed to pay him the greater of \$750 a week or 5 percent of gross profits at the bar, according to court documents. In the lawsuit, Northrup was seeking back and future pay, punitive damages for the alleged harassment and battery, and lawyer fees.

"We've been here for 22 years," said Bates. "This is the first employee lawsuit that we've ever encountered."

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STATE

Driver's licenses for undocumented immigrants repealed

BY DON THOMPSON

Associated Press Writer

SACRAMENTO — The California Legislature's decision to repeal a law allowing undocumented immigrants to get driver's licenses sets the stage for Gov. Arnold Schwarzenegger to fulfill a key campaign pledge just two weeks after taking office.

Facing widespread public opposition and a threatened March ballot initiative to kill the law, the Assembly voted 64-9 Monday to overturn a measure it passed only three months ago. The Senate took similar action on Nov. 24 with a 33-0 vote.

Schwarzenegger was expected to sign the bill this week.

The law — which had been set to go into effect Jan. 1 — would have allowed an estimated 2 million illegal immigrant motorists apply for driver's licenses with taxpayer identification numbers instead of Social Security numbers.

Passed in September and signed by former Gov. Gray Davis, the law aimed to end a 10-year ban on driver's licenses for California's illegal immigrants, most from Mexico and Central America.

Before being elected in the Oct. 7 recall election against Davis, Schwarzenegger promised to repeal the law within his first 100 days in office. Immediately after being inaugurated, he called the Legislature into special session to consider the measure.

The new Republican governor, an immigrant himself, said he felt Davis' signing of the bill was "a pre-election special that was rushed together to get votes."

"It should be done the right way," Schwarzenegger told reporters. "It should be done in a way where we can talk about the background check, we can talk about how to provide insurance for them all."

In a written statement after the Assembly vote, Schwarzenegger called the repeal "a great display of bipartisan cooperation" that he hopes will be repeated with other parts of his agenda. He promised to work with legislators next year "to find a sensible solution to this issue."

State lawmakers, fearing voters would overturn the law unless they took action, took just 21 hours last week to vote for the repeal in both the Senate and a key Assembly committee, sending it to the Assembly for Monday's final legislative action.

The law's supporters, including immigrant rights groups, labor unions, churches and Los Angeles Police Chief William Bratton, argued the decade-long ban on licenses hasn't slowed illegal immigration but has made highways more dangerous as hundreds of thousands of immigrants avoid state driving tests and buying auto insurance.

Opponents said that without reforms including background checks, terrorists could more easily obtain driver's licenses. They also called the licenses a reward for lawbreakers who skip the requirements faced by legal immigrants to the United States.

"Like it or not, the driver's license is the de facto national security identification card," said Assemblyman John Benoit, R-Bermuda Dunes, who carried the repeal bill in the Assembly.

The measure's repeal will keep California among 37 states that require residents to prove they are living legally in the United States before applying for a license. Most of California's neighbors, including Hawaii, Oregon, Washington and Utah, allow driver's licenses without such proof.

Democratic majorities in both legislative chambers bowed to requests by the law's author, Sen. Gil Cedillo, to repeal the measure and find a middle ground more popular with California voters.

Cedillo, D-Los Angeles, has waged a five-year fight to overturn the 1994 ban on driver's licenses, most recently telling lawmakers he made a promise to his wife on her deathbed last year to change the law.

Cedillo also cited several conversations with Schwarzenegger about introducing a new bill early next year. He told his colleagues last week, "It is not difficult to say with conviction and certainty, and faith and trust, that the governor and I have made a commitment to pass

a law to license all drivers."

Assembly Democrats said they voted for the repeal based on that assurance, with incoming Speaker Fabian Nunez, D-Los Angeles, calling for a bipartisan compromise "that we can all live with." Republican opponents, too, were careful to say they were not voting against immigrants.

Publicly, Schwarzenegger has said only that he wants a "whole new package" tied to insurance, background checks and other issues. He said Monday that he has an agreement with Cedillo to revisit in January "obstacles" he sees in the bill. Many Republican lawmakers say they'll oppose any measure that allows anyone to obtain a license without a Social Security number.

With Monday's vote, Rescue California — the same group that helped recall Davis — said it is ending its paid signature collection drive intended to put the repeal before voters on the March ballot. Proponents said they had collected more than 500,000 signatures, well over the 373,816 needed by Friday's deadline, but now won't turn them in.

The law's repeal represents the third struggle in little more than a year on the issue, which has a powerful symbolic value to both sides in a state where undocumented immigrants perform many low-wage jobs and are a fast-rising segment of the population.

Davis vetoed a version of the bill last year, citing many of the same terrorist and security concerns expressed by Schwarzenegger and other opponents. His action so angered the Legislature's Latino Caucus it withheld an endorsement of his 2002 re-election bid.

In September, however, when Davis signed the version now being repealed while unsuccessfully fighting efforts to recall him in midterm, critics accused him of pandering to the state's Hispanic voters.

"It turned out to be his undoing," said Assemblyman Dennis Mountjoy, R-Monrovia, referring to the more than 70 percent of Californians whom polls said opposed the measure. "It's time to start to get in step with the people of California."

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STATE

Supreme Court action stokes gun-control feud

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN FRANCISCO — The U.S. Supreme Court's refusal Monday to consider whether the Constitution guarantees Americans a personal right to own a gun upholds the status quo of gun control.

The case, a failed challenge to California's assault weapons ban, has stoked the long-running debate whether gun ownership in the United States is an individual or collective right.

By leaving intact the California law, the justices declined to review a San Francisco appeals court decision that said individuals have no right to bear arms under the Second Amendment. Instead, the appeals panel said individuals had a right to weapons for the purpose of maintaining effective state militias.

But the debate over the Second Amendment is far from over, as the federal courts are weighing a constitutional challenge to the District of Columbia's restrictions on handguns. And it could be years, if ever, before the Supreme Court resolves the debate.

Still, if the Supreme Court one day declares, as the gun lobby anticipates, that Americans have an individual, constitutional right to bear arms, the states and government might retain powers to regulate weapons.

Constitutional rights are not absolute — meaning they can be regulated. The First Amendment right of speech, for example, doesn't allow one to yell "Fire" in a crowded theater when no such fire exists, nor does it allow for marketing child pornography.

The gun lobby and even Attorney General John Ashcroft believe weapons should have some restrictions, even if the public has an individual right to own them.

"As a practical matter, this California case changed nothing," said Chuck Michel, an attorney with the California Pistol and Rifle Association. "We assume that, sooner or later, the United States Supreme Court will acknowledge the Second Amendment creates an individual right. What we need to be careful about is where the line needs to be drawn on gov-

ernment regulation: Somewhere between semiautomatic weapons shipped to your door and a complete ban."

Many state and federal rules already place limits on who can possess weapons and what types they can have. Federal laws require background checks to ensure the gun buyer is not a felon, a juvenile, mentally ill or a domestic violence offender.

Brian Siebel, a senior attorney with the Brady Center to Prevent Gun Violence, said a ruling favoring individual gun rights by the Supreme Court might open up a legal Pandora's box.

"No law has been tested under a Supreme Court view that there is an individual right," Siebel said.

Indeed, the Supreme Court has never decided whether gun ownership was an individual right.

Courts routinely uphold laws barring assault and other types of weapons — or rules imposing ownership restrictions, on grounds that the prohibitions are rational governmental approaches to combat violence.

Even when the Second Amendment was broached in a Texas case, no new gun rights were afforded despite a federal appeals court's ruling that individuals do have an individual right to gun ownership.

The U.S. Supreme Court declined to review that 2001 case, which upheld a Texas law forbidding gun ownership by those with domestic violence restraining orders.

The case the Supreme Court declined to review Monday concerned California's assault weapons law, adopted in 1989 after a gunman fired into a Stockton school yard, killing five children. California was the first state to adopt such a ban, although several states and the federal government later passed similar or even stricter bans.

Weapons enthusiasts challenged the California law, saying the Second Amendment guaranteed them the right to possess assault weapons. In dismissing the challenge, the 9th U.S. Circuit Court of Appeals in San Francisco said the Second Amendment was adopted not "to afford rights to individuals with respect to private gun ownership or possession," but to allow states to maintain militias.

Schwarzenegger has no back-up plan to bond sales

By The Associated Press

SACRAMENTO — Gov. Arnold Schwarzenegger said Monday he doesn't have a backup plan if the Legislature or voters reject his proposal to sell \$15 billion worth of bonds to pay off the state's existing deficit.

"Failure is no option. It just doesn't exist," the Republican governor said. Without a backup, he said, "that means it has to happen."

To push the plan, which must be approved by the Legislature by midnight Friday, the new governor said he's ready to take his budget proposal to the voters in recalcitrant lawmakers' districts and he will invite legislators to join him in pushing the bond deal.

He pledged to "make sure that everyone in this state knows that this is absolutely essential."

Schwarzenegger's bond plan would replace a \$10.7 billion bond issuance by former Gov. Gray Davis that's being contested in court, and would shore up the state's spending plan through June 2005. His finance director, Donna Arduin, told state lawmakers last week that Schwarzenegger's \$15 billion plan and the \$10.7 billion in legally questionable debt back each other up: one or the other is necessary, but if both fail the state will run out of money by the end of the fiscal year in June.

The \$15 billion deal is vital to Schwarzenegger's budget plans, which also includes \$3.8 billion of cuts in the budgets for this and next year and a spending cap.



Presidio bunkers standing guard over wine collections

BY MICHELLE LOCKE

Associated Press Writer

SAN FRANCISCO — Call it the alcohol arsenal. Deep in the heart of San Francisco's old Presidio Army base, a 106-year-old munitions bunker is being recalled to duty as a rent-your-own wine cellar.

"Everybody — they're just going wild with it," says Christo Kasaris, the wine enthusiast and self-storage entrepreneur who is behind the bombs-to-bottles venture.

About a year ago, Kasaris was looking to branch into the specialty business of wine vault rentals when he decided to scope out the Presidio, a sprawling swath of lush green woods and red-brick buildings perched near the foot of the Golden Gate Bridge that was converted to private use in 1994.

There he found an 8,500-square-foot military bunker with 3-foot thick concrete walls, an interior temperature at a near-constant 59 degrees and a relative humidity

of about 70 — just right for wine. At the time, it was being used to store tractors.

"The minute that I walked in I said, 'Now that's what I've been looking for,'" Kasaris recalls.

The bunker, started in 1897, once held eight mortars capable of lobbing 12-inch shells at any invaders daring to sail into the San Francisco Bay. But none did and the batteries were taken out of use during World War II.

Turning the ex-home of mortars into Presidio Wine Bunkers was no simple task. Walls were cleaned and painted, electrical wiring was ripped out and replaced and partitions were installed, under strict requirements not to damage the historic site.

Some work is still going on — Kasaris plans a paneled tasting room — but the vaults are slowly filling up with bottles of the good stuff. A space capable of storing 25

to 30 cases of wine goes for \$45 a month.

Inside, the bunker is a no-nonsense facility with square corners and solid wooden doors. But there's history in the air; narrow grooves running down some corridors show where trolleys once trundled heavy munitions. In a cupboard, a heavy handled communications setup still stands.

"Most storage facilities are in industrial areas because of the price of land, so they just lack the ambience, the charm of this location," says David P. Jones, a wine consultant who will provide free storage advice to bunker clients.

Using bunkers to store fine vintages makes sense because wine's chief enemies are heat and light, said Tom Martinez, storage expert at K&L Wine Merchants, a large premium wine seller in the San Francisco Bay area. "What you're trying to avoid is the big temperature swings."

The Presidio wine bunker isn't the first

outfit to get militant in the battle to protect rare wines.

In rural Connecticut, a Cold War-era bunker built by a consortium of banks and insurance companies from the Hartford area to protect records in the event of nuclear war has been converted into a wine rental facility, Horse Ridge Cellars.

"The fact that it's in this ultrasecure underground bunker — they sleep well at night, I guess," says Horse Ridge owner Jed Benedict.

And in Hong Kong, some World War II bunkers are being converted into Crown Wine Cellars; a storage facility is now open and a club house is under construction.

Presidio Wine Bunkers opened this summer and so far reaction among wine producers has been good, says Jones.

"They think it's sexy," he says with a grin, "and they're all jealous they didn't think of it."

Power begins cloud-seeding for snow; experts question value

BY REBECCA BOONE

Associated Press Writer

BOISE, Idaho — Idaho Power hydrologists are trying to offset a four-year drought and force the clouds to make snow under a controversial cloud-seeding program.

The utility is using two generators in western Idaho south of Cascade to send small amounts of silver iodide into clouds containing supercooled water vapor. The silver iodide is meant to help the vapor in the clouds freeze and form snow.

Idaho Power began its cloud seeding program late last winter, and started this year's effort last month.

"We wanted to enhance the snowfall from a front that was passing through," said Roger Fuhrman, Idaho Power's director of water management. "Our goal is to get as much from each storm system as possible."

The company relies on snowfall for enough water to generate electricity at its Hells Canyon dams.

But a recent report by the National Research Council, an arm of the National Academy of Sciences, warns that

there is no scientifically credible proof that cloud-seeding and other weather modification programs work.

Even if cloud-seeding does work, there is still debate over whether it should be used and when, said Julie Demuth, a research associate with the National Research Council's Board on Atmospheric Sciences and Climate.

"There are some socioeconomic implications," Demuth said. "The idea that this is tampering with nature, for instance, or liability issues over whether rain or snow should be made to fall in a certain spot. Another issue that has been brought up is a basic environmental issue, on putting a product into the environment that naturally doesn't belong."

Some groups believe that that cloud seeding denies some regions of rain or snow by forcing the precipitation to fall earlier than it normally would have, Demuth noted.

The so-called "robbing Peter to pay Paul" theory may apply to rain-making, but not winter cloud seeding, Idaho Power spokesman Dennis Lopez said.

"This is water that wouldn't have fallen anyway

because it's supercold," Lopez said. "Basically, you look for a front that you can introduce this agent into to enhance the snow fall."

Besides research into whether cloud-seeding is effective, the National Research Council would like to review the risk of cloud-seeding compared to its possible benefits, Demuth said. That is unlikely, however.

Support for weather modification research in the United States has dropped from a peak of \$20 million a year during the 1970s to less than \$500,000 now being spent yearly, according to the report.

Idaho Power is spending about \$700,000 a year on the pilot program, Lopez said.



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DAYS ON THE MARKET

By Jodi Summers

As a result of real-estate prices skyrocketing, a new trend has emerged for two people who are not related, such as friends or lovers, to pitch in to buy a home together. Hey, with the average selling price in Santa Monica being more than \$1 million, it makes sense.

Together, you can qualify for a sizable mortgage. Then, after battling through various property bidding wars, you finally have an accepted offer on a house. Now comes escrow, when you're asked how you would like to hold title on your new home. The two of you draw a blank.

Joint tenancy is the most common way to hold title on a new property. It is the most

common form of home ownership between a husband and wife. Joint tenancy is when two or more real-estate co-owners hold title as joint tenants with the right of survivorship, and when one joint tenant dies, the surviving joint tenant automatically owns the entire property. No probate-court proceedings are required.

For example, suppose Jack, Janet and Chrissy decided to buy a place together and take joint tenancy. Each has one-third share. Jack dies suddenly of natural causes. Janet and Chrissy each own 50 percent of the property as surviving joint tenants. To remove Jack's name from the title, they need to record an affidavit of survivorship and supply a certified copy of the death certificate. Then suppose Chrissy passes away in some freak exercise infomercial accident. Janet then owns 100 percent of the property without any probate costs or delays.

The benefits of joint tenancy are avoiding probate costs and delays. According to Bob Bruss, real-estate investor, lawyer, broker and educator, there are several positives

and negatives to joint tenancy.

■ Upon the death of one joint tenant, you can avoid probate costs and delays.

■ Joint tenants own equal shares. If one co-owner contributes all or most of the down payment, the parties might desire unequal ownership shares.

In such a scenario "tenancy in common" might be preferable. A tenancy in common is an ownership of real estate by two or more people, each of whom has an undivided interest without the right of survivorship. Upon the death of one owner, the owner share of the decedent is designated in their will.

■ A joint tenant's will has no effect on joint-tenancy property. This can be very important when a co-owner wants their property share to go by will to a child. In this scenario, consider holding title as tenants in common or in a revocable living trust.

■ All joint tenants have a say when it comes to property management.

■ Joint tenants have the right to force a property sale. If one tenant wants to sell and the other doesn't, one tenant can bring a

"partition lawsuit" to force a court-ordered sale of the property (the same applies to tenancy in common).

■ A joint tenant can secretly transfer their share without permission of the other joint tenants.

■ Even if you are joint tenants, you still need a written will. For example, if all co-owners die at the same time in an accident, the survivor cannot be determined, then the wills of each joint tenant determine who receives their share. Also, if one joint tenant murders another joint tenant, they cannot receive the deceased joint tenant's property share. In such a situation, the murdered joint tenant's share then passes according to the terms of their will. If no will is found, then the deceased joint tenant's share passes according to the state law of intestate succession.

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

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SOLD	2034 LA MESA DR	SANTA MONICA	90402	SOLD	757 OCEAN AVE #310	SANTA MONICA	90402	SOLD	219 BAY ST #C	SANTA MONICA	90405
Date Sold	SqFt: N/A	List Price: \$3,695,000	Bed: 4	Date Sold	SqFt: 742	List Price: \$399,000	Bed: 1	Date Sold	SqFt: 1,341	List Price: \$699,000	Bed: 2
11/25/2003	Lot Size: 16,900	Sold Price: \$0	Pool Bath: 4.5	11/25/2003	HOD: \$270	Sold Price: \$399,000	Pool Bath: 1	11/26/2003	HOD: \$200	Sold Price: \$690,000	Bath: 2.5
SOLD	710 ADELAIDE PL	SANTA MONICA	90402	SOLD	1009 21ST ST #B	SANTA MONICA	90403	SOLD	1421 PEARL ST	SANTA MONICA	90405
Date Sold	SqFt: 2,800	List Price: \$2,495,000	Bed: 4	Date Sold	SqFt: 1,482	List Price: \$659,000	Bed: 3	Date Sold	SqFt: 4,354	List Price: \$1,220,000	#Units: 4
11/26/2003	Lot Size: 7,557	Sold Price: \$2,200,000	Bath: 3	11/25/2003	HOD: \$250	Sold Price: \$685,500	Bath: 2.5				
SOLD	553 12TH ST	SANTA MONICA	90402	SOLD	2721 2ND ST #207	SANTA MONICA	90405	Jodi Summers at Boardwalk Realty 310.309.4219 • jodis@boardwalkrealty.com			
Date Sold	SqFt: 0	List Price: \$2,295,000	Bed: 5	Date Sold	SqFt: 643	List Price: \$349,000	Bed: 1				
11/26/2003	Lot Size: 7,500	Sold Price: \$2,295,000	Bath: 4	11/28/2003	HOD: \$240	Sold Price: \$345,000	Pool Bath: 1				

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REAL ESTATE



Complications of lease negotiations can be daunting



IN YOUR SPACE

By Christina S. Porter

As the economy improves and more business owners are adding to their staff, businesses that have been putting off expansion while waiting to see what happens with the economy are starting to move. Now might be a good time to consider the different terms and conditions that might be included in a lease. Below are some that will most likely be included, but remember that nothing is written in stone, and, as they say, everything is negotiable.

Parking: Find out specifically if it is reserved or unreserved, tandem or single spaces and what the cost (if any) is for each type. In general, the city requirement for general office is three parking spaces per 1,000 square feet occupied. For medical, the requirement can be four or five spaces per 1,000 square feet occupied. There are different parking requirements for different uses. It is a good idea to check this out with the building and safety department of the city in which you are

thinking about leasing out space.

Agreed use: Usually a lease will specify what type of use is permitted. When we sign a lease, we don't usually anticipate that we will have to sublease, however, it is good to leave your options open. When stating the type of use for the space, I suggest that you keep the description as broad as possible. The lessor is still protected because most leases include specific language requiring approval by the lessor of any potential sublessee.

Condition of the premises: The premises should be delivered "broom clean and free of debris" upon the lease commencement date. A good rule of thumb is to require that all of the existing improvements be in good working order, and the lessee should have the premises inspected to verify this. Some leases provide warranty periods in which the lessor will be responsible for repair of any malfunction of an improvement on the premises. This is a definite negotiating point.

Operating expenses: One lease defines operating expenses as "all costs incurred by lessor relating to the ownership and operation of the project" for which each tenant pays his "prorata" share. Most of the time operating expenses include the cost of electricity (if it is a full-service

gross lease it would be for the entire building), water, building management, building maintenance, trash removal, landscaping and reserves set aside for maintenance and repair of the common areas (if you are leasing in a multi-tenant building). Property taxes and building insurance also are included in operating expenses. Capital expenditures are a gray area as to their definition and how the cost is allocated between lessor and lessee. It is important to know that in most office leases a lessee is responsible only for any increase in operating expenses after their first year (base year) of occupying the premises. Some lessees prefer to include a cap on how much of the operating-expense increases they will pay. Another negotiating point.

Surrender and restoration: Of course all of the provisions in a lease are important, but I would like to point out a provision in this clause that says when lessees alter the premises by installing their own improvements, they must be sure to obtain the lessor's consent prior to doing so. Some leases require that any alterations installed without the lessor's prior consent become the property of the lessor at the end of the

lease term, if lessor so chooses.

Insurance: We all know how important insurance is but, I also know how confusing it can be. General-liability insurance is always important and has been required in every lease that I have helped negotiate. Many leases require more than just general liability, and a good way to deal with this is to just send a copy of the page in the lease stating the insurance requirements to your insurance broker. Many times you might already be covered, or adding the owner to your existing policy might be a minimal cost.

Each of the above-mentioned lease terms and conditions should be explained in more depth prior to committing to a lease, and are just a few of the many things to think about when entering into a lease negotiation. As you can see, it can be a very complicated undertaking. Please see next week's column for an explanation of more points to consider when negotiating a lease.

(Christina S. Porter is a senior associate at NAI Capital Commercial Real Estate, where she specializes in leasing and selling office and industrial buildings.)

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10/28/2003	100 Wilshire Blvd	\$3.96/fs	5,919
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NATIONAL

Supreme court strikes down GOP redistricting bid

BY STEVEN K. PAULSON

Associated Press Writer

DENVER — The battle over whether states can redraw congressional lines more than once a decade heads to federal court this week after the Colorado Supreme Court threw out a GOP redistricting plan rushed through this year.

The state high court ruled 5-2 on Monday that passage of the Republican plan violated a provision of the Colorado Constitution that says the congressional map can be redrawn only once every 10 years.

A separate case in U.S. District Court, filed by a Democratic legislator, argues the Republican map violated the U.S. Constitution by disenfranchising voters when they were moved into new districts.

"It's far from over. There's still a federal case to play out," said Carl Forti, spokesman for the National Republican Congressional Committee.

David Fine, attorney for Democrats in the federal case, said he will ask that case to be thrown out because state courts have resolved the issues.

Republicans redrew the boundaries this year after taking control of both houses of the Legislature. A state judge had drawn the previous boundaries because state lawmakers failed to agree on a plan after the 2000 census.

Republicans said they want the U.S. Supreme Court to determine if the lawsuits challenging the new map violate the rights of states to set their own rules for drawing

congressional lines.

Tim Storey, a redistricting analyst with the National Conference of State Legislatures, said a similar battle in the Texas courts has more likelihood of reaching the U.S. Supreme Court, which already has a redistricting suit on its docket.

In that case, the justices will review a court's decision upholding Pennsylvania's congressional boundaries, also drawn by the Republican-controlled Legislature. The court will revisit its 1986 ruling that allowed some legal attacks on gerrymandering, the practice of drawing voting districts to favor a political party.

"The safe money is that they will not tinker with redistricting. But if they throw that lightning bolt and somehow limit political gerrymandering, the repercussions would be vast for every state," he said.

Colorado's seven congressional districts now revert to boundaries drawn up by a judge last year.

State Attorney General Ken Salazar, a Democrat who challenged the GOP map before the state Supreme Court, pleaded with Republicans to let Monday's decision stand so candidates can get on with their campaigns. But there seemed little chance of that happening.

Colorado House Speaker Lola Spradley, a Republican, said: "In order to protect this Legislature's rights, as well as those of other state legislatures around the country, we will now proceed to the federal courts."

In the case before the state Supreme Court, Republicans argued the judge's map was temporary and

the law requires redistricting to be done by the Legislature.

The court rejected that argument, saying: "Because the General Assembly failed to redistrict during this constitutional window, it relinquished its authority to redistrict until after the 2010 census. There is no language empowering the General Assembly to redistrict more frequently or at any other time."

The court also chastised legislators for claiming they should be able to redraw the maps "two, or even 10 times in a single decade," when federal law calls for redistricting only once.

Republicans now hold five of Colorado's seven congressional seats, but the judge's map bolsters Democrats' chances in two of those districts.

Monday's ruling was part of a national effort by Democrats to turn back Republican attempts to shore up their majority in Congress.

Democrats have charged that GOP redistricting efforts in Colorado and Texas were part of a national plan led by the White House.

In Texas, a federal court redrew districts after lawmakers failed to do so in 2001, but Republicans insisted those districts should be redrawn by the Legislature. They got their way after months of turmoil in which Democratic lawmakers twice fled across state lines to thwart a vote.

Under the plan ultimately approved in Texas, the Republicans hope to pick up as many as six seats in the state's 32-member congressional delegation, now dominated 17-15 by the Democrats.

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Alleged sex offender arrested and charged with kidnapping

By The Associated Press

CROOKSTON, Minn. — A man described by authorities as a predatory sex offender was arrested and charged with kidnapping in the disappearance of a college student who may have been abducted last month while talking on her cell phone.

Alfonso Rodriguez Jr., 50, was arrested Monday in Crookston, where he lives, according to police in Grand Forks, N.D.

Dru Sjodin, 22, a University of North Dakota student from Pequot Lakes, has still not been found. She has been missing since Nov. 22 when she left her job at the Columbia Mall in Grand Forks, about 30 miles from Crookston.

Rodriguez was scheduled to appear in court Tuesday in Crookston.

Rodriguez has a history of sexual contact and attempted kidnapping with adult women, and has used a weapon in at least one assault, according to a Minnesota Department of Corrections summary of his criminal history posted on the agency's Web site.

Neighbors said Rodriguez lived with his mother, Dolores. No one answered the phone at the home Monday night.

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NATIONAL

Author separates Pony Express' fact from fiction

BY MARTIN GRIFFITH

Associated Press Writer

RENO, Nev. — Christopher Corbett was chasing down the truth about the Pony Express one day near Mud Springs, Neb., when a local shared some words of wisdom: "We don't lie out here. We just remember big."

In "Orphans Preferred: The Twisted Truth and Lasting Legend of the Pony Express," Corbett examines fact and fiction about the short-lived mail relay that captured the expanding nation's imagination.

While carrying mail along the 1,950-mile route between St. Joseph, Mo., and Sacramento, Calif., in 1860 and 1861, wiry horsemen fought Indians and the elements, barren deserts and desperadoes.

Their grit is not in dispute.

"What I was trying to do was celebrate the genius of an American legend and, if possible, separate fact from fiction, which in the case of the Pony isn't always easy to do," Corbett said by telephone from his home in Baltimore.

"This is a little like Paul Revere's ride. It's rooted in fact, but it's layered with 150 years of embellishment, fabrication and outright lies," he said.

Corbett's book, written in an engaging, nonscholarly style and published this fall, is the first major examination of the Pony Express in 50 years.

Douglas Brinkley, director of the Eisenhower Center for American Studies and history professor at the University of New Orleans, brands it "a first-rate narrative history." Dale Ryan of Carson City, former president of the National Pony Express Association, calls it "one of the most authoritative books ever written" on the subject.

Not bad for a Maine native who knew nothing about the Pony Express until stumbling across an old station in 1996 at Fort Churchill, 50 miles southeast of Reno.

In more than five years of research, Corbett visited research facilities in eight states along the route of "the Pony," as it was known in its time.

"This is a little like Paul Revere's ride. It's rooted in fact, but it's layered with 150 years of embellishment, fabrication and outright lies."

— CHRISTOPHER CORBETT
Novelist

"The more I researched the Pony, the more I loved it," said Corbett, 51, a University of Maryland-Baltimore County journalism lecturer and former Associated Press reporter and news editor.

But Corbett also found the story was embellished over the years by Mark Twain, Buffalo Bill Cody, Frederic Remington and others. Dime novels and Hollywood added to the lore.

Cody immortalized the fast-mail service by making it a fixture in his popular Wild West shows from 1883 to 1916, Corbett said, though he doubts stories that Cody was a Pony rider at a tender age.

"It's apparent that other people didn't let the facts get in the way of a good story," Corbett said. "It was the golden age of prevaricators and these guys were masters. I believe Buffalo Bill was just a messenger for the Pony."

Corbett also is skeptical that the much-repeated phrase "orphans preferred" appeared in Pony Express rider recruitment ads. No evidence of the original has ever surfaced, he said.

"I picked the phrase for the book title because it perfectly evoked the twisted truth and lasting legend of the Pony," Corbett said. "There's not a gift shop between St. Joe and Sacramento where you can't buy that ad."

Corbett challenges the wholesome image that stems from the oath that all Pony employees signed stating they would not drink, gamble or swear.

He cites accounts to the contrary by travelers of the time, and archaeological digs that uncovered hundreds of fragments of liquor bottles at two Nevada Pony stations.

"The myth is that they were choir boys, but they weren't. These were tough guys,"

Corbett said.

Despite the legends, the fact remains that the Pony's unprecedented mail service of 10 days or less was an amazing feat that helped link the young country from sea to shining sea, he said.

Corbett praises the grit of riders such as Robert "Pony Bob" Haslam, who's widely credited with making the Pony's longest ride.

Haslam's 380-mile roundtrip gallop from his Lake Tahoe home station to central Nevada took place at the height of the Paiute Indian War. He encountered burned stations, slain station keepers and a relief rider who refused to go — all in a ride that took less than 40 hours.

"Pony Bob wasn't a tall tale; he was

the real deal," Corbett said. "His ride was the high-water mark of Pony rides."

While Twain embellishes some aspects of the Pony, he offers in his "Roughing It" one of the most vivid accounts ever of a rider, Corbett said. Twain was thrilled to see what he called "the swift phantom of the desert" while on a stagecoach journey to Nevada in 1861.

"Twain really admired and romanticized the riders of the Pony Express," Corbett said. "This is one of the most significant events in the creation of the Pony Express story — the fact that Mark Twain saw the fast mail."

While the mail service lasted only 18 months and never made a dime, the lone rider on the plains remains one of the most enduring images of the Old West. The Pony folded after the transcontinental telegraph was completed.

"No memory of the vanished 19th century West is more revered, and few are more beloved and cherished, than that of the long-ago riders," Corbett wrote. "And some of those memories are even true."

Tax money for theology?

By The Associated Press

WASHINGTON — In a follow-up to its major ruling that allowed parents to use public tax money to send their children to religious schools, the Supreme Court is weighing whether governments can provide scholarships for some kinds of schooling but not for students who study theology.

The case the court was hearing Tuesday is in many ways the flip side of the emotional argument over school vouchers. The high court cleared the way for government-funded vouchers programs in 2002.

The latest case asks not whether governments can use tax money to underwrite religious education, as the voucher question did, but whether when money is available, it must be available equally.

The case concerns a former college student who won and then lost a merit scholarship offered by the state of Washington. Joshua Davey lost the money when he declared theology as his major.

Like 36 other states, Washington prohibits spending public funds at schools that are religiously affiliated.

Davey and his backers say the state law is discriminatory and violates the Constitution's guarantee of freedom of religion. The state argues the policy did Davey no harm.

A ruling from the Supreme Court is expected by summer.



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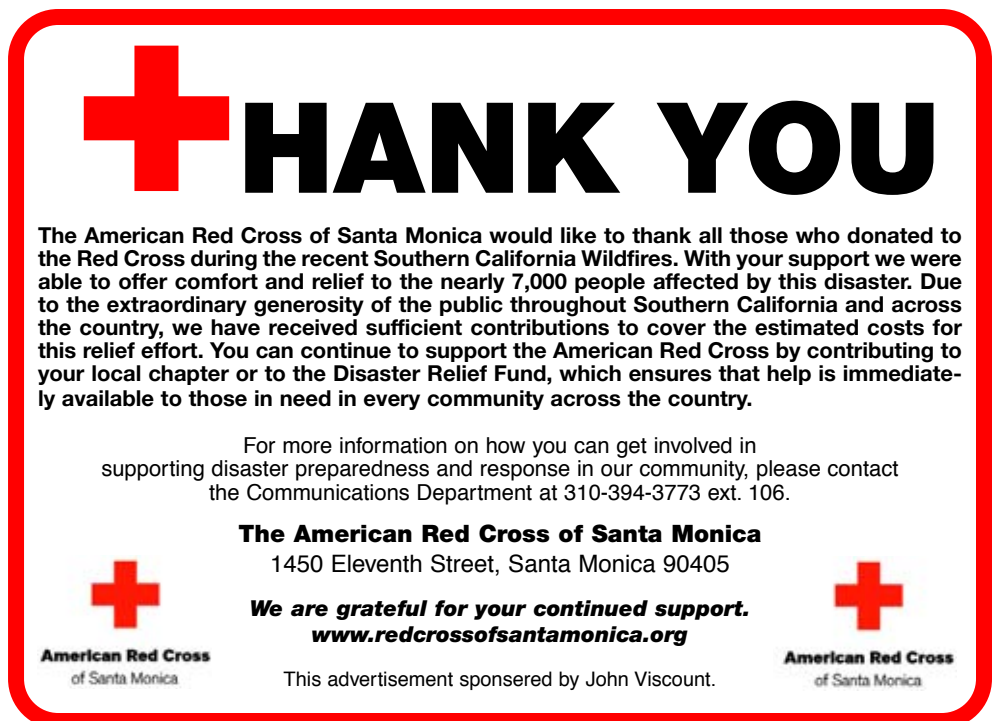
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NATIONAL

Group: Limited progress made in terror attack info

BY LAURENCE ARNOLD

Associated Press Writer

WASHINGTON — The federal government has made limited progress in improving how it gathers, shares and responds to information that could prevent terrorist attacks, says a new report by technology and intelligence experts.

In a report released Tuesday by the Markle Foundation, the experts said "sharing of terrorist-related information between relevant agencies at different levels of government has been only marginally improved in the last year."

They added that sharing "remains haphazard and still overly dependent on ... personal relations among known colleagues."

The Markle Task Force on National Security in the Information Age, which wrote the report, advocates creation of a decentralized information network to spread information about terror threats while safeguarding against violations of civil liberties.

The panel is overseen by the Markle Foundation, a private philanthropic organization. The experts proposed building an information network, called the Systemwide Homeland Analysis and Response Exchange, or SHARE.

They said the network would be loosely structured, so information would flow freely. There also would be redundancy, to increase the chances that important information is acted upon, along with encryption, auditing and access controls to guarantee security.

The organization said such a system

would allow an FBI agent with a hunch to locate other people at the federal, state or local level, or in the private sector.

"This is a way of doing business that says the priority for information should be its distribution, not its control," Zoe Baird, president of the Markle Foundation, said in an interview Monday.

Baird, a former Justice Department and White House attorney, directs the task force with James Barksdale, co-founder of Netscape Communications.

The panel of academics, civil libertarians and former U.S. intelligence officials also includes former Gen. Wesley Clark, who is seeking the Democratic nomination for president, and Philip Zelickow, executive director of the federal commission studying the Sept. 11 terror attacks.

In its first report, released October 2002, the task force said primary responsibility for analyzing terrorism threats should move from the FBI to the Homeland Security Department, which opened in March.

As it turned out, the FBI maintained much of its authority in the revised intelligence structure. But Baird said which agency is in charge is less important than how well it shares information.

The government's methods of collecting and disseminating sensitive information emerged as a key issue after the Sept. 11, 2001 attacks.

The Bush administration created a Terrorist Threat Integration Center to bring together information gathered by the CIA, FBI and other agencies.

Windows offer protection from radioactive hazards

BY STEVEN FRIEDERICH

Associated Press Writer

CHUBBUCK, Idaho — To Premier Technology, a box is never just a box — it's a life-saving device, especially when stuffed with radioactive material.

Premier Technology, founded in 1996, has patented a new, machined surface window for existing glove boxes, the large metal structures with sealed windows and two holes for arm-length gloves.

Engineers use them at almost every federal Energy Department site to handle radioactive or hazardous waste safely.

But sometimes the sealant around windows leaks small levels of radioactivity.

Premier business development director Lyle Freeman said his company's new machined surface window replaces the old rubber zipper-style windows with either welded or bolted smooth steel metal, which eliminates excess radiation and allows engineers to remain safe.

For example, Bechtel BWXT Idaho installed zipper-style windows at its Idaho National Engineering and Environmental Laboratory's Pit 9 Project, where engineers are trying to remove buried radioactive waste.

Though the zipper-style windows are still relatively safe, the government's Savannah River Technical Center in Georgia is the first in the nation to start replacing its old-style windows with Premier's even safer style, Freeman said, and they install quicker than the old type.

When a zipper-style window becomes cracked or needs replacement, it takes

about two weeks compared to only about six hours for Premier's windows, Premier President Mark Brown said.

Brown said his company is in talks with the federal laboratory at Los Alamos, N.M., to install its windows there.

"My dream is to have our windows at every DOE site in the nation," Brown said.

Premier first became a name brand in the glove box industry in 2002 when it received about a \$13 million contract from the government's Hanford site in Washington.

The company was hired to manufacture large leaded glass window systems, glove boxes, embedded steel and general metal fabricated items for Hanford's radioactive cleanup project.

At about the same time, the company became active with the American Glove Box Society. Freeman, in fact, is the trade organization's immediate past president.

Its participation with the trade organization helped the company launch a research and development team, which initially created the new, machined window and is currently creating a safer rubber glove for glove boxes.

The company has received millions of dollars in other federal subcontracts including ones at the Oak Ridge National Laboratory in Tennessee and some small projects in Idaho.

Brown would not disclose the exact amount of other contracts, citing proprietary concerns, and he did not disclose the private company's earnings beyond saying Premier has received a steady stream of income.

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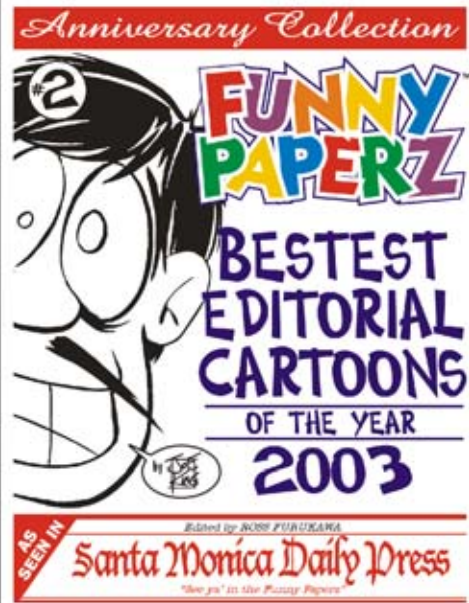
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Report: Global warming might leave ski resorts warm, dry

BY ANDREW DAMPE

Associated Press Writer

TURIN, Italy — Global warming is threatening the world's ski resorts, with melting at lower altitudes forcing the sport to move higher and higher up mountains, according to a United Nations study released Tuesday.

Downhill skiing could disappear altogether at some resorts, while at others, a retreating snow line will cut off base villages from their ski runs as soon as 2030, warned the report by the U.N. Environment Program.

"Climate change is happening now. We can measure it," said Klaus Toepfer, executive director of the U.N. program. "This study shows that it is not just the developing world that will suffer."

The report focused on ski resorts in Austria, Italy, Switzerland, Australia, the United States and Canada, using temperature forecasts produced by the Intergovernmental Panel on Climate Change, a body of some 2,000 scientists.

The panel estimated temperatures will rise by a range of 2.5 degrees to 10.4 degrees Fahrenheit by 2100 unless dramatic action is taken to reduce greenhouse gas emissions.

Many scientists believe that carbon dioxide and other so-called "greenhouse" gases trap heat in the atmosphere.

"It appears clear that many resorts, particularly the traditional, lower altitude resorts of Europe, will be either unable to operate as a result of lack of snow or will face additional costs, including artificial snowmaking, that may render them uneconomic," the report said.

U.N. officials presented their findings at an environmental conference of the International Olympic Committee, or IOC, hosted by organizers for the Turin 2006 Olympics.

The findings prompted Pal Schmitt, head of the committee's Sport and Environment Commission, to say that global warming will "probably affect how the IOC chooses host cities for future Winter Games."

Schmitt said that the IOC still prefers new candidate cities, but it may be forced to return to sites of recent games to avoid having to build structures that could be obsolete in the near future.

The magic number for ski resorts right now is an altitude of 4,265 feet, according to Rolf Buerk, an economic geographer at the University of Zurich who led the research behind the report.

At that level and above, there is reliable snowfall. In the future, however, global warming is going to push the regular snowfall altitude to between 4,900 feet and 6,000 feet, Buerk said.

"In Switzerland, several low-lying resorts are already having problems getting bank loans," he said.

One likely casualty is the scenic Austrian village of Kitzbuhel, Buerk said. The village is 2,493 feet above sea level and will eventually be cut off from its ski slopes. That's because, according to the report, Austria's snow line is expected to rise by 656 to 984 feet over the next 30-50 years.

The director of Kitzbuhel's tourism office was not immediately available for comment, but other ski resort areas expressed concern.

"We see this as a long-term threat," said Eduardo Zwissig, marketing manager of the upscale Swiss resort at Gstaad, which is at 3,465-foot level and has skiing from 4,950 to 9,900 feet.

He said authorities are looking for ways to "minimize economic risk," with plans including new hiking trails that can be used in summer and winter, as well as con-

vention centers.

Asked about Swiss banks' reported wariness to lend money to resorts, Zwissig said: "We certainly feel this pressure."

Doris Scholl, of Grindelwald Tourist Office in Switzerland, said the resort was actively trying to expand nonskiing alternatives. But, she said, there have been investments in new ski lifts this year and more are planned. "The situation isn't as tragic as that," Scholl said.

Buerk, the economic geographer, said artificial snow is not the answer.

"The main reason is it's too expensive," he said, explaining that it costs \$600,000 in installation fees and \$60,000 each year for each mile of artificial snow. "And if it's warmer than (freezing), it requires a lot of energy," Buerk added.

Researchers behind the U.N. study said they hoped the report would spur resorts into action.

And David Chernushenko, a scientist on the climate change panel based in Canada, cited examples in North America where resorts have begun to take steps to be more environmentally friendly.

The "sustainable slopes" program in Aspen, Colo., is a "world leader in running efficient ski centers," with a new ski lift run entirely on power generated by wind-mills, he said.

In Whistler, British Columbia, site of alpine events for the 2010 Olympics, the "entire town (is) moving toward environmental conservation," he said.

Ultimately, however, Chernushenko said the onus was on governments. "The ski, hotel and resort industry is a multinational one," he said. "And if they act together they can apply pressure on politicians."



WORLD BRIEFLY

Japan's space agency stumbling

By The Associated Press

TOKYO — Japan's Mars probe is in trouble. Its weather satellites are breaking down. And its latest attempt to put a pair of spy satellites into orbit ended last weekend in a \$92 million fireball.

While rival China is basking in the glory of its first manned space flight, Japan's new space agency is off to a decidedly inauspicious start.

"Is this the best we can do?" said an editorial in the Asahi, a major daily, after an H2-A rocket carrying the two spy satellites failed to launch properly and was detonated in mid-air over the remote Tanegashima Space Center.

The failure was especially disappointing because it followed five consecutive successful liftoffs for the H2-A, a two-stage rocket designed by Japan to show off its technical prowess. The H-2A has served as this country's primary launch vehicle for several years.

Officials declined to comment on the likely impact of the failure until they complete an investigation.

Officials fear Japan's space program, already struggling to make the most of its very limited resources, could face further budget cuts if the launchpad disappointments continue.

Rumsfeld requests help in Iraq

By The Associated Press

BRUSSELS, Belgium — Defense Secretary Donald H. Rumsfeld told NATO allies on Monday that the United States would welcome more help in Iraq. Other U.S. officials said some European defense ministers suggested that NATO might assume command of a multinational division now led by Poland.

After meetings with his counterparts in the alliance, Rumsfeld described the situation in Iraq as a contradiction: deadly violence daily against U.S. and coalition forces even as they make important moves toward restoring normalcy and establishing democracy.

Nonetheless, he said progress is being made in rounding up those responsible for the violence.

Lord Robertson, presiding over his final NATO ministerial meetings this week before retiring as the alliance's top diplomat, said Monday that America's allies "must have the political will to deploy and use (their) forces in much larger numbers than at present." He mentioned not only Afghanistan and Iraq but the broader war against terror.

SF democrats grow anxious

By The Associated Press

SAN FRANCISCO — It's been more than four decades since voters elected anyone other than a Democrat to run this city, where the political spectrum seems to run from left-of-center to liberaler-than-thou.

But now, a Democrat is facing an unexpectedly tight runoff election against a Green Party candidate Dec. 9, and the mayoral race is attracting unusual attention from national Democrats still bitter over losing the governor's office to Republican Arnold Schwarzenegger.

In a sign of the Democratic Party's anxiety, former Vice President Al Gore is scheduled to visit Tuesday and attend a fund-raising reception and campaign event for mayoral candidate Gavin Newsom.

Matt Gonzalez, Board of Supervisors president, would be the nation's most prominent elected Green if he became mayor.

Newsom secured 42 percent, or 87,196 votes in last month's general election, emerging as the top vote-getter but failing to secure the majority needed to avert a runoff. Gonzalez came in second with 20 percent, or 40,714.

Jackson finds solace in Vegas

By The Associated Press

LAS VEGAS — Michael Jackson's roots run deep in Las Vegas, his playland away from Neverland, where he holds a key to the city, loves browsing magic shops for a clever card trick and his family owns property in exclusive neighborhoods.

The ties were apparent when Jackson surrendered Nov. 20 after an arrest warrant alleged he committed lewd or lascivious acts with a child under 14. After post-

ing \$3 million bail, he shunned his Neverland Ranch in California and flew to Las Vegas.

The casinos offer shopping extravaganzas where Jackson can spend while being blanketed in impenetrable security.

He claims friendship with casino developer Steve Wynn and was recently given a key to the city by former mob lawyer-turned-Mayor Oscar Goodman. He's also known to like Las Vegas shows, such as Celine Dion's "A New Day ..." at Caesars Palace.

He penned the theme song for the now-closed Siegfried & Roy show and once fed Apollo, their white male Siberian tiger.

When not witnessing magic, he's buying it at one of the city's many magic stores.

Jackson's frequent jaunts to the city have prompted rumors that he could be planning a show in Las Vegas with a magical theme.

Democratic candidates reap millions

By The Associated Press

WASHINGTON — Several Democratic presidential candidates are getting multimillion-dollar boosts from the government as they head into next month's crucial early primaries.

Candidates participating in the presidential public financing system will get their first taxpayer-financed payments Jan. 2. Democratic hopeful Wesley Clark expects the biggest check, about \$3.7 million, followed by rival Joe Lieberman with about \$3.6 million.

Under the program, the government matches the first \$250 of each private donation received by primary candidates who accept an overall \$45 million spending limit, up to about \$18.7 million. Taxpayers pay for the program by checking a box on their income-tax returns to direct \$3 to it.

Among the other hopefuls accepting public financing, Sen. John Edwards of North Carolina expects about \$3.4 million in his January payment; Rep. Dick Gephardt, \$3.1 million to \$3.2 million; Lyndon LaRouche, \$840,000; and Al Sharpton, \$100,000. A total was not immediately available for Rep. Dennis Kucinich of Ohio.

Former Vermont Gov. Howard Dean and Sen. John Kerry of Massachusetts this year became the first Democrats in the public financing system's history to opt out, thus freeing themselves from its spending limits.

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ACROSS

- 1 Cuts down
- 5 Strand
- 11 Canyon answer
- 12 Moon mission
- 13 Dry
- 14 Sex
- 15 Young seal
- 16 Arizona native
- 17 Dove's goal
- 19 Bankroll
- 22 Calculator button
- 24 Chutzpah
- 26 Reactor parts
- 27 April forecast
- 28 Touches on
- 30 A bit drunk
- 31 Jazz variety
- 32 Move stealthily
- 34 Big pipe
- 35 Flightless bird
- 38 Handles the party
- 41 First name
- 42 Right away
- 43 Jolt
- 44 Spree

45 Relaxing places

DOWN

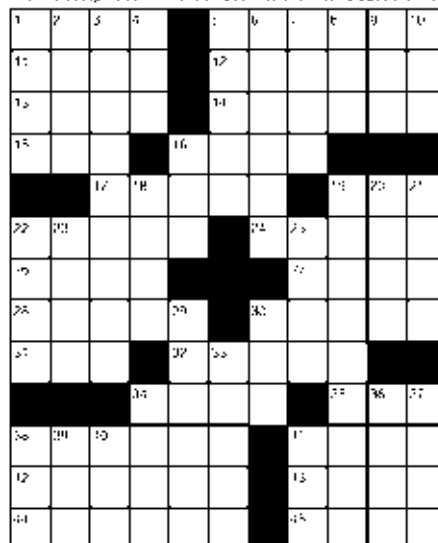
- 1 Lot
- 2 Beige
- 3 Produced hastily
- 4 Turf
- 5 Potter's field
- 6 Evolution group
- 7 Writer Jaffe
- 8 Outdated
- 9 Grand — Opry
- 10 Neither follower
- 16 Golf goal
- 18 Sunrise site
- 19 Finished
- 20 Rara —
- 21 Refuse
- 22 Beach crawler
- 23 Timber wolf
- 25 Buffalo's county
- 29 Uncom- mon
- 30 Good rating
- 33 Stair part
- 34 Fix
- 36 Doll cry
- 37 Diamond workers
- 38 Truck part
- 39 Had dinner
- 40 Shipping amount
- 41 Sit-up targets



Yesterday's answer

- 19 Finished
- 20 Rara —
- 21 Refuse
- 22 Beach crawler
- 23 Timber wolf
- 25 Buffalo's county
- 29 Uncom- mon
- 30 Good rating
- 33 Stair part
- 34 Fix
- 36 Doll cry
- 37 Diamond workers
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- 39 Had dinner
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SANTA MONICA SCENE °CALENDAR EDITION

WEDNESDAY, DECEMBER 3, 2003

EVENTS

The Wagging Tail canine boutique grand opening
The Wagging Tail, a retail store that combines doggy fashion, jewelry, art and accessories, will hold a private opening celebration from 6:30 p.m. to 8:30 p.m., hosted by owners Jean and Craig McCoy and animal rights advocate Vanessa Getty. The event will benefit the shelter at Pets Unlimited, an animal rescue non-profit organization that is chaired by Getty. The Wagging Tail is located at 1123 Montana Ave.

Children's story time

All branches of the Santa Monica Library will designate story time today for children of all ages. Schedules are available by calling the libraries:
Main Library - (310) 458-8600, Ocean Park Branch - (310) 392-3804, Fairview Branch - (310) 450-0443, Montana Branch - (310) 829-708

CULTURE

I Went to Clown College...Cirque de Commedia
Santa Monica College presents "I Went to Clown College...Cirque de Commedia," a comedy by Terrin Adair-Lynch featuring all the laughs from the regular Commedia characters. There will be humorous planned scenarios as well as improvisational acts - making each showing different from the last. The show begins at 7:30 p.m. and costs \$8-\$11. For reservations or more information, call (310) 434-3000.
Hangar Stage, SMC Airport Campus, 2800 Airport Ave.

Snowwhite

The Santa Monica Playhouse presents the musical, Snowwhite, based on the classic European fairytale. Written and directed by Chris DeCarlo & Evelyn Rudie. There are Saturday and Sunday showings at 12:30 p.m. and 3 p.m. through Feb. 29. Tickets cost \$10 for kids 12 and under, and \$12 for adults.
Santa Monica Playhouse
1211 Fourth St.

A Winter's Tale

The Morgan-Wixson Theatre presents a musical based on Charles Dickens' A Christmas Tale. Directed by Anne Gesling. There will be a showing on Saturday and Sunday at 2 p.m. For reservations or more information, call (310) 828-7519.
Morgan-Wixson Theatre, 2627 Pico Blvd

Cinderella

The Santa Monica Playhouse presents Chris Decarlo & Evelyn Rudie's version of the romantic musical classic, Cinderella, as part of their Fall Twilight Series. The performance begins at 6 p.m. and will be shown every Friday until Dec. 21. Tickets for kids 12 and under cost \$10 and \$12 for adults. For more information or reservations, call (310) 394-9779, ext. 1.

Santa Monica Playhouse, 1211 Fourth Street

Puppetolio!

Watch a puppet show at the Santa Monica Puppet and

Magic Center. This is a great place to take the kids and to unwind after a long day. 1 p.m.
1255 2nd St., (310) 656-0483

ENTERTAINMENT

Harvelle's

Established in 1931, Harvelle's is the oldest blues club on the west side. This is the kind of blues joint you'd expect to find in a dark Chicago alley; yet even if it's your first visit, it feels familiar. For tonight's schedule, call (310) 395-1676.
1432 4th St.

Temple Bar

Here visitors can enjoy concoctions like White Chocolate Martinis, a Gingirini or a Razzmatazz. Those who are really hungry can enjoy a Chicken Tamale Plate with Fried Plantains. Temple Bar even offers vegetarian options like veggie eggrolls and burgers. But no good bar would be complete without live music. Tonight the Temple Bar features DJ Issa and the following: Hydrophonic at 8:30 p.m., Glory for the People at 9:45 p.m. and Soul Planet Jazz Ensemble at 11 p.m. \$5.
1026 Wilshire Blvd., (310) 393-6611

14 Below

An intimate and well-equipped club that is leading the Westside music scene with live performances seven nights a week. Tonight 14 Below features the following: Sarah Cloud at 8:30 p.m., Kathleen Lague at 9:30 p.m., Big in Georgia at 10:30 p.m. and Nothing New at 11:30 p.m.
1348 14th St., (310) 451-5040

MOVIE °GUIDE

AMC SANTA MONICA 7

1310 Third Street Promenade
Bad Santa - 12:50, 3, 5:20, 7:40, 10 p.m.
Brother Bear PG - 1:25, 4:35, 7 p.m.
Dr. Seuss' The Cat in the Hat - 12:40, 2:40, 4:40, 7:10, 9:25 p.m.
Elf PG - 1:35, 4:15, 7:15, 9:40 p.m.
The Cat in the Hat - 10:45 a.m., 1, 3:20, 5:30, 7:50, 10:10 p.m.
Gothika - 1:15, 4:25, 7:30, 9:55 p.m.
The Haunted Mansion - 12:30, 2:45, 5, 7:20, 9:45 p.m.
Master and Commander R - 9:15 p.m.

LAEMMLE'S MONICA 4-PLEX

1332 2nd Street
The Cooler - 12, 2:30, 5, 7:30, 10 p.m.
In America - 12:15, 2:45, 5:15, 7:45, 10:15 p.m.
Lost in Translation - 2:30, 7:30, 10 p.m.
Shattered Glass R - 12:15, 2:40, 3:40, 5:05, 7:30, 9:55 p.m.
The Street Sweeper - 12, 5 p.m.
The Station Agent R - 1, 3:15, 5:30, 7:45, 10 p.m.

LANDMARK NU-WILSHIRE

214 Wilshire Blvd
13 Grams R - 4, 7, 10 p.m.
Pieces of April PG-13 - 4:45, 7:30, 10 p.m.

LOEWS CINEPLEX BROADWAY CINEMAS

1441 Third Street Promenade
Kill Bill: Volume 1 R - 11:15 a.m., 1:40, 4:10, 6:40, 9:15 p.m.
Love Actually R - 11:30 a.m., 12:30, 2:45, 3:45, 6:15, 7, 9:30, 10:15 p.m.
Mystic River R - 12:45 p.m., 3:50, 7:15, 10:20 p.m.

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Revolutions, Timeline, Runaway Jury
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PEOPLE IN THE NEWS

Jagger manages to make time to accept knighthood

By The Associated Press

■ **LONDON** — After months of uncertainty, Mick Jagger has managed to fit Queen Elizabeth II into his busy schedule.

The Rolling Stones singer said Tuesday that he'll go to Buckingham Palace Dec. 12 to accept his knighthood.

After difficulties caused by his touring schedule, Jagger was initially scheduled to be knighted on Dec. 10, the same day rugby star Jonny Wilkinson will be made a Member of the Order of the British Empire, or MBE. But Jagger didn't want to detract attention from the man who led England to the rugby World Cup title last month.

"Mick is delighted that a date has been agreed for the investiture after spending over a year touring the world with the Rolling Stones," a Jagger spokesman said.

"He would also like to express his gratitude to Buckingham Palace for their understanding of his other commitments over the last 18 months."

The spokesman said the singer's 90-year-old father, Joe, will join him for the big day.

The Stones have played 114 shows worldwide over the past 15 months.

■ **ATLANTA** — U2 lead singer Bono will be recognized for his humanitarian work at an awards dinner hosted by the family of the Rev. Martin Luther King Jr.

The Irish rock band's lead singer will be honored at the 2004 King Center "Salute to Greatness" awards dinner Jan. 17 in Atlanta.

"We are fortunate this year to honor Bono for exemplifying many of the qualities that my husband, Martin, indicated were imperative to moving our society into the beloved community of which he so often spoke," said

Coretta Scott King, King's widow and the founder of the King Center.

Mrs. King pointed out Bono's work on behalf of Third World debt relief and on focusing attention on the AIDS crisis in Africa.

"He has focused mass public attention on the world's poorest continent and lobbied politicians around the globe to take action," she said in a statement.

On Saturday, Bono participated in a World AIDS day concert hosted by Nelson Mandela in Capetown, South Africa.

■ **ZURICH, Switzerland** — Marilyn Manson is the target of a criminal inquiry in Switzerland after a religious group made a formal complaint about his stage act.

Zurich District Prosecutor Michael Scherrer told The Associated Press on Tuesday that the singer was under investigation for allegedly breaching Swiss law protecting religion as well as making incitements to violence during a concert in the city in February 2001.

Scherrer said he had yet to decide whether to charge Manson.

The 34-year-old performer — whose real name is Brian Warner — also uses the sobriquet "Antichrist Superstar," and is known for his ghastly, cadaverous look and macabre lyrics.

Baptized as a Satanist and an honorary priest in the Church of Satan, Manson has ripped a Bible during previous stage shows.

His act has made him the target of religious and conservative groups around the world, including the Swiss-based Christians For Truth, which lodged the complaint.

Scherrer said he interviewed Manson before a sold-out concert Sunday at a Zurich stadium, part of the artist's ongoing European tour. Christian groups and

lawmakers in Zurich had tried to have the show banned on grounds that Manson's views were offensive to a majority of the population.

The rocker rejected the accusations, Scherrer said. Manson cited artistic freedom and said his act was meant to provoke a debate about violence and religion.

■ **PROVIDENCE, R.I.** — Continuing his criticism of rap, Spike Lee told an audience at Brown University that popular music portrays blacks in a negative light.

Speaking to an audience of more than 400 students Monday night, the director of films including "Do the Right Thing" and "Malcolm X" repeated the complaints he's made at colleges and universities over the past year.

"I've always felt you can feel the progress of African Americans by listening to their music," Lee said. "Some of this 'gangsta rap' stuff, it's not doing anybody any good. This stuff is really dangerous."

He said some black adults equate education, good grammar and good grades with "being white," but when he was growing up, those things were seen as positive goals.

"You were not ridiculed if you spoke correct English," he said. Lee urged the audience to make their voices heard by not buying or viewing anything that portrays blacks in a negative way.

"We buy all this stuff, not even thinking about what's behind it ... Think about the power that we have," the 46-year-old said. "We can't just sit back and think it doesn't affect us. We have to do something about it. We have to be more choosy about the types of stuff we support."

Lee also urged students to follow their dreams after graduation, "or you'll be sitting around, fat, divorced and miserable because you took some job, or you took some path that you didn't really want to do."

DID YOU KNOW?: Jack Mercer was the voice of Popeye the Sailor for 45 years.

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