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THURSDAY, DECEMBER 15, 2011
Volume 11 Issue 29



Santa Monica Daily Press

We have you covered

FUNDS FOR SCHOOL BUSES CUT
SEE PAGE 6

THE COMMUNITY COMES TOGETHER ISSUE

Council bans smoking in new hotels

Elected officials vote to further study impacts of ban covering apartments, condominiums

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL The City Council voted Tuesday to restrict smoking in new hotels, but held off implementing rules on multi-unit housing until staff could address concerns about privacy and compatibility with federal and state financing laws.

If passed on second reading, the new rule will ban smoking from all new hotels and allow existing hotel owners to designate their hotels smoking or non-smoking.

The change will have an immediate impact as at least one application to build a new hotel is expected within the next 90 days, said City Manager Rod Gould.

Council members passed the measure 5-1, with City Councilmember Kevin McKeown against. (Councilman Terry O'Day was not present.)

McKeown noted that the Santa Monica

SEE SMOKING PAGE 10



Kevin Herrera *kevinh@smdp.com*

BOY OF THE HOUR: **Jeffrey Hughes Jr., who is battling a rare form of cancer, sits on his mother's lap as his father hands him a custom jacket courtesy of the Santa Monica Fire Department. Hundreds of his classmates, teachers and friends walked along Montana Avenue Wednesday in support of Jeffrey.**

Community rallies behind kid battling rare cancer

BY KEVIN HERRERA
Editor in Chief

MONTANA AVE Nearly two hundred students from Franklin Elementary School walked with their parents and teachers along Montana Avenue Wednesday in support of a classmate who is battling a rare and aggressive form of cancer.

Seated on his mother's lap and wearing a custom fireman's jacket courtesy of the Santa Monica Fire Department, Jeffrey Hughes Jr. waved from the front seat of a fire engine as his classmates chanted his name, some holding up handmade signs that read "May The Force Be With You," a line from the "Star Wars" series, Jeffrey's favorite.

Instead of spending his days playing Prince Charming in his church's production of "Cinderella" or playing flag football with the Franklin Spartans, Jeffrey, 8, has been in and out of hospitals over the last two months, subjecting his small body to chemotherapy and stem cell harvesting in hopes of eradicating the desmoplastic small-

SEE SUPPORT PAGE 8

Arby's sign finds a new home

Sign will likely go to Cincinnati

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

LINCOLN BOULEVARD Love makes you do crazy things sometimes, like transport a 16-foot, neon-lit fast food sign 2,000 miles across country.

That, however, is the likely fate of the Arby's Roast Beef sign on Lincoln Boulevard after the restaurant converts to a Wendy's in coming months.

Quick work by Wendy's and Arby's representatives resulted in a deal whereby the hamburger chain promised to move the 1,000-gallon hat from its current home on the 1300 block of Lincoln Boulevard to a museum for preservation.

The likely destination: The American Sign Museum in Cincinnati.

The intervention prevented a potential action by the Landmarks Commission, which had agendized the sign to consider assigning it landmark status, which would have protected the colossal hat in place.

Promising the sign to another entity for preservation was an elegant solution, said Commissioner Ruthann Lehrer.

"It's the ideal scenario," she said. "There's an awareness that the sign had special value, and the private sector took care of it and we don't need to be involved. That's terrific!"

Days before the commission hearing, Tod Swormstedt, president and founder of the sign museum, expressed interest in displaying the sign.

"We'd throw our hat into the ring,"

SEE SIGN PAGE 9


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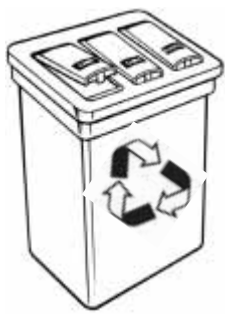

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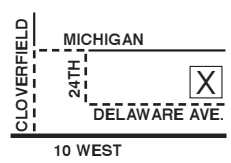

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Thursday, Dec. 15, 2011

Las Posadas Celebration
Virginia Avenue Park
2200 Virginia Ave., 5 p.m. — 6 p.m.
The annual Las Posadas Celebration features live music, performances and a heavy dose of what the Pico Neighborhood has to offer. This year's event will begin at 2112 Delaware Ave., where a procession led by a mariachi band will lead event-goers to the park for the rest of the festivities.

Samohi Choir at work
Barnum Hall
601 Pico Blvd., 7 p.m.
Join the Samohi Choir for a night of winter choral music. Dubbed "Motus Perpetuus," the performance is set to a theme of perpetual motion. All choirs in the program will perform. Cost: $10 donation for adults; $5 for students and seniors. For more information, visit www.samohichoir.org.

Young artists
Main Library
601 Santa Monica Blvd., 7 p.m.
LA Opera's Domingo-Thornton Young Artists return to Santa Monica with a semi-staged abridged version of one of Mozart's most popular comedies, "Così fan tutte." The Young Artists program is a two- to three-year paid residency for singers and pianists of exceptional talent who are currently in transition from academic training to a professional career in opera. This free concert welcomes all ages. Space is limited and on a first arrival basis, and tickets are available at 6 p.m. on the day of the concert. Main Library is served by Big Blue Bus routes 1, 7 and 10. For more information, visit www.smpl.org or call (310) 458-8600.

Friday, Dec. 16, 2011

Another door opens
Bergamot Station
2525 Michigan Ave., 5 p.m. — 10 p.m.
Santa Monica's legendary art complex Bergamot Station comes alive with 30 Open Doors, a colorful open house celebration of art, drink, food and performance, in honor of the site's remarkable past, present and future as the centerpiece of West Coast art. Valet parking will be available on site. This event is free and open to the public.
For more information visit http://bergamotstation.com/

Saturday, Dec. 17, 2011

Opening up
Santa Monica Pier
11 a.m. — 3 p.m.
The Santa Monica Pier Restoration Corp. will be hosting an open house featuring Santa Claus and free carousel rides and refreshments. Get a picture with the man in red. For more information go to www.santamonicapier.org or call (310) 458-8786.

Art sale
First United Methodist Church
1008 11th St., 10 a.m. — 2 p.m.
Upward Bound house invites people to attend its open house and art sale featuring art, jewelry and other gifts designed by local artists. Upward Bound House is a Santa Monica-based nonprofit with a mission to eliminate homelessness among families with children. This event is free and open to the public. For more information, visit www.upwardboundhouse.org or call Jaclyn Lantz at (310) 458-7779 ext. 203.

Pub crawl with a cause
Citywide
5 p.m.
Fast becoming a holiday tradition, the third annual Santa Monica Pub Crawl is expected to draw over 3,000 people who will donate food in exchange for deals at local bars. Last year enough food was collected for 21,000 meals, organizers said. Over 20 bars and restaurants will be participating. Remember to dress in holiday attire. For a complete list of bars, pub crawl maps, routes, bus stops, updates, or to download the mobile app, visit the official Web site at www.santamonicapubcrawl.com. Remember, do not drink and drive!

To create your own listing, log on to smdp.com/submitevent

For help, contact Daniel Archuleta at 310-458-7737 or submit to editor@smdp.com

For more information on any of the events listed, log on to smdp.com/communitylistings



CORRECTION

The article "'Creative' office buildings sell for reported $90 million," which appeared in the Dec. 14 edition of the Daily Press incorrectly identified a source. It should have stated that Jeff Jarow is a broker with PAR Commercial.

Santa Monicans encouraged to go a day without a bag

BY KEVIN HERRERA
Editor in Chief

CITYWIDE Santa Monica-based environmental watchdog Heal the Bay is encouraging residents across Los Angeles County to go a day without a bag today as part of its effort to spread the word about the dangers of using plastic bags.

The fifth annual "Day Without a Bag" education campaign will give Southland shoppers the opportunity to receive a free reusable bag when they visit various businesses, including retail, banks and grocery stores.

In Santa Monica, residents and visitors can get a bag at Union Bank, the Santa Monica Pier Aquarium and the Ralphs on Cloverfield Boulevard (from 3 p.m. to 5 p.m.), according to Heal the Bay.

The Santa Monica City Council passed a ban on single-use plastic bags that went into effect Sept. 1., and imposed a 10-cent fee on paper bags. Elected officials were concerned about the bags' environmental impact and wanted to encourage people to carry reusable bags.

More than 26 million plastic bags are used by Santa Monicans every year, city officials said, and that majority are not recycled or disposed of properly, contributing to pollution while posing a risk to marine life which may mistake the bags for food, according to Heal the Bay.

According to the Santa Monica Office of Sustainability and the Environment, more free plastic or paper bags are used for 12 minutes before being released into the environment. Less than 5 percent of the 19 billion plastic bags used each year in California are recycled.

That has led cities like Santa Monica, San Francisco, Long Beach and Malibu, as well as Los Angeles County, to impose bans on single-use plastic bags. The Los Angeles City Council is poised to move forward with its own ban next week that would also include paper bags, according to Heal the Bay.

An estimated 2.33 billion plastic bags and 400 million paper bags are used annually in L.A.

"After five years of hosting this event, it's gratifying to see us reach the tipping point in getting rid of single-use shopping bags in Los Angeles County," said Meredith McCarthy, Heal the Bay's programs director. "Bringing a reusable bag to the store is an easy and impactful way to improve the health of our oceans and neighborhoods."

Assemblymember Julia Brownley (D-Santa Monica) has indicated that she plans to reintroduce a measure next year calling for a uniform statewide ban on single-use plastic bags, building on her previous legislative efforts.

"We're proud to support Heal the Bay in this important effort to encourage sustainable choices to benefit the environment," said Union Bank Senior Vice President and Regional Manager Christine Sarkissof. "We strongly believe in preserving the environment, and it remains one of our core values -- our participation is one of the ways we demonstrate our commitment at the community level."



File Photo

TRASH: **Plastic bags find a home in a planter box.**

For more information on "A Day Without A Bag," go to www.healthebay.org/dwab

kevinh@smdp.com



SECRET SANTA

Fabian Lewkowicz *FabianLewkowicz.com*

SMPD Lt. Calisse Lindsey and SMPD Police Activities League Officer Austin Brown transport toys from Shutters at the Beach to PAL during the annual Share the Holidays Reception and Gift Drive on Monday. The toys will be distributed this Saturday at PAL's Holiday Workshop. PAL, located in Memorial Park, provides after-school programs for local youth.

L.A. police detail plans to ease car impound rules

BY THE ASSOCIATED PRESS

LOS ANGELES Unlicensed drivers can avoid having their cars impounded for 30 days under a plan unveiled by the Los Angeles Police Department amid complaints that illegal immigrants are being unfairly targeted by the existing law.

The proposal outlined Tuesday at a Police Commission meeting would permit a driver who had no previous conviction for unlicensed driving to have a licensed motorist take the car.

If the substitute driver cannot be contacted in a reasonable amount of time, the car would be seized but it could be retrieved as soon as the licensed driver arrives at the impound lot.

Current state law permits the cars of unlicensed drivers to be impounded for up to 30 days. Retrieving the vehicles can cost hundreds of dollars in fines and fees.

A majority of drivers whose cars are impounded are illegal immigrants who cannot legally obtain a driver's license.

"It's a fairness issue," Police Chief Charlie

SEE **CARS** PAGE 10

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Religion has no place in park

Editor:

So let me see if I get this right. Linda Shockley ("Atheist is another word for Scrooge," Letters to the Editor, Dec. 12) from the city of Malibu is complaining about "... some spiteful guy in Van Nuys (not even a resident of Santa Monica) and his friends to make protest banners about negativity and declare war on someone else's belief. If you don't agree with the nativity scenes that's OK, but you don't need to go out of your way to stop someone in sharing and celebrating what they do believe at this time of year."

Well I do live in Santa Monica and I would prefer that all religions respect the separation of church and state and remove their religious propaganda to their churches, temples, mosque and off of city, county, state and federal land!

J.J. Abbey
Santa Monica

Nothing for nothing

Editor:

Regarding the nativity scenes in Palisades Park:

Well, "nothing from nothing equals nothin'" as that old song went.

If the atheists that have done an end-run around the churches in Santa Monica have won a majority of the spots in Palisades Park via the lottery, then they should place nothing there. Why? Because they believe in nothingness and that would be consistent. I support their right to believe in nothing. I also support one of the founding principles of our country on the separation of church and state. But, that is really not what we're talking about here. We should get that straight.

We're really talking about communities celebrating their holidays and traditions. And, the right to display those traditions on "public land." I would posit that doing so has zero to do with the separation of church and state

Back in the early 1970s I lived on Ocean Avenue north of the California Incline. My young son and I would walk through Palisades Park to see the nativity scenes at Christmas time. It was beautiful and part of our tradition.

I also like the additions of adding space for Jewish holiday symbols and for Kwanzaa and all the rest – even the atheists. Do atheists have a holiday to celebrate? How do you celebrate the belief in nothing?

I do understand quoting Thomas Jefferson, if that quote is correct. He was a founding father. Of course, he was also a slaveholder, so the dude wasn't perfect.

It's been a long time since I lived in Santa Monica. I loved my time there. And, I wish for everyone reading this a merry Christmas, happy Chanukah, happy Kwanzaa, and happy nothingness.

Warm regards to my old hometown.

Cheryl D. Rhoden
Pinon Hills, Calif.



The Taxman



Jon Coupal

Send comments to editor@smdp.com

Voters could be overwhelmed by 2012 ballot initiatives

NEAR THE END OF THE CLASSIC 1978 movie "Animal House" we see Kevin Bacon, wearing his ROTC uniform, wildly flailing his arms and screeching, "Remain calm, all is well," as panicking parade attendees run about in every direction and back again in total confusion.

Were the writers and director John Landis channeling Nostradamus? The scene certainly appears to presage California initiative politics in 2012.

Thanks to the August, dead-of-the-night, last minute passage of a bill that prohibits initiatives from appearing on primary ballots — usually in June — the Legislature guaranteed a free-for-all for possibly a dozen or more ballot measures for the upcoming November 2012 ballot.

When the governor signed this legislation, he reversed a position he had taken as attorney general back in the early 1970s when he pioneered the placing of initiative measures on the primary ballot as well as the general election ballot, which served to make it easier for voters to digest the issues by allowing them take on propositions in two bites instead of one.

The motive for the change was painfully transparent. In addition to ensuring that a specific initiative despised by government union bosses would not appear in June of 2012, campaign consultants advised the politicians that measures to increase taxes, which they favor, would fare better in November. This is because a presidential election is more likely to turn out a larger group of "low information voters," those who are less well informed and are more easily influenced by slick advertising campaigns.

So let's have a look at the pandemonium we could well face on one ballot:

• A handful of billionaires and two failed governors — Gray Davis and Arnold Schwarzenegger — want to extend sales taxes to services, a tax increase of $10 billion.

• Molly Munger — the daughter of Charles Munger, Warren Buffet's chief business partner — wants a sliding scale increase in income taxes to raise $10 billion a year.

• Hedge fund manager Tom Steyer would indirectly boost taxes on out-of-state corporations doing business in California by changing the way their taxable incomes are calculated to the tune of about $1.1 billion a year.

• Gov. Brown and his union allies are backing a sales tax hike on everyone and income tax surcharge on the affluent to raise about $7 billion a year.

• The California Federation of Teachers is backing their own initiative to place a surcharge on millionaires.

• An initiative to split the property tax roll and increase taxes on businesses has been filed.

• A measure to impose $3 billion oil severance tax is already being circulated.

• Voters will be confronted with a $11.1 billion water bond.

• A spending limit initiative — that will not be liked by those backing the preceding tax increase measures — has just been filed and will likely qualify for November.

• Already qualified is a measure that would limit the influence of special interest money in politics.

There are a number of additional measures that could appear — 40 measures are pending with the attorney general, while 31 are in circulation — from one that would totally reorganize the structure of the state Legislature to one requiring California officials to engage in cooperative enforcement of federal immigration law. There is even the potential for a ballot proposition that would essentially grant state amnesty to illegal immigrants.

THANKS TO THE AUGUST, DEAD-OF-THE-NIGHT, LAST MINUTE PASSAGE OF A BILL THAT PROHIBITS INITIATIVES FROM APPEARING ON PRIMARY BALLOTS – USUALLY IN JUNE – THE LEGISLATURE GUARANTEED A FREE-FOR-ALL FOR POSSIBLY A DOZEN OR MORE BALLOT MEASURES FOR THE UPCOMING NOVEMBER 2012 BALLOT.

Although some of these measures are likely to fall by the wayside in the qualification process, there remains the very real possibility that voters will be run over by a hoard of complex issues. If they throw up their hands and vote no on everything, the Sacramento elite, who don't like allowing citizens to make decisions anyway, will use the failure of their pet measures to attack the right of the people to use the initiative process, and urge that all powers be vested in their bought-and-paid-for legislators. Of course, if the people do reject everything the Sacramento schemers put on the ballot, the latter will have only themselves to blame. By insisting that all measures be crammed into one ballot, they make it more challenging for thoughtful voters to make informed decisions.

On the other hand, maybe when voters say no, especially on tax increases, they know exactly what they are doing. It is much more likely that it is the politicians, rather than the voters, who are out of control.

JON COUPAL is president of the Howard Jarvis Taxpayers Association, California's largest grass-roots taxpayer organization dedicated to the protection of Proposition 13 and the advancement of taxpayers' rights.

PUBLISHER
Ross Furukawa
ross@smdp.com

EDITOR IN CHIEF
Kevin Herrera
editor@smdp.com

MANAGING EDITOR
Daniel Archuleta
daniela@smdp.com

STAFF WRITER
Ashley Archibald
ashley@smdp.com

CHIEF PHOTOGRAPHER
Brandon Wise
brandonw@smdp.com

STAFF PHOTOGRAPHER
Morgan Genser
news@smdp.com

CONTRIBUTING WRITERS
Bill Bauer, David Pisarra, Meredith Carroll, Jack Neworth, Lloyd Garver, Ron Hooks, Taylor Van Arsdale, Merv Hecht, Cynthia Citron, Tom Viscount, Michael Ryan, JoAnne Barge, Katrina Davy

NEWS INTERNS
Colin Newton, Kelly Zhou, Sophia Zhorne
news@smdp.com

PHOTOGRAPHY INTERN
Ray Solano
news@smdp.com

VICE PRESIDENT–BUSINESS OPERATIONS
Rob Schwenker
schwenker@smdp.com

ADVERTISING ACCOUNT EXECUTIVE
Steven Stuart
stevens@smdp.com

ADVERTISING TRAFFIC COORDINATOR
Rebecca Martinez
admin@smdp.com

OPERATIONS COORDINATOR
Michele Emch
michele.e@smdp.com

PRODUCTION MANAGER
Darren Ouellette
production@smdp.com

PRODUCTION DESIGNER
Alejandro Cantarero
production@smdp.com

CIRCULATION
Keith Wyatt
Osvaldo Paganini
circulation@smdp.com

Santa Monica Daily Press
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Your column here

Margot Dorfman

Send comments to editor@smdp.com

Big biz tax holidays bad for small business, America

IF SMALL BUSINESS OWNERS DECIDED TO stop paying our fair share of taxes, we'd be sent to jail. Big business tax dodgers want Congress to reward them with a tax holiday.

The U.S. Women's Chamber of Commerce strongly opposes legislation in Congress that would reward U.S. multinational corporations with massive, unwarranted tax discounts to bring back hundreds of billions in U.S. profits they shifted offshore to avoid paying taxes in the first place.

So called "Repatriation Tax Holidays" are nothing more than unfair, anti-American giveaways to big businesses that have lobbying and political donor clout in Washington, D.C.

Rewarding big business for anti-American and anti-competitive behavior, which undermines small business, is not the way to lead America back to prosperity and economic leadership. And it's sure not the way to create American jobs. According to the Bureau of Economic Analysis, between 1999 and 2008, U.S. multinational corporations reduced their domestic employment by 1.9 million jobs; they increased their employment overseas by 2.4 million jobs.

Small businesses care about America, our communities and our families. We care that our government has the funds to keep our roads and transportation working, educators preparing our next generation, and resources to defend our country. We create most of America's new jobs.

We don't have millions to spend on lobbyists for the purpose of securing undue and unwarranted favoritism. It is time to end, not extend, the double standard for big businesses, which employ thousands of lobbyists, accountants and attorneys for the purpose of not paying their fair share of U.S. taxes.

To make matters worse, many of these big businesses are profiting from big federal government contracts — contracts paid for by taxpayers. Big businesses receive unfair cost advantages that make it harder for small businesses to compete and win federal contracts. And they systematically rob the United States of tax dollars by shifting their U.S. profits offshore through tax havens and other anti-American tax dodging.

We should not reward this behavior. We should stop it.

Studies have shown that a similar supposedly "one time" 2004 repatriation tax break did not achieve positive results. It did not produce promised U.S. jobs or increased investments in research and development, or reduce our deficit. Instead, big firms paid out more dividends and engaged in stock buy-backs, increased their executive compensation and increased their stockpile of money offshore.

Rather than helping America, another big-business tax holiday will continue to undermine America's economy and reinforce the offshoring and anti-American tax strategies employed by big multinational firms. The congressional Joint Committee on Taxation has estimated that the tax breaks under consideration would cost the U.S. Treasury nearly $80 billion over ten years.

Big business tax-dodging schemes are grossly unfair to America's Main Street businesses. We've seen the shrinking small business share of business receipts over the last decade. A report published by the U.S. Small Business Administration Office of Advocacy, Development in Women-owned Businesses, found that between 1997 and 2007, publicly-held firms (companies whose stock is publicly traded), which represent only 3 percent of all firms in the U.S., dramatically grew their percent of total business receipts from 55 percent to 64 percent. During this same period, private firms lost a wrenching 9 percent market share.

That was before the economic meltdown, which devastated small business. The continued growth of big business squeezing out revenues-based market share growth has at its roots the many and growing advantages big businesses secure through Congressional influence every year.

Tax breaks, tax havens, tax holidays, bailouts and all the other unwarranted privileges afforded big business must stop. America can't afford to keep treating Main Street businesses like second-class citizens.

It's time to restore American values, including holding big business accountable for paying their fair share of taxes to support our domestic economy and infrastructure.

The U.S. Women's Chamber of Commerce demands that Congress stand up for Main Street American businesses who must compete in a marketplace that is already skewed against us. Our lawmakers should reject a new tax giveaway for big business. They should tell America's big businesses to stop their tax dodging through offshore tax havens — and just bring the money home!

MARGOT DORFMAN is CEO of the U.S. Women's Chamber of Commerce, representing 500,000 members nationwide. A copy of this article previously appeared in The Hill.

The Q Line

Purchasing power

The debate over the pace and scope of development in Santa Monica has often been contentious as neighborhood groups favoring slower growth squared off against planners and developers pushing for more height and density. The recent discussion about the Village Trailer Park and the City Council's decision to explore purchasing the park to save low-income housing is a perfect example.

So, this week's Q-Line question asks:
What do you think should happen to the Village Trailer Park? Should the council try to preserve it, or should the market dictate its future?

Contact **qline@smdp.com** before **Friday at 5 p.m.** and we'll print your answers in the weekend edition of the Daily Press. You can also call **(310) 458-7737 ext. 107**.





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California home sales rise while prices fall 4.3 percent

BY THE ASSOCIATED PRESS

SAN DIEGO Demand for lower-priced homes drove California home sales higher in November as prices fell, a research firm reported Wednesday.

There were 32,669 homes and condominiums sold in the state last month, up 4 percent from 31,403 in November 2010, DataQuick reported. Sales fell from October but only by half the usual October-to-November swoon.

The median sale price last month was $244,000, down 4.3 percent from $255,000 a year earlier, according to the San Diego-based research firm. It marked the 14th straight month that prices have declined from year-ago levels.

Expensive homes drew fewer buyers, dragging the median price down. DataQuick estimated that sales of homes priced above $800,000 dropped nearly 16 percent from last year.

Sales in some wealthier coastal regions suffered after caps on federally guaranteed home loans were reduced. The reduced limits that took effect Oct. 1 vary by county. In Los Angeles and Orange counties, the limit fell to $625,500 from $729,750.

Congressional leaders agreed last month to restore higher limits for loans insured by the Federal Housing Administration for the next two years.

Despite weakness on the high-end of the market, buyers continued to snap up less expensive homes. DataQuick estimated that sales of homes that sold for less than $300,000 rose 12 percent from last year.

In Southern California, absentee buyers — mainly investors and vacation home buyers — accounted for about one of every four homes sold in November. They paid a median price of $200,000.

Doug Shepherd, a broker in Riverside, said about one-third of his sales are all cash, typically investors from Canada, Pacific Rim countries and elsewhere. His market is one of the more affordable in Southern California.

"The rest of the world thinks California is on sale," he said.

California school districts decry end to busing funds

BY CHRISTINA HOAG
Associated Press

LOS ANGELES School districts throughout California are scrambling to cover the elimination of $248 million in funding for school buses starting next month, with the state's largest district filing a lawsuit to block the cuts and others saying they'll have to use reserves in order to keep transportation service.

"It's an incredibly unfair way to go about this," said Marc Johnson, superintendent of Sanger Unified School District, which covers 185-square miles in the Central Valley and where some two-thirds of students take buses to school.

Gov. Jerry Brown on Tuesday announced the elimination in bus funding as part of a package of so-called trigger cuts in state programs that will go into effect in January due to a shortfall in state revenue for the current fiscal year.

School districts will also see another $79.6 million lopped in general funding.

John Deasy, superintendent of Los Angeles Unified School District, called the loss of $38 million in bus funds to his district "catastrophic," saying it would affect 48,000 students, including 13,000 special needs students. The school board immediately voted to file for a temporary restraining order to block the cut.

In the meantime, Deasy pledged to juggle the budget to keep buses running in January. "We cannot simply terminate service," he said.

Representatives of the California School Boards Association and Association of California School Administrators said they are considering joining the lawsuit because it will adversely affect low-income districts the most, as well as disabled pupils who must travel to special programs.

"There's a very serious issue of equity here," said Bob Wells, executive director of the school administrators group.

Access to education for rural students who live far from schools and safety for urban students are at stake, said Patty Scripter, director of legislation for the California State Parent Teacher Association. "It's not just a ride to school," she said.

While urban districts have a fall back in public transit, outlying farming districts do not, noted Johnson, whose 11,000-student district will lose $500,000 in busing funds. He said the district will be able to cover the loss from its general fund, but that was money that could have gone to classrooms.

"We'll run the buses every day. We don't have a choice," Johnson said. "We have families who don't have a car. This is one of the inequities in this cut."

In Los Angeles, students at two magnet high schools said some of their friends travel as far as 30 miles to attend the high performing schools. Without buses, they would be forced to attend failing neighborhood schools, thus limiting their educational and career opportunities.

"This is about access to education," said Maria Martirosyan, a senior at Bravo Medical Magnet High School. "We are being infringed upon."

The Bakersfield City School District is slated to lose $1.2 million in busing funds. It will likely absorb the loss from its reserves to keep buses operating, said Chief Business Official Steve McClain.

The state provides only a portion of busing costs to districts, many of which do not provide buses to neighborhood schools. Many students use public transportation or rely on their parents.

Districts, however, must provide buses to magnet schools, schools in federally mandated improvement programs and for special needs students.

Tom Torlakson, state superintendent of public instruction, said Wednesday he will push for a referendum to ask voters in November for a tax to fund public education, noting that school districts have lost 25 percent of their state funding — some $18 billion — over the past four years.

He noted that they may lose more.

"Enough is enough," he said. "The financial emergency we have been in is only getting worse."

Obama marks Iraq war's end with a salute to troops

BY ERICA WERNER
Associated Press

FORT BRAGG, N.C. President Barack Obama on Wednesday saluted troops returning from Iraq, asserting that the nearly nine-year conflict was ending honorably, "not with a final battle, but with a final march toward home."

Marking the conclusion of the war at a military base that's seen more than 200 deaths from fighting in Iraq, Obama never tried to declare victory. It was a war that he opposed from the start, inherited as president and is now bringing to a close, leaving behind an Iraq still struggling.

But he sought to pronounce a noble end to a fight that has cost nearly 4,500 American lives and more than 100,000 Iraqi lives.

"The war in Iraq will soon belong to history, and your service belongs to the ages," he said, applauding their "extraordinary achievement."

All U.S. troops are to be out of Iraq Dec. 31, though Obama has pledged the U.S. will continue civilian assistance for Iraq as it faces an uncertain future in a volatile region of the world. Even as majorities in the U.S. public favor ending the war, some Republicans have criticized the withdrawal, arguing that Obama is leaving behind an unstable Iraq that could hurt U.S. interests and fall subject to influence from neighboring Iran.

Sen. John McCain of Arizona, Obama's one-time rival for the presidency, issued a particularly harsh verdict on his handling of Iraq. "I believe that history will judge this president's leadership with the scorn and disdain it deserves," McCain said on the Senate floor

Obama, appearing with first lady Michelle Obama, highlighted the human side of the war, reflecting on the bravery and sacrifices of U.S. forces now on their way back home. He recalled the start of the war, a time when he was only an Illinois state senator and many of the warriors before him were in grade school.

"We knew this day would come. We have known it for some time now," he said. "But still, there is something profound about the end of a war that has lasted so long."

Obama, who became president in part because of his opposition to the Iraq war, said the war faced twists and turns amid one constant: the patriotism and commitment of U.S. troops.

"It is harder to end a war, than to begin one," he said.

Still, he made only passing mention of the enormous soul-searching the war caused in America, saying it "was a source of great controversy here at home, with patriots on both sides of the debate." He did not mention that he had opposed it.

He noted the early battles that defeated and deposed Saddam Hussein and what he called "the grind of insurgency" — roadside bombs, snipers and suicide attacks.

"Your will proved stronger than the terror of those who tried to break it," he said.

Upon his arrival at Fort Bragg, Obama met with five enlisted service members who had recently returned from combat. He also met with the family of a soldier killed in Iraq who was the most recent, and potentially final, U.S. fatality of the war.

Obama has on several occasions addressed his reasons for ending the war, casting it as a promise kept after he ran for president as an anti-war candidate and speaking of the need to refocus U.S. attention on rebuilding the troubled economy at home.

Obama's approval rating on handling the situation in Iraq has been above 50 percent since last fall, and in a new Associated Press-GfK poll, has ticked up four points since October to 55 percent. Among independents, his approval rating tops 50 percent for the first time since this spring.

With the economy foremost on people's minds, fewer now consider the war a top issue. Fifty-one percent said it was extremely or very important to them personally, down from 58 percent in October, placing it behind 13 of 14 issues tested in the poll.

It's the president's first visit to Fort Bragg, which is home to Army Special Operations, the 18th Airborne Corps and the 82nd Airborne, among others. Special Forces troops from Fort Bragg were among the first soldiers in Iraq during the 2003 invasion and its paratroopers helped lead the 2007 troop increase.

North Carolina, which Obama narrowly won in 2008, also is an important state for the 2012 presidential election and will host the Democratic convention.

To underscore the political significance, former Massachusetts Gov. Mitt Romney, one of the leading GOP presidential contenders, addressed an open letter to Obama and sent it to the Fayetteville (N.C.) Observer decrying the unemployment rate for veterans.

Unemployment for veterans who served after Sept. 11, 2001, was 11.1 percent in November, according to the Bureau of Labor Statistics. Romney called such a statistic a "disgrace."

"In the face of such economic hardship, fine words welcoming veterans home are insufficient," he wrote. "It is time for a fundamental change of direction. If you won't or can't lead our country out of the economic morass you've deepened, then I would suggest that it's time for you to go."

McCain accused Obama of making a political decision, arguing that the U.S. should have left troops in Iraq to help secure the country. He said Obama was able to bring the war to a conclusion thanks to a troop surge in 2007 that Obama, as a U.S. senator, had opposed.

"For three years, the president has been harvesting the successes of the very strategy that he consistently dismissed as a failure," McCain said.

In his speech, Obama said that Iraq "is not a perfect place."

But he added that "we are leaving behind a sovereign, stable, and self-reliant Iraq, with a representative government that was elected by its people. We are building a new partnership between our nations."

Brig Gen Norman Ham, commander of the 440th Airlift Wing, in an interview reflected on the mixed outcome in Iraq.

"The world isn't a perfect place. We try to help where we can and do the best we can," Ham said. "We have limited resources to go everywhere and do everything for everyone, but we do the very best we can and that's what we've done in Iraq — the very best we can."

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Voter-approved Measure R is funding new transportation projects and programs and accelerating those already in the pipeline.

Here are updates on a few of the projects:

I-405 Sepulveda Pass Improvements Project
> The approaches to the Sunset Bridge over the I-405 Freeway are being reconstructed for the next year as part of the I-405 Sepulveda Pass Improvements Project between the I-10 and U.S. 101 freeways.
> The project will add a 10-mile HOV lane, realign 27 on and off ramps, widen 13 existing underpasses and structures and construct 18 miles of retaining and sound walls.
For more information visit: *metro.net/405.*

Exposition Transit Corridor Phase 2
> Exposition Transit Corridor Phase 2 has broken ground on extending the Expo Line west to Santa Monica from the Culver City Station now under construction.
> Train testing is currently underway on Phase 1 of the line running between Downtown LA and Culver City opening in 2012.
For more information visit: *buildexpo.org.*

Regional Connector Transit Corridor
> The Metro Board of Directors will soon be considering approval of the final environmental report for two-mile underground route of the Regional Connector light rail line.
> The route connects with the Metro Blue and Expo lines at 7th Street/Metro Center Station and with the Metro Gold Line at Alameda Street.
For more information visit: *metro.net/regionalconnector.*

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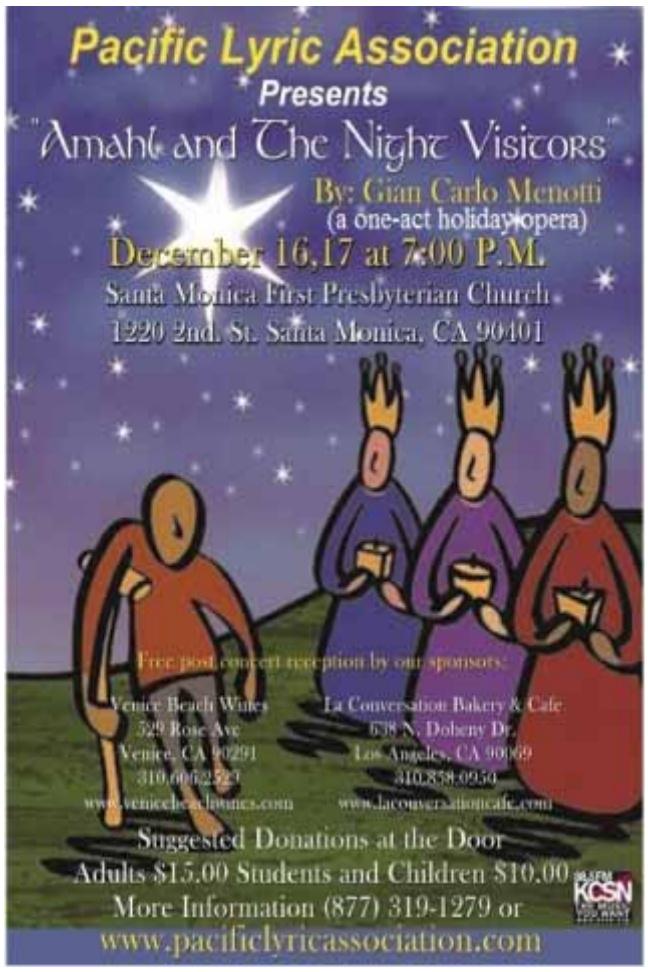





SAVING GRACE

Morgan Genser *news@smdp.com*

Eric Stocker dives and makes a critical save Tuesday at Santa Monica High School during a match against Long Beach Poly High School. Samohi won the non-league contest by a score of 2-0.

SUPPORT

FROM PAGE 1

round-cell tumor, a soft tissue sarcoma, that has surfaced in his abdomen.

Little is known about the cancer. Only a few hundred cases have been diagnosed since the early 1990s when it was first identified. No environmental or familial risk factors have been identified for this tumor and doctors are still trying to determine the best form of treatment. There are also very few warning signs. Overall survival rate is poor — less than 20 percent, according to St. Jude's Children's Research Hospital.

Jeffrey's diagnosis was devastating for his family, but with the help of relatives, friends and sometimes strangers, they have been able to remain hopeful. They have set up a website — http://jeffreyhughes.shutterfly.com/ — where supporters can keep track of Jeffrey's progress, check out photos and donate funds to help the family cover his treatments. As of Wednesday there was close to 630 followers and nearly two dozen families who have donated $1,000 or more.

"This has been an incredibly stressful time for us, but we have been able to keep our spirits up because of the love and support from those around us. We get a lot of love from everybody," said Jeffrey's father, Jeff Hughes, a third generation Santa Monican who founded Legal Grind, a coffee house that also offers customers affordable legal advice.

"It's easy to be despondent at a time like this," Hughes said. "Your life changes so dramatically. You think your son has a sinus infection and then all of a sudden it's one of the rarest forms of cancer. The community has helped us keep the faith and take care of things so that we don't just spin off into some surreal world."

Jeffrey's cancer was discovered by accident, Hughes said. Jeffrey, who has been described as a fun-loving child with an old soul, checked into the hospital in October for an unrelated surgery that the family thought was the cause for their son's lack of energy and inability to sleep through the night. Following the surgery, they expected him to start gaining weight and be more energetic. He played baseball and flag football and showed an interest in theatre.

But when that didn't happen, they went back to the hospital and learned something more serious than a sinus infection was the culprit. Jeffrey was immediately admitted for chemotherapy as tumors began to spread toward his heart, Hughes said.

Jeffrey's parents had to call in family to watch their three other children as they spent nearly every minute with their son at the hospital. Over the next few weeks, as word spread about his condition, friends at Franklin and at the family's church, First United Methodist, began offering support in many forms, from donating money and food to making origami cranes and shaving heads in solidarity after Jeffrey lost his hair because of the chemo.

"Everyone has really rallied around this family," said The Rev. Patricia Farris, senior minister at First United Methodist Church of Santa Monica where Hughes is a Sunday school teacher. "This is really testimony to the best of Santa Monica and what we are about and how we care for one another.

"Obviously this is a serious situation," Farris added. "We just want to keep the emphasis on the positive and the hope and the power of body and spirit to heal. We just want to support that little boy and his family with all the positive love and energy we can send his way."

If anyone knows the importance of having that support it's Franklin Principal Tara Brown. She lost her young son five years ago to cancer.

"I want better for Jeffrey," Brown said. "I want him and his family to know they are loved."

Brown said students have shaved their heads in solidarity and find time to chat with Jeffrey on Skype when he is in the hospital so he can stay connected.

"This is a little boy who is showing a lot of courage, strength and determination, and we want to be there for him," she said. "This community is really unique and like no other that I've ever been a part of."

Krista Strauss, who met Hughes when he coached little league, helped set up the website for Jeffrey's family and was critical to organizing the walk. She was beaming Wednesday as one kid ran up to her with cash in hand wanting to contribute to Jeffrey's fund.

"This is just incredible," she said. "It's very impressive."

What's more impressive is Jeffrey's attitude. While he has every excuse to be angry and depressed, Hughes said his son still finds time to smile, like when a Franklin dad, Steve Barnett, gave him a "Star Wars" collectible courtesy of his employers LucasFilm Animation. Jeffrey has taken time out to write thank you notes and to pray.

"He's just a special boy," Hughes said. "He only gets stronger when all the chips are on the table, and right now, all the chips are on the table."

But at least for a few hours Wednesday Jeffrey had the rare opportunity to spend time with his friends and just be a kid again.

kevinh@smdp.com

SIGN
FROM PAGE 1

Swormstedt said, although taking in the sign could be difficult because of the cost of transporting it.

In its agreement, Wendy's promised to pay the entire cost of trucking the large hat to the Midwest.

While the company was happy to help preserve the sign, keeping it on site would be inopportune for the incoming Wendy's, said Mike Dampf, a company representative.

"Wendy's wants to be there, but we'd rather operate with just our signage," Dampf said.

It wouldn't be the first time a new business has moved in despite an existing sign. First Republic Bank sits underneath the old Zucky's diner logo on Wilshire Boulevard at Fifth Street.

They occasionally get passersby looking for food, commissioners joked.

The Arby's sign is a rare bird in Santa Monica, one of the few free-standing, neon signs left after a 1985 change in the sign ordinance outlawed such glitz and required existing signage to come into conformance by 2000.

Despite its connection to thin-sliced beef sandwich with "horsey" sauce, the sign attained a special designation within the code that allowed it to continue in perpetuity.

The "meritorious" designation did not give the sign any protections against a change in ownership, however.

That would have been heartbreaking for many Arby's franchisees who still quest after the elusive signs, said Joseph Peskin, owner of Peskin Signs.

Peskin Signs began making the signs in 1964, and despite the proliferation of Arby's across the nation, there aren't very many left, Peskin said.



Daniel Archuleta *daniela@smdp.com*

SAVED? **The Arby's sign on Lincoln Boulevard.**

"We'd go to Arby's conventions, and 30 to 40-year franchisees would say, 'I still have one or two. I wish I had more,'" Peskin said. "Within the Arby's family, those signs are beloved."

The feeling persists outside of the family too, Swormstedt said.

"Why the hat? It's roast beef and happy trails to you, until we meet again," he said.

Even in Santa Monica, where large signage has gone the way of the dinosaurs, nostalgia for the simple days of Arby's lives.

"Good luck to Wendy's," said Commissioner Barbara Kaplan. "I wish Wendy's had a hat."

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SMOKING
FROM PAGE 1

Convention & Visitors Bureau had not been consulted on the new rule, and that it could hurt business from European vacationers who have a higher incidence of smoking than Americans.

Many hotels have already banned smoking, wrote Misti Kerns, president and CEO of the Convention & Visitors Bureau, but educating visitors on where smoking is permitted will be a citywide effort.

"Whether it be international travelers or visiting friends and family of residents, any ordinance of this magnitude will require a combined outreach effort to maintain our city's welcoming environment," she wrote.

Banning smoking in individuals' homes, however, hit major resistance.

Multi-unit apartment and condominium buildings have shared ventilation, which spreads second-hand smoke from a smoker's unit to the lungs of non-smokers.

That smoke comes loaded with known carcinogens, and has been proven to exacerbate asthma and other chronic illnesses in children and even cause cancer.

Although council members acknowledged the negative health impacts of second-hand smoke on children and adults, they had difficulty balancing health with both tenants' rights and their own affordable housing policies.

As written, the ordinance would require apartment and condominium dwellers to declare their unit "smoking" or "non-smoking" within 90 days of the effective date of the ordinance.

If the resident doesn't declare their unit, the unit defaults to a non-smoking unit.

The owner of the apartment or condominium would then post the results of that survey.

The units would remain smoking or non-smoking as long as the tenant continued to live there. After that tenancy ended, each unit would become non-smoking.

Units reserved for those transitioning from homelessness or addiction would be exempt.

Enforcement options vary from suing tenants who smoke in a non-smoking unit or making it a criminal infraction, much like it is to light up in some public places.

Critics worried that the proposed ordinance would make the right to smoke in one's home a privilege reserved to the wealthy and that the disclosure violated smokers' privacy.

Forcing a smoker to declare before his landlord and entire building was tantamount to disclosing that they were lowering the rent of the adjacent unit, McKeown said.

"And how do you enforce something like this?" he asked. "Will it be neighbors turning in neighbors? … Are we going to have police knocking on doors to check ashtrays?"

McKeown urged his fellow council members to wait for a new state law to take effect in January, which reaffirms a landlord's right to make a building smoking or non-smoking.

The proposed ordinance has drawbacks for those trying to assign affordable housing, said Sarah Letts, executive director of Community Corporation of Santa Monica.

Community Corp manages 1,500 affordable housing units in Santa Monica, some of which were funded using state and federal money.

"We are heavily regulated. We have to make sure this proposed ordinance would not conflict with regulations on our buildings," Letts said.

Additionally, elderly or disabled residents might not get their smoking designation in fast enough, which could lead to expensive fines or penalties those individuals could not afford.

"It would be especially difficult for people with fixed incomes, or those who failed to respond to our notices," Letts said.

Advocates of the ban pointed to a simple fact — second-hand smoke presents a danger not just to the person producing it, but to everyone who breathes it.

Cambria Garell, a third year resident at UCLA, works in a free clinic in Santa Monica. Many of her patients are poor, and cannot afford to move away from smoking neighbors that negatively impact their health.

"I've had to write letters to landlords pleading for them to allow patients to move, often to no avail," Garell said.

She urged the City Council to protect those young people by banning the practice.

Council members Bobby Shriver and Bob Holbrook, a pharmacist, pushed to pass the ordinance that night.

There's a "strong tenant protection vibe" in Santa Monica, but that means all tenants, Shriver said.

"When you see the American Lung Association, American Heart Association and three pediatricians say that children are suffering, that poor children are suffering and can't move, but we have to protect the castle of people blowing carcinogenic smoke into a ventilation system, that's a hard argument to give to those families," Shriver said.

A majority of council members present were not ready to act on the ordinance until staff clarified the impacts on existing affordable housing policies.

A 4-2 vote granted staff an undefined amount of time to come back to the council with details.

ashley@smdp.com

CARS
FROM PAGE 3

Beck, who designed the reforms, told the Los Angeles Times on Tuesday. "There is a vast difference between someone driving without a license because they cannot legally be issued one and someone driving after having their license revoked."

At the Police Commission hearing, Beck did not provide a timeline for putting the procedural changes into effect. However, he told the civilian agency that he would not make the procedural changes until he has heard the concerns of its commissioners and the public.

The police union opposes the change.

Relaxing the impound rules for unlicensed drivers would allow more dangerous motorists to remain on the road, said Kristi Sandoval, a director of the Los Angeles Police Protective League.

Commissioner Alan Skobin suggested that Beck expand the plan to allow impounding cars that previously have been seized as a way of holding their registered owners accountable.

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Check out the HOROSCOPES on PAGE 13!

NBA

Clippers trade for Chris Paul

BY BRETT MARTEL
AP Sports Writer

NEW ORLEANS The Hornets have agreed in principle to deal Chris Paul to the Los Angeles Clippers for guard Eric Gordon, forward Al-Farouq Aminu, center Chris Kaman and a first-round draft choice, people familiar with deal said.

Commissioner David Stern approved the trade on behalf of the league-owned team, people told The Associated Press on Wednesday on condition of anonymity because the NBA had not ratified the deal.

The 26-year-old Paul is a four-time All-Star who averaged 18.7 points and 9.8 assists last season, his sixth in the NBA. His move to the Clippers means he'll now be able to make alley-oop lobs to a young star famous for dunking over a car. That would be forward Blake Griffin, who averaged 22.5 points and 12.1 rebounds last season, his first in the NBA.

The Hornets, meanwhile, get a prolific young shooting guard in Gordon, who turns 23 on Christmas Day and averaged 22.3 points last season. The 6-foot-9 Aminu is a second-year pro who averaged 5.6 points and 3.3 rebounds as a rookie.

The 7-foot Kaman, 29, is an eight-year veteran who averaged 12.4 points and seven rebounds last season, but played in only 32 games because of a left ankle injury.

ESPN, citing anonymous sources, first reported the trade, which also involves New Orleans sending two future second-round draft picks to the Clippers.

Paul, whom the Hornets drafted fourth overall in 2005, told New Orleans earlier this month that he was not going to sign an extension, and Hornets general manager Dell Demps has been trying to trade him since.

Demps came close to making a deal with the Los Angeles Lakers last Thursday which the Lakers would have sent Lamar Odom to the Hornets and Pau Gasol to Houston, while the Rockets would have sent Luis Scola, Kevin Martin and Goran Dragic, and a first-round draft choice to New Orleans.

Stern, however, told Demps to take that deal off the table because he thought the Hornets could get a better deal, both in terms of personnel and salary obligations, in exchange for their marquee player.

As time passed, the urgency to make a deal appeared to be growing, even though Demps insisted earlier Tuesday that the Hornets had no timeline and would not be rushed into a "rash decision."

Still, Demps acknowledged that it was hard for the Hornets to pursue free agents and further build their roster while Paul's status was in limbo. If trade talks had dragged out much longer, the Hornets could have gone into Friday night's preseason opener at Memphis with little idea of what their roster would look like in their first regular season game at Phoenix on Dec. 26.

Other than Paul, the Hornets had only five returning veterans under contract: center Emeka Okafor, forward Trevor Ariza, point guard Jarrett Jack, swingman Quincy Pondexter and shooting guard Marco Belinelli.

The addition of Gordon, Aminu and Kaman give New Orleans desperately needed depth while opening the way for the franchise to strengthen its roster through free agency.









SURF REPORT

Surf Conditions **Water Temp:** 61°

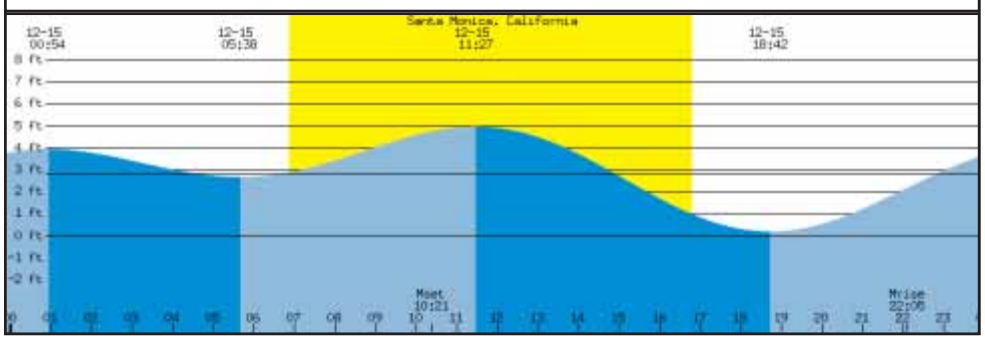
Swell Forecast

Looks like a waist max day most everywhere.

Long Range Synopsis

Some light NW swell is due, about waist to chest for west facing breaks.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous 30 days up to the ending date of **December 7, 2011**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - www.healthebay.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 30 days)

- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 10
- Number of A grades for dry/wet weather -- 27 / 13
- Number of (C,D,F) grades for dry/wet weather -- 0 / 0

The Beach Report Card is made possible by: The Diller – von Furstenberg Family Foundation, Grousbeck Family Foundation, simplehuman, LacarGUY, SMA

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Los Carrillo Beach, at Arroyo Sequit Creek mouth.	B	F
Nicholas Beach at San Nicholas Canyon Creek mouth.	B	B
El Pescador State Beach, between Lechuza and Las Alisos creeks.	ns	ns
Encinal Canyon at El Matador State Beach.	A+	A+
Broad Beach at Trancas Creek mouth.	A	A+
Zuma Beach at Zuma Creek mouth.	A+	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	A+
Paradise Cove Pier at Rominez Canyon Creek mouth.	C	C
Escondido Creek, just east of Escondido State Beach.	F	F
Latigo Canyon Creek mouth.	A+	C
Solstice Canyon at Dan Blocker County Beach.	F	A+
Puerco State Beach at creek mouth.	A+	A+
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd..	A+	F
Surfrider Beach at Malibu Colony fence.	B	A+
Surfrider Beach (breach location)- daily.	F	F
Malibu Pier - 50 yards east.	A+	D
Carbon Beach at Sweetwater Canyon.	A+	A+
Las Flores State Beach at Las Flores Creek (point zero).	A+	B
Big Rock Beach at 19948 PCH stairs.	A+	A+
Pena Creek at Las Tunas County Beach.	A+	A+
Tuna Canyon.	ns	ns
Topanga State Beach at creek mouth.	F	D
Castlerock Storm Drain at Castle Rock Beach.	A+	F
Santa Ynez Storm Drain at Castle Rock Beach.	B	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A+	C
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	D
Will Rogers State Beach at Pulga Canyon storm drain.	A+	A+
Will Rogers State Beach at Temescal Canyon drain.	A+	C
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	B	C
Santa Monica Beach at Montana Ave. drain.	A+	B
Santa Monica Beach at Wilshire Blvd. drain.	A+	B
Santa Monica Municipal Pier.	F	F
Santa Monica Beach at Pico/Kenter storm drain.	F	F
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	A+
Ocean Park Beach at Ashland Ave. drain.	A	A
Venice City Beach, at the Rose Ave. storm drain.	A	F
Venice Beach at Brooks Ave. drain.	A+	F
Venice Beach at Windward Ave. drain.	D	A
Venice Fishing Pier - 50 yards south.	A+	A
Venice Beach- projection of Topsail St..	A+	F
Marina del Rey, Mothers' Beach- lifeguard tower.	A	F
Dockweiler State Beach at Ballona Creek mouth.	A	F
Dockweiler State Beach at Culver Blvd. drain.	A+	A+
North Westchester Storm Drain at Dockweiler State Beach.	A+	A
Dockweiler State Beach at World Way (south of D&W jetty).	A	C
Dockweiler State Beach at Imperial Hwy drain.	A+	F
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	D
Dockweiler State Beach at Grand Ave. drain.	A+	C

LEGEND

DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

Heal the Bay's Beach Report Card® is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A–F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

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Highs and Lows of the Criminal Justice System – Drug Offenses

One of my clients recently commented to me that she was very thankful that our criminal justice system afforded her an opportunity to help her kick her nasty drug habit. Her comments got me thinking about how often the criminal justice system is denigrated and maligned by a large majority of the population (and a large majority of those who go through the system) for the inability to rehabilitate and treat offenders in order to prevent a reoccurrence or repeat offense. Despite this widely held sentiment, there is a much better track record of success when it comes to the system's approach to drug offenses. California law makers and prosecutorial agencies decided long ago that it is far better to treat drug offenders than to punish them. This is a precarious and often delicate relationship because while no one wants to condone drug use, virtually everyone realizes that harsh punishments more often than not simply breed recidivism. This article will focus on two ways to combat drug use through the criminal justice system: DEJ and Prop 36.

California's drug laws maintain a close relationship with the electorate of California. That is to say that as popular feelings and opinions on drugs softens, so too do the laws criminalizing drug possession. For example, California Penal Code Section 1000, more commonly known as DEJ (Deferred Entry of Judgment), and the passage of Proposition 36, reflects California citizens' collective sentiment that drug offenders should be given every available option to seek treatment and stop using drugs before a court imposes jail or prison.

DEJ is covered by Penal Code Section 1000 and applies to cases where a person is caught in possession of a controlled substance, smoking device, or even alcohol. The basic principle behind DEJ is that is an offender in possession of a controlled substance (i.e. cocaine, methamphetamine, ecstasy or a pipe, etc.) may enter a guilty plea, stay clean, take drug treatment classes, and then have the guilty plea withdrawn and the case dismissed after an 18 month period. Note that even if the underlying offense is dismissed some employers and licensing agencies may still pursue administrative action. DEJ only applies to cases where the controlled substance is for personal use (meaning not a sales case) and where the offender is first determined to be eligible. Moreover, if an offender violates DEJ and defies a court's orders the judge may enter the guilty plea and sentence the offender accordingly.

In order to be found eligible for the DEJ program it must be demonstrated that: 1) There are no prior convictions for any offense involving controlled substances, 2) The offense charged did not involve a crime of violence or threatened violence, 3) There is no evidence of a violation relating to narcotics or restricted dangerous drugs, 4) The defendant's has not previously violated probation or parole, 5) The defendant has not been placed on DEJ within 5 years of the offense date, and 6) The defendant has no prior felony conviction within five years. If all of these requirements are satisfied, then a person is eligible for DEJ and has the opportunity to earn a dismissal.

Similar to DEJ, Proposition 36 was passed by California voters in November 2000 as a legislative means to allow drug offenders to receive probation with treatment rather than incarceration. For practical purposes, Prop. 36 is a secondary option to get addicts and users treatment when DEJ and/or other programs have failed to get people the help that they so desperately need. A user is ineligable for probation under Prop. 36 if they have a prior felony "strike" within five years, if in the same case they have been convicted of a non-drug related felony or misdemeanor, if they were in possession of a firearm while under the influence, and/or if they have twice failed Prop. 36 or continuously refuses treatment.

A person sentenced to Prop. 36 will complete drug treatment classes, counseling, and whatever other courses are deemed appropriate by the court. The offender will also submit to urine or blood testing as well. Upon successful completion of the Prop. 36 program the case is not automatically dismissed as is the case with DEJ; however, one can petition to the court to dismiss the action with a showing that they have successfully completed the program and gone above and beyond what was required.

The DEJ and Prop. 36 programs can work wonders for drug users and offenders. It is often quite refreshing to see someone enter the program as a downtrodden, distraught, and disheveled drug addict and exit the program clean, sober, and enlightened about the many dangers of drug use. I will never forget the look of happiness, joy and relief that filled my client's face when the judge congratulated her on her progress and then dismissed her case. There was applause from the small audience in the courtroom, and my client felt as though she had accomplished something positive rather than felt the shame of having committed a crime. It was refreshing to both of us that the criminal justice system actually helped and truly served the interests of justice.

If you or anyone you know has been arrested for a drug related offense or any other misdemeanor or felony offense contact criminal defense attorney and former prosecutor Jacob Glucksman through The Legal Grind immediately to preserve your rights!

This column was prepared by Jacob Glucksman, a Criminal Defense attorney. He can be reached through the Legal Grind at 310-452-8160 or referral@legalgrind.com

Disclaimer: this article does not constitute legal advice and does not create an attorney client relationship.

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@ THE NOVEL CAFÉ, located at 2127 Lincoln Blvd, Santa Monica
Although our doors are closed during construction, we're still open!

CALL 310.452.8160 TO CONFIRM TIMES
Info@legalgrind.com

MONDAY	
4:00–5:00pm	(1st & 3rd Monday/Month) Criminal, DMV & Traffic Law: Felony and Misdemeanor Crimes, with former Deputy D.A. and Attorney Jacob Glucksman
5:00–6:00pm	(1st & 3rd Monday/Month) Tenant Rights, Auto accidents, Products Liability, Insurance & Business Disputes, Personal Injury & Small Claims with Attorney Mark Palmer
TUESDAY	
9:00-12:00noon	Patent, Trademark and Copyright Law with Attorney Marcus Risso (By appointment only)
1:00-4:00pm	Employment Law: Wrongful Termination, Sexual harassment, Disability Accommodation, Leave Law, Discrimination, Retaliation, Whistle Blower, Wage & Hour disputes with Attorney Sara Eliot
4:00-5:00pm	(1st and 3rd Tuesday/Month): Civil and Criminal Law with former Deputy District Attorney Hart Levin. Hart has expertise in all criminal and traffic issues, and he also has extensive knowledge in many areas of civil law including business disputes, fraud, personal injury and employment law.
WEDNESDAY	
5:00-6:30pm	Divorce and Legal Separation; Domestic Partnerships; Child Custody, Support and Visitation; Spousal Support; Prenuptial Agreements & Mediation with Family Law Specialist Attorney Elizabeth Fields at the Novel Café located at 2901 Ocean Park Blvd. in Santa Monica, 90405.
THURSDAY	
12:00-2:00pm	Immigration and Family Law with Attorney Galorah Keshavarz (By appointment Only)
5:00-6:00pm	Chapter 7 and 13 Bankruptcy Filings, Debt Negotiation and Personal Injury cases with Attorneys Paul Mankin and/or Jeff Hughes (By appointment Only)
4:00–5:00pm	(2nd & 4th Thursday/Month) Landlord/Tenant Rights & Obligations, Small Claims, Restraining Orders/Domestic Violence & General Practice Law with Attorney John Wittig
FRIDAY	
4:00-5:00pm	(2nd & 4th Friday/Month) Criminal, DMV & Traffic Law: Felony and Misdemeanor Crimes with former Deputy D.A. and Attorney Jacob Glucksman
4:00–5:00pm	(2nd & 4th Friday/Month) Small business start-ups, Corporations, Contracts, Non-Profit Organizations, Green Law, Employment Law, Green and Sustainable Business Practices with Attorney Becki Kammerling.
SATURDAY	
10am-12noon	(1st, 3rd, & 5th Saturday/Month) Estate Planning, Trust & Will Contests Probate, Elder Law, Business Litigation, Formation & Dissolution, Contracts, HOA & Personal Injury with Attorney Richard Ruman
10am-11:30am	(2nd & 4th Sat/Month) Employment/Labor Law including wrongful termination, sexual harassment, wage & hour claims, severance issues; and Family Law/Divorce including support, custody, & prenuptial agreements with Attorney Todd Smilovitz.

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MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(310) 260-1528

Housekeeping (PG-13) 1hr 55min
Running On Empty (PG) 1hr 56min
7:30pm

Discussion between films with actress Christine Lahti.

AMC Loews Broadway 4
1441 Third Street Promenade
(888) 262-4386

Sitter (R) 1hr 40min
1:10pm, 3:20pm, 5:30pm, 8:00pm, 10:10pm

Jack and Jill (PG) 1hr 31min
1:30pm, 4:05pm, 7:00pm, 9:40pm

Tower Heist (PG-13) 1hr 44min
1:15pm, 4:15pm, 7:15pm, 10:00pm

Very Harold & Kumar 3D Christmas (R) 1hr 29min
1:45pm, 4:25pm, 7:10pm, 10:00pm

AMC 7 Santa Monica
1310 Third St.
(310) 451-9440

Twilight Saga: Breaking Dawn - Part 1 (PG-13) 1hr 48min
11:15am, 2:00pm, 4:45pm, 7:30pm, 10:15pm

New Year's Eve (PG-13) 1hr 57min
11:30am, 2:25pm, 5:25pm, 8:20pm, 10:30pm

Sherlock Holmes: A Game of Shadows (PG-13) 2hrs 08min
12:01am

Muppets (PG) 1hr 38min
11:10am, 1:00pm, 2:00pm, 4:05pm, 5:00pm, 6:45pm, 7:45pm, 9:30pm

Puss in Boots (PG) 1hr 30min
11:15am, 4:30pm, 9:30pm

Puss in Boots 3D (PG) 1hr 30min
1:50pm, 7:00pm

Immortals 3D (R) 1hr 50min
11:10am, 1:45pm, 4:20pm, 7:05pm, 10:00pm

J. Edgar (R) 2hrs 17min
11:45am, 3:10pm, 6:30pm, 9:50pm

Laemmle's Monica Fourplex
1332 Second St.
(310) 478-3836

Like Crazy (PG-13) 1hr 29min
1:00pm, 5:20pm, 10:00pm

Knuckle (R) 1hr 25min
9:55pm

Margin Call (R) 1hr 49min
7:20pm

Crazy Wisdom: The Life and Times of Chogyam Trungpa, Rinpoche (NR) 1hr 29min
3:10pm, 7:40pm

Descendants (R) 1hr 55min
1:00pm, 4:10pm, 7:00pm, 9:45pm

Melancholia (R) 2hrs 10min
1:00pm, 4:00pm, 7:10pm, 10:10pm

AMC Criterion 6
1313 Third St.
(310) 395-1599

Happy Feet Two in 3D (PG) 1hr 45min
2:00pm

Arthur Christmas 3D (PG) 1hr 37min
2:15pm, 7:45pm

Hugo 3D (PG) 2hrs 07min
11:15am, 2:05pm, 4:55pm, 7:45pm, 10:00pm

New Year's Eve (PG-13) 1hr 57min
1:00pm, 4:05pm, 7:00pm, 9:45pm

Sitter (R) 1hr 40min
11:45am, 2:10pm, 4:45pm, 7:15pm, 9:40pm

My Week with Marilyn (R) 1hr 36min
11:15am, 1:50pm, 4:40pm, 7:30pm, 10:20pm

Arthur Christmas (PG) 1hr 37min
11:30am, 5:00pm, 10:30pm

Happy Feet Two (PG) 1hr 45min
11:15am, 4:30pm

For more information, e-mail news@smdp.com

Find the right path, Scorpio

ARIES (March 21-April 19)
★★★★ While you can, get as much accomplished as possible. You are definitely overworked, but you can effectively get through that extra work. Tonight: Head home, but squeeze in some exercise.

TAURUS (April 20-May 20)
★★★★ You come from a solid position and greater depth and understanding. Your ability to understand the way others work and empathize allows for a strong rapport. Your creativity comes forward, allowing greater give-and-take in the late p.m. Tonight: Start thinking "weekend." Make plans.

GEMINI (May 21-June 20)
★★★★ Don't stand on ceremony with another person. Jump over a barrier and let it dissolve. Confusion surrounds this situation anyway. Verify what you are hearing. Don't be goaded into a disagreement. Stay centered, and listen. Tonight: Happy to get home.

CANCER (June 21-July 22)
★★★ Be aware of your limitations -- those that are self-imposed as well. You might want to see if you can move past a particular boundary. A partnership adds an element of confusion. Ask questions and make sure you are on the same page. Tonight: Head on out. Meet friends.

LEO (July 23-Aug. 22)
★★★★ Rethink the possibility of making a change. Say "yes" and head in a new direction. Use the daylight hours to the max. Confusion surrounds a personal matter. Make sure the fog doesn't hit your finances. A respected boss or relative surprises you. Tonight: Think "gifts." Think "Santa."

VIRGO (Aug. 23-Sept. 22)
★★★ Your major focus could be just getting through the day. You have something better waiting around the corner. Think positively. If you need to take a break, do. An element of confusion surrounds your daily life. Tonight: You are top dog.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Zero in on your priorities, knowing full well the choices you need to make. Remain upbeat and direct in your dealings. Still, there is a vague side effect with a loved one or a meeting. Somehow you note a disconnect. Maintain a sense of humor. Tonight: Vanish while you can.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You know what you want, but do you understand which path is the correct path? Touch base with several different people. Your sense of humor helps when confusion messes up the best-laid plans. Stay on top of a personal matter. Tonight: Tell it like it is.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Check out a hunch and brainstorm with those in the know. Although the solution appears in the haze, it seems appropriate. Take a stand, but know that you will need to follow through. Clarify where others are coming from. Tonight: Expect to be burning the midnight oil.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Deal directly with one other person. You could be unusually persuasive when following through on an idea. Use care with your finances, as you easily could make a mistake. Tonight: Follow the music.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ If you think a key person might have an ulterior motive, you could be misreading the situation. Just accept what is offered, and make less of a judgment. Has anyone told you that you over-think situations? Today could be a prime example. Tonight: Chat over dinner.

PISCES (Feb. 19-March 20)
★★★ Continue the hectic pace. You know what you are doing. Schedule meetings for late in the day. What starts out as a business meeting turns into a warm get-together, which could evolve into a lot more. Tonight: Socializing to your heart's content.

Happy birthday

This year you often feel very sure of yourself. Your thinking might be grounded, but for whatever reason, an element of confusion runs through your life. You can count on yourself, but you cannot predict others' behavior. Often people take a different meaning from a situation than you intend. Learn to clarify. Your positive attitude helps you work through problems. You also will attract people who are more upbeat. If you are single, you could date to your heart's content. Just don't consider a date a marriage proposal. If you are attached, take up a new hobby together. VIRGO can push you beyond your limits.

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average



MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

The first person who can correctly identify where this image was captured wins a prize from the Santa Monica Daily Press. Send answers to *editor@smdp.com*. Send your mystery photos to *editor@smdp.com* to be used in future issues.

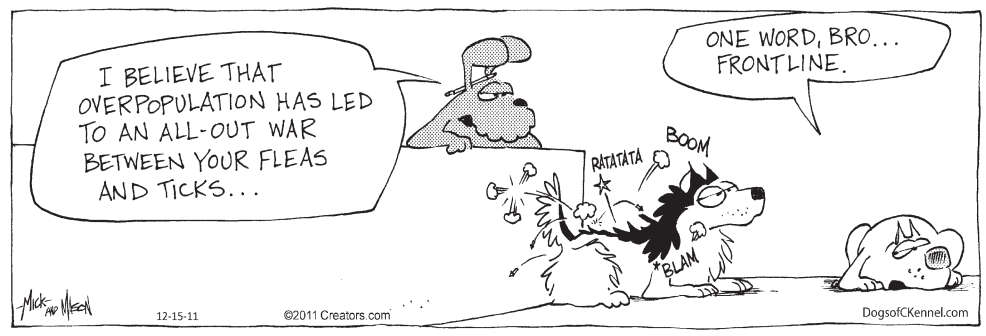
Speed Bump
By Dave Coverly



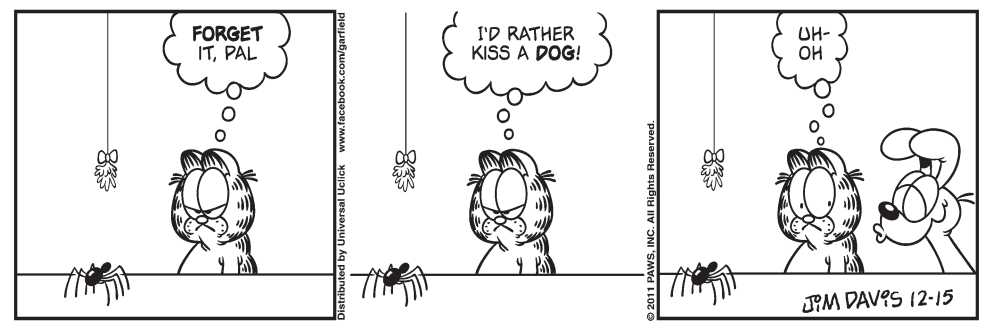
Strange Brew
By John Deering



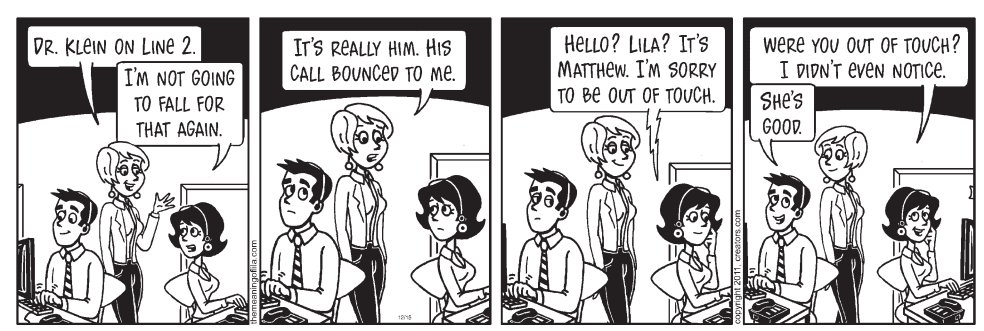
Dogs of C-Kennel
By Mick and Mason Mastroianni



Garfield
By Jim Davis



The Meaning of Lila
By John Forgetta & L.A. Rose



Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★★

			3	8			1	
		7				5		9
	9				2		6	
9				4		1		
1								7
		4		2				8
	7		9				3	
6		2				4		
	5			1	4			

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

4	6	8	3	7	5	9	1	2
3	9	7	1	2	8	6	4	5
5	1	2	6	9	4	7	3	8
8	2	6	9	1	7	3	5	4
9	5	3	8	4	2	1	7	6
7	4	1	5	3	6	8	2	9
6	8	4	7	5	3	2	9	1
1	3	5	2	8	9	4	6	7
2	7	9	4	6	1	5	8	3

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CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Takes the bus
6 Pocatello's state
11 Stood
12 "Inception" director
13 Man-handle
14 Because of
15 Baking spice
17 Winter woe
19 Indulgent
20 Bunny move
23 Hang around
25 Late-night name
26 Haber-dashery buys
28 Abound
29 Attack
30 Go astray
31 Mythical piper
32 Good times
33 Repress
35 White's colleague
38 Is ominous
41 Fill with wonder
42 Bothered
43 Oven feature
44 Cartoonist Trudeau

DOWN

1 Eminem's art
2 S&L offering
3 Australia
4 Jacob's twin
5 Home-steader
6 Book section
7 Baseball's Drabek
8 Pub pints
9 Bowler, for one
10 Music's Yoko
16 Bring together
17 Cham-pagne glass
18 Titanic, for one
20 As cover-ed by this contract
21 Like bar drafts
22 Assign-ments
24 Beauty
25 Tyler of "The Lord of the Rings"
27 Purse
31 It ends with a show of hands
33 Mist
34 Greek vowel
35 Convened
36 Paris pal
37 Traffic snarl
39 Corn unit
40 Hog home

P	A	B	L	O	■	■	R	A	S	P
E	R	R	O	R	■	S	O	L	T	I
P	O	I	S	E	■	C	O	L	O	N
S	U	B	S	■	E	R	M	I	N	E
U	S	E	■	F	L	A	■	N	E	D
P	A	R	O	L	I	N	G	■	■	■
■	L	Y	R	E	■	T	A	C	O	■
■	■	■	C	A	R	O	L	I	N	G
A	R	C	■	B	U	N	■	T	E	L
D	O	R	I	A	N	■	R	I	C	E
A	M	O	N	G	■	D	O	Z	E	N
P	E	O	N	S	■	A	M	E	N	D
T	O	N	S	■	■	Y	E	N	T	A

Yesterday's answer

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1	2	3	4	5	■	6	7	8	9	10
11					■	12				
13					■	14				
■	■	15			16			■	■	■
17	18		■	19			■	20	21	22
23			24			■	25			
26						27				
28				■	29					
30			■	31			■	32		
■	■	■	33				34		■	■
35	36	37			■	38			39	40
41					■	42				
43					■	44				

12-15

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• Insert the given numbers in the empty squares so when they are calculated in threes from left to right and top to bottom they satisfy the demands in the shaded boxes both horizontally and vertically.

• Each empty square dictates the math operation that must be performed to meet the demands.

• Remember to multiply or divide before you add or subtract.

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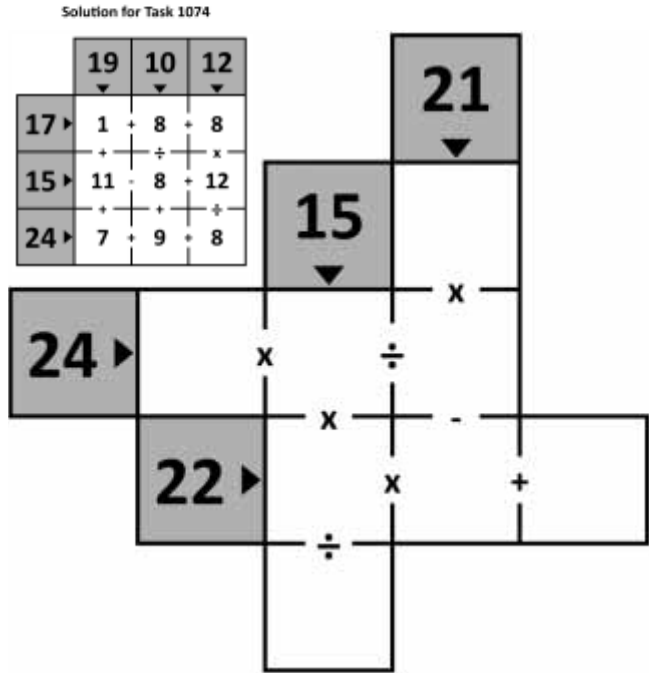
Fill in the empty fields with the given numbers so when calculated together they satisfy all Equas in the gray boxes:

3, 4, 4, 5, 6, 7, 8, 12

Solution for Task 1074



DAILY LOTTERY

MEGA MILLIONS: 5 6 22 26 41 Meganumber: 6 Jackpot: $135M

SUPER LOTTO PLUS: 7 15 31 32 47 Meganumber: 24 Jackpot: $15M

Fantasy 5: 8 16 20 24 27

DAILY 3 MIDDAY: 9 3 5 EVENING: 6 1 0

DAILY DERBY: 1st: 07 Eureka 2nd: 12 Lucky Charms 3rd: 04 Big Ben RACE TIME: 1:42.00

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site at http://www.calottery.com

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Israelis lately experience attacks not just from the outside but from its own ultra-Orthodox communities (about 10 percent of the country, and growing), whose activists have jeered and stoned "immodestly" dressed women and girls (as young as 6) on the street, defaced women's images on billboards, forced illegal gender segregation in public facilities (including buses and sidewalks), and vandalized businesses that treat women as equals (such as one ice cream shop -- since female customers lick the cones in public). An especially violent minority, the Sikrikim, employ some tactics reminiscent of the Ku Klux Klan in America.

■ Each August in Urakawa, Japan, a "hallucination and delusion competition" takes place among visiting alcoholics and sufferers of mental disorders, who in principle are helped by bonding with fellow patients and revealing their failures and successes. The Bethel Festival, named for its sponsor, brings about 600 people together for on-stage presentations (sometimes in the form of song or dance) and awards a grand prize to a standout visitor (one year, to a woman who lived for four days in a public restroom after a voice in her head told her to, and in another year, to a man who had overcome a 35-year stretch of never straying more than two yards from his mother). (Some mental-disorder professionals believe the festival is too-easily mockable by insensitive outsiders.)

TODAY IN HISTORY

1933 The Twenty-first Amendment to the United States Constitution officially becomes effective, repealing the Eighteenth Amendment that prohibited the sale, manufacture, and transportation of alcohol.

1939 Gone with the Wind receives its première at Loew's Grand Theatre in Atlanta, Georgia, USA.

1941 Holocaust: German troops murder over 15,000 Jews at Drobitsky Yar, a ravine southeast of the city of Kharkiv, Ukraine.

WORD UP!

cleave \ kleev \ , verb;
1. To adhere closely; stick; cling.
2. To remain faithful. 3. To split or divide by or as if by a cutting blow, especially along a natural line of division, as the grain of wood.

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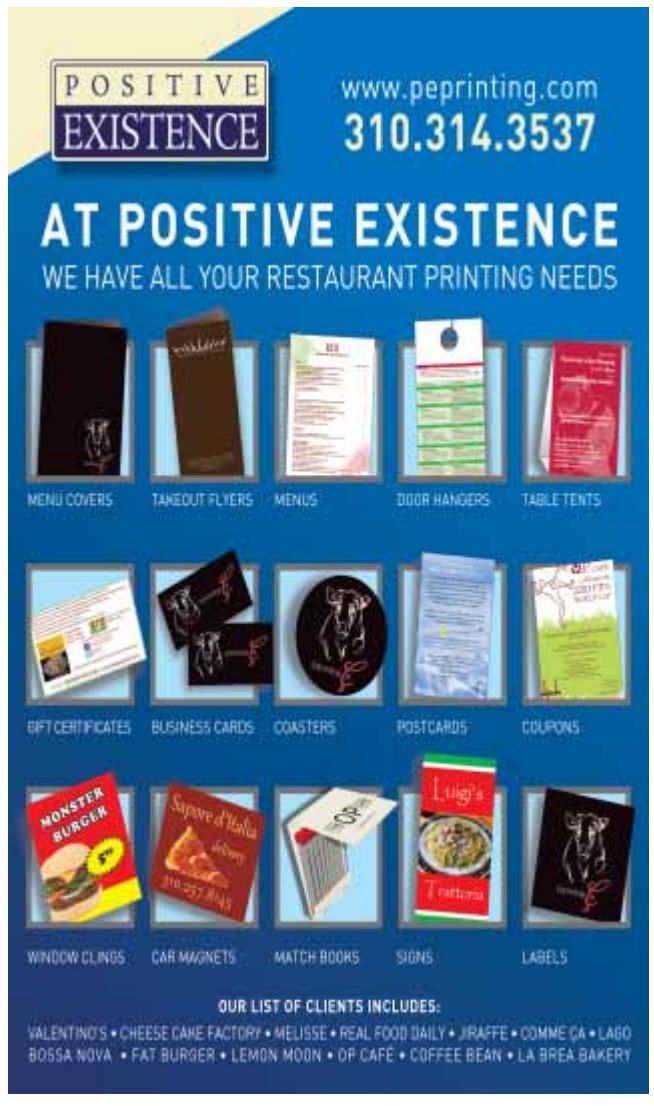
Name Changes

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. LS021913
Superior Court of California, County of Los Angeles
Petition of MARYAM GHAVAMI JAZAYERI for Change of Name
TO ALL INTERESTED PERSONS:
Petitioner or Attorney: MARYAM GHAVAMI JAZAYERI filed a petition with this court for a decree of changing names as follows: MARYAM GHAVAMI JAZAYERI to MARYAM GHAVAMI - JAZAYERI. The court orders that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.
Notice of Hearing:
Date: January 11, 2012 Time: 8:30am, Dept. D
The address of the court is 6030 Sylmar Ave., Van Nuys, CA
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: Santa Monica Daily Press.
Date: 11/1/2011
RICHARD H. KIRSCHNER, JUDGE OF THE SUPERIOR COURT





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