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Santa Monica Daily Press

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Downtown Main Street project shot down by planners

Housing project to be reviewed Wednesday; developer sues city

BY CAROLYN SACKARIASON
Daily Press Staff Writer

A recent city staff recommendation to deny developer Howard Jacobs' proposed housing project on Main Street may be enough of a reason for him to continue with his lawsuit against the city.

It has taken nearly two years for the city planning department to review the 133-unit housing project, which finally got a thumbs down by staffers Friday.

The Santa Monica Planning Commission is scheduled on Wednesday to review what would be the largest housing development on Main Street, taking up an entire city block.

Jacobs slapped a lawsuit against the city in early November. The suit claims the city has dragged its feet in completing the environmental impact report on the project, which is supposed to be done within 12 months, as prescribed by state law.

After more than 20 months, the 500-page report is done and city staff made their recommendation to the Santa Monica Planning Commission that the project be rejected.

Jacobs claims that the delay has cost him millions of dollars because he has had to extend escrow on the property, as well as pay $82,000 a month in maintenance expenses. The proposed project is located at the former Pioneer Boulangerie Bakery site and across the street, where Jacobs has purchased both parcels just south of Pico Boulevard.

The developer claims that the Santa Monica City Council put the project in jeopardy when it delayed hiring a consultant to complete the environmental impact report in April of 2000. At the time, the city told him that the report would be done in July of 2000 and before the planning commission in February of 2001. The contract with EIP Associates, the West Los Angeles-based consulting firm hired by the city, wasn't signed

See MAIN STREET, page 3



Ross Furukawa/Daily Press

A woman practices her ballet techniques at the beach.

Homicide victim found in Virginia Avenue Park

By Daily Press Staff

A unidentified man was found laying dead on a bench in Virginia Avenue Park this past weekend.

Police found the body of a 39-year-old Hispanic male Saturday at 7:30 a.m. The Santa Monica Fire Department pronounced him dead at the scene. The Los Angeles Coroner's Office ruled Sunday the cause of the man's death was from an assault.

The victim's name has not been released pending notification of his family. Authorities believe the man was homeless and could have died as a result of protecting his bottle of liquor that someone was trying to steal.

An investigation is ongoing and being conducted by the Santa Monica Robbery-Homicide unit. Anyone with information on the crime should call detective W.S. Brown at 458-8437.

MusicNet opens major music catalogs online — for a price

BY MATTHEW FORDAHL
AP Technology Writer

SAN JOSE, Calif. — Stepping into the post-Napster era of online music, three major record labels and RealNetworks Inc. on Tuesday will launch the long-awaited pay-for-play MusicNet service.

For a monthly fee starting at $9.95, RealOne Music users can stream or download tunes from the libraries of AOL Time Warner, Bertelsmann and EMI Group. Songs are then played over a personal computer.

More than 75,000 tracks will be available, including those by Christina Aguilera, Backstreet Boys, Eric Clapton, Faith Hill, Dave Matthews Band, 'N Sync, R.E.M. and Britney Spears.

But MusicNet has limitations that may make some users yearn for the free-for-all world of Napster.

The basic fee covers only 100 downloads and 100 streams, though more credits can be purchased. Furthermore, downloaded music no longer works after 30 days, though it can be reactivated at the cost of a credit.

The music also can't be stored on a portable music player or burned onto a compact disc.

Subscribers can browse libraries alphabetically and by genre through the RealOne player, which is a free download. The program also will recommend related artists, much like how Amazon.com suggests books.

"The benefit to being a subscriber will be convenience and ease of use," said Mark Hall, vice president of programming for Seattle-based RealNetworks.

MusicNet is the first of two label-sponsored firms announced as the industry battled Napster, a file-sharing service that allowed users to swap tunes without paying. It went offline in July amid a flurry of copyright infringement suits.

MusicNet also will be distributed through America Online Inc., though the availability and pricing have not been disclosed.

Napster also is supposed to become a MusicNet distributor once the company releases a version of its software that honors copyrights.

The other major-label service, pressplay, is owned by Vivendi Universal SA and Sony Corp. and will use Microsoft Corp.'s Windows Media Player.

Unlike MusicNet, pressplay will allow users to accumulate songs and continue to listen, provided their subscriptions are paid. It also will not allow CD burning or listening away from a PC.

See MUSIC, page 3

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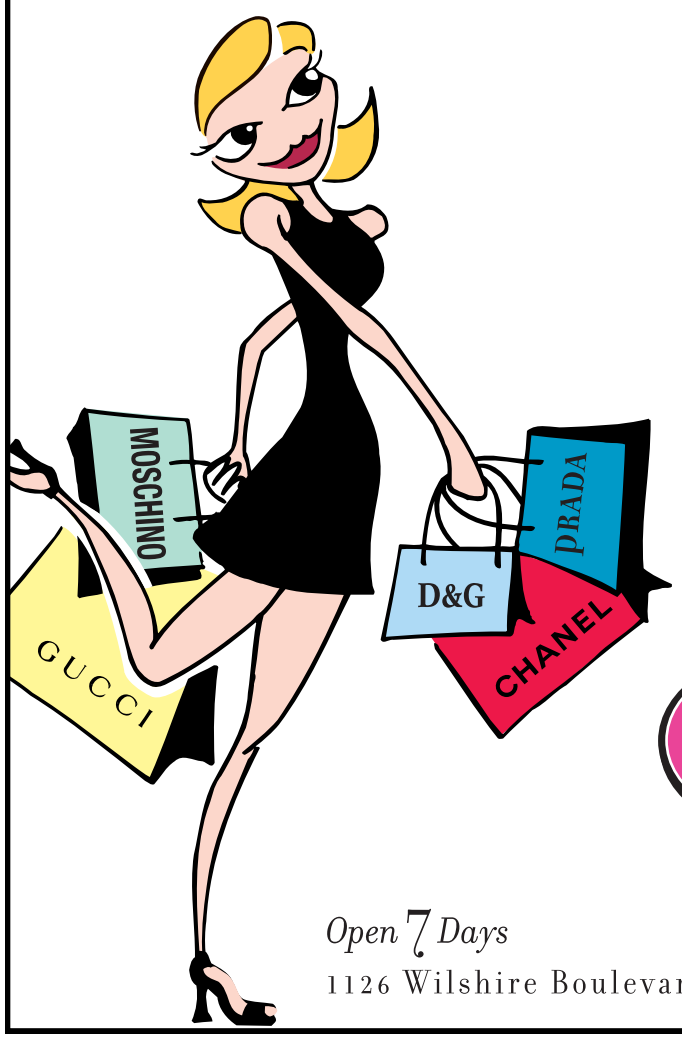
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ARIES (March 21-April 19)
★★★★ Make every effort to smooth down ruffled feathers — yours and others'. Your generous nature lets you forgive others easily. You also let go of issues and move forward. Still, don't put on your rose-colored shades about a key goal or associate. Spout out your ideas. Tonight: Do something relaxing and fun.

TAURUS (April 20-May 20)
★★★★ You don't understand a boss or someone you put on a pedestal. Know that this lack of comprehension is mutual. Deal with an associate or key person on a one-on-one level. You meld minds and melt barriers. Feel good about the rapport you have created. Tonight: A quiet dinner.

GEMINI (May 21-June 20)
★★★★ Your remarkable transformation from yesterday warms up those around you. You naturally make the first gesture. Others bubble forth with news. Partners, associates and friends respond, seeing yesterday's problems and perhaps their ways. Tonight: Out with pals.

CANCER (June 21-July 22)
★★★★ Your willingness to work long and hard draws strong results. Think about what you expect from those around you. Brainstorm away, with an eye to making money. You're revitalized after a very difficult and touchy period. Others listen. Tonight: Treat yourself well.

LEO (July 23-Aug. 22)
★★★★ Think in terms of alleviating some of yesterday's pitfalls. Where you might have opted to say nothing yesterday, today you will express your thoughts - you will be heard. You make sense to others. Deal with someone who cannot be realistic, no matter what. Tonight: Beam in what you want.

VIRGO (Aug. 23-Sept. 22)
★★★ Take in what others say, and you'll get some clarity on what happened recently. Build an argument from a basic point of view. Though someone has difficulty hearing, he does listen. Unexpected news could toss your work schedule in the air. Make time for a needy co-worker. Tonight: Get a good night's sleep.

LIBRA (Sept. 23-Oct. 22)
★★★★ Follow the direction of your friends. Discussions merge differences. You believe you have created an even better bond. Time will test this bond. Confusion surrounds another important relationship. Decipher what is happening. Tonight: Follow your pals.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Others look to you, as if you were the calm voice in the midst of chaos. Take the lead with a close loved one. Confusion surrounds family and your schedule. Make sure everyone is as clear as possible. Confirm all data and meetings. Tonight: Head home ASAP.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Do what you can to bridge barriers formed yesterday. The sooner fences are mended, the better off you are. Others respond to your suggestions and agree with you. Still, a vagueness could permeate actions, ideas and a meeting. Define as much as you can. Tonight: Rent a movie on the way home.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ What hits you as a revelation and the only way to go will strike others the same way. Use extreme caution with a new acquaintance made today. You could be enthralled without really knowing what he is about. Be as clear as possible about funds. Tonight: Follow someone's suggestion.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Let another display his true colors. Talk turkey once you have established what is important. Popularity builds as long as you are willing to work with others. Clarify any matter that might be confusing to you. Look toward positive new beginnings. Tonight: Say "yes."

PISCES (Feb. 19-March 20)
★★★★ A boss explains himself and what he has in mind. Actually, this person has a much stronger sense of direction than you realized yesterday. Both of you relax after yesterday's uproar. Though you might be tempted to tell all, don't! Tonight: Work as late as need be.

WEATHER

Today ... Sunny with a high of 60°F. Winds from the Northwest at 8mph.
Tonight ... Clear with a low of 42°F. Winds from the North Northeast at 4mph.
Tomorrow ... Sunny High—62°F Low—42°F

QUOTE of the DAY

"Nothing comes from nothing doing."
— William Shakespeare

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Doris Silverton, former television writer, dies at 73

By the Associated Press

LOS ANGELES — Doris Silverton, a television writer, author and community activist, has died. She was 73.

Silverton died Tuesday after a three-year bout with lung cancer. She began her career in television in the 1970s and wrote the television movies "The Jayne Mansfield Story," starring Arnold Schwarzenegger, and "Jonathan: The Boy Nobody Wanted." She also spent several years in the 1980s writing for "General Hospital" and other soap operas.

Along with her television work, Silverton also published fiction and non-fiction in McCalls and the Saturday Evening Post. Her work "The Mexican Maid" was listed as one of the top short stories of 1971.

Silverton also was active in community affairs and served as commissioner of animal regulations under former Los Angeles Mayor Tom Bradley. She also tutored disadvantaged children at a public school.

Along with her husband of 53 years, Lawrence Silverton, she is survived by two daughters: Gail Silverton, co-owner and director of The Neighborhood Schools and Nancy Silverton Peel, an internationally known pastry chef and co-owner of Campanile restaurant and the La Brea Bakery. She also is survived by sister Barbara Phillips of San Francisco and six grandchildren.



Associated Press

A shopper looks at DVD movies at Blockbuster store in Palo Alto, Calif. DVD player sales are skyrocketing and have surpassed VCRs, while places like Blockbuster are making more room for DVDs.

Two men parachute safely from stalled plane

By the Associated Press

LOS ANGELES — Lifeguards plucked a flight instructor and his student from the Pacific Ocean on Sunday after they parachuted to safety from a stalled aerobatic airplane.

The single-engine Super Decathlon crashed into the water and sank.

The plane took off from Long Beach Municipal Airport and the instructor had been demonstrating stalls when he was unable to restart the engine, said Lt. j.g. Neil Marcelino of the U.S. Coast Guard.

The men jumped at an altitude of about 2,000 feet, Fire Department Brian Humphrey said.

The pilot, a 53-year-old San Pedro man, suffered a broken ankle when he hit the doorway while jumping, Humphrey said.

He and his student, a 43-year-old Burbank man, were treated on shore for hypothermia before they were taken to a local hospital. Their conditions were not serious.

"I would describe the men as being profoundly fortunate," Humphrey said.

A Los Angeles County lifeguard boat reached the two about two miles from shore at 11:37 a.m., 14 minutes after a caller reported seeing their plane crash, lifeguard Capt. Chris Linkletter said.

They were treading water, supported by a single life vest.

Planning commission to review Howard Jacobs' development

MAIN STREET, from page 1

until December. Jacobs was told the project would be reviewed by the planning commission in May or June of 2001. Then it was October and now it is December.

The Santa Monica City Council has discussed Jacobs' suit behind closed doors in the past month.

The Santa Monica Community and Development Department recommended that the project be denied because "it doesn't fit the character of the area, will impact surrounding neighborhoods and will overwhelm the North Main Street neighborhood."

Jacobs is proposing to construct two mixed-use buildings on the east and west sides of Main Street. The west project, located at 2012-2024 Main Street, (the former Boulangerie site), would have four stories, 107 residential units, a three-level underground parking garage and 12,281 square feet of commercial space at street level.

The east project, located at 2021-29 Main Street, would have three stories, 26 residential units, a two-level underground parking garage and 6,533 square feet of commercial space at street level.

According to a staff memo to the commission, the environmental impact report identifies unavoidable negative impacts resulting from the construction and operation of the proposed developments.

The city's land use policies attempt to protect the scale and character of residential neighborhoods that are near commercials areas, as well as ensure that the transition between the two are appropriate. City staff say neither the east side nor the west side projects are consistent with those policies.

"This placement of the of the (east) building produces a building mass at the property line that is not a sensitive transition to the residential uses to the east of the project ... Given the neighborhood context, the proposed east project is inconsistent with the placement and massing of nearby structures, and in general, with the pattern of development in the nearby area," city staff wrote. "The west project also does not provide a sensitive transition to adjacent buildings and uses. The proposed building has extensive street frontages which dominate the area, including approximately 300 linear feet along Main Street. This frontage gives the impression of a large, single use building and does not have a village-like character with multiple storefronts."

Based on the environmental review report, city staff have concerns about air quality from demolition of the existing buildings and construction of the new ones, as well as construction impacts that would generate more traffic on Main Street. Jacobs estimates that the project would take 18 months to build.

The project would consist of market-rate apartment housing — a mixture of single units, one-bedroom, two-bedroom and three-bedroom units. City staffers are afraid that the 107-unit building on the west side would be built for short-term corporate housing, which doesn't fit in with the city's goals for multi-family housing. City staff believe Jacobs wants short-term housing because of the amenities included in the project such as a screening room, business center and meeting rooms.

"The quality and character of the city's neighborhoods and community comes in large part from the residents' participation in civic affairs, cultural events and educational endeavors," city staff wrote. "Short-term housing does not contribute to these goals as occupants of short-term housing do not have the same ties to the community as those who make the city their home."

The planning commission will meet at 7 p.m. Wednesday in council chambers in City Hall. The meeting will be aired on City TV, channel 16.

Service on line by Christmas

MUSIC, from page 1

The service's pricing and other details will not be revealed until its launch, expected sometime before Dec. 21, said Seth Oster, pressplay's spokesman.

Neither service will include all the music from the partners' catalogs because the labels do not hold all the digital distribution rights. More tracks will be added as deals are renegotiated.

Though Napster has been offline for months, Napster-like services continue to flourish on the Internet. The research firm Webnoize recently reported that the use of Grokster, Kazaa and MusicCity increased 20 percent between September and October.

Looking for the Daily Press?

The Santa Monica Daily Press is a free newspaper that is circulated throughout all six commercial zones within the Santa Monica city limits.

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NATIONAL

Eiffel Tower may be coming to Florida

By the Associated Press

POMPANO BEACH, Fla. — Two developers have submitted plans to build two oceanside, 105-story replicas of the Eiffel Tower, but the big idea isn't getting a warm reception.

The $1.2 billion twin towers would hold restaurants, condominiums, a hotel and parking garages. At 1,000 feet high, they would be slightly taller than the original, which stands at 984 feet.

"If I want to see the real Eiffel Tower, I'll take a rowboat to Paris," said Kay McGinn, a city Commissioner in this Fort Lauderdale suburb.

The developers, Fred Zohouri of Flowery Branch, Ga., and George Rethati, a businessman from Pensacola, envision the two towers built along beachside State Road A1A, with one straddling a section of the highway.

Most doubt the replicas will ever be constructed.

Zohouri and Rethati submitted their plans to the city manager's office and city commissioners have been briefed. But the director of the zoning department, which would give first approval to the project, hadn't heard about the plans.

A real estate appraiser said the buildings would employ 480 people and bring in an annual tax revenue of $28.8 million.

Philly's mafia family gets dealt another blow

BY MICHAEL RUBINKAM
Associated Press Writer

PHILADELPHIA — In another blow to Philadelphia's already crippled Mafia family, former boss Joseph "Skinny Joey" Merlino was sentenced to 14 years in prison Monday for racketeering.

"Ain't bad," Merlino, 39, told family members sitting in the gallery. "Nine's better than the death penalty."

Merlino's lawyer said that with good behavior and time already served, his client could be out in about nine years.

Going back more than two decades, every Philadelphia mob boss since Angelo Bruno has either been murdered or sent to prison, prosecutors noted after Merlino was led away in handcuffs.

"Other people have assumed leadership positions," federal prosecutor David E. Fritchey said. "But with each one of these prosecutions, they suffer blows of attrition. We're down to the fourth string."

While a jury acquitted Merlino of the most serious charges against him last July, he and six co-defendants were convicted of a series of racketeering offenses including extortion and illegal gambling.

The sentence handed out by U.S. District Judge Herbert Hutton was less than what prosecutors had asked for. Merlino was also ordered to repay almost $338,000 and was fined $25,000.

Prosecutors had asked the judge to go above federal sentencing guidelines and give Merlino up to 24 years behind bars. The guidelines called for 11 to 14 years.

Merlino and six others found guilty after a racketeering trial that featured testimony from several top mob informants, including former mob boss Ralph Natale. Natale testified that he set loose Merlino and the others to commit murder and mayhem in Philadelphia and New Jersey.

But his story did not always jibe with the accounts of three other mobsters, and the jury acquitted Merlino of three murders, two attempted murders and murder conspiracy.

Prosecutors decided before the trial not to seek the death penalty.

Merlino succeeded Natale as boss of the Philadelphia-South Jersey mob after Natale was jailed in 1998.

Merlino's co-defendants will be sentenced over the next several days.

Bloomberg campaign: most expensive in U.S. history

By the Associated Press

NEW YORK — Republican billionaire Michael Bloomberg spent $69 million in his successful bid to become New York City's mayor, shattering the record for the most expensive mayoral campaign in U.S. history.

Bloomberg, founder of the financial news company that bears his name, financed the campaign entirely with his own money. He did not seek private contributions or matching public funds.

The spending levels were disclosed in campaign finance documents filed Monday.

To put Bloomberg's spending into perspective, Texas billionaire Ross Perot spent $62 million on his failed bid for president in 1992 — about the same figure spent by Wall Street multimillionaire Jon Corzine, who won a U.S. Senate seat in New Jersey last year.

The old spending record for a campaign in New York state — and for any U.S. Senate race in the nation — was set last year when Democrat Hillary Rodham Clinton and Republican Rick Lazio spent a combined $69.3 million.

Bloomberg had no immediate comment.

He defeated his heavily favored opponent, Democrat Mark Green, Nov. 6 in a city that is overwhelmingly Democratic. Bloomberg captured roughly 50 percent of the vote to Green's 47 percent.

Bloomberg will replace Mayor Rudolph Giuliani, who will step down Dec. 31 because of term-limits.

INTERNATIONAL ▫ NATIONAL

War on terror underway in Gaza Strip

BY IBRAHIM BARZAK
MARK LAVIE
Associated Press Writers

GAZA CITY, Gaza Strip — Prime Minister Ariel Sharon declared war on terror Monday, and Israeli airstrikes destroyed two of the Palestinian leader Yasser Arafat's helicopters in Gaza and hit West Bank security installations.

Ten Palestinians were wounded in the missile attack by Israeli helicopter gunships near Arafat's seaside headquarters, which raised a plume of black smoke over Gaza City. Arafat was in the West Bank at the time of the attack.

Early Tuesday, Palestinians said Israeli tanks had entered Gaza Airport, firing machine guns and damaging the runway. The Israeli military had no immediate comment.

Sharon convened an emergency Cabinet meeting to decide the scope of Israel's response to suicide bombings and shootings by Islamic militant groups that killed 26 people in Israel on Saturday and Sunday.

Palestinian Cabinet minister Saeb Erekat said Sharon's speech, coupled with the airstrikes, signaled an Israeli attempt to "overthrow the Palestinian Authority." Palestinian officials said the harsh reprisals undermined a sincere Arafat effort to crack down on Islamic militants in the wake of the suicide bombings.

However, Israeli Defense Minister Binyamin Ben-Eliezer told reporters that Israel has no intention of bringing down Arafat's administration.

Brig. Gen. Ron Kitrey, the Israeli military spokesman, said helicopters used by Arafat to shuttle between the West Bank and Gaza were targeted because "they were symbols of his mobility and freedom."

Since Sunday night, Palestinian security forces have rounded up about 110 members of the Islamic Jihad and Hamas, the group that claimed responsibility for twin suicide bombings in a Jerusalem pedestrian mall that killed 10 young Israelis Saturday and another suicide bombing that killed 15 on a bus in Haifa Sunday. A Hamas shooting in the Gaza Strip on Sunday killed one Israeli.

In the past, the Palestinians have quickly released some militants detained in sweeps — and the Bush administration on Monday cautioned against what White House spokesman Ari Fleischer called a "revolving door."

Concerning Israel's airstrikes, Fleischer said, "Israel has a right to defend itself." Secretary of State Colin Powell cautioned that all sides must consider the repercussions of their actions on the peace process.

At the United Nations, the General Assembly, as it does every year, strongly criticized Israel's policies toward the Palestinians — despite a plea by Israel's U.N. ambassor to make "a moral choice" and reject Palestinian terrorism.

The General Assembly ended its Mideast debate and voted on half a dozen Mideast resolutions on the day after the weekend suicide bombings.

After the weekend attacks, Arafat declared a state of emergency in the Palestinian areas and ordered illegal weapons confiscated, said a Palestinian security official.

But a senior Israeli military official, speaking on condition of anonymity, said "very few, if any" of the 108 militants Israel wants arrested are among those rounded up.

In his televised speech, Sharon did not refer to Palestinian arrests and said Arafat was directly responsible for terrorism suffered by Israelis. Sharon said he would wage "war on terror ... with all the means at our disposal."

"Arafat is the main impediment to peace and stability in the Middle East," Sharon said. "Arafat has chosen the path of terror (to) try to make diplomatic gains through murder."

Sharon warned: "We will pursue those responsible, the perpetrators of terrorism, its supporters and those who send them. We will pursue them until we catch them, and they will pay the price."



Associated Press

The Palestinian fire brigade puts out a fire at a civilian home near Palesinian leader Yasser Arafat's headquarters in Gaza City on Monday. Israeli helicopter gunships fired missiles at Arafat's helicopter landing pad near his Gaza headquaters in retaliation for weekend suicide bombings in Israel by Islamic militants which killed 26 people.

Israeli missiles struck a security compound near Arafat's seaside headquarters in Gaza City, hitting one of his helicopters on its landing pad and the other in hangar. Arafat has at least one more helicopter.

Shifa hospital in Gaza reported 10 people injured in the attack. Missiles struck an underground fuel depot, causing a fire that poured out thick smoke over Gaza City.

Security officials and civilians were seen running for cover. But the compound was largely empty, since most Palestinians were home for Iftar, the traditional breaking of the daylong fast during the Islamic holy month of Ramadan.

In the West Bank, Israeli F-16 warplanes struck a Palestinian police building in the northern town of Jenin, Palestinian security officials said.

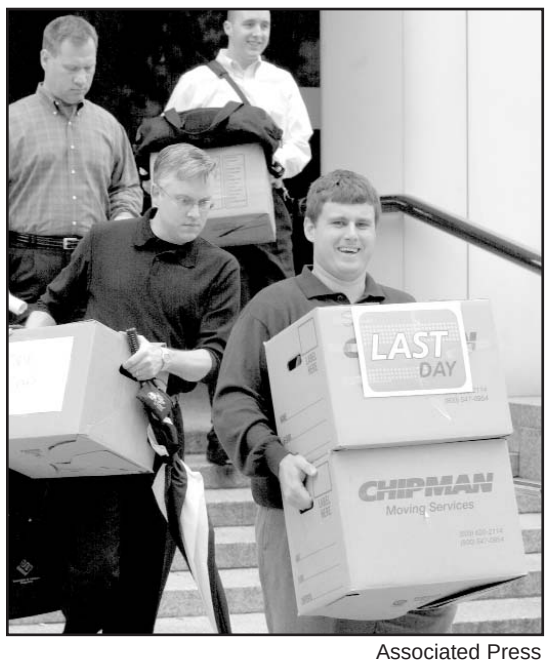
In Bethlehem, a Palestinian was killed in an explosion in a house. Witnesses said he was apparently preparing a bomb and it went off prematurely.

Several members of Sharon's Cabinet demanded on Monday that Israel expel Arafat — who returned from exile in 1994 as part of the Israeli-PLO interim peace accords and established enclaves of autonomy in the West Bank and Gaza.

The Palestinians' U.N. observer, Nasser al-Kidwa, said that if Sharon launched a full-scale attack on Arafat's administration, "he will be the one to be held responsible for the total breakdown of the situation."

He said Israel was trying to sabotage the peace process.

Enron Corp. tells employees to 'Take the day off'



Associated Press

Enron employee Cullen Barbarto, right, carries a box full of personal items as he and some of his co-workers leave Enron on Monday in Houston. A laid-off Enron personnel worker said 4,000 Enron employees have been told they also will be laid off by the bankrupt Houston energy-trading company.

Energy trader bankrupt; employees waiting for the axe to fall

BY JUAN A. LOZANO
Associated Press Writer

HOUSTON — Enron Corp. laid off about 4,000 employees Monday and told others to take the day off, virtually emptying its headquarters a day after filing for Chapter 11 protection in one of the biggest corporate bankruptcies in U.S. history.

Enron, which also sued rival Dynegy Inc. for $10 billion on Sunday, was hit from a countersuit Monday from Dynegy.

Enron, once the world's biggest buyer and seller of energy, imploded in recent weeks after acknowledging it engaged in questionable accounting practices and overstated its profits by more than half a billion dollars over the past four years.

Most of Monday's 4,000 job cuts were at Enron's Houston headquarters. The remaining 3,500 or so employees in the 50-story mirrored glass tower were sent home to await further instructions, said spokeswoman Karen Denne.

The cuts amounted to nearly 3 percent of downtown Houston's work force of about 150,000.

"The whole thing, it's a nightmare," Joann Matson, a human resources coordinator who was among those let go, said as she carted her belongings to a car.

"I blame Enron for this. The employees did a good job. This is in no way a reflection of us," said Tammie Huthmacher, 27, who is six months pregnant with her second child. "I'm very angry. I loved my job. I loved everyone I worked with."

Enron called four large meetings to tell the employees to pack their belongings.

Matson said the company offered each laid-off worker a $4,500 severance package pending a ruling from a bankruptcy court, but she wondered if they would ever see the money, considering Enron's financial condition.

Like many other employees, Matson also lost a bundle because of the plunge of Enron's stock. "It's three weeks before Christmas, and I have nothing," said Matson, whose $70,000 in stock options have evaporated.

Enron stock was up 13 cents to 39 cents a share Monday. A year ago, Enron traded near $85.

Several Houston police officers — on foot, horseback and in patrol cars — watched the exodus of workers. Several employees reported they were given 30 minutes to clear out.

Before the layoffs started, Enron had 21,000 employees, 7,500 of them in Houston.

Enron's Houston rival Dynegy had agreed to buy the rescue the company last month, but the $8.4 billion takeover deal fell through as Wall Street lowered Enron's credit rating to junk status. Enron filed for bankruptcy Sunday and sued Dynegy for breach of contract.

Dynegy chairman and chief executive Chuck Watson called Enron's lawsuit "frivolous and disingenuous." Dynegy is countersuing to protect an Enron pipeline; Dynegy claims the pipeline belongs to it because the takeover deal fell through.

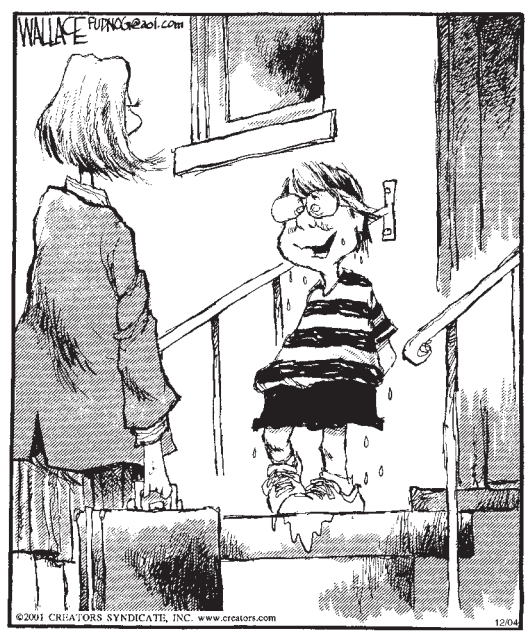
COMICS

The Dinette Set by Julie Larson



Natural Selection®

By Russ Wallace



"Mom, did you know that your waterbed has enough water to fill our house to a depth of four inches?"

edge city

by TERRY & PATTY LABAN



Reality Check®

By Dave Whammond



Speed Bump®

By Dave Coverly



CROSSWORD

By THOMAS JOSEPH

ACROSS

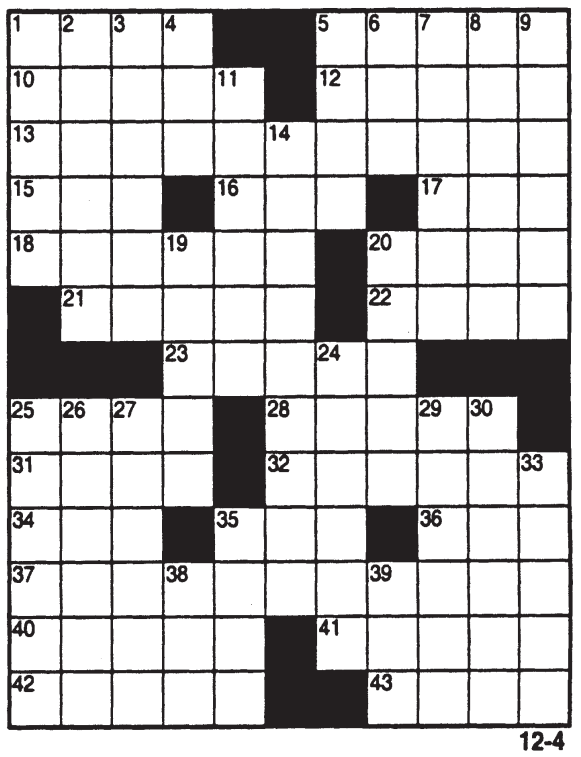
1 Composer Waller
5 Part of a URL
10 Friend of Aramis
12 Swiftness
13 1940 Shirley Temple film
15 Slippery fish
16 Finish
17 Soviet jet
18 Slept soundly?
20 Wander
21 Kitchen sight
22 Nights before
23 Juan of Argentina
25 Green shade
28 Avarice
31 Small bills
32 Square-dancer
34 Play a part
35 Chum
36 Fort Worth sch.
37 1948 Moira Shearer film
40 Wading bird
41 Spooky
42 Lisper's problems
43 Decays

DOWN

1 Mythical trio
2 Greek capital
3 AMC series
4 Blubber
5 Storage building
6 Research site
7 Writer Isaac
8 Try hard
9 Maze walls, at times
11 Jacket part
14 Freshman, e.g.
19 Lassoes
20 Actress Zellweger
24 Ultimatum words
25 Despise
26 Ruler divisions
27 Gauges
29 Matador's foe
30 Lying
33 Tricks
35 Corrals
38 Fish eggs
39 That woman

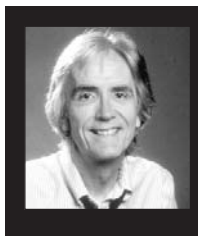


Yesterday's answer



12-4

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NEWS OF THE WEIRD

by Chuck Shepard

Party drug hang-ups

• A 33-year-old man was taken to Via Christi Regional Medical Center in Wichita, Kan., on Nov. 13 with a coat hanger stuck in his throat, but there was a logical explanation, he told the hospital staff. At a party, "someone," he said, had slipped a dime-sized balloon containing what he heard was cocaine into his drink, and after accidentally ingesting it and feeling it stick in his throat, he decided to try to fish it out with the coat hanger. Surgeons unhooked the hanger, but police recovered the bag, and prosecutors said they would probably file a felony drug possession charge against the man.

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BACK PAGE

Cars not the future for scootin' around town

BY JIM KRANE
AP Technology Writer

NEW YORK — "IT" is a scooter.

Capping months of speculation about his mysterious innovation, an inventor unveiled the device Monday — a gyroscope-stabilized, battery-powered scooter that he hopes will revolutionize short-distance travel.

Dean Kamen and his backers are banking on the Segway Human Transporter to displace cars, leading to a realigned cityscape that's more people-friendly.

The single-rider Segway, until now known only by its code names IT and Ginger, "will be to the car what the car was to the horse and buggy," Kamen boasted in this week's Time magazine. "Cars are great for going long distances. But it makes no sense at all for people in cities to use a 4,000-pound piece of metal."

Monday morning, Kamen and the hosts of ABC's "Good Morning America" took the scooter for a spin in Manhattan's Bryant Park, demonstrating maneuvers and cruising up and down ramps as crowds watched.

The two-wheeled Segway, which looks like a cross between a hand mower and a Razor scooter, travels at up to 12 mph, said Kamen spokesman Dave Chapman.

It's designed to be difficult to fall from or knock over because of gyroscopes that work to keep it upright. Speed and direction are controlled by the rider's shifting weight.

Riders stand upright over the invention's single axle, navigating with a bicycle-like handlebar. A single battery charge can propel the scooter 15 miles over level ground.

Kamen, whose Manchester, N.H.-based DEKA Research and Development company will oversee production, said the Segway requires about 10 cents' worth of electricity for a six-hour charge.

Kamen holds roughly 100 U.S. patents. His other inventions include the heart stent used by Vice President Dick Cheney, a wheelchair that climbs stairs and the first portable kidney dialysis machine.

The Postal Service and the City of Atlanta will be among the first purchasers, buying 80-pound heavy-duty models for $8,000 apiece, Chapman said.

The Postal Service plans to test 20 Segways on mail routes in Concord, N.H., and Tampa and Fort Myers, Fla., starting in January, Chapman said. In February, Atlanta's visitor's bureau employees will begin using the scooters to patrol the tourist district, Chapman said.

A 65-pound, $3,000 consumer model won't be available for at least a year.

Segway's director of marketing, Tobe Cohen, said Kamen hopes operators will be permitted to ride the Segway on city sidewalks, negating the need for licenses or insurance. The National Highway Traffic Safety Administration has ruled that Segway is not a vehicle, Cohen said. "We're working with state regulators to make sure they understand that," Cohen said.

Sotheby's chairman charged with cheating customers

BY SAMUEL MAULL
Associated Press Writer

NEW YORK — The former chairman of Sotheby's "watched from on high" as his subordinates carried out his orders hatching a price-fixing scheme with Christie's and cheating customers out of millions of dollars, a federal prosecutor said in closing arguments Monday.

A. Alfred Taubman, 76, of Bloomfield Hills, Mich., has been on trial for three weeks on charges he and Christie's Chairman Anthony Tennant stole as much as $400 million in commissions from sellers from 1993 to 1999.

The defense was scheduled to deliver closing arguments Monday afternoon and jury deliberations were to begin Tuesday.

Assistant U.S. Attorney John Greene told the jury in closing arguments that Taubman had the motive, the capacity and the opportunity to carry out the price-fixing conspiracy.

Sotheby's profits started shrinking in the late 1980s, from $410 million in 1989 to $202 million in 1992, and Taubman's stock in the company had plummeted as well, Greene said.

The prosecution's case centered on testimony by Diana "DeDe" Brooks, the former chief executive for Sotheby's who pleaded guilty in October 2000 to price-fixing charges. She agreed to testify against Taubman in hopes of avoiding a three-year prison sentence.

Brooks, 51, testified that the plot was conceived during a secret 1993 meeting in London at which Taubman and Tennant agreed they "were killing each other on the bottom line, and that it was time to do something about it."

During testimony, Brooks and her counterpart at Christie's, Christopher Davidge, both said their bosses ordered them to end a costly rivalry by eliminating discounts and charging identical, non-negotiable commissions. Taubman also warned her to keep quiet about it, Brooks added.

The secret deal denied sellers the right to negotiate a lower commission from one auction house by threatening to take business to the other. Since some auction items are worth millions of dollars, negotiating even part of a percentage less could translate into considerable savings for the seller.

"The fix was in," Greene said.

If convicted, Taubman would face up to three years in prison.

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