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USD News Print Media Coverage

January 2003

**USD Print Media Coverage
January 2003**

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**Office of the President
Board of Trustees**

IN BRIEF

**Ecumenical Council to honor locals
for leadership, church involvement**

4154
Five San Diego County residents will be honored for their leadership and church involvement at the Ecumenical Council's annual tribute dinner, which has been moved to February because of the timing of the Super Bowl in San Diego later this month.

The honorees, according to the council, are:

- The Rev. Laurel Gray, a longtime activist and founder of Third World Opportunities Program, which brings together congregations interested in working on a building project in the border region. Gray also helped start the San Diego Hunger Coalition and Senior Gleaners, a group of senior volunteers who harvest excess food for local agencies. He is a member of St. Andrew's Lutheran Church in San Carlos.

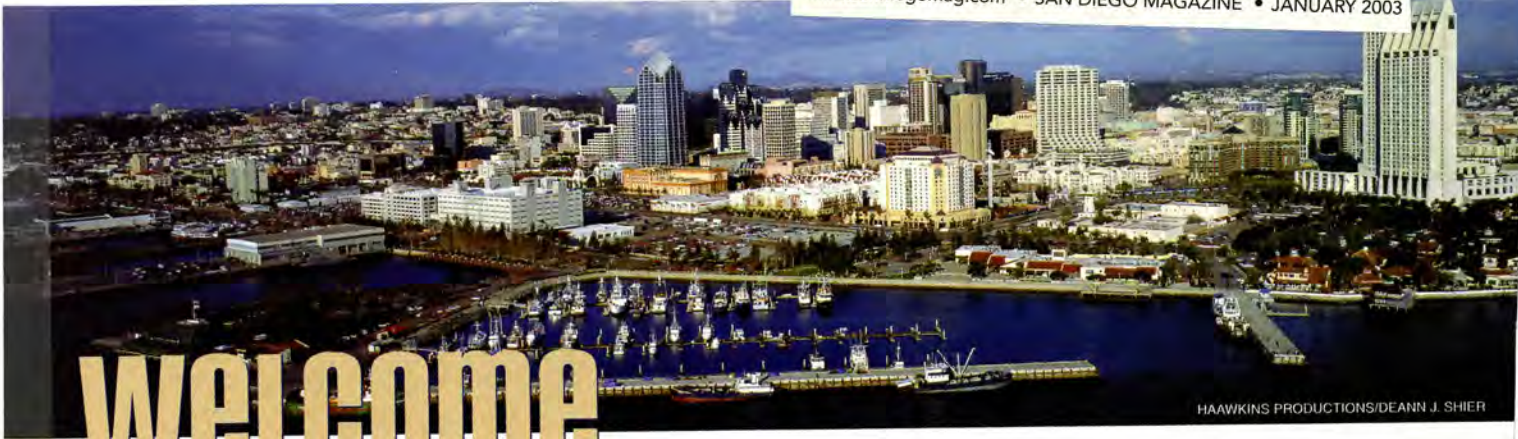
- Alice B. Hayes, president of the University of San Diego, who plans to retire this year. A biologist by training, she has headed the Catholic-affiliated university here for the past seven years. Hayes was recently named to the Catholic Church's national review board to oversee implementation of a new national sexual abuse policy. She is a member of the Immaculata Parish on the USD campus.

- Carmen Samuels is a pediatric nurse practitioner and registered nurse who volunteers with Catholic Charities Refugee and Immigration Services and advocates on behalf of Sudanese refugees here. She is a former Peace Corps volunteer and a member of Christian Fellowship Congregational United Church of Christ in San Diego.

- San Diego City Attorney Casey Gwinn and his wife, Beth, will be honored for their separate contributions. The city attorney's domestic violence unit has won widespread recognition, and Gwinn is known nationally as an expert on domestic violence intervention and prevention. Beth Gwinn is a teacher and volunteer music coordinator at Benchley Weinberger Elementary School. They are members of Community Covenant Church in El Cajon.

The dinner will be held Feb. 5 at the Doubletree Hotel in Mission Valley; tickets are \$125 and may be purchased by calling the council at (619) 238-0649.

Union-Tribune



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WELCOME



Dear Friends:

With the excitement of Super Bowl XXXVII upon us, it is my sincere pleasure to extend a warm San Diego welcome to our visiting guests.

For those unfamiliar with San Diego, the following pages will provide a brief glimpse into what makes our region such a special place. While we're widely known for our year-round sunny skies, gorgeous beaches and active lifestyles, you'll soon see there's much more in store for you in San Diego.

Our thriving arts-and-culture community includes two Tony Award-winning theaters, more than 90 museums, an array of art galleries and concert venues and a year-long schedule of festivals and celebrations showcasing our diversity.

Looking for activities and attractions? The world-famed San Diego Zoo, SeaWorld, Wild Animal Park, Legoland and Balboa Park are hot spots for family adventures. History aficionados can explore Old Town State Park, Cabrillo National Monument or one of our many missions. And for shopping, dining and nightlife, visit the Gaslamp Quarter — or La Jolla, recognized in 2002 as the best place to live in America by the *Robb Report*.

How about a little recreation? If golf is your game, you'll enjoy choosing from our 90 courses, ranging from seaside settings to desert mountains. And our 70 miles of beaches provide a stunning backdrop, whether you're taking a brisk jog or a relaxing stroll. For the more adventurous, there's scuba diving, sportfishing, sailing and more.

San Diego also means business. San Diego was named the best place in America for business and careers in a 2002 *Forbes Magazine*/Milken Institute study, which found that San Diego "has the most diversified high-tech economy in the United States."

On behalf of the city of San Diego and the entire San Diego region, welcome to our corner of paradise.

Mayor Dick Murphy
City of San Diego



Dear Guests:

The San Diego Super Bowl XXXVII Host Committee is proud to welcome you to San Diego, the birthplace of California. As your travels take you around the region, you'll undoubtedly notice that much has changed since we last hosted the big game in 1998.

San Diego has grown on many fronts during the past few years. We've doubled the size of our bayfront convention center, enabling San Diego to host more conventions and trade shows than any city in California. We've opened the doors to Legoland California, a major family-oriented theme park. And we've attracted heavyweight companies like Gateway Computers and Iomega.

These are just a few recent examples of a region that remains on the go. Downtown San Diego is experiencing unprecedented construction activity, with a dozen cranes giving rise to new hotels, condominiums, office buildings and retail space. And the new Padres ballpark is moving toward completion by opening day 2004, providing the centerpiece of a larger mixed-use re-development district in downtown's East Village.

San Diego's continuing emergence as a world-class region is made possible by the "can-do" attitude of our people and a commitment to building a strong economy powered by an educated workforce. San Diego benefits from a diversified economy, with strengths in the high-tech, biotech and telecom sectors, as well as traditional mainstays such as manufacturing, tourism and the military.

Our region's universities set the stage for success. According to a recent *U.S. News & World Report* survey, the University of California, San Diego ranks as the seventh-best public university in the nation, while San Diego State University ranks in the top 20 nationwide for top graduate schools for entrepreneurs. The University of San Diego is one of just 10 nationally ranked independent universities in California.

We're confident you'll enjoy your stay in San Diego, and look forward to seeing you again ... for business or pleasure.

Ron Fowler
Chairman, San Diego Super Bowl XXXVII Host Committee

National board moves ahead on clergy abuse

Other lay Catholics wary of reforms that seek to change church structure

4154
By Catholic News Service

NEW YORK — The lay board set up by the U.S. bishops to monitor their handling of sex abuse cases reported at a meeting in New York Jan. 16-17 that it was moving ahead to carry out its mandate with expectation of full cooperation by the bishops.

Board member Robert S. Bennett, a Washington lawyer, said if a bishop failed to cooperate "everybody is going to know about it" and the laity was "not going to tolerate" a refusal of cooperation.

"The climate has changed," he said.

A major accomplishment was reaching the stage where the board could authorize Kathleen L. McChesney, the former FBI official who directs the bishops' new Office for Child and Youth Protection, to begin negotiations with agencies to provide professional assistance in drawing up reports, said Anne M. Burke. Burke, a justice of the Illinois Appellate Court, is the board's vice chairman.

Alice Bourke Hayes, president of the University of San Diego, said a statistical study McChesney would oversee was designed to show the scope of the sex abuse problem by compiling information on the numbers of priest-abusers and victims, the ages of victims and other data.

She said the board wanted the study to include the amount of money the various dioceses have paid in settlements with victims, lawyers' fees and other costs.

The board hopes to complete this study by June, Hayes said.

A second project, scheduled for completion by December, will present an audit of how well the bishops are implementing the new measures agreed on at their Dallas meeting in June and

laid out in the "Charter for the Protection of Children and Young People."

Bennett reported progress on a longer-term study to analyze the causes of the current crisis. It does not focus on individual priests, he said, but on "systemic problems" such as those that led to transfers of offending priests from parish to parish and diocese to diocese.

Paul R. McHugh, a psychiatry professor at the Johns Hopkins Medical School, reported on plans to commission some "distinguished organization," preferably secular, to study the "epidemiology," or causative factors, of sexual abuse of children by celibate clergy.


He said this study would be based on confidential, in-depth interviews with a sampling of priests and designed to develop comparative data.

But McHugh said the question of "zero tolerance," whether a priest guilty of sex abuse of a child should be permanently excluded from priestly ministry, was "not a therapeutic decision."

The abuse is first of all a crime, and the perpetrator should be punished, he said. Subsequently, therapists may be able to rehabilitate some offenders for some functions, but the question of whether a man who has committed such crimes can fill the "iconic" role of a priest is for "other authorities" to decide, he said.

In other developments regarding the sexual abuse crisis:

■ In a book-length response to the clerical sex abuse crisis, a lay Catholic group has warned against structural reforms that would undermine the church's hierarchical nature and introduce a "subversive agenda." The American Society for the



WEST TENNESSEE CATHOLIC
MEMPHIS, TN
WEEKLY 17,100
JAN 23 2003

WILMINGTON DIALOG
WILMINGTON, DE
WEEKLY 52,200
JAN 23 2003



CNS/Bob Roller

Attorney Robert Bennett, a member of the national lay review board, says "everybody is going to know" if a bishop fails to cooperate with the board, which monitors the bishops' handling of clergy sex-abuse cases.

Defense of Tradition, Family and Property prepared the 180-page response to counter what it said were efforts to manipulate the crisis and use it to "democratize" the church. The book is titled "I Have Weathered Other Storms: A Response to the Scandals and Democratic Reforms That Threaten the Catholic Church."

Thomas J. McKenna, vice president of the Tradition, Family and Property society, said his organization was particularly concerned about the emergence of groups like Voice of the Faithful, which have called for deep structural changes in the church in the wake of the abuse crisis. "Yes, there is a crisis and there is abuse, and all that has to be addressed. But reform of the church cannot mean restructuring of the hierarchy, which is

divinely inspired," he said.

The book says the backdrop for the "horrendous" sex abuse cases is a wider crisis of faith in the church — for which the main answer is prayer and "reform of souls." It defends the church's rules on priestly celibacy and women's ordination. It criticizes what it calls a widespread "homosexual infiltration" in the church, including seminaries. The book is available from the group's Internet website, www.tfp.org.

■ Bills introduced into the Washington state legislature would require clergy to report any suspected incidents of child abuse or neglect and would eliminate the criminal and civil statutes of limitations on incidents of child sexual abuse. The current statute of limitations in Washington bars prosecution or lawsuits filed more than three years after the incident or three years after the victim discovers or remembers the incident or three years after the victim realizes the damage caused by the incident. Legislatures in Kentucky and Wisconsin also are looking at their states' sex abuse laws.

■ The Chicago Archdiocese reported that financial costs for clerical sexual abuse of minors over the past decade totaled \$16.8 million, of which \$2.8 million was covered by insurance. Its review board, formed in January 1993, found 55 allegations against 36 priests credible, but none of the incidents happened since 1991. Of the accused priests, eight are dead,

nine have resigned and 19 have been removed.

Chicago was one of four dioceses that made financial disclosures regarding the crisis. Coadjutor Bishop Gerald F. Kicanas of Tucson, Ariz., said that "bankruptcy has to be one of the options" his diocese considers as it deals with debts incurred last year to settle 11 lawsuits. Local newspapers estimated the amount of the settlements to be about \$15 million. Other dioceses releasing reports included Joliet, Ill., and Worcester, Mass.

■ The scandal is exacerbating pressures on religious constitutional rights, Mark Chopko, general counsel to the U.S. Conference of Catholic Bishops, said in a lecture at The Catholic University of America law school Jan. 15. "Catholic institutions were already under tremendous pressures from regulators, legislators and litigants to conform their operations to the prevailing cultural pressures," Chopko said.

The damage done to the church's credibility because of the abuse scandals and how abuse cases were mishandled by some church leaders only worsened the situation for religious institutions, he said. In a society that more readily accepts abortion than religion as a civil right, forces are at work that could "radically remake the religious institutions serving the public," he said.

It will take at least another 24 months before the fallout from the sex abuse scandal can begin to be sorted out, Chopko said.

Alumni Relations

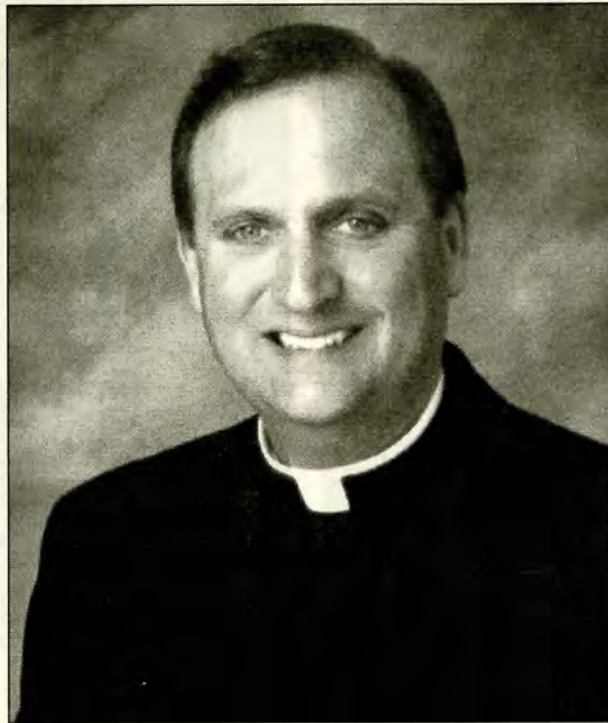
Msgr. Mikulanis Receives USD's Bishop Buddy Award

SAN DIEGO – Msgr. Dennis Mikulanis was awarded the Bishop Charles Francis Buddy Award at the University of San Diego on Dec. 7. The USD Alumni Association presents the award each year in recognition of extraordinary contribution and commitment to humanitarian causes.

After the terrorist attacks in September 2001, Msgr. Mikulanis spearheaded a series of meetings that introduced the public to Islam's tenets and practices, a step that he says is vital to building a culture of understanding and peace. Earlier this year, Msgr. Mikulanis became pastor of San Rafael Parish in Rancho Bernardo.

He is also a founding member of the Interreligious Council of San Diego and serves as the Catholic chaplain for the police departments of San Diego and Chula Vista.

"Msgr. Mikulanis is an outstanding example of an alumnus who not only represents the leadership and ethics USD teaches but



MSGR. DENNIS MIKULANIS

puts them into practice on a daily basis," said Jack Kelly, director of Alumni Relations at USD. "The overwhelming positive response we received when we announced he was our 2002 Bishop Buddy Award honoree is testament to his exceptional humanitarian contributions."

Msgr. Mikulanis, a San Diego native, graduated from USD in 1973 with a bachelor's degree in history and philosophy. He was ordained in 1977 and returned to Rome for his doctoral studies. In 1986, Msgr. Mikulanis was appointed director of the newly created Office for Ecumenical and Interreligious Affairs. Bishop Robert H. Brom selected Msgr. Mikulanis to serve as Vicar for Ecumenical and Interreligious Affairs for the diocese in 1990.

In addition to his work for the diocese, Msgr. Mikulanis has served as pastor for Holy Spirit and St. Charles parishes.

The Southern Cross

San Rafael priest receives honor

By **Pat Kumpan**

Msgr. Dennis Mikulanis, pastor of San Rafael Catholic Church in Rancho Bernardo, has received one of the most prestigious recognitions in the Catholic community — the Bishop Buddy Humanitarian Award.

Mikulanis is described as “a regular guy with a great sense of humor” who many parishioners relate to “because he is never stuffy,” said Michael Liuzzi, president of the Alumni Association at

USD, where Mikulanis received a bachelor of arts in history and philosophy in 1973.

But he is also known as a stickler when it comes to church doctrine, Liuzzi said.

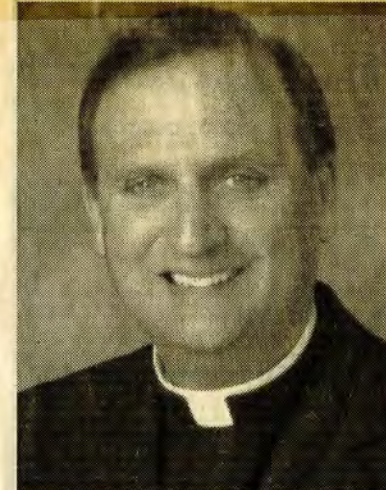
Mikulanis was ordained a Catholic priest in 1977 at St. Joseph’s Cathedral in San Diego. He and his two brothers are San Diego natives and the sons of Paul and Tillie Mikulanis.

Mikulanis later received his doctorate in sacred theology after studying in Rome.

The monsignor has spent most of his 25 years as a priest associated with numerous Catholic churches in San Diego, including St. Charles in the South Bay and St. Brigid’s in Pacific Beach.

In early August, he replaced outgoing Msgr. Lloyd Bourgeois at San Rafael and has spent most of the last six months getting to know people in his new parish.

“It usually takes about a year to really know what you’re doing, but



Msgr. Dennis Mikulanis

Please see **Honor page A8**

Continued from page A1

I’m beginning to settle in,” Mikulanis said.

“Msgr. Dennis is the kind of priest you follow from parish to parish because of his wonderful homilies,” said Liuzzi, who was married by the priest.

Mikulanis spends so much time on a homily, which is a message related to the gospel used during Mass, because he wants his parishioners “to have something to keep them going all week.”

If they take the time to come to church, he wants to give them something to remember.

Much of the priest’s interaction with people during the last two decades embodies the ecumenical movement that began with the Vatican II conference in the 1960s.

“I think we should be responsible for ecumenism on both sides of

the aisle,” Mikulanis said. “Protestants, Catholics, Jews — no matter what faith — we should all be working together.”

In 1986, the priest was appointed director of the newly created Office for Ecumenical and Interreligious Affairs, a direct reflection of his vision to unite people of all faiths.

“Christ’s voice is muted as long as Christians are not united,” Mikulanis said.

One of his recent visits to Rome was to attend a multi-church conference with other pastors to discuss religion and how it can be adapted to today’s issues throughout the world.

Since 1976, the Bishop Charles Francis Buddy Award has been given to a USD alum who exemplifies spiritual leadership and a commitment to humanitarian causes.

Buddy was as bishop of the San Diego Diocese from 1936 to 1966, when he died.

Rancho Bernardo News Journal
January 16, 2003



My righteous friend

4154

As visitors stroll the path leading to the entrance of Israel's Yad Vashem, there is a collection of trees, each bearing an engraved plaque on which appears the name of someone designated as a Righteous Gentile.

This unique setting serves as a tribute to those non-Jews who, risking their own lives, offered aid and hope to Jews who might otherwise have been swept away.

In this column and two subsequent columns, I will share with you three stories about people who fit the pattern of Righteous Gentiles. Each of the subjects shy away from any attention that might put them into a spotlight because of their dedication to share their everyday lives with others less fortunate than themselves. Nevertheless, I believe they deserve to be publicly commended.

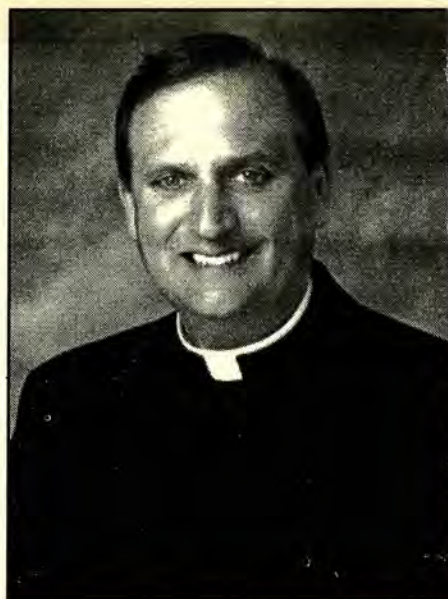
It is difficult for me to identify the exact time and place I met the first of these remarkable people, Monsignor Dennis Mikulanis. Last Dec. 7, the monsignor was awarded the Bishop Charles Francis Buddy Award at the University of San Diego. A graduate himself from USD in 1973, Msgr. Mikulanis was ordained in 1977, so we

must have first met soon thereafter. From the beginning we struck it off well and with each passing year our friendship has become more and more solidified.

The award at USD, as reported in *The Southern Cross*, the diocese newspaper, cited his "extraordinary contributions and commitment to humanitarian causes," words that barely touch on the innumerable activities Mikulanis has either initiated or in which he has become involved beyond the duties of whatever parish he has served.

He is a founding member of the Interreligious Council of San Diego and serves the police departments of San Diego and Chula Vista. Working with the Jewish community, he became a member of the San Diego/Emek Hefer Sister County Committee in 1980, when I had just returned from Israel after escorting a group of non-Jewish community leaders on a UJF mission, during which time the since-defunct Sister County relationship was established.

Following the Sept. 11, 2001, terrorist attacks, he spearheaded a series of meetings introducing the general public



MONSIGNOR DENNIS MIKULANIS

to Islam's tenets and practices, a step that he believed was vital to building a culture of understanding and peace within our entire community.

After the monsignor was called to Rome for his doctoral studies in the early '80s (we addressed him as "Father Dennis" in those days), I led a tour group that included the late Rabbi Aaron Gold and his wife, Jeanne, and 20 Tifereth Israel congregants.

Accepting my invitation to join us for Shabbat dinner at Rome's Excelsior Hotel, Mikulanis spoke about this phase of his life as a young priest living in the shadow of the Papal Palace. Everyone listened attentively, and as he ended his remarks he told us how much the evening meal meant to him, not just because it gave him the opportunity to have a reunion, but mostly because it

was the first really great meal he had had since arriving in Rome. He said he knew if it were a Shabbat meal, it would exceed anything he had been served in the Vatican quarters where young priests lived and ate.

We laugh about eating ice cream cones and tossing pennies in Trevi Fountain with other Jewish friends on other Rome visits, and how, with the passing of years, we came to accept each other as simply friends, not as Catholic and Jew.

I have watched him grow in stature from 1986, when he was appointed director of the newly-created Office for Ecumenical and Interreligious Affairs, until 1990, when he became vicar for ecumenical and interreligious affairs for the entire diocese. He is a frequent speaker in synagogues and at Jewish events. Often he and Jewish leaders can be seen implementing ideas together. He is listened to with respect not just for his position but for the personable man that he is.

He has shared my birthday parties and family dinners along with other Jewish friends with whom he has warm relations. I have seen him in his pastoral role, first at the parish of Holy Spirit, then at St. Charles parish and now as pastor of San Rafael Parish in Rancho Bernardo. He assumed the mantle of "monsignor" as we entered the 21st century and it will surprise none who know him as to what heights he will yet attain within his faith.

The monsignor is a native San Diegan, a cousin to actor Alan Alda (a lookalike if ever there was one), and certainly deserves to bear the Righteous Gentile title.

BusinessLink USD

SAN DIEGO UNION-TRIBUNE

**SAN DIEGO, CA
SATURDAY 374,856
JAN 18 2003**

**Panel to discuss
Super Bowl growth**

BusinessLink USD will present "Big Game, Big Business — Evolution of the Super Bowl" featuring NFL Commissioner Paul Tagliabue on Thursday at the Jenny Craig Pavilion at the University of San Diego. The luncheon will include a panel of NFL, media and corporate executives discussing the evolution of the Super Bowl from its 1967 beginning.

Guests can ask Tagliabue questions about the NFL and are eligible to win four tickets to Super Bowl XXXVII Jan. 26. Registration and reception, 11 a.m. Lunch and program, noon to 1:45 p.m. For information call (619) 260-4690.

Local Scene

San Diego Stock Exchange

4154
B12
The San Diego Stock Exchange Index closed lower Friday at 834.727, down 0.83 percent from Thursday. Seventy-two issues were down, 46 were up and 39 were unchanged. **Gen-Probe Inc.** (Nasdaq: GPRO) was the top dollar gainer, up \$2.81 to \$27.40. **Cymer Inc.** (Nasdaq: CYMI) was the top dollar loser, down \$1.83 to \$33.53. The San Diego Stock Exchange is listed on Page 8A. Source Code: 20030117la

Ships off to the Middle East

A seven-ship armada, destined for the Arabian Sea and possibly Iraq, set sail from Naval Station San Diego on Friday morning. The ships left their home base carrying 10,000 sailors from San Diego and Marines from nearby Camp Pendleton. Family members of some of the servicemen and women crowded the piers for the departure. Some 60,000 U.S. troops are already in the Gulf region and Defense Secretary Donald H. Rumsfeld has signed orders for an additional 67,000 to go over the next few weeks. The size of the U.S. force arrayed against Iraq could reach 250,000. Source Code: 20030117lb

Super Bowl luncheon Thursday

National Football League Commissioner Paul Tagliabue and sports executives and media figures will participate in "Big Game, Big Business — Evolution of the Super Bowl," Thursday at University of San Diego. Presented by BusinessLink USD, the corporate affiliation program, the event is the San Diego Host Committee's official luncheon for Super Bowl XXXVII. The luncheon is from noon to 2 p.m. at USD's Jenny Craig Pavilion.

Michael Wilbon, *Washington Post* columnist and co-host of ESPN's "Pardon the Interruption," will moderate a discussion with Tagliabue, NFL Films President Steve Sabol, ESPN Senior Vice President and Executive Editor John Walsh, Southwest Airlines Senior Vice President for Marketing Joyce Rogge and *Sports Illustrated Magazine* Senior Writer Rick Reilly.

Tickets for BusinessLink members are \$100 or \$1,000 for a table of 10, which includes nine guests and a sponsored USD student. Nonmembers will pay \$150 and \$1,500 for a table. All proceeds from the event will go toward financial support of USD students. For tickets, more information or to become a BusinessLink member, call (619) 260-4690 or visit BusinessLink's Web site at businesslink.sandiego.edu. Source Code: 20030117lc

Employer-Assisted Housing forum

The San Diego Housing Commission and **Fannie Mae** (NYSE: FNM) have partnered to launch a new Employer-Assisted Housing program to help employees purchase homes closer to work.

Local businesses interested in providing housing benefits for their employees are invited to attend an upcoming forum to learn more on this topic.

The meeting will feature guest of honor San Diego City Council member Scott Peters, who contributed city funds to the program.

The event will take place Monday, Feb. 3, 8 a.m. - 10 a.m. at the **San Diego Marriott, La Jolla**. For more information, please call Meredith Bryant, (619) 578-7591. Source Code: 20030117ld

Gas prices continue to rise

Gasoline prices increased again for the third consecutive week

A See Local Scene on 5A

SAN DIEGO DAILY
TRANSCRIPT
SAN DIEGO, CA
MONDAY 15,000
JAN 20 2003



San Diego's final Super Bowl?

By MICHELLE CADWELL BLACKSTON
San Diego Daily Transcript

This could be the last Super Bowl played in San Diego, with increasing competition from cities with new stadiums and changes in National Football League policy, according to comments from Commissioner Paul Tagliabue.

More than 600 local business and civic leaders heard Tagliabue discuss future sites for the game

after it's played over the next three years in Houston, Jacksonville and Detroit, respectively. All of those cities have new, multimillion-dollar facilities.



Super Bowl XXXVII

SAN DIEGO • SUN, JAN. 26

"The other thing they have in common is each is a nontraditional city for the Super Bowl," he said. "This is one of our most active debates in the league: What should be our philosophy or policy about hosting the Super Bowl?"

At the NFL team owner's meeting in October, Tagliabue said the short-term consensus was to play the following game in Florida, either Tampa or Miami.

"Beyond that there is strong feeling to get back into the Los Angeles area focusing on the Rose Bowl," he said. "There has been interest since Sept. 11 in having the game in New York and the nation's capital."

And with the San Diego Chargers in talks with the city over a new stadium deal, this could be a

sign the team is closer to relocating to Los Angeles.

Just last week, a Los Angeles City Council committee proposed three potentially viable sites for a stadium to entice an NFL franchise to relocate to the city. One is the renovation of the Los Angeles Coliseum, the other is building a stadium in the parking lot of the Staples Center and the third is a neighborhood near the east side of downtown loosely bordered by the east Los Angeles interchange and the Los Angeles river.

Also, the NFL is considering moving away from its usual criteria for hosting the game and revamping the way the game is presented to the world, Tagliabue said.

"We're trying to sort our way through the traditional concept of a relatively smaller number of cities hosting the game with warm weather orientation," he said. "We're trying to be responsive to those cities that worked with us, worked with our teams on new stadiums."

San Diego Mayor Dick Murphy and several members of the Chargers Task Force were in the audience, along with representatives from the Chamber of Commerce and other business groups. The luncheon event was at the Jenny Craig Pavillion at the University of San Diego and sponsored by their BusinessLink program.

Patti Roscoe, a member of the task force, said the community, not just City Hall, must address the issue of a new stadium for the Chargers. The economic effect wouldn't be felt until after it's too late

See **Final Super Bowl** on 2A

Continued From Page 1A

when the team is gone, she said.

Considered the biggest single-day sporting event, the Super Bowl is broadcast to nearly 800 million people worldwide. And Tagliabue said football's international presence is growing. The league expanded its Super Bowl committee from four team owners to 10 to re-evaluate the

way the game is presented, he said.

"It's become the nation's passion," he said. "The Super Bowl has become the unofficial midwinter national holiday and we have a tremendously diverse audience and we hope to make it even more diverse."

Other speakers at the luncheon included Michael Wilbon, a colum-

nist for the *Washington Post* and host of ESPN's "Pardon the Interruption" program, Steve Sabol, president of NFL Films, John Walsh, senior executive vice president of ESPN, Rick Reilly, a writer with *Sports Illustrated*, and Joyce Rogge, senior vice president with *Southwest Airlines* (NYSE: LUV).

michelle.blackston@sddt.com

Source Code: 20030123tba

San Diego Daily Transcript January 24, 2003



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PRESENTS

S U P E R B O W L X X X V I I BIG GAME, BIG BUSINESS

EVOLUTION OF THE SUPER BOWL

The Official Luncheon of the San Diego Super Bowl XXXVII Host Committee



FEATURING

NFL Commissioner Paul Tagliabue



Join **BusinessLink USD** members and guests to hear first hand how the Super Bowl became the single, largest event in the world. **Michael Wilbon**, *Washington Post* sports columnist and co-host of ESPN's "Pardon the Interruption" will host a lively panel discussion with NFL Films president, **Steve Sabol**, and *Sports Illustrated* Magazine's **Rick Reilly** along with other sports and media personalities.

ALSO

- submit your own questions about the NFL for "Ask the Commissioner"
- attendees are eligible to win **four tickets to Super Bowl XXXVII**

- DATE:** Thursday, January 23, 2003
- TIME:** Registration: 11:00 am
Lunch and Program: 12 - 1:45 pm
- LOCATION:** Jenny Craig Pavilion
University of San Diego
(Seating is limited)
- TICKETS:** **BusinessLink Member**
Individual - \$100
Table - \$1,000
Non-BusinessLink Member
Individual - \$150
Table - \$1,500
(Tables of 10 include one sponsored USD student)

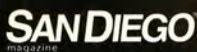
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Super Guide to Super Bowl XXXVII



www.superbowlxxxvii.org
Visitor's Information
(619) 236-1212



Thursday, Jan. 23

Big Game, Big Business: The Evolution of the Super Bowl

USD, Jenny Craig Pavilion
12:00 PM–2:00 PM

\$100–\$150 per person, \$1,000–\$1,500 per table

Coreen Petti (619) 260-4690 • www.superbowlxxxvii.org

The official lunch of the Host Committee, the program features a panel of guests, including NFL Commissioner Paul Tagliabue, discussing the business behind the NFL's championship game.

Friday, Jan. 24

Game Day Gridiron Celebrity Hoops

USD, Jenny Craig Pavilion
7:00 PM–9:00 PM

\$20–\$45 general admission,
\$100 VIP admission

Juli Wyatt (301) 627-3706 • www.jamsport.com

This officially sanctioned NFL event is an all-star celebrity basketball game benefiting local charities.

San Diego Magazine
January 2003

Sports And Media Panel To Discuss The Super Bowl's Evolution As A Business

NFL Commissioner Paul Tagliabue and top sports executives and media figures will participate in "Big Game, Big Business — Evolution of the Super Bowl," a luncheon set for Jan. 23. Presented by BusinessLink USD, the event is the San Diego Host Committee's official luncheon for Super Bowl XXXVII.

Michael Wilbon, *Washington Post* columnist and co-host of ESPN's "Pardon the Interruption," will host a panel discussion with Tagliabue, NFL Films President Steve Sabol, ESPN Executive Editor John Walsh, Southwest Airlines Senior Marketing V.P. Joyce Rogge and *Sports Illustrated's* Rick Reilly.

"We want to give the local business community an inside look at the advertising, sponsorships and economic impact that have helped make the Super Bowl such a phenomenal event," says Coreen Petti, BusinessLink's executive director. BusinessLink originated the event in 1998, the last time the Super Bowl was held in San Diego.

"I'm excited that USD is presenting this event again and that we can now hold it on our campus in the Jenny Craig Pavilion," says USD President Alice B. Hayes.

Attendees also will be eligible for a drawing for four tickets to the Super Bowl.

Tickets start at \$100 or \$1,000 for a table of 10 (nine guests and a sponsored USD student). Proceeds go toward financial support of USD students. For more information, call (619) 260-4690 or click on businesslink.sandiego.edu.

— *San Diego Metropolitan Staff*



San Diego Metropolitan 1-03

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ADVERTISING DEPARTMENT

Retail Trends



By Peggy Scott *4154*

BusinessLink USD presents 'Big Game, Big Business'

"Big Game, Big Business — Evolution of the Super Bowl," the official luncheon of the San Diego Super Bowl XXXVII Host Committee, is being presented by BusinessLink USD from 11 a.m. to 1:45 p.m. Jan. 23 in the Jenny Craig Pavilion at USD and will feature NFL Commissioner Paul Tagliabue.

Michael Wilbon, Washington Post sports columnist and co-host of ESPN's "Pardon the Interruption," will host a lively panel discussion that will explore how the Super Bowl became the "single, largest event in the world." Participants also will include NFL Films president Steve Sabol, Sports Illustrated Magazine's Rick Reilly and other sports and media personalities. Attendees can submit questions about the NFL for "Ask the Commissioner," and are eligible to win four tickets to Super Bowl XXXVII.

Individual tickets range from \$100 to \$150; tables of 10 will range from \$1,000 to \$1,500.

For more information, call (619) 260-4690.

For Union-Tribune advertising information, call (619) 293-1544 or visit our Web site at <http://www.utads.com>

Big Game, Big Business: The Evolution of the Super Bowl: The official lunch of the Host Committee, the program will feature distinguished NFL, media, and corporate executives discussing their unique insight into the business behind the NFL's championship game.

USD Jenny Craig Pavilion, noon, \$100 - \$150 per person, \$1,000 - \$1,500 per table

Information: (619) 260-4690

San Diego Union-Tribune
signonsandiego.com

Raiders fans' pilgrimage of faith

They hit the road with hope

4154

By Joe Garofoli

CHRONICLE STAFF WRITER

SAN DIEGO — While Super Bowl ticket-holders were massaging their laminated name tags at corporate-sponsored bashes across San Diego this week, Raiders fans Gary Henricus and Doug Keeter were pitching tents at a campsite on the north end of town, hanging a Chucky doll in effigy from a tree branch.

With their pickup parked nearby, they had hooked up the cable for ESPN updates, the laptops and cell phones to deal with scalpers, and filled the ice chests — and hanged the doll, a curse directed at ex-Raiders and current Tampa Bay coach Jon Gruden.

And then, they waited. For the masses to join them.

At least 10 of their friends were expected to arrive from Northern California; only two have tickets to Sunday's game.

With only 5,000 Raiders season ticket-holders getting Super Bowl tix and untold thousands more headed this way hoping to land one, this RV-dominated campsite is becoming a refugee camp for the ticketless unwashed. They're the zealots who are streaming down Interstate 5 at this moment on a pilgrimage of faith, who *must* be at Sunday's game because, well — why do people go to Mecca or the Vatican?

Coming here ticketless is all about faith. "Representing," as pilgrims like Keeter and Henricus say. It's about spending \$2,000 you can't really afford on what could be a once-in-a-lifetime-but-don't-say-that event.

Their faith is unshakable. Pilgrims believe that a ducat will land in their studded laps in the same earnest way that Grateful Dead fans would hold signs outside sold-out shows, saying: "I need a miracle."

Only, these pilgrims wear black.

"I gotta see my Raiders, and I *will* be at that game," said Keeter, a 37-year-old husband, father and owner of 20 framed Raiders jerseys in his home in Jackson, an Amador County town about an hour southeast of Sacramento. He ran into his tent and returned with a half-dozen 8-by-10 photos of him and various players he had brought along. For inspiration.

What? No license plate?

A few hours earlier on I-5, Keeter realized he had forgotten to bring his lucky RAIDERS license plate, the one he holds up before the TV cameras scanning the Black Hole every week; his wife is overnighting it to him. The same wife got only flowers for her birthday the night before he left town Wednesday; there was too much else on his mind.

"She said she understood about how I am with my Raiders," Keeter said, using the familiar "my Raiders," as the faithful do.

His wife is more understanding than many fans already here are. The Raider Nation is ticked at how few of the faithful have seats. It pains them to see scalpers cruising through the popular Gaslamp District with homemade plywood billboards on their car roofs, offering \$2,000 a ticket.

Meanwhile, Raiders fans shuffle among the laminated on the nearby sidewalks, mumbling, "Tickets, tickets," or paste signs on their hats asking for one.

For a miracle.

But time is running out, and the usual ticket-buying venues are few. Since the Qualcomm Stadium parking lot will be closed Sunday, there will be no tailgating — and no place to score last-minute tickets from itinerant scalpers.

The prospect of thousands of Raiders fans in town without tickets isn't worrying San Diego police, despite the Nation's reputation around town. Thousands of Raiders fans travel here every year for a regular-season game with the Chargers. The result: Police arrest twice as many fans (100) as they usually do, mostly for drunken brawls with the locals.

"But it takes two to tango," said police Capt. Joel Bryden. "We arrest about an equal number of Chargers and Raiders fans," adding that many of the Raiders fans are from Los Angeles.

In the meantime, fans like Keeter, who runs a real estate business, are counting the ticket dearth as another slight against the Nation. Another sign that The Man doesn't want the Raider Nation to be invited to his corporate party.

Already, rumors are flying here

among the refugees, who are no stranger to conspiracy theories of all shapes. They say San Diego officials aren't closing the parking lots because of the possibility of terrorism — they're just worried about rowdy Raiders fans. They whisper that the National Football League ordered the Raiders not to give its fans more tickets because, well, you know.

They feel there's something inherently unfair in how the league is shutting out its most devoted, Joe Lunch Box fans in favor of courting Corporate America.

Thursday, NFL Commissioner Paul Tagliabue told a \$150-a-head gathering of business leaders at the University of San Diego that "we're proud that we've recast the Super Bowl as a community event, and not just an event where thousands and thousands of fans get on a plane and go see a foot-

"I gotta see my Raiders, and I will be at that game."

DOUG KEETER
Amador County resident

ball game."

But Tagliabue was speaking of the league's involvement with community service projects in Super Bowl host cities. He wasn't talking about who got tickets. He never addressed it.

"I had a San Diego fan just call me up — a San Diego fan — offering me tickets," Keeter said. "Man, the local fans got tickets, and we didn't. That is just wrong."

'I didn't bring my mask'

The capper was learning Tuesday that Raiders fans couldn't wear their fake swords or chains or studded gloves to the game. As a security precaution.

"I can't believe that," said Henricus, a 38-year-old warehouse worker who lives in Ione, a few miles from Keeter. Even though the season ticket-holder won a ticket in the team's lottery, he looked down, saying dejectedly, "I didn't bring my mask."

Still, if his pals don't score tickets, they will still have enjoyed the trip. Keeter's and Henricus' journey of faith is the culmination of a friendship that began five years ago, as few do: while waiting in the men's room line at a Raiders game.

They soon learned that they lived only a few miles apart, that they both had extensive "Raider Rooms" in their homes, and understanding spouses. Every year when the Henricus clan poses for their family portrait, two members hold a Raiders helmet in front. The backdrop is the Raiders blanket that is now in Henricus tent.

"We didn't even turn on the radio during the whole nine-hour trip," Keeter said. "We just talked football."

E-mail Joe Carofoli at
jgarofoli@sfgchronicle.com.

San Francisco Chronicle

College of Arts and Sciences

MY HALEY & PATRICIA RILEY-COTA

The widow and uncredited collaborator of *Roots* author Alex Haley, My Haley has teamed with Vista-based producer/performer Riley-Cota to speak to an oft-forgotten audience: the deaf and hearing-impaired. Haley, whose mother was deaf, has written *Be Opened*, a production that marries dance, mime, signing and music to bridge the divide between the hearing and non-hearing worlds. Riley-Cota is known regionally as an accomplished mime and the inspiration behind *Nugget the Clown*, a doll whose hands are shaped for signing. *Be Opened* is set to open in early spring at Spreckels Theater, followed by a national tour. The play's name is derived from a passage in the book of Mark that describes Jesus healing a deaf man.



GARRY HAEHNLE

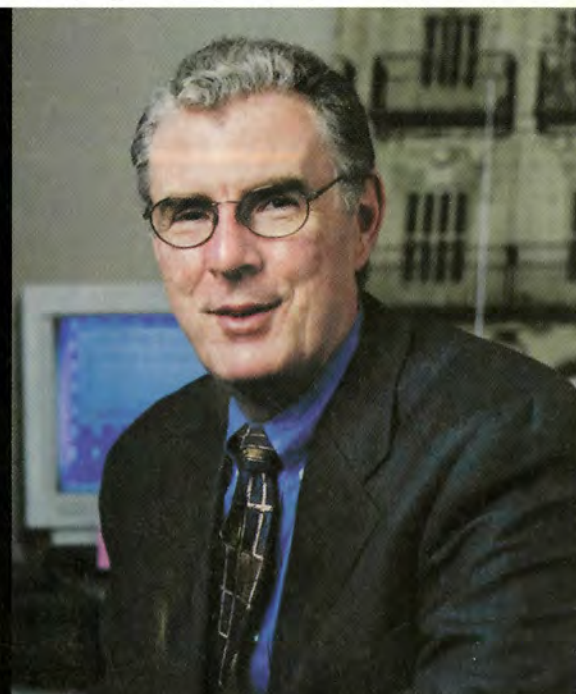
Last spring, the whole country could watch as deputy D.A. Haehnle starred in one of the first episodes of NBC's new reality-TV series, *Crime & Punishment*. For him, the show's plot—his successful prosecution of an El Cajon father for the murder of his four-month-old child—was just another day at the office. Haehnle, the supervising attorney in the D.A.'s Child Abduction Unit, was shadowed by TV cameras as he pressed the case in court, and the show was a ratings winner.

In a dozen years with the D.A.'s office, Haehnle has cleared hundreds of cases. Only lately has he become a national media darling. Last month, he appeared on the new John Walsh talk show as an expert on parental kidnapping, and for an A&E *Investigative Reports* episode on child abduction. If all that media glare translates into votes, Haehnle should be a shoo-in for Superior Court judge in 2004—a race he'll decide whether to enter this year.

LAWRENCE HINMAN

The wave of corporate, church and government scandals doesn't surprise Hinman. As director of USD's Values Institute, Hinman is a professional ethicist who firmly believes in dialogue and openness. "We have a problem with trust," he says, "and the flip side of that is a problem of honesty."

Last year, Hinman, 57, brought together more than 80 civic leaders from San Diego and Baja California, including members of San Diego's Ethics Commission and representatives from business, the military, the media and the biotech industry. This year, he wants to encourage similar gatherings and make more ethics information available through his Web site, ethics.sandiego.edu.



In the end, the aggressors never win

4154

By John G. Stoessinger

Most Muslims throughout the Middle East are reluctant to support an American-led war against Saddam Hussein's Iraq. Their hearts are with the Palestinians, and they believe that the Palestinian problem must be resolved before any action is taken against Saddam.

The destruction of one Arab regime without doing anything to guarantee the security of another would inflame the Palestinians' fury against the United States and Israel to catastrophic proportions. Not only would an American attack on Iraq make Israel a hostage to a desperate Saddam who would not hesitate to use whatever weapons of mass destruction he may possess against the Jewish state, but the Palestinians would perceive the United States as the only ally of Israel and the sworn enemy of the Arab world. In short, the price of a pre-emptive strike might well be the existence of Israel.

Hence, before we embark on war against Saddam, we must place our full authority behind the two-state solution which is now official American policy on the Arab-Israeli conflict. This means a serious American proposal now guaranteeing the security of both Israel and Palestine, complete with boundaries somewhere along the lines agreed to by former Israeli Prime Minister Ehud Barak in 2000 and acceptable to most Palestinians had it not been scuttled at the last minute by Yasser Arafat.

Unless we do this first, it would not be surprising to see Palestinian and al-

Stoessinger is distinguished professor of global diplomacy at the University of San Diego and the author of "Why Nations Go to War" (St. Martin's Press, 2001) and other major works on world politics.

Qaeda suicide bombers blow themselves and thousands of their victims to pieces in the streets and buildings of New York and Los Angeles. This could set in motion an ever more ferocious cycle of violence, this time in the United States, a kind of protracted form of Sept. 11.

As I survey current American foreign policy, I am struck by its increasing absurdity. It was not Saddam Hussein who killed 3,000 people in New York and in Washington. Osama bin Laden did. Yet we seem virtually to ignore this murderer even though he has just resurfaced by audiotape exhorting his followers to ever greater violence. As we prepare for war against Iraq, Saddam must wish that he were North Korean. After all, President Bush promises oil and food to that country's dictator if he bends to our will and destroys his nuclear weapons. And in the meantime, the endless dance of death between Arabs and Jews continues unabated, with America's attention now divided between Saddam Hussein and Kim Jong Il.

It has become an upside down world. Let's get the sequence right: First, let's hunt down bin Laden and his al-Qaeda gangs, try to make peace between Israel and Palestine, and contain both North Korea and Iraq.

In my book, "Why Nations Go To War," the most important finding was that no nation that began a major war in the last century emerged a winner. Austria-Hungary and Germany, which precipitated World War I, went down to ignominious defeat. Hitler's Germany was crushed into unconditional surrender. Kim Il Sung of North Korea was thrown out of South Korea. Lyndon Johnson, who Americanized the Vietnam War to over half a million men, and Richard Nixon, who tried to

bomb North Vietnam into submission, both lost the war as well as their jobs.

The Arabs, who invaded the new Jewish state in 1948, lost territory to the Israelis in four successive wars. Pakistan, which sought to punish India through pre-emptive war, was dismembered by Indira Gandhi in 1972. Saddam Hussein, who invaded Kuwait in 1990, was expelled by a United Nations coalition led by the United States. Slobodan Milosevic, who committed genocide in Bosnia and Kosovo in the pursuit of a Greater Serbia, was beaten by an aroused NATO and now awaits trial by the International Criminal Court in The Hague.

In all cases, those who began a war took a beating. Neither the nature nor the ideology of the government that started a war made any difference. Aggressors were defeated whether they were capitalists or Communists, white or non-white, Western or non-Western, rich or poor. Clearly, history has not looked with favor upon pre-emptive wars.

On the obverse side of the coin, President John F. Kennedy, during the missile crisis in Cuba in 1962, prevailed against the hawkish majority of his advisers who forcefully argued in favor of an air strike against the missile bases. He insisted on a naval quarantine of Cuba, arguing that such a course would prevent casualties while an air strike would guarantee them.

Kennedy's containment policy prevailed against the Soviet Union, which posed a direct nuclear threat against the United States. Soviet Russia finally ended up on the trash heap of history without a war. So, in all probability, will Saddam Hussein.

Instead of pre-empting a war, we must find the courage to pre-empt the peace.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
WEDNESDAY 374,856
JAN 29 2003

Glossing over war's gruesome truth

4154
By GEORGE J. BRYJAK

SAN DIEGO — William Tecumseh Sherman is credited with uttering the now-famous phrase "War is hell." Like so many millions of men, women and children who experienced or witnessed warfare, the Union general had firsthand knowledge of the unspeakable evil of armed conflict.

Unfortunately, Sherman's apt observation no longer conveys the emotional impact of the horror and madness of war — if, in fact, it ever did.

Because of the way wars have been historically packaged and delivered to the American public — sanitized, embellished with romantic stories and neatly wrapped in a veneer of glory and patriotism — this is hardly surprising.

In the 20 years after World War II, our image of that monumental struggle was viewed largely in terms of John Wayne-type movies that sang the praises of young, confident soldiers going off to war. The next generation of Americans was treated to the heroics of Sylvester "Rambo" Stallone, a one-man wrecking crew who took on whole battalions of enemy soldiers and won.

Saving Private Ryan notwithstanding, even the best war movies do little more than trivialize the revulsion of armed conflict. You can't smell burning

flesh and rotting corpses in a movie theater. In his celebrated work *Wartime*, World War II combat veteran Paul Fussell offers some vivid examples of the "real war" that "will never get into the books."

Starvation and thirst were so grave among prisoners of the Japanese and downed American pilots adrift on boats at sea that many went insane. Some resorted to drinking their own urine; others tried to bite the necks of comrades and suck the blood from their jugular veins.

In Berlin, during the final days of the war after the city had been bombed for years and overrun by Russian troops, about 50,000 children were found living like animals in destroyed buildings and holes in the ground. Some were "one-eyed or one-legged veterans of 7 or 8 or so"; many were "so deranged that they screamed at the sight of any uniform, even a Salvation Army one."

The producers and actors involved in war movies, along with the politicians who send soldiers into battle, cannot or will not convey this horror (perhaps because so few of them have firsthand combat experience). Humanity would be well served if the word "war" was stricken from every language and replaced with "mass horror."

Military historian Victor Davis Hanson notes that for members of his profession to speak of war

without vividly portraying the abominations of this enterprise "is a near criminal offense." The failure of our leaders to inform citizens of potential casualties on both sides in a military intervention other than after we have been attacked should be made a crime.

Fighting the good fight is sometimes necessary, and our involvement in the two world wars is an example of conflicts that had to be fought and won, as is the current campaign against terrorism. The Vietnam War and the amount of firepower unleashed upon Iraqi cities in the Persian Gulf war are less clear.

Before American forces are sent to kill and die in morally ambiguous conflicts, we should

revisit the dead of previous wars.

In June 1969, *Life* magazine published photos of the 242 Americans killed in action between May 28 and June 3 of that year. The entire nation saw the faces of a week's worth of dead soldiers, sailors, Marines and Air Force personnel. Newspapers across the country should publish photos of all the military men and women killed in the Vietnam and gulf wars in their area of readership. Television stations should interview the wives, husbands, parents, children, brothers and sisters of the dead whose hearts still ache over the loss of loved ones.

It would be noble to hear from relatives of a few of the estimated 1.2 million Vietnamese

soldiers and 2.4 million civilians killed during that lengthy conflict.

War is said to bring about the best in humanity as well as the most despicable qualities of our species. While the heroism, courage and self-sacrifice exhibited by countless soldiers in thousands of wars is indisputable, these noble deeds are overwhelmed by the suffering and misery inflicted upon hundreds of millions of people throughout history.

Sherman was right. War is hell. This is something we should all learn, and never forget.

George J. Bryjak is a professor of sociology at the University of San Diego.

SUN

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INFORMATION SERVICES

These walls did talk

⁴¹⁵⁴
Downstairs in the 1915-vintage Victorian house, a woman dressed like June Cleaver vacuums oatmeal off the floor, only to have it spew out the back of the contraption. Elsewhere, a recording repeats over and over the sounds of nailing and jackhammering.

Upstairs, on a landing, the floor is the ceiling, and everything is upside down: a clock, a painting, a window, a table, a vase of flowers. In another room, scrawled messages appear between cracks in the laths that constitute all four walls — messages like “Black. Oriental. This is how the ownership of the house was described by the city,” or “San Diego has never been an art town. UCSD has had some very important artists, but it is separate from the city.”

For seven seniors at the University of San Diego, the house on Ninth Avenue in the East Village, just two blocks from the emerging ballpark, represented a final project in their “Installation Art” course, taught by Sarah Doherty.

The so-called Hernandez House, owned by Ben Harroll and Gloria Poore, is to be converted into a coffee and pastry place, but shortly before Christmas, the owners made it available to the USD students, who created what their teacher calls “site-specific installation art.”

The East Village, with its convergence of past and future, is fertile ground for artistic expression and commentary. Doherty describes the neighborhood as being “in a rapid state of decline called ‘development in progress.’”

The house, she says, “spoke of a dif-



Performance artist Marie Bakke vacuums oatmeal off the floor of a room in the Hernandez House. The piece was conceived by USD installation-art student Faith Jewel. *Jerry Rife / Union-Tribune*

ferent time and sense of place and people.”

Students spent four to six weeks sketching and brainstorming ideas, then four more weeks working at the house, bringing those ideas to fruition.

To student Brooke McGillis, the art project was an opportunity “to somehow convey people’s memories” of an area destined for gentrification that once belonged to many ethnicities and kinds of people.

For those wall messages in her portion of the installation, McGillis interviewed art professors, produce people, prostitutes, even schizophrenics on

the street. Their words, about what the East Village once was and what it has or might become, spoke louder than the recorded jackhammering.

The installation is gone now, disassembled on Dec. 22. The Hernandez House remains, awaiting its new life in the new East Village. The ballpark looms larger with each passing day. But so do the memories. A student project made art of them. Time will make history of them. History that should not be forgotten.

David L. Coddon can be reached at (619) 293-1348 or david.coddon@uniontrib.com

Rabbinic Insights



'Tis The Season

Rabbi Wayne Dosick

4154

Late in December, I attended the President's annual Christmas party at the University of San Diego, where I teach.

Each year, Dr. Alice B. Hayes, our distinguished president, who recently announced her impending retirement, invites the entire faculty and staff to a festive holiday gathering. There is food and drink, and instrumental and choral music. Dr. Hayes greets each guest as we enter, and later offers greetings and good wishes to the entire group.

This year, in her brief remarks, Dr. Hayes said something like this, "I wish you all warmest greetings of the season. To those of us who are celebrating the birth of our Lord and Savior Jesus Christ, I wish the blessings of His being. To those who are celebrating Channukah or Kwanza or Ramadan or any of the other holidays that are celebrated at this time of year, I wish you the joy of your holiday."

At first, I was taken aback by the president's words. I looked around to see if anyone seemed amazed or offended. These are certainly not the kind of words we are used to hearing these days in an increasingly sensitive society. If I were teaching at UCSD or San Diego State, I don't think that the president could have spoken words like this, because they are too parochial, too sectarian, too religious for a public institution.

But, very soon, I realized how, at this private Catholic school, the president's words were most appropriate. This is a Catholic university sponsoring its own Christmas party that marks, for Christianity, the birth of its Lord. The president generously acknowledged the holiday celebrations of the non-Christians, but she did not equivocate in joyfully marking the deeply Christian occasion that was the reason for the party.

I was very happy and proud to be there at that moment when a religious

tradition was being celebrated in its proper way.

I am a passionate advocate of the Separation of church and state. I resist any attempt to have specific religious beliefs or practices placed in the public way or financed with public funds. I do not condone the compromise that some suggest — I get to put

my Christmas tree here on government grounds, and you can put your menorah right next to it. No. If the tree does not belong, then neither does the menorah, and displaying both does not resolve the issue.

Yet, even in our zealotry to protect our own rights and sensibilities, it may be time to ask if our objections have gone too far. Yes. Separation of church and state in government and public spaces and places. (I guess that we'll still have to work on "In God We Trust" on our dollar bills, and the religious chaplains of the Senate and the House of Representatives, paid with public funds and offering prayers at the opening of each congressional session. Prayer in the public

Congress, but not in public schools? What do you have to say about that, O Supreme Court?)

But, taking religion out of publicly financed buildings and activities does not mean that we have to take religious symbols and ideas entirely out of the public domain.

In attempts not to offend, no one

says "Merry Christmas" anymore. Now, it's "Happy Holidays." The stores, the newspapers, the magazines, the radio and television stations, most all advertising has virtually eliminated any specific religious references.

We are losing some of our religious uniqueness; we are depriving our cultural mix of the richness of our faith traditions — our songs, our decorations, our vocabulary, our expressiveness.

We are becoming a "Pareve," a neutral white bread society.

Bread is bread. It is nourishing and needed. But, I don't want a total diet of white bread. I don't want to be forced to eat rye or an Italian roll or a taco or a pita if I do not want to. But, I want to know about them, and be able to eat and enjoy any one of them when I choose.

There is great beauty in Christmas music. I don't want to be forced to sing a religious song in my public schools. But, I want to be exposed to it, to choose to hear it or sing it if I wish. But with the religious neutering of our

contemporary society, "Silent Night" is silenced and all I get is "Jingle Bells."

The larger problem is that if we systematically eliminate all religious references from our society, we begin to forget and ignore the great teachings that are at the core of religion.

We get our moral mandate from religion. We get our ethical values from religion. We build our personal character from religious teachings. We build a just, a compassionate, society from religious teachings.

When we take religious symbols and songs out of the public discourse, we also take religious values and teachings out of the public discourse. We lose sight of

SAN DIEGO JEWISH TIMES

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the source, the core of who we are, how we are to behave with each other, and the vision of what we might become.

When we take religious values out of public discourse, we leave the setting of our value system to a hodgepodge of secular and materialistic and ego-centered proclivities.

There is surely danger to an open society when any religion is permitted to put its ideals and its symbols into the public domain and assume

that it is acceptable to all.

But, let's be clear. We are talking about two very different issues here. One issue is religion foisting itself upon an unsuspecting or unwilling public and/or the government permitting a particular religion access to the public domain.

The other issue is the free acceptance by a society of religious teachings, symbols and songs, which enrich and ennoble life.

Here, we are talking about enjoying and benefiting from some of the beautiful and meaningful religious teachings and symbols, that come to us from another faith tradition, and when kept in proper context, can add to the beauty of our lives.

Jewish parents! Jewish Public Policy Setters! Do not fear that your children will be "caught up and captured" by Christmas carols or Christmas cookies. They will not IF you have given them a deep Jewish education and have continually exposed them to the beauty and the value of Jewish rituals and traditions. Strong in my Judaism, my faith and practices are not challenged by another faith or tradition — as beautiful and seductive as it may be. Your children can appreciate and enjoy the outward trappings of Christmas without being threatened or captured by them.

In this time of uncertainty for our world, in this time when "The Other" seems to be lurking at our door, it is good to learn and embrace the teachings and the traditions of other faiths and religions, so that they are not so mysterious and potentially frightening.

The more we know about each other, the more we are exposed to each other's rituals and practices, the more we can come to appreciate each other as human beings, as children of the universe, as children of God.

And that, after all, is the hope and the promise of this and every holiday season. "Peace on Earth. Good will — God's will — for all humankind."

Rabbi Wayne Dosick, Ph.D., is the spiritual guide of The Elijah Minyan, an adjunct professor at the University of San Diego, and the Director of The Soul Center for Spiritual Healing. He is the award-winning author of six critically acclaimed books, including Golden Rules, Living Judaism, and Soul Judaism: Dancing with God into a New Era.



"THE ACLU WISHES to INFORM US that NATIVITY SCENES ARE PROHIBITED on PUBLIC LANDS; PETA DEMANDS to KNOW if ANY ANIMALS HAVE BEEN DISPLACED DUE to OUR OCCUPATION, of the MANGER and PLANNED PARENTHOOD SENT US ONE of THEIR 'CHOICE on EARTH' CARDS."

Kabbinic Insights



To Be Or Not To Be?

Rabbi Wayne Dosick

This article first appeared in this column back in 1997 when the first sheep was cloned. It warned about the possibility of human cloning — which, according to recent claims has now happened. (We'll see how true those claims turn out to be. But if not now, then soon.)

This article engendered more negative reaction, in the form of letters to the Editor and private correspondence with me, than almost anything I have written in this column in nearly 14 years.

I imagine that those who disagreed with these ideas the first time they were published will be just as adamant in their disagreement now. Yet, given the recent claims, I remain just as adamant in my opposition to human cloning. (Please note that this position on human cloning has nothing to do with stem cell research, which I support, because they are two very different issues.) Here is my reasoning. Object if you will. But, please think very carefully about the consequences of this science — I would say perversion — that we are about to unleash.

Again, science fiction has become reality.

This time, the possibilities — and the possible consequences — are almost beyond belief.

In Scotland, scientists have successfully cloned a sheep. The scientists inserted the DNA from a

single cell of one sheep into the unfertilized egg of another sheep. The material was then implanted into a third sheep, which gave birth to the perfect genetic clone. Because the DNA was collected from the mammary glands of the first sheep, they call the clone Dolly — after Dolly Parton. (Cute, huh? Ah, those humorous Scottish scientists!)



Dolly was the first mammal to be cloned.

So, science has created an exact genetic replica — a perfect genetic identical twin.

The implications are mind-boggling. Now, the perfect cows can be genetically cloned, and we will have unlimited supplies of the perfect T-bone steak. Perfect pigs can be created, and we will have unlimited supplies of perfect bacon. Perfect racehorses can be created, and we can have unlimited supplies of Kentucky Derby winners. And with just

a little genetic engineering, we can probably create double-breasted chickens — white meat for everybody, and six-legged turkeys — a drumstick for everyone!

The implications are weird and scary enough if we limit ourselves just to farmyard animals. But what happens when the genetic manipulation gets subtle enough,

sophisticated enough — and it will — that we can clone human beings?

Could we create a whole bevy of Nobel Prize winners? Could we create a whole bevy of ditch diggers? Could we create a whole bevy of Hitlers?

The answer is that of course we could. Science will give us the technique and the tools. Science will give us the ability.

But let's remember — starting now when the debate is just in its

beginning theoretical stages, and the reality is not yet possible — that science is morally neutral. Science can show us what we can do. But science cannot tell us what we should do. Science gives us the way and the right to do something. Science cannot tell us if what we are doing is right.

And we cannot let our ability to do something determine our decision whether or not to do it.

Deciding whether or not to clone a human being is a religious decision, an ethical decision. So before it is too late, before morally neutral science begins making the decisions, let's get the moralists and the ethicists involved. Let's get the moralists and the ethicists doing what they should be doing — making the societal decision about this highly moral and ethical issue.

Ah, it will be tempting to clone human beings. We can have super strong people to do our hard physical labor without complaining. We can have intellectually limited people to do our menial work without rising up in protest. We can have stunningly beautiful and bright children to bring us joy. We can have genius minds to push the limits of science ever further. We can have a perfectly pure race of people — where have we heard this before? — and we will never have to go to war to "ethnically cleanse" our neighborhood, because all our neighbors will be just like us.

We can keep a spare clone of ourselves in the closet, so in case we ever need a kidney transplant, the genetically perfect match is readily available. We can keep spare clones of our children in the basement, so in case, God forbid, our child is ever run over by a car, we have a spare kid readily available. We can keep a spare clone of the president in the Rose Garden of the White House, so in case an assassin's bullet ever... Well, you get the idea.

But no matter what the possibilities — hey, how about another spare clone of ourselves, just in case we ever die, the world would not have to

be without our char presence for very long? — the potential cloning of human beings is far, far different from the cloning of sheep or cows to get better steak.

A human being is not just genetic material to be manipulated at will. A human being is not just genetic material that results in certain physical attributes. A human being has a soul. A human being is a child of God, a divine being, created in the image of God, with a spark of God.

And only God can make a soul. Only God can make the soul that turns a soup-pot of chemicals into a real human being.

And the spark of God, the divine human soul, cannot be genetically cloned.

Anyone who knows identical twins knows that their physical characteristics are exactly the same — they are genetic clones. But their personalities, their attributes, their beings, are very, very different, because each is a unique human being, each has a unique soul, each is a unique child of God.

So before it is too late, before scientific ability dominates ethical sensibility, let's make the decision. Let's make the decision while this new cloning technique is in its infancy, while it can be controlled before it gets out of control.

Genetic cloning of animals for better food? Yes.

Genetic cloning of human beings for whatever purpose? No.

No now. No later. No always.

Sometimes the "genie" just has to be put back in the bottle before it runs amuck. Now is the time.

Let's put the cloning genie back in the bottle. And let's leave to God alone what is God's alone.

Now. And forever.

Rabbi Wayne Dosick, Ph.D., is the spiritual guide of The Elijah Minyan, an adjunct professor at the University of San Diego, and the Director of The Soul Center for Spiritual Healing. He is the award-winning author of six critically acclaimed books, including Golden Rules, Living Judaism, and Soul Judaism: Dancing with God into a New Era.

Asian-American theater puts accent on diversity, the American experience



Art Facts

By Jennifer Chung

4154

The **Asian American Repertory Theatre** is run by a bunch of young, passionate artist and entrepreneurial types. Just don't pigeonhole them that way.

AART was created to give the Asian-American community in San Diego a voice, to reflect the diversity of the Asian-American experience and demonstrate how it is also simply the American experience.

Chad Sakamoto, AART managing director, warns about making assumptions about the group itself. While giving voice to Asian-American playwrights is a priority, the theater also produces plays by non-Asian playwrights such as Sam Shepard and Harold Pinter. The staff and its audiences are "extremely" ethnically diverse, he said. And AART has a history of collaboration with the **San Diego Black Ensemble Theatre**.

To point out some of our assumptions about cultural roles and identities, the AART sometimes likes to flip the script on audiences by using an Asian-American cast in productions of classic American plays.

"It becomes this political thing. We're playing with how we're being

perceived and what we're saying on a deeper level. Outside the story, we're creating another story just by being there," said Sakamoto.

Though the group has been on the scene since 1995, it's still a relatively young theater company run by relatively young people. "I know we're perceived as being young and I know that will have its effects, with potential funders or the image of our stability," said Sakamoto. "But our work really speaks for itself. We're going into our seventh season."

It is also partly their youth that infuses the staff with the energy, passion and vitality needed to sustain the AART, he said. And that's not easy, for a grassroots theater company with a budget of just \$47,000 and 12 entirely volunteer staff members. But the group has no delusions about the difficulties involved.

"There's not a whole lot of idealism going on — we still carry that with us, but we carry it in our back pocket," he said. "We're very aware of the work that's involved and the reality of a lot of barriers we're going to face."

Historically, the company's entire budget has come from ticket sales, "which is unheard of throughout the world," remarked Sakamoto. With the small staff's resources focused wholly on mounting the shows, they were unable to dedicate anyone to the

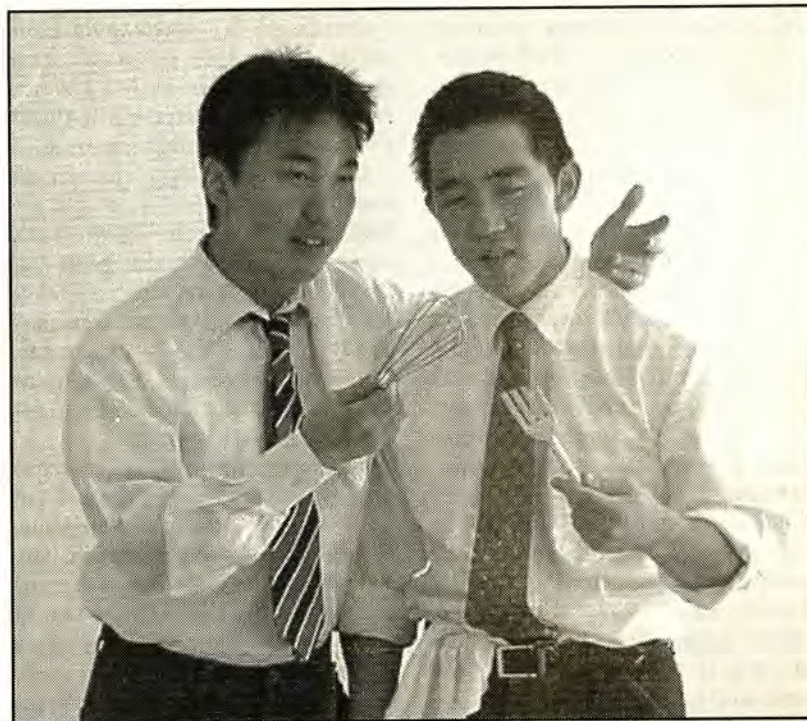


Photo courtesy Asian American Repertory Theatre

Chad Sakamoto (left) and Kenzo Lee star in the Asian American Repertory Theatre's production of "Sam I Am," opening Feb. 1 and running through Feb. 22.

development of grants and donations, he said. That's beginning to change as the theater matures and grows. Last September the AART was awarded a \$4,000 grant from the California Arts Council, as well as a grant from the San Diego Commission for Arts and Culture.

"It's a reinforcing statement to

the staff and to the board that we're on to something good," said Sakamoto of securing the funds.

Another major goal is to become a resource for local talent, a place for playwrights to come together to bounce ideas off each other and get feedback.

See **Art Facts** on 5A

Art Facts

Continued from Page 4A

To that end, AART has brought on playwright Thelma De Castro as literary manager. In the newly created position, De Castro is tasked with setting up community outreach programs such as the development of study guides, workshops and a new reading series.

De Castro and AART board member Annie Hinton, a University of San Diego theater professor, have developed a study guide for the upcoming production of "Sam I Am." The guide, De Castro said, will help teachers and students learn more about the issues AART plays deal with.

Last year AART produced the world premiere of De Castro's "The Goddess of Flowers," which was developed through staged

readings at **Muse Theatre** and the **Carlsbad Playhouse's** Playreaders series. She said the AART would like to create a reading series of its own to assist other playwrights in that development process.

"There are a lot of great plays out there. Unfortunately, one company can't produce them all," she said. "Learning about this business from the other side, it's not just about producing one specific play but really developing specific artists."

Over the years the AART has seen its share of tough times, including the loss of its theater space. The Hiroshi McDonald Mori Performing Arts Center, located in South Park, was also home to several smaller theater companies.

After a two-year run at the performing arts center, last year

AART was given an agonizing choice: Get in compliance with building codes by completing renovations, to the tune of hundreds of thousands of dollars, or vacate. The group had no choice but to leave.

The theater plans to find a new space within the next year or two, said Sakamoto, but for now AART will present their plays in various venues throughout the city.

Sakamoto is upbeat about the company's period of transition, and said producing plays at different locations will allow the group to reach varied audiences.

"A lot of them wouldn't know we existed if we didn't go into their communities," he said.

Furthermore, the group is optimistic that moving around to different venues will prepare them to

find their next, and, said Sakamoto, hopefully permanent space.

"It's making us more adaptable; we're seeing the pros and cons of different styles and different constructions. When we get to that point where we can get our own venue ... we'll know what works and what doesn't work. In that respect, I think (the loss of the facility) is very good in that it's allowing us to take the next step to prepare for what's bigger."

Garrett Omata's "Sam I 'Am" opens AART's season Feb. 1 and runs through Feb. 22 at the Playhouse on Plaza in National City.

jennifer.chung@sddt.com
Source Code: 20030130tbi

Related Link

◆ www.asianamericanrep.org

SAN DIEGO DAILY
TRANSCRIPT

SAN DIEGO, CA
FRIDAY 15,000
JAN 31 2003

WEEKLY OFFERINGS

SHORT TAKES ON BELIEFS AND BEHAVIOR

4154 < WWYD? >

You're at the drive-through window and the young man says your order isn't ready yet. He asks you to pull around to the front, assuring you that it won't be more than two or three minutes. "I promise," he adds. Eight minutes later, you park and walk into the restaurant. Mr. I Promise is now staffing another cash register and when you approach him, it's obvious he's forgotten about you. Plus, your order's not ready. What would you do?

From Lawrence Hinman, director of the Values Institute at the University of San Diego: "I would immediately ask for the manager, explain what happened and how dissatisfied I am at such service – and ask the manager what he or she is going to do so this doesn't happen again. "For me, continual bad service is a reason for going elsewhere."

< OUR WORLD >

California's transportation dilemmas are fraught with freeways. But in Pennsylvania's Amish country, there's the challenge of fast-moving cars mixing with slower-moving horse-and-buggy traffic. There were 371 horse-and-buggy crashes, including 18 fatalities, between 1996 and 2000. The state is responding with a brochure of safe-driving tips. Along with emphasizing that buggies have reflectors and lights, the tips will include



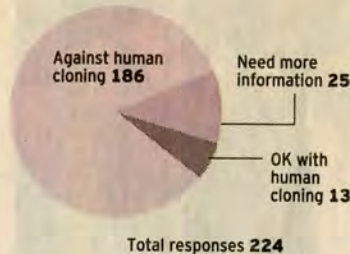
two pointers that speak volumes for how contrasting lifestyles should share the road of life: common sense and courtesy.

< SURVEY SAYS >

In a sign of these uncertain economic times, the most popular resolutions for 2003 are expected to be about jobs. According to myGoals.com, 27 percent say they are making resolutions about their careers, three times more than last year. Next comes health and fitness, followed by personal growth. Only 5 percent are making resolutions about their family and relationships.

< TELL US ABOUT IT >

Last week, we asked what you thought about human cloning. Judging from the calls we received, you are overwhelmingly opposed to it. Take a look.



NEW QUESTION: Should the Catholic Church ban gays in the priesthood?

Rumors abound that the Vatican is going to ban homosexual men from entering the priesthood. What do you think of this idea? Please call (619) 293-2506 by midnight Sunday and press the number that best fits your response.



① I AGREE. The Catholic Church teaches that homosexual practice is a sin, so it's only consistent to ban gay priests.

② I DISAGREE. The issue isn't sexuality. The issue is the commitment to celibacy – as well as the desire to serve God.

③ THIS IS FOR THE POPE TO DECIDE. It's inappropriate for us to interfere with our opinions.

Compiled by **Sandi Dolbee** with input from news services, Web sites, books, magazines and you, our readers. Write us at re@uniontrib.com or Religion & Ethics, The San Diego Union-Tribune, P.O. Box 120191, San Diego, CA 92112.

SAN DIEGO UNION-TRIBUNE

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Willis, K.J. **The evolution of plants**, by K.J. Willis and J.C. McElwain.
Oxford, 2002. 378p bibl index afp ISBN 0-19-850065-3, \$40.00

Willis (Univ. of Oxford) and McElwain (Field Museum, Chicago) provide a valuable synthesis and examination of current and traditional views on the history of plants. A book-length treatment of this topic has been lacking, and it is a pleasure to find the subject covered in a thorough and systematic manner. The authors interpret plant evolution and diversity using data from the fossil record, molecular phylogenetics, biogeography, and ecology. Even-handed discussions summarize the potential and limitations of each data set and analysis approach. The authors take pains to go beyond mere description of the evolutionary time line to address causal and mechanistic elements of plant evolution: Why did this group originate at this date? How was its appearance facilitated? What was the impact of its appearance? They apply this approach in the broadest of contexts by, e.g., examining the possible role that orbital variations, plate tectonics, and mass extinctions have played in shaping patterns of evolutionary change apparent in the fossil record. The writing is clear, accessible, and well referenced, with a glossary. Suitable for lower-division undergraduates through graduate students.—*M. S. Mayer, University of San Diego*



**SAN DIEGO DAILY
TRANSCRIPT**

SAN DIEGO, CA
MONDAY 15,000
JAN 13 2003

Close-Up

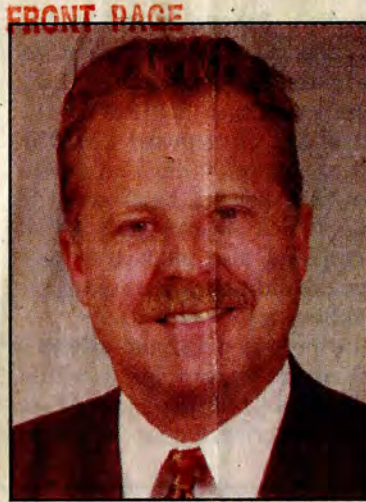
Renaissance man eager to give back to the community

4154
By TIM COFFEY
San Diego Daily Transcript

In the eight years since resigning as the first chief of staff to former Mayor Susan Golding, Richard Ledford has been a lobbyist, a public image consultant, an international businessman and a community liaison executive for the Chargers.

Yet through it all, he has served the community when called. Ledford raises money for the United Negro College Fund; he took over the San Diego Symphony in 1996 when it was struggling and, more recently, he took a director's position on the new board of the American Red Cross San Diego/Imperial County chapter.

"I guess I was raised with the concept that you leave the community better than the way you found it," said Ledford with a look that insinuated he



Richard Ledford

could answer the spotlight whenever it challenged him.

"I have a yearning like most San Diegans to do something for the community," he continued. "Some people exercise that, others don't, but I think that most San Diegans want to

B See **Ledford** on 4A

Ledford

Continued From Page 1A

do something for the community and given the opportunity they would."

Ledford, in his late 40s, was born and raised in San Diego, and his parents still live here. Ledford graduated from the University of San Diego with a bachelor's in political science and from San Diego State University with a master's in public administration.

Although Ledford has returned to life in the private sector, as president of San Diego-based **Ledford Enterprises Inc.**, an international lobbying group, he is not all that different from the man that served City Hall in the early 1990s.

"We all have an internal sense of right and wrong, and in public service, it's either right or it's not. There's no gray area on that," said Ledford, who was Golding's chief of staff for 20 months ending in 1994. "So, if I find something that I don't feel is correct, I don't do it. I'm not going to lie or cheat. I had a lot of opportunity to do that in public service, it wasn't right then and it's not right now."

A book of laws doesn't always determine what's right or wrong; either. A person with a high degree of public visibility is often governed by how the public perceives his actions.

"That's been one of the real negatives of my lifestyle," Ledford said. "My life has been built around public exposure — always in the fish bowl, not always in the lead; there's always been one person in front of me. But, one of the things you learn is a very strict sense of public perception. It's not what the law says; it's how the public perceives it."

"Look at how many people in elected office get sideways with the public," he said. "Not because they broke the law, but because they did something stupid. Trent Lott is a great example on a national level of a man who broke no law, but said something really stupid. So, it's not what the law says, it's how the public perceives it."

Ledford got a reality check of sorts in June 2002, when a local newspaper questioned a \$100,000 grant from the County of San Diego to the San Diego World Trade Center, an international trade group Ledford chaired for two years until retiring last month.

The paper questioned whether the grant that Supervisor Ron Roberts, chairman of the county board, approved, after the San Diego WTC paid for him and others to go on a trade mission to China, was properly given. The county grant was for an Asia help desk at the San Diego WTC.

The county, along with the city of San Diego, has long been a financial supporter of the San Diego WTC and Ledford did not

see the grant as extraordinary. Yet, an article was published.

There was little fall-out from the story. The money was not returned. Neither Roberts nor Ledford were reprimanded. But it has made life a little tougher for the San Diego WTC.

Since then, Ledford has been unable to persuade a single local government official to join the San Diego WTC on any trade mission. Government officials can help open doors in untapped markets, such as China.

Ledford viewed his tenure at the world trade group with trepidation. He said his impact will be seen in the coming years, even though he overcame several hurdles, including the resignation of a very popular president in his first term, and was forced to give up his grand plan, moving the San Diego WTC to new headquarters in a downtown office building. Ledford gave up that vision after 9/11.

"The real test of the successful organization is when the leadership steps aside and the organization keeps on going," he said. "If I'm successful, it's because I helped, with a lot of other people, build a team at the board level and the professional staff level (that) will continue to lead the organization."

"We have too many examples in this community of strong CEOs that have come and gone and the organizations have cracked," Ledford added. "That's not going to happen here."

tim.coffey@sddt.com

Source Code: 20030110tbc

● **All Faith service, other events at USD:**

The 10th annual all-faith service, "Reconciling Our World Through Faith," will be held 12:10 p.m. tomorrow at the University of San Diego's Immaculata Church, 5998 Alcalá Park. In addition, Sandra Schneiders of the Jesuit School of Theology in Berkeley will explore the tension between religion and spirituality in the annual lecture for the Center for Christian Spirituality, 7:30 p.m. Monday at USD's Shiley Theatre. Cost: \$10 for preregistration, \$12 at the door and \$5 for alums of USD's Practical Theology and Practical Care and Counseling programs. USD is also offering a Business Leadership and Spirituality course from 9 a.m. to 5 p.m. Saturdays, Feb. 8, March 1 and 22 and April 12 at USD's Joan B. Kroc Center. Information on service and courses: (619) 260-4784.

San Diego
Union-Tribune
1-30-03

Rated 'g'

LOCAL KIDS TELL US WHAT THEY THINK ABOUT WHAT'S OUT THERE

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SATURDAY 374,856
JAN 11 2003

By Tiffany Lee-Youngren

Onstage

Cyrano de Bergerac

There's a reason why it's called a "crush." Being in love with someone who may or may not love you back can be a lesson in heart-wrenching insecurity. Take it from Cyrano, a charming, artistic and romantic swordsman beset by one tragic flaw — his giant nose. Cyrano has a thing for the beautiful Roxanne, but his beak gets in the way of any sparks that may fly. Find out what becomes of Cyrano (and his schnoz) in the San Diego Junior Theatre's production of Edmond Rostand's famous story. Show times are 7 p.m. Fridays and 2 p.m. Saturdays and Sundays through Jan. 19 in the Casa del Prado Theatre in Balboa Park. Tickets range from \$5 to \$10. Information: (619) 239-8355.

By BEN GAMMAGE

Review: "Cyrano de Bergerac" is an excellent play filled with excitement and suspense. "Cyrano" is about two people who fall in love with Roxanne, a beautiful woman. Christian is very handsome, but not very bright. Cyrano, on the other hand, is charming, witty, and intelligent, but has a snout the size of New York. Together, they devise a plan where Cyrano will tell Christian what to say and write letters for him in order to woo Roxanne. When one of the duo is killed in war, Roxanne tragically waits 15 years before she finds out who wrote the poetic love letters.

One of the reasons "Cyrano de Bergerac" was such a wonderful play was the many excellent teen-age actors. Joey Price and Brian Polk, playing Cyrano and the Comte de Guiche, stood out with their brilliant speech and actions. There were many great comedic and romantic scenes in Act I, which built to the thrilling battle scene in Act II. Act II also contains a very dramatic death scene. I liked Cyrano de Bergerac very much (I particularly liked Act II), but would not recommend it to children under age 9. It would probably be too intense and complex for younger children.

At the movies

Nicholas Nickleby

Every family needs a hero, and Nicholas Nickleby is one young lad who's up for the job. Based on Charles Dickens' beloved novel, "Nicholas Nickleby" tells the story of a British family marred by tragedy and further treachery at the hands of their cruel uncle Ralph. With an all-star cast including Christopher Plummer, Charlie Hunnam, Nathan Lane and Anne Hathaway, this film is lively enough for older kids, but not "dumbed-down" so much

that parents won't enjoy it. Now playing in area theaters. Call for show times.

By HOPE BABER

Review: "Nicholas Nickleby" was a book by Charles Dickens, but now it is a movie. It takes place in London in the 19th century. When Nicholas' father dies, he, his sister, Kate, and his mom go to their Uncle Ralph in London for support. Their uncle gets Nicholas a job as a teacher and Kate a job as a seamstress. Nicholas goes to work at a boarding school where he meets a boy named Smike. They become good friends. Mr. Wackford, the owner of the school, is really mean to Smike. So, Nicholas and Smike decide to run away.

On the way back to London, they meet an actor and his wife. They are nice but odd. Nicholas helps them by being in one of their plays. Then, Nicholas gets a letter from his mother saying that his uncle is being mean to Kate. So Nicholas hurries back to London to save Kate.

This movie is funny in parts and sad in parts. It was kind of like Dickens' "A Christmas Carol" because

it had the basic good guy — Nicholas — and the basic bad guy — the uncle. I liked this movie. It is a good movie for ages 8 years and up.



Ashley Fox (right) as Roxanne and Joey Price as Cyrano in the San Diego Junior Theatre's production "Cyrano de Bergerac."

Madstone Theatre's Family Film Series

Madstone Theatre in Mission Valley's Hazard Center is serving up family-size portions of six classic films starting this month — all of them rated G or PG and all of them on the cheap (tickets are only

\$5.75 each).

The schedule is as follows:

- "Oliver," 1:30 p.m. Jan. 18 and 19
- "Annie," 1:30 p.m. Feb. 1 and 2
- "Willy Wonka and the Chocolate Factory," 1:15 p.m. Feb. 15 and 16
- "The Secret Garden," 1 p.m. March 1 and 2
- "The Never Ending Story," 1:30 p.m. March 15 and 16
- "The Black Stallion," 1 p.m. March 29 and 30.

Madstone Theatre is at 7510 Hazard Center Drive. Information: (619) 299-4500 or (619) 299-4525.

This and that

Race and religion meet in the middle for a Martin Luther King Jr. Day concert by Boston-based singer-songwriter Peri Smilow. "Songs of Freedom," backed by a local African-American and Jewish youth choir, will feature songs from the Passover tradition and the civil rights movement — think "Chad Gadya" sung to a rap rhythm! The concert begins at 2 p.m. Jan. 20 at the Shiley Theatre on the University of San Diego Campus. Tickets cost \$8 for children under 18 and \$12 for adults. For more information, call the Agency for Jewish Education at (619) 283-8830, or visit www.ajesd.org.

School of Business Administration

Endangered crane

San Diego office market firm, but not unscathed

4154
By KEVIN CHRISTENSEN
San Diego Daily Transcript

Despite being left holding the bag on the overdevelopment of commercial real estate and weathering the economic downturn, San Diego's ability to refill tech-wrecked office space may be tied to state budget woes.

"Oversupply exists in almost every sector in commercial real estate," said Sam Zell, chairman, chief executive officer and founder of Chicago-based **Equity Office Properties Trust**, the nation's largest real estate investment trust, and keynote speaker at the University of San Diego Real Estate conference. "The oversupply was the result of over-enthusiastic development, it was demand driven and based on overoptimism."

This became apparent following the collapse of the tech boom when developers were building office space based on an optimistic view of what demand will be, Zell said.

In San Diego, this is particularly apparent in the Sorrento Mesa and Carlsbad areas where tech companies exploded and building commercial space was popular, said Tim Wright, senior managing director, **Holliday Fenoglio Fowler LP**. "There was hoarding mentality during the tech boom," Wright said. "If you were a tech user you had to tie up as much space as you could for fear of run-

ning out of space and paying more later."

Cities throughout San Diego County experienced the boom to some extent and many offices were left empty when the tech market crashed and businesses folded.

Vacancy rates for offices in San Diego from 1997 to 1999 floated between 9.1 percent and 10.1

See **San Diego** on 2B

SAN DIEGO DAILY TRANSCRIPT

SAN DIEGO, CA
FRIDAY 15,000
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San Diego

Continued From Page 1B

percent with the lowest in 2000 at 6.5 percent; the following year the vacancy rate shot up to 12.3 percent and remained through the first quarter of 2002, according to a commercial real estate report released by **Burnham Real Estate Services** for the first quarter of 2002.

Meanwhile, vacancy rates for research and development space floated between 8.6 percent in 1996 and 7.7 percent 1998. The rates almost doubled in 1999 when they shot to 15.7 percent, and have recently returned to 12.1 percent in the first quarter of 2002, according to the report.

According to Zell, many businesses noticed the higher vacancy rates and falling lease prices and renegotiated their leases to lower rents. In many cases, owners were renting space for far less than the buildings costs of construction.

San Diego has remained somewhat insulated from the brunt of the economic downturn, as felt by the rest of the country, the overall vacancy rate dropped with 1.6 million square feet of office space absorbed in 2002 versus 1 million for 2001, according to Burnham Real Estate Services.

Employment also looks good for San Diego with 5,500 new jobs added in the county in November. According to the California Employment Development Department, 10,500 jobs were lost state-wide.

The lower leases secured in the past year or so may provide additional driving force for the economy because the less money a business is spending on rent, the more it can invest in business, Zell said.

In response, rents in commercial space have shown increase in recent months, Wright noted.

However, increased regulatory and operational taxes and the state budget cuts threaten the region's ability to retain and attract new business, according to Julie Meier Wright, president and chief executive officer of the **San Diego Economic Development Corp.**

Increases in vehicle license fees and personal income tax, reductions in manufactures tax credits, and additions in other regulatory costs are all concerns, Wright said. "When the heads of companies are deciding if they should stay or move their businesses to San Diego, these are all concerns," she said.

The emptying of the commercial space has led to a cutback in the overall construction of new office space and that will remain the case until the current excess is used up. This means a reduction of business for commercial developers, according to Zell. "The construction crane will be an endangered species," he said.

Instead, growth must come from operations and new management models taking advantage of existing opportunities instead of building them.

"We have to move from building-centric to market-centric," Zell said.

kevin.christensen@sddt.com

Source Code: 20030116tdf

Market Still Has Room for Small Property Buyers

Investor Expects Public Firms to Own More Real Estate

4154
BY MANDY JACKSON
Staff Writer

Times are tough, but real estate investment will continue to be strong, especially by publicly traded companies.

"More real estate will be owned by public companies going forward," said Sam Zell, CEO of Equity Office Properties Trust.

The company, a real estate investment trust headquartered in Chicago, is the largest publicly held office building owner and manager in the United States. Its portfolio of 126.8 million square feet in 744 buildings includes five properties in Carlsbad and seven in San Diego.

Zell was the keynote speaker Jan. 14 at the seventh annual Real Estate Conference orga-

nized by the University of San Diego's Real Estate Institute.

In an interview after the conference, Chad Carpenter, president of La Jolla-based **Equus Realty Advisors Inc.**, agreed with Zell. Public companies don't promise high, risky returns so they are able to attract a lot of investors, Carpenter said.

Equus, a privately held company, is an "opportunity buyer." The firm buys properties with high vacancy, and sometimes other problems.

The firm typically improves the buildings, leases them up and sells them within a few years for a big return, which is split between the company and its investors. Equus currently owns about 1.2 million square feet of office and industrial space, half in San Diego

County and half in Arizona.

While Equus' goal on deals is a 30 percent return, REITs promise investors single digit returns.

"They're phenomenal returns compared to other investments," Carpenter said.

• Investors May Not Understand The Risks

During the conference, Zell said he is not sure investors understand the risk of national opportunity funds — public companies — that promise high double-digit returns.

"A lot of money has gone into opportunity funds. The return hasn't come back yet. I think it will be lower than expected," he said.

Carpenter said opportunity funds are "dead in the water."

The companies raised massive amounts of

capital in the late '90s based on deals they did during the recession of the early '90s. Now, they can't find enough distressed properties to invest in.

"There's always going to be opportunity deals, there's just not going to be as many of them," he said. "We think the next two years are going to be slower than we anticipated."

Low interest rates allow property owners to refinance. Also, public companies already own a lot of properties and they are better leveraged to handle increasing vacancy rates, Carpenter said.

During 2002 and 2003, Equus planned to spend \$300 million on real estate. Now it looks like it will be 2004 by the time the firm invests that amount. Equus bought four properties totaling 800,000 square feet in 2002 for \$50 million.

Equus is looking to work with pension funds that want to place money directly in real estate. The firm is also considering going after deals with 20 percent returns because more properties are available in that range.

Opportunity funds will probably go back to their investors and renegotiate returns, Carpenter predicted.

• Market's Momentum Slows

In terms of development, Zell predicted that large-scale construction in major cities would slow.

"The days of the real estate industry being led by the developer/entrepreneur ... are over," he said.

In the case of large properties in major cities, Dennis Cruzan agreed there will be less of a role for entrepreneurial developers.

Cruzan is a partner in San Diego-based development and acquisition firm **Cruzan-Monroe**, which opened for business Oct. 1.

But according to Cruzan, there will still be a place for the entrepreneurial developer when it comes to companies' needs for other office and industrial space, such as the 240,000-square-foot multi-tenant office project the developer plans to build in Del Mar Heights.

CruzanMonroe is building Campus at Carmel Valley in a venture with **JMI Realty**, a San Diego-based development firm.

In partnership with JMI, the firm will also build Campus at the Park, an office project, next to the San Diego Padres' new ballpark currently under construction in Downtown San Diego.

"I think development over the next few years is going to be tough," Cruzan said.

Leasing new properties is difficult when demand for space is low and office rents are dropping. Despite that, a lot of investors are still interested in buying real estate.

After it opened in October, CruzanMonroe purchased the 260,000-square-foot Prescott Industrial Park in Oceanside. Another deal is in escrow, and the company is considering three or four more.

Cruzan and his partner, Phil Monroe, think there's never a good time or a bad time to get into real estate.

"We think we'll be stronger for it in the long run," he said.

**SAN DIEGO BUSINESS
JOURNAL**

SAN DIEGO, CA
WEEKLY 20,000
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Homebuilding could lead California recovery

4154
By KEVIN CHRISTENSEN
San Diego Daily Transcript

As California State officials attempt to cut and potentially tax their way out of the state's \$34.8 billion deficit, San Diego can lead the charge to recovery if we let the builders build, said Liam E. McGee, president of **Bank of America, California** (NYSE: BAC).

The housing industry at large contributes \$257 billion to California's economy and generates 821,000 jobs, McGee told the University of San Diego's Seventh Annual Real Estate Conference, citing a study released by the Sacramento Institute of Housing in California in December 2002.

"California has the potential to grow its way out of the recession," McGee said. "Housing is the biggest contributor to the California state economy." Citing the study, he said every one dollar spent on housing construction generates \$1.95 in economic activity in California.

McGee also stressed that California is in the crux of a housing crisis that holds the potential to derail any economic recovery and pointed that the housing industry can contribute a more forceful economic impact to assist in recovery.

California can use this force to their advantage in tackling both the economy and the housing shortage throughout the state, citing a one million unit housing shortage in California, according to McGee.

McGee pointed that the median home price in San Diego is far out of reach of the median wage for a California worker.

Median prices for existing houses throughout California jumped 21.5 percent to \$328,310, with San Diego as one of the leaders of the pack for highest jumps, a 26.8 percent increase to \$378,040 in November 2002 compared to prices one year ago, according to a report released by the California Association of

Realtors (CAR).

Home prices this high are blocking civil servants, including teachers, police officers and firefighters, from the prospects of home ownership, said McGee.

"You would need 2.5 to three teachers' salaries to afford a house with the current median housing costs," McGee said.

Housing prices have reached unattainable levels for most because of restrictions placed on homebuilders from permitting ~~costs~~, excessive fees, anti-development groups, communities blocking increased density and unfair litigation practices, McGee said.

Every time the cost of a house is increased by \$1,000, it moves approximately 21,000 families out of the market because they will no longer qualify based on their salary, according to the **Building Industry Association (BIA)**.

"Excessive regulations are adding significantly to the cost of the housing and disincentivizing home builders from building enough homes to meet the demand of the region," said Paul Tryon, executive vice president for the San Diego chapter of the BIA.

In the housing shortage, unfair litigation practices, particularly construction defect litigation, has led to a standstill in the production of multifamily housing condominiums, McGee said.

In order to maintain the optimal housing stock, one new house needs to be constructed for every 1.5 new jobs created. Throughout the late 1990s, the number California was producing was one new home for every four new jobs created, according to McGee.

The high costs of housing have been pushing families farther from urban centers to find cheaper living options, he said.

J See **Homebuilding** on 2B

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Homebuilding-

J Continued From Page 1B

"Californians are being forced to live farther and farther away from their jobs and increase their commute times," McGee said. "This takes their time away from family and community life."

State budget cuts will also hurt programs that assist affordable housing and first-time homebuyers, McGee said.

However, recent state legislation to make it easier for condominium builders to fix defects before lawsuits are filed may help the situation and lead to more production, but more can be done, McGee said.

McGee also stated the need of California legislators to give incentives for the production of multifamily housing saying that the budget process needs fixing, pointing that state funding for housing, transportation and education "are hailed in one cycle and trashed in the next."

There has also been a slow-down in corporate construction throughout the state, causing a reduced economic stimulus pointing to the need for housing market stimulus.

"As corporate real estate opportunities decline, the move into taking advantage of California's hot housing market is essential," McGee said.

kevin.christensen@sddt.com
Source Code: 20030115tdf

Office space vacancies on rise around county

4154

Commercial real estate still stinging from tech bust

By Mike Freeman
STAFF WRITER

After buying San Diego's HNC Software last year for about \$600 million in stock, Fair Isaac & Co. began searching the region for new office space for the operation.

Since dozens of HNC workers were laid off after the buy-out, Fair Isaac didn't need the 180,000 square feet of buildings that HNC had leased. Instead, the San Rafael-based developer of credit-scoring software sought about 130,000 square feet.

It has yet to make a deal, but Fair Isaac's move to cut office space illustrates why San Diego's commercial real estate market continues to suffer from a hangover after the technology bust.

Dozens of companies locally either downsized or went out of business. The result has been continued sluggishness in commercial real estate that many expect to continue at least through the first half of this year.

"Clearly the industry today is suffering from weak fundamentals," said Sam Zell, chief executive of Equity Office Properties, in a speech this week at the University of San Diego. "Over-supply exists in almost every sector in commercial real estate."

The proof is in the numbers. CoStar Group, an independent market research firm, found that overall vacancy in the county edged up slightly during 2002 when compared with 2001 totals.

CoStar's conclusion was mirrored by research from Burnham Real Estate-Oncor International, which pegged office vacancies countywide at 12.6 percent for 2002, up from 12.3 percent the prior year.

Experts think it will take at least six months for tenant demand in San Diego to begin to rebound — and it could take longer.

"My own sense is the market will be flat," said real estate consultant Gary London of The London Group. "I don't see significant increases in the vacancy levels, but I don't see a significant acceleration in absorption, either."

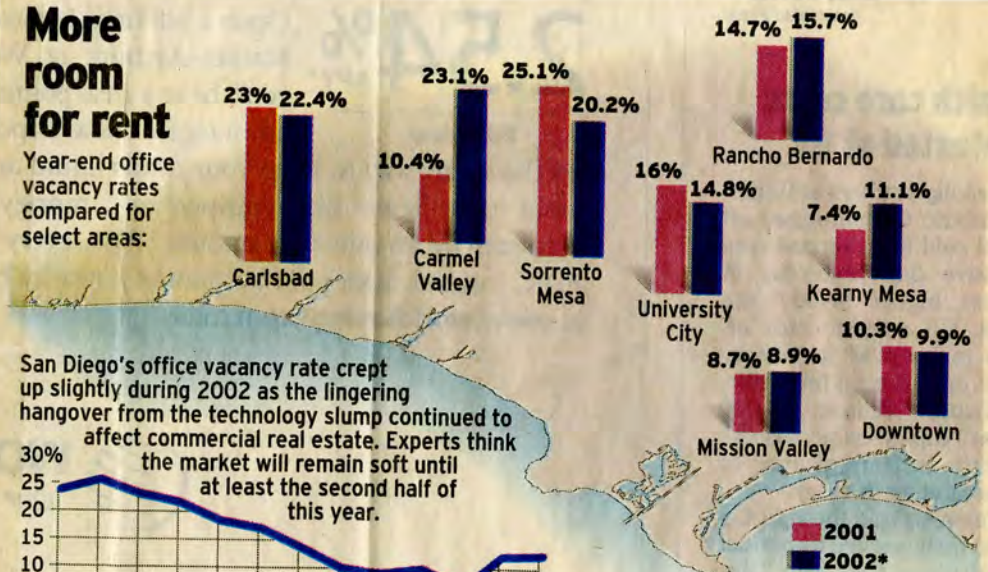
Before the dot-com bubble burst, technology companies

SEE Office space, C2

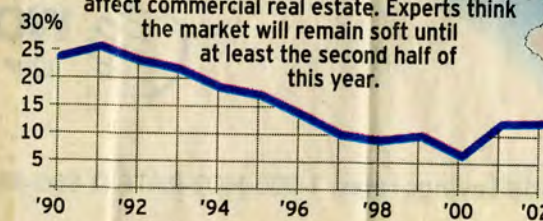
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THURSDAY 374, 856
JAN 16 2003

More room for rent

Year-end office vacancy rates compared for select areas:



San Diego's office vacancy rate crept up slightly during 2002 as the lingering hangover from the technology slump continued to affect commercial real estate. Experts think the market will remain soft until at least the second half of this year.



SOURCES: CoStar Group; Burnham Real Estate Services

*2002 numbers are preliminary and don't include space that's on the market for lease but remains occupied.

DAVID HARDMAN / Union-Tribune

► OFFICE SPACE

CONTINUED FROM PAGE C1

Vacancies lower than in Orange, L.A. counties

drove demand for office space, leasing huge buildings in anticipation of future growth.

Once their funding dried up, those tech companies cut jobs or went out of business, dumping millions of square feet of buildings on the market as cheap sublease space.

At the end of 2002, there was 123 million square feet of sublease space on the market nationally, up from just 42 million in 2000, according to Cushman & Wakefield.

The sublease space has depressed rents in some markets, particularly those popular with tech companies. As this sublease space has lingered without any takers, rents in some buildings in San Diego have slipped 15 percent to 20 percent, experts said.

"Landlords are focusing on loss mitigation," said Bill Fleck of The Staubach Co. in San Diego, which represents tenants.

In San Diego, office markets such as Sorrento Mesa, University City and Carmel Valley suffered the most over the past couple of years, thanks to downsizing by companies such as Peregrine Systems and Ericsson.

But overall, experts say, San Diego performed better than

most of the rest of California and the nation.

The county's 12.6 percent office vacancy rate compares with 17 percent in Orange County and 18 percent in Los Angeles County.

"I think the underlying strength of San Diego has been its diverse economy and continued job growth," said Mark Read, senior managing director of CB Richard Ellis. "We haven't seen a dramatic increase in activity, but there are a number of tenants looking, specifically in the defense industry."

San Diego County added 5,500 jobs in November, compared with a statewide loss of 10,500 jobs for the month, according to the state Employment Development Department.

Because San Diego continues to create jobs, institutional investors and private buyers have been gobbling up office buildings in the county, even though vacancies are on the rise. The result is soaring prices for buildings in San Diego.

Read expects that trend to continue.

"There is a ton of capital pouring into San Diego from buyers of office buildings," he said. "The institutional investors we talk to like the region's job growth, diverse economy and constraints on supply."

Mike Philbin of Burnham Real Estate Services-Oncor International said developers have cut back on construction,

which should help the region rebound when the economy turns around.

"We had 2.1 million square feet of new construction in 2002," he said. "It looks like we'll be at 1.1 million feet in 2003, and 63 percent of that is pre-leased."

Not everyone agrees that San Diego is poised for a turnaround. David Marino, executive vice president of Irving Hughes, a San Diego broker that represents tenants, said the scarcity of capital to fund companies will result in more of them shedding office space.

Biotech companies, which helped prop up San Diego's real estate market last year, are particularly vulnerable to the dwindling availability of capital.

Nationwide, the commercial office market isn't expected to begin to recover until 2004.

Cushman & Wakefield reported that vacancies this year are likely to hover between 14 percent and 16 percent in the nation's large cities, and 21 percent to 23 percent in the suburban markets.

Mike Freeman: (760) 476-8209; mike.freeman@uniontrib.com

Profs put market research to work

Company ranks stocks on MSN Money Web site

By RUSS WILES

Gannett News Service

4154
For the past seven decades, ever since the crash of 1929, Wall Street has been a favorite research topic in academia.

Business professors have prodded and poked at all sorts of stock market phenomena as if they were dealing with rats in a laboratory, trying to unlock the market's inner secrets. Some salient theories have emerged, but many others have proved to be of little practical use.

Enter a 30-person Scottsdale, Ariz., company called Camelback Research Alliance, which supplies the analysis behind a free Internet stock-picking service that has beaten the market since its debut.

"The firm's focus is how to apply academic research to real-world investing," said Donn Vickrey, co-founder and executive vice president of Camelback Research, who also is a professor of accounting at the University of San Diego. Carr Bettis, a professor at Arizona State University, is the other founder.

The two met at an academic conference but took quite dissimilar paths up to that time. Bettis, a minister's son, spent much of his childhood in Australia and the South Pacific, while Vickrey, a professor's son, grew up in Arizona, Texas and other states.

What they shared was an interest in investment research that was relevant.

"We're constantly looking through the academic literature," Vickrey said. "Maybe 10 percent of the time we find something interesting and robust."

So far, the company seems to be passing its own test.

Among its various pursuits is StockScouter, a service found in the investing section of Microsoft's MSN Money site,

<http://money.msn.com>. It ranks 7,000 stocks on a 10-point scale using criteria including insider ownership, valuations, technical trends, earnings evaluations and other fundamental data.

MSN Money highlights the top 50 StockScouter picks.

Investors who bought the several hundred stocks given top 8, 9 or 10 ratings at StockScouter's debut in August 2001 earned a 6.6 percent return over the next 15 months, Microsoft said in its most recent performance update, versus a 26.9 percent loss for the Standard & Poor's 500 index.

Online

► **StockScouter:**
<http://money.msn.com>

While it's impractical for most investors to buy so many stocks, Microsoft considers the results encouraging for StockScouter.

Camelback's analysis for StockScouter has flourished in part because the firm's research favors risk avoidance at a time when caution has paid off. How the analysis will fare in a bull market has yet to be seen.

StockScouter is part of the investment-analysis segment of Camelback, which provides software and data programs for institutional clients such as mutual funds and hedge funds.

Camelback also has an equity consulting business designed to help public corporations comply with Securities and Exchange Commission filings for stock options and such.

The firm also runs three small, fairly new hedge funds through its Pinnacle Investment Advisors unit.

Hedge funds are flexible investment pools that cater to clients typically worth at least \$1 million. Many hedge funds pursue short selling or other risky tactics that make them unsuitable for mainstream investors. The StockScouter program clearly is designed for wider circles.



NICK DE LA TORRE/Gannett News Service

Stock selectors: Scott Vorhauer (left), vice president, and Donn Vickrey, co-founder and vice president, run Camelback Research Alliance, a company that's building a name for itself through stock selections on the Microsoft MSN Money Web site.

"The idea was to develop a quantitative model like what an institutional client would have, with an ability to explain it" to mainstream investors, Vickrey said.

Quantitative analysis is a statistics-driven approach that allows investors to sort through various stock attributes, such as earnings, that are available in database form. Subjectivity doesn't enter into the equation.

"Information is the key when making investment selections," said Scott Vorhauer, a Camelback vice president and one of the firm's first employees, having met Vickrey while a business student at the University of San Diego. "But there's so much information out there, you need to apply technology to process it."

While Camelback has built a reputation for cutting-edge research for its in-

stitutional clients, Vickrey and Vorhauer say there are many simple principles that mainstream investors can pursue to improve their odds of success.

One is having the commitment to invest regularly in good markets and bad, following what's known as a "dollar cost averaging" strategy.

Another is staying well-diversified, which includes spreading cash among various asset groups such as distinct types of stocks and bonds.

Also, they say, it pays to set stop losses or prearranged brokerage sell orders to unload stocks or mutual funds if they drop by a sufficient amount: perhaps 20 percent to 25 percent below what the investor paid.

"A lot of investors keep their losers too long," Vickrey said.

**SAN DIEGO DAILY
TRANSCRIPT**

SAN DIEGO, CA
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JAN 16 2003

San Diego poised to attract lucrative sports market

4134
By KARYL CARMIGNANI

San Diego Convention & Visitors Bureau

It should come as no surprise that the upcoming Super Bowl XXXVII will pack a tremendous economic punch for San Diego's economy — to the tune of more than \$300 million dollars. This is in addition to the international publicity the event will generate for San Diego, when an estimated 1 billion television viewers in 188 countries around the world will watch scenes of San Diego's sun-drenched, picture-perfect scenery — in the dead of winter.

While the Super Bowl may be the trophy sporting event, the San Diego economy also benefits from a myriad other special sporting events held year-round throughout the region. Last year, 27.2 million visitors spent \$5.6 billion in the San Diego region, with 85 percent of those visitors being leisure travelers. Of those, 5 percent declared sporting events the primary goal of their trip.

Whether you prefer running, riding, swatting, pitching or cycling, San Diego has the field, court, bay or course ready to accommodate a variety of sporting action. It's no secret

that the San Diego region is a hotbed for all sorts of sports, and these events generate economic "points" that reach far beyond the direct competition itself.

The Pacific Life Holiday Bowl

San Diego's annual "bowl" game, for instance, has consistently generated visitor numbers and revenue for the region. Not only do bowl visitors utilize plenty of hotel room nights during a traditionally slow season for San Diego tourism, but also the game itself — nationally televised from sunny San Diego to places up to their jerseys in snow — stimulates potential visitor interest.

The Pacific Life Holiday Bowl, now in its 25th year, is a winning event for San Diego, no matter who is scrimmaging on the field. With an average attendance of approximately 63,000 fans over the past four years, the game has had an average economic impact of \$23 million, said Mark Neville, assistant executive director for the Pacific Life Holiday Bowl.

College games are still another asset to San Diego. In 2001, The Holiday Bowl generated approximately \$20.5 million for the local

economy and more than 9 million viewers watched the game on television, according to a report released by **Marketing Information Masters Inc.** Out-of-town visitors attending the game accounted for nearly 20,000 hotel room nights.

Surf Cup

But passing the pigskin is not the only way to score in San Diego; plenty of other sports kick big bucks into the local economy. For instance, the last Surf Cup soccer youth tournament drew 332 teams from around the world to the San Diego Polo Club in Del Mar. This sporting event generated \$3.5 million in direct spending. Approximately 92,000 people attended the event, with teams booking hotel rooms at an average rate of \$110 per night. The total economic impact of the tournament exceeded \$10 million — an economic "goal" for the region.

Suzuki Rock 'n Roll Marathon

Plenty of folks bolt to San Diego for the

G See **Sports market** on 7A

Sports market

G *Continued from Page 5A*

annual Suzuki Rock 'n Roll Marathon, with more than 20,000 runners participating. Ninety percent come from outside San Diego County, staying an average of 3.2 days and spending on average \$213 per day, according to a study prepared by the University of San Diego School of Business. All told, this weekend event pours more than \$82 million into the local economy, with that figure swelling each year.

San Diego Thunderboat Regatta

The San Diego Thunderboat Regatta has been making a splash in Mission Bay since 1964. This championship race in 23 different classes makes it the biggest powerboat race in the world. This event provides an annual boost to the local economy of more than \$12 million.

The golfing industry

San Diego County has developed an international reputation as the "Sweet Spot for Golf." Home to 92 golf courses, a legion of golf equipment manufacturers and the best year-round climate in the nation, it's no wonder San Diego is becoming the golf capital of the world. Hard goods (clubs, balls, grips, etc.) as well as soft goods (clothing and accessories) are manufactured locally by com-

panies such as **Aldila** (Nasdaq: ALDA), **Callaway Golf** (NYSE: ELY), **Lynx**, **TaylorMade Titleist** and **Zevo**.

Why have golf manufacturers flocked to San Diego like Canadian geese to a golf course? One theory is the hole-in-one success of Callaway Golf, founded by the late Ely Callaway, a longtime North County resident. Callaway's entrepreneurial streak began 50 years ago in textiles, grew into a winery and presently his legacy encompasses the world's largest manufacturer of premium golf clubs and maker of golf balls and putters.

By 1997, Callaway annual sales hit \$1 billion and "Mr. C" became an icon by making golf more enjoyable for the average golfer. In 12 short years, Callaway had become the No. 1 producer of drivers, fairway woods, irons and putters combined.

Perhaps this intrepid spirit paved the way for other companies to set up shop in San Diego. Titleist opened its Golf Club Development Center in Carlsbad in 1993, with the lofty mission of "serving the needs of the serious and recreational golfer with value-added products and services that have a competitive advantage worldwide." Poway-based Aldila Inc. designs, manufactures and markets high-performance graphite golf

shafts for use worldwide and boasts \$34.9 million in total assets. Many other golf companies are breathing economic life into rural communities throughout San Diego.

San Diego is home to two exciting PGA tour events: the Buick Invitational at Torrey Pines (Feb. 10-16) and the Accenture Match Play Championship at La Costa (Feb. 24-March 2). Both of these events have a significant impact on the local economy as well as local charities.

The Buick Invitational typically generates an annual \$30 million economic impact on the San Diego region, said Tom Wilson, executive director for **The Century Club**.

"Our goal here at The Century Club is to perpetuate PGA tour events in San Diego and through these events create positive economic impacts for the region. Over the years, these championships have raised over \$6.5 million for local charities as well as showcased the region to golfers worldwide," Wilson said.

This year, the Accenture Match Play Championship at **La Costa Resort & Spa** in Carlsbad will feature defending champion Kevin Sutherland, a \$5.5 million purse and international televised coverage on **ESPN** and **ABC** networks. As true with other winter sporting events televised from

San Diego, the scenes of sun-drenched courses rolling down to the blue sea will precipitate a slew of calls to the region's visitor centers and online visits to San Diego Web sites from golfers and vacationers from around the nation eager to enjoy such an experience.

With its excellent visitor amenities, perfect year-round climate and an infrastructure to support the hosting of all types of special sporting events, San Diego is well positioned to attract the lucrative sports market to the region — spelling 'victory' for the local economy.

Carmignani is communications coordinator at the San Diego Convention & Visitors Bureau.



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Associated Press

REVITALIZATION: Limited space in the region has sparked a building boom in downtown San Diego.

San Diego Is on the Rise With Help From Developers, Tech

The region's real estate boom, diverse industries defy a slumping state economy

By MARLA DICKERSON
Times Staff Writer

San Diego got pounded during the early-1990s recession. But the hammering lately is the sound of new construction.

While the state and national economies stagnate, California's second-largest city is experiencing a residential renaissance. Developers have completed more than 2,000 condos, lofts and apartments downtown over the last three years and are planning 9,000 more in the next five years.

Housing is hot in the rest of the county as well, with the median price for existing single-family homes up 28% in November from the previous year — the biggest increase in California, according to property information service Data-Quick.

But it's not just real estate



ALLEN J. SCHABEN *Los Angeles Times*


LAUNCHING A COMEBACK: Keith Fernandez's Intracorp San Diego has built several residential projects in the center of the city, including the Crown Bay condos at right.

that has made San Diego a standout in a slumping California economy.

The county boasts one of the state's lowest unemployment rates, at 4.1%. Its tourism and technology sectors have held up better than those in other parts of the state. And although its employment

growth has slowed markedly since the height of the economic boom, San Diego County is one of the few regions in California that is still adding jobs.

Payroll employment increased by 22,400, or 1.8%, through the first 11 months of 2002, with most of that growth

coming in services, according to the state Employment Development Department. By comparison, neighboring Orange County lost 4,000 jobs over the same period. Among major regions in California, only the Riverside-San Bernardino area did better, with  [See San Diego, Page C2]

Bright spot

San Diego County boasts California's hottest real estate market and one of the state's lowest jobless rates, and it is adding jobs.

Percentage increase* in home prices for top five California counties (median price)

San Diego (\$353,000)	+28.4%
Sacramento (\$211,500)	+27.8
San Joaquin (\$218,000)	+26.7
San Luis Obispo (\$354,000)	+26.6
Riverside (\$200,000)	+23.1
California (\$279,000)	+23.5

November 2002 unemployment rate (not seasonally adjusted) by county

Colusa	23.8%
Santa Clara	7.8
Los Angeles	5.8
San Diego	4.1
Orange	3.9
California	6.3

Change in nonfarm payroll employment from November 2001 to November 2002

County	Net gain/loss of jobs	% change
Riverside-San Bernardino	+25,700	+2.4%
San Diego	+22,400	+1.8
Oakland	-1,100	-0.1
Orange	-4,000	-0.2
Los Angeles	-17,500	-0.4
San Francisco	-23,200	-2.2
Santa Clara	-28,700	-2.9
California	+1,800	0

*November 2001-November 2002 percentage increase in median prices of existing single-family homes.

Sources: DataQuick, California Employment Development Department

Los Angeles Times

[San Diego, from Page C1] **G**
2.4% employment growth.

A laggard during the last recession, San Diego is "really one of the bright spots" this time around, said Cheryl Mason, an analyst with the state employment agency. "It's a pretty diversified economy now."

What a difference a decade makes.

Like Los Angeles, San Diego saw its aerospace-dependent economy crash in the early '90s when the federal government whacked defense spending. More than 20,000 well-paying aerospace jobs vanished from the San Diego area within a few years, according to University of San Diego economist Alan Gin.

But unlike L.A. County, which still hasn't regained all the jobs lost during that period, San Diego more than made up for its defense losses through growth in high-tech industries, including biotechnology, pharmaceuticals, software and computer services.

A federal Small Business Administration study of San Diego's high-tech makeover points to a variety of factors behind its success. For starters, the region's entrepreneurs have demonstrated an ability to find commercial uses for defense technology.

The founders of San Diego-based wireless company **Qualcomm** Inc., for example, got their start doing communications work for the military. Composite materials developed for the aerospace industry helped propel the region's sporting goods makers, including Carlsbad-based club maker **Callaway Golf Co.**

San Diego's research and

academic institutions also have nurtured entrepreneurial activity. In 1979, two UC San Diego professors started **Hybritech** Inc., a medical-test manufacturer credited with sparking the biotech industry in the area.

But even as some of the transformation was organic, much was deliberate. Organizations such as the San Diego Regional Economic Development Corp. and a UCSD program called Connect rallied the community behind the high-tech vision and brought key players together to see it through.

"They got everyone focused on high-wage clusters they felt would be attractive to San Diego," Gin said. "To a large extent, it worked."

To be sure, San Diego's high-tech sector has been rocked by the same collapse in business spending that upended Silicon Valley and tipped the nation into recession in early 2001.

The county's telecom workforce has declined as companies such as **Qualcomm** and **Ericsson** have shed employees in the face of slumping demand. Software maker **Peregrine Systems** Inc., the computer arm of **Sony** and semiconductor firms **Mindspeed Technologies**, **LSI Logic Corp.** and **STMicroelectronics** Inc. also have cut their San Diego payrolls, reflecting the broad sweep of the high-tech downturn.

Nor have San Diego's biotech firms been immune to downsizing as venture funding has ebbed.

"We're starting to feel the slowdown," said Rich Mejia, head of Ernst & Young's regional health science practice. "There are too many firms competing for the same research dollars. We're bound to see some consolidation in the next 12 to 24 months."

Still, experts say San Diego's diverse cluster of high-tech industries and lack of huge corporate headquarters have insulated it from the kind of deep downturn being experienced in the Bay Area.

"San Diego wasn't nearly so concentrated in the Internet and e-commerce as Silicon Valley and San Francisco were when the investment bubble popped," said Steve Cochrane, director of regional economics at **Economy.com**. "Areas such as biotech have been much more steady."

San Diego's tourism industry also has survived the economic slump and post-Sept. 11 air-travel jitters better than other vacation hot spots. Although steep declines in business travel and international visitors have hurt destinations such as San Francisco, San Diego's bread and butter is leisure travelers who live within driving distance.

Total visitor spending for 2002 was expected to dip just 0.5% to \$5.1 billion, with the tourist head count down slightly to 26.4 million, according to the San Diego Convention and Visitors Bureau. The latest tally of hotel and amusement park employment shows a 3% annual increase. "We're nowhere near as reliant" on air travel as are "some of our competitors," said Sal Giametta, spokesman for the convention bureau.

Even the defense industry, San Diego's Achilles' heel in the

early 1990s, is lending stability this time around.

Concerns about homeland security and a looming conflict with Iraq are expected to keep the federal dollars flowing in the near term. The armed Predator drone that blew up six Al Qaeda suspects in Yemen in November was designed in San Diego by **General Atomics Aeronautical Systems Inc.** The U.S. employed the Global Hawk reconnaissance drone — made by **Northrop Grumman Corp.**'s San Diego-based unmanned systems unit — to aid in the hunt for Osama bin Laden in Afghanistan. And National Steel & Shipbuilding Co., a San Diego subsidiary of **General Dynamics Corp.**, is building cargo ships for the Navy.

Meanwhile, federal spending at the Marine Corps' Camp Pendleton, Navy bases and other military facilities pump an estimated \$11 billion annually into the local economy. In contrast to defense contracts, those bases and their personnel have proved a stable source of funds.

"The military and visitor industries act like a floor for the local economy," said Marney Cox, chief economist for the San Diego Assn. of Governments. "They keep us from falling too hard or too quickly during the down times."

The real estate sector also is cushioning things. Hemmed in by the Pacific Ocean to the west, Camp Pendleton to the north, mountains to the east and Mexico to the south, San Diego has little open space. Thus developers have turned inward, sparking an unprecedented building boom downtown.

Developer Keith Fernandez, president of **Intracorp San Diego**, says it's a far cry from the last recession, when construction screeched to a halt and the center of the city was the last place anyone would want to live.

Perceptions started to change by the late '90s. Successful retail and entertainment projects such as the Gaslamp Quarter showed that people had an interest in urban living. Demand for housing soared as San Diego's economy revived.

Fernandez decided to test the market with a 57-unit condo project priced from \$190,000 to \$500,000. The development, known as 235 on Market, sold out before it opened in August 2001.

"We had three buyers for every unit," Fernandez recalled. "That's when we knew we were on to something."

Intracorp has since completed two more downtown condo developments, and those 174 units have likewise all sold out, at prices ranging from \$256,000 to \$600,000. The company has four additional projects planned, even as competing developers rush to get into the market.

Fernandez's biggest worry? "I'm scrambling for more sites," he said.

Some economy watchers say San Diego's red-hot housing market may be its biggest liability. War or a rise in interest rates could curb demand for all that trendy downtown housing. And with 28%-plus appreciation pushing the median price for an existing home to \$353,000 in November, San Diego tops every bubble watcher's list for potentially overheated markets.

"If any kind of uncertainty creeps in, I think we'd see the real estate market come to a halt rather quickly," Cochrane of Economy.com said.

Others say that although values can't keep increasing at the current blistering pace, prices are likely to keep rising, albeit more slowly, given San Diego's solid fundamentals.

"Unemployment is low and we're still creating jobs," economist Cox said. "That's a pretty good place to be right now."

Survey Peers Into Crystal Ball for Clues

⁴¹⁵⁴
Employment: Report Finds Areas of Growth Despite Electricity, Housing Concerns

BY LEE ZION
Staff Writer

San Diego employers remain nervous in a shaky economy, as about half do not expect to grow the size of their staff.

But four out of five employers plan to increase wages for their employees, and roughly two out of three plan salary increases of 3 percent or more.

The 13th annual *San Diego Business Journal*/Deloitte & Touche Economic Outlook Survey reports 81 percent of local business owners plan to increase wages for their employees. An additional 16 percent plan to hold the line, while the remainder are considering whether to reduce wages.

The survey was sent to business leaders throughout San Diego County representing several fields, including high-tech, health care and tourism, among others. Companies varied in size from fewer than 25 employees to more than 500.

In the survey, nine of the 212 respondents planned to increase the company's average employee compensation by more than 6 percent. An additional 41 said they planned an increase between 5 and 6 percent.

Meanwhile, 85 respondents planned a salary increase between 3 and 4 percent, while 37 planned an increase of 2 percent or less.

An additional 33 respondents anticipated no change in average employee compensation, while only seven employers anticipated any decrease.

The results for 2003 are similar to the 2002 survey. The number of respondents expecting to increase wages by 5 percent or more is 24 percent, the same figure as last year.

Meanwhile, 57 percent expect to offer moderate wage increases, slightly down from 61 percent last year. The number of employers anticipating no change in 2003 increased slightly, from 14 to 16 percent, as did the number of employers forecasting cuts — from 1 percent to 3 percent.

Figures Project Mixed Message

A telling statistic is that the number of employers planning to increase wages by 5 percent or more has fallen sharply compared to figures dating from the stock market bubble. In the survey for 2001, 48 percent of the respondents indicated they would increase

About Economy

wages by that margin; in 2000, that figure was 40 percent.

As to the number of employees, 50 respondents out of 212 planned to increase staff by 5 percent or more. An additional 60 said they planned to increase staff by less than 5 percent, while 70 expected no change in the size of their staff.

Only 21 said they planned to reduce staff by 5 percent or less in 2003, while 11 said they plan to reduce staff by more than 5 percent, according to the survey.

The numbers are a slight improvement over 2002, with 24 percent planning a significant increase in staff and 28 percent planning a moderate increase. The figures for last year were 22 percent and 25 percent, respectively.

Meanwhile, the number of employers expecting no change fell slightly, from 37 percent to 33 percent, and the number of employers anticipating a moderate decrease remained at 10 percent. The number of employees expecting a significant reduction in staff fell slightly, from 7 percent to 5 percent.

Another telling statistic is that the number of employers expecting to reduce staff is almost three times what it was during the stock market bubble. For the 2001 survey, only 6 percent of employers planned to cut the number of employees; in 2000, that figure was 7 percent.

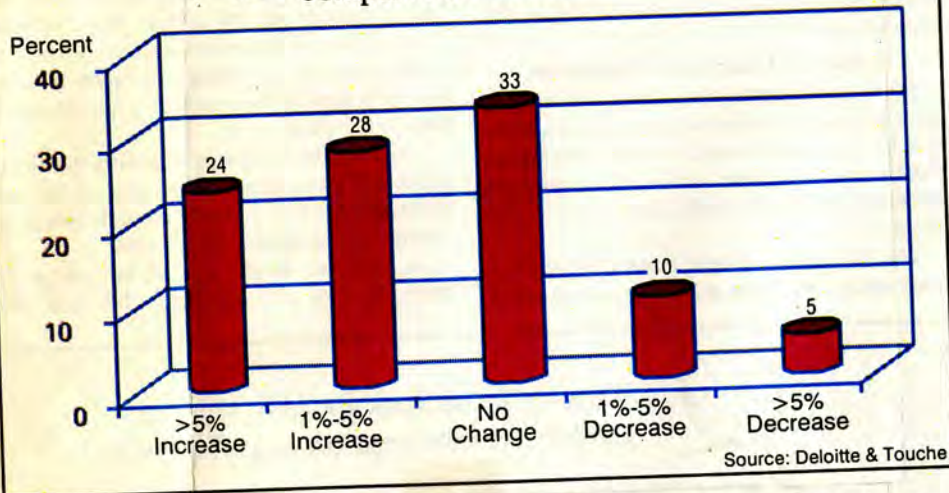
Local Growth Mirrors National

Meanwhile, many employers report the local economy has hurt their business, with 9

SAN DIEGO BUSINESS
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What change do you expect in the number of your company's employees in 2003 compared to 2002?



percent of the respondents reporting they are considering leaving the area. That's double the figure for 2002; in both 2001 and 2000, that figure was 2 percent.

Also, 30 percent of local employers said they were considering expanding in 2003 — similar to the figures from the last three years. However, among the respondents considering expansion, only 67 percent said they planned to expand within the county, vs. 84 percent in 2002, 82 percent in 2001 and 79 percent in 2000.

Alan Gin, an economist at the University of San Diego, said he expects the local economy to create 25,000 new jobs this year. However, most of the job creation will occur toward the end of 2003, while the economy will be flat for much of the year.

This, however, will not have much effect on overall unemployment figures. Gin expects the unemployment statistics, which are currently at 4 percent, will remain at that level by year's end.

Gin believes the local economy will begin to move once the nation as a whole pulls itself out of its economic doldrums.

"It's not a recession; it's not a decline. But it's not very strong growth, either. And I think the local economy will mirror that," he said.

The threat of war against Iraq remains the big question affecting the economy. A prolonged war in the Middle East could cause the stock market to fall and the price of oil to climb. It would also shake consumer confidence — and all of these would derail the economic recovery, Gin said.

Locally, a prolonged deployment means hundreds of sailors and Marines will leave

the area — pulling a lot of buying power out of the region, he said.

Also, tourists may be reluctant to fly into San Diego out of fear of renewed terrorist activity. That could hurt the hospitality trade — although this would be mitigated by an increasing number of visitors from Los Angeles and Arizona driving here rather than flying cross-country, Gin said.

Housing Costs, Electricity Concerns

Other factors include the continued high prices for electricity, the state government cutting off infrastructure spending locally to balance its books, and a possible water shortage this year. This could devastate local manufacturing, he said.

On the plus side, interest rates remain low, stimulating the economy by making more money available. It has also encouraged homeowners to refinance their mortgages, which provides them with more disposable income.

Many employers responding to the survey said they had problems finding or keeping workers. A respondent in the manufacturing sector said, "We make parts for commercial aircraft. That business may be decreased for a year or more. We are working to replace the lost jobs."

One respondent in the service sector said, "San Diego seems to be somewhat insulated from the national 'recession.' I am amazed at home prices and their continued increase. This will become an issue for finding qualified workers."

A respondent in the real estate/construction sector said, "Lack of (a) skilled work force in conjunction with union organization efforts will lead to a very high wage with low productivity, causing the cost of construction to spiral upward."

One defense contractor said the preparation for war resulted in a "major increase" in revenues for his ship repair business. However, an actual war will cost him business, since most ships will deploy.

"We have work scheduled for most of FY 2003 at current levels," the contractor said.

One comment from a survey respondent, who did not identify which sector his company was in, sounded an ominous note.

"I don't think the effects of some of the larger layoffs (i.e. Peregrine, etc.) of highly paid individuals ... trickled through the San Diego economy yet," he said. "San Diego has lagged behind the rest of the county with respect to the depth and scope of the 'double dip' recession. But nothing indicates ... that any geographic area is recession-proof ... I think we'll get our dose of reality sooner than later."

USD

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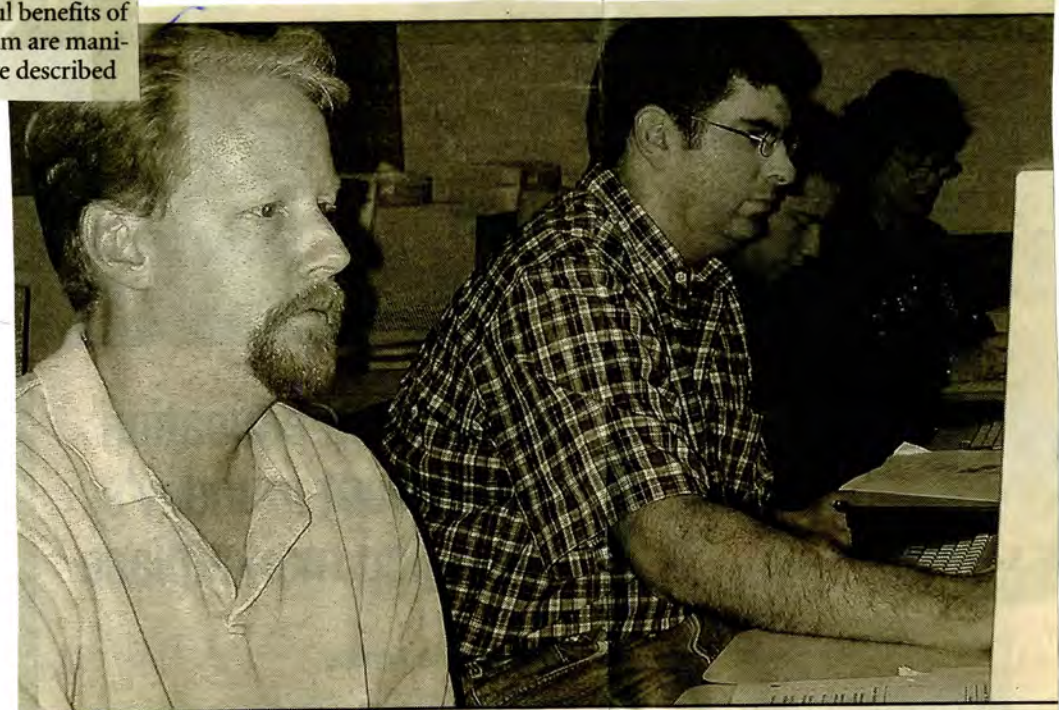
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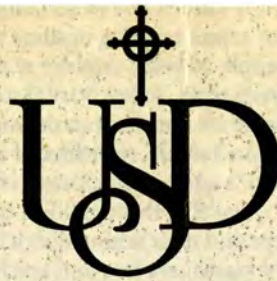
(619) 260-7732, or, visit <http://business.sandiego.edu/m sel/>. Enrollment in the MSEL program is each August. The preferred application deadline is June 1.



Students in the University of San Diego's Master of Science in Executive Leadership degree program work in the computer lab, honing keyboard and analysis skills.

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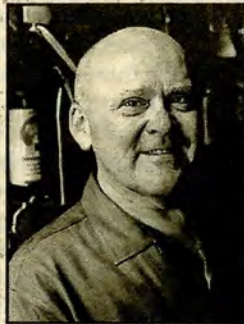
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Families mourn for Marine fliers

Reservists remembered for devotion to job, country

By Jeanette Steele
STAFF WRITER

4154
USD
One was a tough guy who melted when his son arrived.

One was a motorcycle-riding patriot who looked forward to doing his part in war, if it came.

One was a squadron commander who enjoyed juggling his civilian and military jobs.

And one postponed a family in order to achieve his goal to fly.

Brought together by their commitment to the military, the four Marine Corps reservists, killed Wednesday in an apparent midair collision, leave behind grieving families who said yesterday that,



Hiroko Palombo, 36, reflected on her husband, Maj. Steven G. Palombo. "I want everyone to know my husband was a wonderful guy," she said.

despite their tears, they take comfort from knowing the reservists died flying in the line of duty.

The crash happened while the Camp Pendleton-based reservists were on a night reconnaissance flight in Texas for a U.S. Border Patrol anti-drug mission. A detach-

ment of 53 Marines from Marine Light Attack Helicopter Squadron 775 were participating. The unit will return home this weekend, officials have said.

Maj. Steven G. Palombo, 36, wears a serious expression in many photos adorning his Carls-

bad apartment, where his wife, Hiroko, swings between smiles and tears as she talks about him. Married in 1992, they have a 2-year-old son, Cameron.

Behind the stern looks, there was a big heart, said Palombo, who is 36.

"I want everyone to know my husband was a wonderful guy," she said, adding that she tells the girls at the school where she works as a student adviser to find a fellow like him.

"When we had a baby, nobody really expected Steven was going to be this sweet Daddy. He's a big guy and tough-looking," Palombo said. "But he just loves Cameron. When people see Steven spending time with Cameron, you just find yourself smiling."

Palombo and the others were flying in two AH-1W Super Cobras, which are two-seater gunships. They departed Jan. 17 for a two-week mission with a Pentagon task force that assists civilian law en-

SEE Marines, Page 2

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SATURDAY 374,856
JAN 25 2003

► MARINES

CONTINUED FROM PAGE 1

Loved ones tell of reservists' private sides

forcement agencies.

Camp Pendleton will salute the pilots with a private memorial service Wednesday on base.

Capt. David Clarke Cross, 34, gladly left behind his beloved Harley-Davidson for the mission, said longtime girlfriend Heather Rand. The two lived in Carlsbad.

"He didn't understand how somebody couldn't be patriotic for this country," said Rand, who recalled how Cross sometimes wore a star-spangled bandanna when he rode his bike.

Cross "was actually looking forward to possibly going to war, if that was the decision that President Bush made," she said. "He wanted to do his part for this country."

He did most things with a gung-ho spirit, Rand said. "Every person he talked to, he made them feel that they were really great, and so he attracted a lot of people."

Cross will be buried in Virginia's Arlington National Cemetery with military honors.

Lt. Col. Robert J. Theilmann, 47, who lived in Oceanside, saw his duties as squadron commander increase after Sept. 11, 2001, when reservists were called on more than before. He embraced the additional duties, said his older brother, Richard Theilmann of Queens, N.Y.

"I know some reservists had difficulty integrating their business and private life with all the additional call-up," Theilmann said. "He was able to juggle both family and work. He really

was able to juggle all those balls in the air and keep things going."

Robert Theilmann, the squadron commander, served as chief executive of his son's heating and air-conditioning company. He also raised Shetland sheepdogs, his brother said. He and his wife of 20 years, Barbara, also bought and rehabilitated homes.

"You guys lost a fine citizen," Richard Theilmann said.

Maj. John M. Walsh, 36, had just bought a new condominium in San Marcos. A single man, he already had filled his garage with mountain bike, surf board, backpack and a bulletin-board full of entry numbers from road races he completed.

Walsh was full of life, said his father, Larry Walsh, of Palm Springs, and flying was his love.

"He had wanted to be a fighter pilot since he was 8 years old," Walsh said. "He had goals and he accomplished them. That's one of the reasons he wasn't married. He was focused on what he wanted."

After leaving active duty, he got a master's of business administration at the University of

San Diego and worked as a project manager for a Poway electronics firm, in addition to his reservist duties.

He will be buried at Fort Rosecranz National Cemetery in Point Loma.

Everyone echoed the thoughts of Rand, who said she takes solace knowing Cross went down flying.

"I'm just happy he died doing that. If he were to die, I'm glad it was that, because he loved flying," she said.

Some said they looked forward to the results of a Marine investigation into the cause. Others didn't.

"They will probably put blame on somebody, but I don't care about that," Walsh said. "They were all experienced pilots. They were all doing the best they could."

But Palombo wants to find out all she can.

"I want to know a lot because I have to tell his son, when he's ready," she said. "When Cameron's old enough, I have to tell him everything about his Dad."

Jeanette Steele: (760) 476-8244; jen.steele@uniontrib.com

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company profiles

SCULLY A FOUR GENERATION LEGACY

Ninety-seven years of Scully history began in 1906 in Napa, California. The original products were leather jackets, gloves, and flying helmets. The flip of a coin directed the business to downtown Los Angeles in 1920 and Dan Jr. joined the firm at that time. The business prospered until the early 60s when Dan was diagnosed with cancer. Bedridden in January of 1967, he called upon his son to act as a figurehead. Dan III, a recent college graduate, agreed to finish out the year and close the nearly bankrupt company. "My father passed away that year," recalls Dan III, and the life he led provided him with immediate entree into heaven. From there he directed and inspired a course of action, which not only saved the business, but has guided me throughout my 35-year tenure. I attended my first Western show in 1969 and immediately recognized that this was going to be the main focus of our business for years to come."

The company has flourished and today



Brian, Dan III, Dan IV Scully



Scully Corporate Plaza, Oxnard, California

includes men's and women's leather apparel, an Old West collection (Wahmaker), a complete contemporary line of Western apparel, and a line of leather accessories. "The extensive and diverse nature of our product offerings," concludes Dan, "affords the retailer one-stop shopping with our company.

the best products available in our industry."

Dan III loves the path he has traveled thus far and will continue the journey as long as he is able. As the company's millennium approaches, one can only wonder if four generations and 100 years is only the beginning... ♦

Although the main focus of our business is Western, we have always maintained a contemporary presence. We feel that the constant involvement in this market provides us with design direction for the Western Wear industry."

Dan welcomed his sons Brian and Dan IV into the business ten years ago. Both have business degrees from the University of San Diego. Brian is currently the Managing Director of the apparel divisions, and Dan IV is one of the company's two Sales Managers. "It is truly a blessing to have the opportunity to work with my sons on a day to day basis," says Dan. "We respect one another and are passionately committed to designing, producing, and delivering

School of Education

50 PEOPLE THE SAN DIEGO MAGAZINE TO WATCH IN 2003

PAULA CORDEIRO

As dean of USD's School of Education, Cordeiro is committed to improving local schools, many of which employ her grad students. Cordeiro, president of the San Diego Council on Literacy, has launched a yearly conference for hundreds of school counselors and set up programs to supply teachers to local charter schools. But her biggest accomplishment may be the Educational Leadership Development Academy, a partnership with other colleges that provides training for school administrators. It's partially funded by Los Angeles businessman Eli Broad, who's a big backer of San Diego's controversial schools chief, reform-minded Alan Bersin.



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JANUARY 2003 • SAN DIEGO MAGAZINE

Charter School Opens Door to Higher Learning

Campus recruits pupils from low-income families to prepare them for college.

By DEBORAH SULLIVAN BRENNAN
Special to the Times

SAN DIEGO — Daniel Ortiz looks around Promise Charter School, with its small, colorful classrooms tucked in the community center of Bethel African Methodist Episcopal Church, and sees a gateway to higher learning for his children, Elias and Daniela.

In its first year, the fledgling charter school pledges to set low-income elementary students from southeast San Diego on the road to college. Although its makeshift campus bears little resemblance to the landscaped grounds of private prep schools, it aims to provide the same intensive individual instruction, small classes and extended schedule as its high-priced counterparts.

"It's preparing students for the university and the professions, to be engineers and doctors," said Ortiz, who works as a cook. "They're learning to envision that this is their primary path."

Unlike many private prep schools, Promise Charter School recruited its 200 students, not among the most privileged, but from the most disadvantaged student bodies. Most come from families that earn \$12,000 to \$20,000 per year. The students began the year with academic skills one and one half to two and a half years below their grade level. Yet the school's teachers and administrators see these strikes against them as all the more reason to invest in their futures.

"The ability to choose a private school or move to a higher performing public school is based on income and wealth," said Brian Bennett, project consultant to Promise Charter School. "For lower income families, there is no choice."

Promise Charter School grew out of a sister program at nearby Nativity Prep, a private Catholic school serving the same community. Nativity Prep started last year with 18 students, the brainchild of



ONE-ON-ONE: First-grade teacher Erica Lopez works with Damian Arellano on his reading skills at the school, which aims to provide intensive individualized instruction.

president and founder David Rivera, a native San Diegan who left a career in real estate for the dream of founding high-quality schools in this low-income community.

His vision followed a model developed by Jesuit priests in New York City. It called for nearly 12-hour school days filled with academic basics and religious instruction.

Nativity Prep opened with a single fifth-grade class last year, and expanded to sixth grade this fall. This month the school will move from its leased building to a new, donated \$800,000 facility next door.

To extend the program to a broader student body, Nativity Prep's administrators applied to open a public charter school, and received unanimous approval from the San Diego Unified School District, said Kerry Flanagan, the district's charter school liaison. Officials are closely monitoring the school's performance and are pleased with its progress, she said.

Like Nativity Prep, Promise Charter School went door to door to recruit students for a rigorous academic program that runs 10 to 11 months a year. Pupils from grades one through five attend class from 7 a.m. to 4 p.m., with two optional hours of after-school activities and tutoring. Kindergartners stay until 3 p.m.

In both schools, 20% of stu-

dents are African American, while 80% are Latino, the vast majority of them Spanish speakers. In groups of 15 to 20, children study subjects like math and reading, and sample special lessons in visual arts, drama, science and swimming.

"These are lots of things that, for years, we've had to cut from budgets in public schools," said principal Evva Cross, a 22-year veteran of local district schools. "So we're able to give them enriching opportunities they otherwise would not experience."

In every class, a first-year, volunteer AmeriCorps teacher teams with an experienced, salaried teacher or second-year volunteer. Volunteer teachers, from universities including Notre Dame, U.C. Berkeley and Boston College, earn credits toward their teaching credential and receive free training at the University of San Diego, a private Catholic university.

The teachers, Rivera said, were culled from the "best and brightest" of 90 applicants for 20 slots, with high GPA's, bilingual skills and resumes packed with prior volunteer experience. They're also willing to apply those abilities to a 50-hour-a-week job that pays \$35 a week plus room and board, said Rivera, who himself draws just \$140 a week in salary.

"This isn't so much a job for them," he said. "This is a pas-

sion." The two schools share the same advisors, special-subjects teachers and academic model. Some of the teachers at Promise Charter School started at Nativity Prep last year.

But while Nativity Prep subsists on donations and charts its own curriculum, Promise Charter runs on public school funds and must adhere to state standards for testing, textbooks, class work and course content.

Religion, a mainstay at Nativity Prep, is included at Promise Charter School only in social studies lessons on comparative religion. "We're very conscious of the 1st Amendment separation of church and state," Bennett said.

Nonetheless, he said, "if you look at what we think are the key ingredients for both school sites, we still believe that... access to committed teachers, with an emphasis on basic skills and a high degree of accountability for achievement in small classes, is the key to success."

On a recent afternoon, students cooked homemade tortillas after class, mixing ingredients, pounding dough and frying the finished products. Each student also received a worksheet listing the various steps, out of order, in Spanish.

Their task was to decipher, then order them, a twist that turned a cooking class into a lesson in language and logic.

Maricela Montes waited for her son, Irving Gutierrez, 8, as he cooked, then devoured his tortilla. Irving, she said, was reluctant to transfer from his district school this year, and cried about the switch for weeks.

"But today," she said, "he called me up and said, 'Don't pick me up until 6 p.m. because I'm having an activity.'"

If test scores in the next few years mirror the current high marks the program enjoys among its students and their families, administrators hope to expand it, adding a high school and later opening other schools in Southern California.

"Down the line," Rivera said, "what we'd really like to see is our students going through our middle school, our high school and on to college, and returning to this community to start up businesses, to be lawyers, doctors and teachers." **53**

Institute for Peace and Justice

Center for peace gets \$5 million

By Eleanor Yang
STAFF WRITER

The Joan B. Kroc Institute for Peace and Justice at the University of San Diego will begin an endowed lecture series on conflicts and human rights late this spring thanks to a \$5 million donation from Joan Kroc.

Kroc said she hopes the series will bring in top-level policy-makers to discuss timely news events.

Since it opened in late 2001, the institute has hosted several dozen speakers, most of whom were traveling in the area. The endowment will allow the institute to actively recruit diplomats and politicians, said Joyce Neu, the institute's executive director.

"We've never been able to say to someone like Colin Powell, 'We can bring you in and pay for it.' Now we can actually get on people's agendas and plan."

Neu said the timing of the grant was not tied directly to the threat of war with Iraq, but she believed "militaristic" strategies did play a role.

Planning for the series is in its early stages, Neu said, but the institute's staff already has begun identifying possible speakers and topics.

Neu said the staff is hoping to attract top-level people from the Middle East or North Korea. One possible theme is diplomacy.

"This new gift allows us to focus on really making this institute a national and international resource," Neu said.

The \$25 million that paid for the construction of the institute was also donated by Kroc, widow of Ray Kroc, who built the McDonald's chain of fast-food restaurants.

The institute envisions becoming an international mediator, with USD a place where leaders can work toward peace.

Eleanor Yang: (619) 542-4564;
eleanor.yang@uniontrib.com

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Kroc donates \$5 million to USD's Institute for Peace & Justice



OrgWatch

By Michelle
Cadwell Blackston

Philanthropist Joan B. Kroc donated \$5 million to the University of San Diego's Joan B. Kroc Institute for Peace & Justice to be used for a continuing lecture series to bring in top-level policymakers to discuss global issues.

The money will be placed in an endowment to be used in perpetuity, said Dr. Joyce Neu, executive director of the Institute for Peace & Justice.

"It's a wonderful gift. It enables us to do something over the long term," she said. "There are people we would like to bring in whose calendars we can't get on for a year or two."

The speakers will not be academic scholars, Neu said, but national and international

activists and leaders who can discuss issues related to war and peace, justice and human rights.

Kroc's initial gift of \$25 million was used to open the institute in late 2001 as a place to discuss peace and justice in the international landscape.

"Part of it is this notion of informing the public about America's foreign policy and making more informed and better decisions," Neu said. "Should war be on the table as an alternative? Should we give up on diplomacy and who can talk to us about that? One of the things this allows us to do and (Kroc's) intent for the lecture series is, we'll bring in different views."

Since opening, the institute has had a variety of speakers including former U.S. President Jimmy Carter and former Costa Rican President Rodrigo Carazo. Also, speakers were from parties to conflicts in the Democratic Republic of Congo, Guatemala, Macedonia and Nepal.

The institute also has an academic program in conflict resolution and human rights, including a master's program and undergraduate minor in peace and justice studies; a women peace-makers program; WorldLink, a program connecting youth to global affairs; and mediation of intransigent and international conflicts.

The speakers thus far have drawn a positive response from local residents, Neu said. More community members than USD students attend the forums, she said.

"The institute is a resource for the community to be better organized to be responsible citizens," she said. "At a very profound level, the institute is here to increase and perpetuate the democratic process."

Source Code: 20030130tga



Joan B. Kroc's \$5 million contribution will be used to bring in distinguished policymakers to discuss world issues.

San Diego Daily Transcript
January 31, 2003

650 students see young refugees through new eyes

WorldLink looks at terrorism issues

By Sherry Parmet
STAFF WRITER

Fifteen-year-old Habeeb Al-mudafar said he fled Iraq after Saddam Hussein's regime seized his family's business, imprisoned his father and killed two brothers.

He came to America with dreams of peace, only to find himself under attack once again.

Just as Habeeb was getting adjusted to a new culture, terrorists crashed two jetliners into the World Trade Center's twin towers. With his dark brown skin and black hair, Habeeb was an easy target to blame.

"People would throw rocks at me when I was walking home from school," said the El Cajon Valley High School ninth-grader. "It was scary. They'd call me Osama bin Laden."

Habeeb was among the local refugees who spoke yesterday to 650 middle and high school students at the sixth annual WorldLink youth town meeting on global affairs.

The event, at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego, is designed to address issues related to terrorism.

Students from San Diego and Tijuana were introduced to refugee peers from Iraq, Somalia, Afghanistan and Colombia.

Some had participated in the AjA Project, an international nonprofit organization that gave them cameras when they arrived in America to document their stories.

The pictures, combined with audio and written accounts, make up a multimedia presentation designed to educate people about their plight. The AjA Project also has an ongoing project with displaced youth in Colombia.

Though many of the speakers had been through trying circumstances, they could find humor in their situations.

Nasra Abdi, a junior at Crawford High School in San Diego, recalled that after arriving in America from Somalia and seeing all the cars, she assumed everyone must be rich.

Since arriving from Colombia, Andres Parga has accumulated several jaywalking tickets. "There aren't crosswalks in Colombia," said the Crawford High School junior.

Thirteen-year-old Zaman Darwish has been in America only nine months, and though he has adopted some American customs — using silverware to eat — he hasn't quite gotten used to others, such as sleeping in a bed.

The eighth-grader at El Cajon Valley Middle School grew up in Afghanistan sleeping on the floor.

Zaman's life has been hard.

When he was 4, he lost his father to the Taliban.

"One day they come in two cars and took my father away," said Zaman. "When they brought him back, I knew something was very wrong. My father couldn't talk. He couldn't hear. A couple hours later, he died. I don't know what they did to him."

Zaman fled to Pakistan with his mother and brother. He sold socks to earn money for food.

Then he immigrated to America. And for the first time in his life, Zaman attended school. "I was scared that because I didn't know how to write, the teachers would beat me up," he said. "My brother went to school for a year in Pakistan, and he got beaten with a stick if he didn't do his homework."

Students at the conference said they were moved by such stories.

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The students also attended workshops on such topics as when and whether it is acceptable to torture terrorist suspects to get information.

The keynote speaker was Pierre-Richard Prosper, U.S. ambassador-at-large for war crimes issues.

He told the students that terrorism, war crimes and human rights atrocities are not new, but are at the forefront of American attention because of Sept. 11.

Students watched "Between Two Worlds," a documentary depicting the challenges to Muslim teen-agers after Sept. 11.

Habeeb and three other refugee students were featured in the film, produced by the International Rescue Committee of San Diego. The film included segments on what it was like for the students to leave their homes, the transition to America, and prejudice they encountered after Sept. 11.

Some of the students came away shaken by what they had learned.

"I had no idea people could be so mean," said Hannah Fairbrother, a freshman at Scripps Ranch High School. "It makes me really mad. I guess I didn't realize these things were happening here, so close to home."

Sherry Parmet: (760) 476-8238;
sherry.parmet@uniontrib.com

Refugees' Lives Refracted Through Arts Project Lens

4154
Photography, writing
help youths from
strife-torn nations deal
with trauma, change.

By TONY PERRY
Times Staff Writer

SAN DIEGO — A program at two local schools is encouraging young refugees from strife-torn nations to use photography, oral narrative and journal-keeping to ease the transition to their new lives in the United States.

Students from Iraq, Afghanistan, Somalia, Colombia and elsewhere are part of an effort at Crawford High in San Diego and Cajon Valley Middle School in El Cajon sponsored by the Aja Project, an international group that also runs youth programs in Colombia and refugee camps in Thailand.

"We want them to tell their own stories through pictures and words," said Shinpei Takeda, president and co-founder of the Aja Project.

Armed with inexpensive "point and shoot" cameras, the students are told to portray their everyday lives and reflect on their homelands and hopes for the future.

"I can still smell the dust of the people. I remember people asking each other, 'Who got killed today?' I can still hear young girls crying, 'Help us,'" wrote Ahmed Diriye, 17, who emigrated from Ethiopia.

A common theme in the students' work is the mix of excitement and homesickness that confronts many immigrants.

"It was very exciting to watch TV for the first time in America," wrote Yonis Ismail Omar, 15, from Somalia. "At first all I thought about was back home, and TV would help me to forget."

After a semester's toil, students unveiled their work — pictures, essays, and taped commentary — as part of a youth conference last week at



PANEL: Yonis Omar of Somalia, Andrea Parga from Colombia and Afghans Zaman Darwish and Hamid Hussani answer questions at the University of San Diego conference.



DISPLAY: Rebeca Serna looks at the Aja Project exhibit on view in conjunction with the youth conference.

the University of San Diego's Joan Kroc Institute for Peace & Justice. (The work can also be seen on the group's Web site: www.ajaproject.org).

At a panel discussion titled, "Youth Making Sense of Lives Touched by Fear and Terror," the students shared their perceptions of the U.S. and their homelands with students from

San Diego and Tijuana.

"I don't like American politics, because they always think they're right and never see another way to see a problem," said Andres Pavgo, 16, from Colombia. Nassra Abdi, 16, said Americans were more accepting than Europeans she met after her family fled Somalia: "In America, you don't see a

lot of judgment. They just want to know about" me.

And in what proved an eye opener to the native-born students at the conference, Abdi and other students talked of hunger and fear as common experiences in their homelands.

"I would love to go back, if my country had as much food as here," Abdi said.

Said Milano Fatho, 13, from Iraq: "I would love to go back to my country if I had money and food and I could be safe there."

Offered in partnership with the International Rescue Committee, the Aja Project (the initials stand for Spanish words that can be translated as "serving self-sufficiency") is underwritten by several groups, including Sempra Energy, corporate parent of San Diego Gas & Electric.

"By validating their feelings, they can be a real protagonist, not just someone who's been victimized," said project official and documentary photographer Alex Fattal. "I definitely think there's a therapeutic value."

School of Law

Making dividends tax free

A simple change in complex matter

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By Herbert Lazerow

President Bush proposes relieving a real tax problem, the different tax treatment of dividends and interest. In each case, an individual who turns over money to a corporation receives periodic payments for the money's use. The current tax treatment favors interest.

A corporation can deduct interest paid from its taxable income. It cannot deduct dividends. So interest is taxed only once, in the hands of the individual who receives it. Dividends are taxed twice: once when earned by the corporation, and again when received by the shareholder. So corporations prefer paying interest to paying dividends.

Many remedies could equalize treatment; not all remedies have the same result. Through the 1960s, many European countries had split-rate systems. Corporate income that was distributed as dividends was taxed at a lower rate than retained earnings. This helped ameliorate the comparative treatment of interest and dividends, but if the tax rate for distributed earnings exceeded zero, the two forms were not treated equally.

European countries then switched to a credit system that they called imputation. The corporation paid income tax on its income, with a deduction for interest paid. Dividends distributed to the shareholder carried with them an appropriate portion of the income tax paid by the corporation which was credited against the shareholder's income tax. If the shareholder was not in a higher bracket than the corporation, the result was a single tax on interest paid by the recipient, and a single tax on dividends paid by the corporation.

A third device is exemption. Just as the recipients of interest on tax-exempt municipal bonds pay no tax on the interest, the recipient of dividends might exclude dividends from income. The result is a single tax on corporate interest imposed on the recipient, and a single tax on dividends imposed on

the corporation.

A fourth device would grant a corporation a deduction for dividends it pays, but tax those dividends to the shareholder who receives them. This would equalize the tax treatment of interest and dividends, providing a single tax on the recipient.

So two methods, the credit and the exemption systems, grant relief to the recipient, while the other two methods, the split-rate and deduction methods, grant relief to the paying corporation. Granting relief to the corporation distorts investment incentives less.

Any of these changes would change investor incentives. Currently, dividends are taxed to shareholders fully, while capital gains on the sale of corporate stock are taxed at a lower rate, often half the rate at which dividends are taxed. Shareholders have preferred that their corporations reinvest a substantial portion of their earnings so that the value of their stock will increase and they can realize that increase with a smaller tax bite.

In fact, only 70 percent of Standard & Poor 500 index corporations pay dividends, and the percentage has dropped from 80 percent in 1999 and from 90 percent in 1982. If dividends are tax free, the investor's incentive changes. The investor would prefer that all earnings be disbursed as dividends for two reasons. Dividends would be taxed at a lower rate (0 percent), and they would be received earlier than gains on the sale of the stock.

Corporate management should be unhappy with this change. Shareholders would ask for more dividends. Current corporate practice is to pay less than one-third of corporate earnings in dividends, retaining the rest for internally financed corporate expansion. To the extent that less earnings are retained, corporate expansion would need to be financed with more expensive debt or stock newly issued to the public, and plans of corporate management would be subject to outside review.

A second distortion of current investment incentives would result. A person who wishes a liquid investment has four choices: stock, taxable bonds, tax-exempt bonds or a bank account.

Of the four, only stock offers a hedge against inflation. The other three offer a fixed rate of return.

If dividends become tax free, each of the other three forms of liquid investment would need to raise their rate of return to attract the amount of capital they currently garner. This could deliver a double whammy to many states whose income taxes begin with the federal definition of taxable income, because lower taxable income and less taxes collected would be combined with a higher cost of borrowing.

A third change in investment incentives involves the fact that the proposed change would only affect taxpayers. There would be no change for charitable endowments or pension funds, 401(k) plans, or Roth IRAs, and the changes in ordinary IRAs would be postponed until distribution. IRAs might shift to holding bonds, while taxpayers would hold dividend-paying stocks individually.

There are many other technical problems in making nontaxability of dividends effective. The income tax law prohibits deduction of expenses involved in earning tax-exempt income. Rules need to be developed for determining what part of money borrowed to buy stock is attributed to dividends, and what part to capital gains. A line must be drawn between stock and debt, and which side of the line preferred stock falls on.

Anti-abuse rules will be needed to prevent extraordinary dividends from supplanting capital gains. Would the exemption be for all dividends of domestic and foreign corporations, or only for dividends paid by corporations that pay U.S. tax on most or all of their income? If the latter, a massive accounting exercise will follow, as corporations have many ways to reduce U.S. taxable income: foreign source income, the foreign tax credit, accelerated depreciation, net operating loss carryovers, etc.

So reform of dividend taxation can be done, but the price is a significant dose of complexity. Investment decisions are less distorted if the relief is applied to the corporate payor rather than the individual recipient.

Lazerow is professor of law and director of the Institute on International and Comparative Law at the University of San Diego.

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Texas groups want to keep horse meat off dinner tables

By Elizabeth Weise
USA TODAY

4131

In 1949 the war was over, food was scarce and unscrupulous butchers were selling unsuspecting customers horse meat instead of beef. So the Texas Legislature made it illegal to slaughter, possess, sell and transport horse meat for human consumption.

The last prosecution for passing horse off as beef was in the 1950s, but the law stayed on the books.

Last year, when Texas animal rights groups realized the nation's last two plants that slaughter horses for human consumption were in their own state, they launched a campaign to get the law enforced. The case pits horse lovers against a \$39-million-a-year industry

Sen. Dianne Feinstein, D-Calif., has called for national legislation against the sale of horse meat for human consumption. A political action committee called HOOFPAC has been formed with the motto "Keep America's horses in the stable and off the table."

Selling horse meat for people to eat goes against the historic relationship between Texans and horses, says Donald Feare, an animal welfare attorney in Arlington, Texas. "They're our friends. You don't eat them; you treat them with respect. It's just contrary to our culture to throw a slab of horse on the barbecue."

The Beltex plant in Fort Worth slaughters an estimated 500 horses a week, and the Dallas Crown

plant in Kaufman kills 350. That's about 45,000 horses slaughtered each year out of about 7 million horses in the USA.

The meat isn't sold for human consumption here. Beltex and Dallas Crown are owned by Belgian companies, and the meat is shipped to Belgium for sale in Europe, where horse meat is something of a delicacy. The plants also sell meat to U.S. zoos.

John Linebarger, the lawyer for the slaughterhouses, says a state can't pass a law regulating interstate and foreign commerce.

But Mike Ramsey, a professor of constitutional law at the University of San Diego, says states are perfectly within their rights to ban certain products. He cites "dry" states that at times have banned alcohol.

Linebarger notes that although the industry may have been illegal for the past 53 years, Texas has been making money off it just the same. "Over the years they've been taxing the business at \$5 a head, \$3 of which goes to USDA for inspecting the horse meat," he says.

Ann Diamond, assistant district attorney for Tarrant County, where Beltex is located, indicates that as far as the state is concerned, the meat is for non-human consumption.

The case is before Judge Terry Means in the U.S. District Court in Fort Worth, who must decide whether the case belongs in federal or state court.

State's KPMG suit may help KC firm get a hefty payday

4154

BY HEATHER COLE
CONTRIBUTING WRITER

A suit filed by the Missouri Department of Insurance against KPMG LLP represents a huge opportunity for a Kansas City law firm.

Shaffer Lombardo Shurin represents the state in its capacity as liquidator of the former holding company for General American Life Insurance Co. in a suit filed Dec. 12 in Jackson County Circuit Court.

The suit contends that KPMG and certain individuals who worked on General American matters for the accounting firm contributed to a liquidity crisis that forced a sale of the insurer at a steep discount.

According to the suit, General American Mutual Holding Co. — owned primarily by General American policyholders — lost more than \$1 billion as a result of the “fire sale” of the insurance company.

The suit asks for unspecified actual and punitive damages against all defendants on counts of professional negligence, negligent and intentional misrepresentation, aiding and abetting, and breach of fiduciary duty. KPMG also faces a count of breach of contract.

In a written statement, spokesman Bob Zeitlinger in KPMG's New Jersey office denied that the firm contributed to any liquidity problems at General American and said the firm stands behind its work for the insurer. Individuals named in the suit either declined to comment or could not be reached for comment.

PLEASE SEE SUIT, PAGE 38

SUIT: Damages expected to be substantial in KPMG case, Riederer says

FROM PAGE 3

Shaffer Lombardo Shurin got the job of handling the suit in part because principals Rick Lombardo and Michael Shaffer were assistant prosecutors under Albert Riederer. A former Jackson County prosecutor, Riederer now is the special deputy liquidator for General American Mutual Holding Co.

Shaffer Lombardo is entitled to a maximum fee of 30 percent of a damages award, with the percentage decreasing for larger awards, Riederer said. The damages are substantial, he said, but he couldn't estimate a possible award.

Riederer selected Shaffer Lombardo, a choice confirmed by Insurance Department Director Scott Lakin, after talking with several law firms throughout the state.

“I settled on this firm because I was familiar with their work and felt we had a good working relationship,” Riederer said.

Shaffer Lombardo filed the lawsuit with special counsel Michael Devitt. Devitt, a visiting professor at the University of San Diego, has worked with Rick Lombardo on several lawsuits against Big Five, now Big Four, accounting firms in the past 15 years, Lombardo said. Devitt will be paid by Shaffer Lombardo, but Lombardo declined to disclose payment arrangements.

Riederer brought Shaffer Lombardo on board in May 2001 to investigate the cause of General American's collapse. The firm was paid \$160 an hour for the investigation, standard fees set by the Insurance Department. The firm was chosen to file the lawsuit because it had conducted the investigation, said Randy McConnell, an Insurance Department spokesman.

Lombardo said any money spent on billable hours for the investigation will be deducted from any award before Shaffer Lombardo's fee is determined.

Many lawyers do work for receiverships,

but most don't generate money for the receivership, Lombardo said.

“What we're doing has a chance of creating a large affirmative recovery for the investment of policyholders if we're successful,” he said. “If we're successful, they're going to benefit from the lawsuit. If we're not successful, they're no worse off, and we spent a lot of time for nothing.”

Riederer, who is making \$300,000 annually as special deputy liquidator, is being paid out of a receivership fund established by the Insurance Department to repay policyholders who owned General American before its sale. He resigned after 26 months as a Missouri Western District appellate

court judge in 1999 after being tapped by then-Gov. Mel Carnahan to take charge of the General American liquidation.

Riederer was appointed as special deputy liquidator for Transit Casualty Co. in July, succeeding J. Burleigh Arnold. Riederer makes \$175,000 annually in the Transit Casualty position.

Arnold netted more than \$14 million in compensation, including bonuses. McConnell said neither of Riederer's positions includes a similar package of bonuses.

HEATHER COLE is a staff writer for the St. Louis Business Journal, an affiliated publication.



RELATED STORY

Suit says KPMG valued fees over responsibilities. Page 38



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Debt fiascos crack open door for new credit rating agencies

By **CHRISTINE RICHARD**
Dow Jones Newswires

NEW YORK - When it comes to debt rating, it's been two's company, three's a crowd for years. But that might change in 2003.

After a tumultuous year in the credit markets, the two top credit rating agencies, Moody's Investors Service and Standard & Poor's, have come under attack for missing red flags at companies such as Enron Corp. and WorldCom Inc. Their smaller competitor, Fitch Ratings, has become a target to a lesser extent.

That's nudged open the door to other firms hopeful of receiving the Securities and Exchange Commission's Nationally Recognized Statistical Rating Organization designation, a status the three largest agencies have enjoyed for more than 20 years.

Ratings issued by NRSROs are built into the infrastructure of the fixed income markets in the form of investment guidelines for pensions, insurance companies, and bond and money market funds.

"The rating agencies are fighting for their lives," said Frank Partnoy, a finance professor at the University of San Diego Law School and a former derivatives trader.

Critics such as Partnoy charge the rating agencies with ineptitude, complacency and conflicts of interest as

they're compensated by issuers, not investors.

Partnoy says NRSRO ratings are highly coveted not because they are backed by superior research but because they provide "the key that unlocks the gates to the financial markets."

Many firms are clamoring to get copies of those keys. "The rating agencies failed miserably in warning investors on Enron, WorldCom and Genuity Inc.," said Sean Egan, co-founder of Egan-Jones Rating Co., which is seeking NRSRO status. "The SEC lists protecting investors as job number one, so it has to find ways to make ratings firms more responsive to investors."

Glen Grabelsky, managing director in Fitch Ratings credit policy group, said that while the current system "works fine," the agency is "open to competition."

In testimony before the SEC in November, S&P President Leo O'Neill said the agency "believes that the marketplace benefits from a variety of credible sources of credit information" and called for more transparency in the NRSRO designation process.

In the same format, Moody's President Raymond McDaniel said he is "neither in favor of nor opposed" to more competition, but warned that new entrants could try to compete for business by offering higher ratings.

The SEC held hearings in November, as part of a broader study on the rating agencies mandated by passage of the Sarbanes-Oxley Act earlier this year.

Egan said there would be no risk of his agency currying favor with issuers because it is compensated by investors.

Egan-Jones also boasts a record that includes early and accurate calls on companies such as Enron and WorldCom. It cut Enron's rating to junk on Oct. 26, while the other rating agencies waited until Nov. 28, four days before Enron filed for bankruptcy protection. Egan-Jones cut WorldCom to junk in July 2001, while Moody's and S&P waited until May of this year. It filed for bankruptcy in July.

Egan-Jones employs 10 analysts and rates approximately 800 issuers. That compares with around 700 analysts at Moody's, 1,250 at S&P, including equity analysts, and 720 at Fitch.

AM Best, which has a long history of rating the finance strength of insurance companies, also has queued up at the SEC.

"We felt it was the right time in terms of the development AM Best has taken," said Larry Mayewski, executive vice president and chief rating officer, referring to the company's move to issue debt ratings as well as financial strength ratings in 1999.

The company, which rates 500 securities for over 150 issuers, employs around 500 people, including 125 analysts.

UISC



Auto-repair chain sues state regulators

Caliber Collision Center of Irvine says posting disciplinary actions encourages Trevor Law Group's controversial suits.

BY LISA MUÑOZ
4154
THE ORANGE COUNTY REGISTER

California businesses sued in a recent wave of lawsuits under the state's unfair-competition law are irked and want relief.

One company is directing its ire to a state consumer agency. **Caliber Collision Center**, an Irvine-based auto-body repair chain, filed suit Wednesday against the state's Bureau of Automotive Repair for posting regulatory information about business registrations, disciplinary action

against businesses, and license revocations and suspensions on its Web site. The suit, filed in California Superior Court, blames the practice for lawsuits against thousands of auto shops in Los Angeles and Orange counties.

"The bureau's postings have led to these frivolous lawsuits," said Michael Camunez, an attorney with O'Melveny and Myers representing Caliber. "Any time a state agency is posting alleged violations and the business has never had a chance to defend itself or contest the allegations,

that's a big problem."

The Bureau of Automotive Repair, part of the Department of Consumer Affairs, had not seen the lawsuit Wednesday afternoon, according to spokesman Rick Lopes.

"But anytime a lawsuit is filed against your department that's something that can't be ignored," he said. "As for how big of an impact it will have, I don't know."

The agency recently suspended the issuance and disclosure of minor violations while it reviews how the information is being used by outside groups and how best to inform consumers about businesses' histories.

"We're certainly concerned about how it's being used,"

Lopes said. "It was never really intended to be used the way it's being used."

Attorneys at **Trevor Law Group**, the Beverly Hills firm suing thousands of auto-repair shops in Los Angeles and Orange counties on behalf of a one-man consumer group, have said they used that information as a basis for their lawsuits. That firm and others that have sued nail salons, restaurants and travel agencies under section code 17200 have sparked controversy among the legal community and small-business owners who say the suits are just a way to get quick settlement money.

The law firms are also under investigation by the California State Bar for possible

ethics violations.

For now, it is unclear whether more litigation will solve the problem.

"I think they're on the wrong track because the implication is, 'We're suing you because you revealed something,'" said Robert Fellmeth, a proponent for 17200 reform and a University of San Diego law professor who heads its Center for Public Interest Law. "It's bad for consumers. These are publicly funded agencies and they operate in the sunshine. We pay these guys. If they're doing something, we should know about it."

Earlier this month at a legislative hearing in Sacramento on 17200 reform, Fellmeth

proposed ways to stop misuse of the law, including requiring judges to approve settlements and changes to ensure that 17200 lawsuits end in the courts, not in settlements.

Katie Jacobs, a lawyer for the Automotive Service Council, a trade association for car repair facilities and about 100 shops sued by Trevor Law Group, was also doubtful Caliber's case would stop the lawsuits.

"That's difficult to see if that is actually going to change the Bureau of Automotive Repair or just cause more problems."

CONTACT THE WRITER:

lmunoz@ocregister.com
or (714) 796-6749

ORANGE COUNTY REGISTER

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HEADLINE: From pets to parks, new laws in force; With the dawn of 2003, laws are in effect in California. Many will have a significant impact on consumers. Here is a closer look at four of them.

BYLINE: Kelly Thornton; STAFF WRITER

BODY: If Chris Estep manages to sell his ultra-rare million-dollar white Nile monitor to a Las Vegas casino, he will throw in a free book about how to care for the reptile.

That gesture would more than satisfy requirements of a new law taking effect today that forces pet merchants to provide a brief written description of the pet's traits and tips on feeding and care with each sale.

They are known as care sheets in the industry, and many shops and retail chains make them available upon request. One for the Nile monitor might advise a new owner that the creature is a carnivore that eats canned dog food, raw beef hearts, rodents and your hand if you're not careful; it can get up to 7 feet long; and has a very aggressive temperament with a powerful bite and a lashing tail.

The legislation was initiated by state Sen. Edward Vincent, D-Inglewood, at the request of the Doris Day Animal League. The law is intended to give new owners enough information to care for pets until they can do more in-depth reading, and to discourage would-be buyers from taking on more than they can handle.

Many pet-shop owners and managers contacted for this story said they were unaware of the law and complying will be expensive and time-consuming and will do little to properly educate pet owners.

The shop owners must compile the guidelines themselves from the Internet, books or veterinarians. They must bear the cost of printing. And they can be fined \$250 for failing to provide a how-to sheet, although the law allows one warning per merchant.

Estep, owner of Reptile Haven in Oceanside, said the law won't keep bad owners from providing poor care to pets.

"We recommend the books, but most people are too cheap to buy the books," Estep said. "They think we're trying to make more money. It's just another one of those cases where people are going to feel good about it, but it's not going to change anything."

Likewise, Bill Bennett, owner of Pet Kingdom in the Midway area, said a one-page handout is unnecessary for veteran pet owners and won't contain enough information to prepare a first-time owner. And, the law is too vague.

"Two guppies and you've got to give them a care sheet? I've got people who buy fish every week. What about them?" Bennett said. "And is a cricket a pet? The law says one care sheet for each class of animals. Reptilia is a class. Mammals is a class. One care sheet is not going to fit all."

"It's going to be a paperwork disaster. For every store, care sheets on mice, care sheets on rats, care sheets on rabbits. What people should do is purchase a book."

While the law aims to protect pet merchants from litigation over what is or isn't included in their printed guidelines, some retailers said they are worried that putting anything in writing could make them vulnerable. And, what about the people who refuse to take a care sheet, and something happens to their pet?

"How much is enough?" Bennett said. "What if we say, keep the reptile between 95 and 100 degrees. What if the animal passes away in 102 degrees and they say, 'You didn't tell me?' Unscrupulous people are going to try to take advantage."

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Visits to state parks, museums and campgrounds are more expensive starting today, with most fees increasing by a dollar or two.

The increase is in response to the state's budget crisis, the worst since World War II. However, even with the fee increase, state park fees remain lower than they were before 2000-01, when fees were reduced.

"We're not happy about it, but we think our visitors understand and know we have some of the best real estate in the country and it's still a bargain," said Steve Capps, spokesman for California state parks. "We don't think it's a large enough increase that it's going to affect our visitorship to any significant degree."

Park fees -- previously capped at \$3 -- will be \$2 to \$5. Entrance fees to historic parks and museums will increase by \$1, up to \$4. Boat launching fees, eliminated two years ago, will be \$2 to \$4. Camping fees will go up a dollar, to \$13 a night.

The price of an annual day-use pass nearly doubles under the plan, from \$35 to \$67. The new fee schedule applies to camping reservations made in 2003.

The Department of Parks and Recreation expects to collect an additional \$4.5 million during the current fiscal year and \$9 million in the upcoming budget year as a result of the increased fees, Capps said.

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Relief will arrive this year for Californians annoyed by telemarketers.

The Attorney General's Office will implement a do-not-call list by April 1 to give Californians the right to prevent telemarketers from ringing home and cellular phones, unless the company has a previously established relationship. Politicians and charities are exempt.

The bill was signed by Gov. Gray Davis in October 2001, and consumers can sign up beginning in April for a small fee, probably about \$1 a year.

Under the new law, telephone solicitors are given 30 days after each quarterly update to stop calling people on the state's "Do Not Call" registry.

Consumers who are subscribed on an active list and continue to receive unsolicited and unwanted telemarketing calls can go to small claims court. Telephone solicitors who violate the law may be fined as much as \$500 for the first violation, \$1,000 for subsequent violations and are subject to other court-ordered relief.

With the program, California will join more than a dozen states that maintain a central "Do Not Call" list. The state programs work alongside federal law, which requires consumers to notify each telemarketer that they wish to be placed on that company's "Do Not Call" list. State Sen. Liz Figueroa, D-Fremont, author of the program, said the California law is stronger than the federal law.

"This will allow those California consumers who do not want to be solicited at home the choice to be left alone," Figueroa said.

For information, visit the Attorney General's Web site, <http://ag.ca.gov/donotcall/index.htm>

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Millions of the contact-lens wearers will see more competition for their business starting today.

A new law lets Californians have a prescription for lenses be filled anywhere, not just through their eye doctors. That should lower prices for consumers who want to shop around for their contact lenses -- a luxury wearers of glasses have had for years, according to proponents of the law.

"I think it will save contact lens wearers a lot of money and in addition it will be much more convenient because your optometrist now has to hand you a prescription," said Julie D'Angelo Fellmeth of the Center for Public Interest Law, which pushed for the new law. "You don't have to fight for it, and you can do what you want with it."

That means consumers can buy lenses from their optometrists if they like, or go online or to Costco, where the lenses typically are cheaper. Those companies were understandably very supportive of the new law, Fellmeth said.

"All of a sudden they're going to have 5 million Californians with their contact lens prescriptions in their hands and able to buy easily."

California lagged behind 26 states that have such a law on the books.

Assemblyman Lou Correa, D-Anaheim, said optometrists previously were concerned about the safety of ordering contact lenses through the Internet or mail-order companies. But this law requires that the companies verify the prescription with the doctor's office, if a written prescription isn't sent with the order.

Optometrists favor the law because it protects the consumer from improper fitting of lenses, said Dr. Edward Hernandez, a Los Angeles County optometrist and chairman of the legislative committee for the California Optometric Association.

Optometrists won't suffer financially because most have already lowered prices to compete with Internet suppliers and Costco. Doctors tend to make their money on providing care rather than selling products, Hernandez said.

Kelly Thornton: (619) 542-4571; kelly.thornton@uniontrib.com

GRAPHIC: 1 PIC; The white Nile monitor is expensive and temperamental. And now, a care sheet will come with every purchase.

LOAD-DATE: January 3, 2003

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HEADLINE: Merchants Seek Relief From Rash of Lawsuits

BYLINE: Monte Morin, Times Staff Writer

BODY:

Scores of business owners called on legislators Friday to retool one of California's most powerful consumer-protection laws, charging that lawyers are filing frivolous lawsuits under the statute and extorting businesses for quick cash settlements.

"We're begging for help," said Denise Pina, whose family owns Brea Auto body, one of more than 2,000 auto garages that have been named in a series of lawsuits filed by a Beverly Hills law firm. "They say they're suing in the name of the general public, but that's a fraud. They're just shaking us down for money."

Pina, who joined more than 200 garage owners, nail salon operators and restaurateurs at a hearing in Santa Ana, appealed to Assemblyman Lou Correa (D-Santa Ana) for help in altering the law. Correa, who chaired the hearing and sat behind a 2-foot stack of lawsuits, told the crowd that he wanted to alter the statute but not dilute it.

"Clearly something's wrong," he said. "While reform is needed, I believe this law has shown itself to be an important and valuable tool in protecting consumers.... We don't want to throw the baby out with the bathwater."

The Unfair Competition Law was designed to help consumers fight unfair business practices such as price fixing and false advertising. It allows plaintiffs to sue even if they have not been directly harmed.

Consumer groups say the law has achieved much good. It has been used by such groups as Consumers Union, which publishes Consumer Reports, to stop a dairy from making false claims about the health effects of raw milk. Others have used it to prevent grocery stores from altering the packaging date on meat that should have been removed from shelves, to stop deceptive billing practices at nursing homes and to end cigarette advertising aimed at minors.

Gail Hillebrand, senior attorney for Consumers Union, said any changes should not weaken the law. Among her suggestions was to require that all settlements be approved by a judge and be made public, and that plaintiffs report their suits to the attorney general. "We want to preserve the statute for consumer protection, not lawyer protection," she said.

Business groups complain that the law is being abused. They say some lawyers file the suits and demand quick settlements of roughly \$2,000 on the premise that business owners would rather pay that than mount a costly court fight. The complaints have triggered a State Bar Assn. investigation into two Beverly Hills lawyers who filed the suits against auto repair shops.

On Friday, Correa said he would request that the bar examine three other lawyers who have filed similar suits. He did not name them.

At Friday's hearing, legal scholar Robert Fellmeth, executive director of the Center for Public Interest Law, said he had proposed legislative changes several years ago, but that they were opposed by consumer lawyers and big business. One would have required automatic class-action status for suits that name more than 10 defendants to make it more difficult for plaintiffs to demand quick cash settlements outside of court.

Some attorney groups said the time has come for change.

"The business owners aren't the only losers in this scam," said Maryann Maloney of the Civic Justice Assn. of California. "Consumers could be paying more for their favorite dish on the menu or more for a tuneup as businesses raise prices to cover the cost of settlement payouts."

Correa has not yet specified the changes he will propose. Outside the hearing Friday, he was criticized by two talk-radio hosts for not having more specific proposals. That sparked a shouting and shoving match between Correa and the broadcasters that had to be broken up by security guards.

KFI afternoon host John Kobylt said he had three confrontations with Correa after the hearing ended about 5:10 p.m. The show's producers intercepted Correa as he was leaving, and Kobylt demanded to know what legislation the lawmaker planned to introduce to help the small-business owners who attended.

Correa declined to be interviewed, saying he was leaving to dine with his family.

A caller then told the show that Correa was planning to speak Friday evening at a Newport Beach event for an Orange County trial lawyers association.

Kobylt and his co-host, Ken Chiampou, began taunting Correa on the air. The assemblyman drove back to the college and confronted Kobylt off the air about 6:30 p.m. Security guards from KFI and the college split up the two after Correa declined to say whether he planned to speak later to the trial lawyers group.

Shortly thereafter, Correa returned again, Kobylt said, and "it became a melee." KFI aired the first and third confrontations.

The show plans to air the tape again Monday and will ask the lawmaker to be a guest.

*

Times staff writer Jean O. Pasco contributed to this report.

LOAD-DATE: January 11, 2003

In 1995, *The American Lawyer* identified the private bar's next generation of leaders. Now, we look back at them—and ahead to their successors.

The word "elite" comes from an Old French verb meaning "to choose." In its modern connotation, the word has also come to stand for high achievement. Both meanings apply to the special report that follows—the culmination of an intensive effort by the staff of *The American Lawyer* to choose 45 of the highest-performing members of the private bar under the age of 45.

We had help. Many months ago, we contacted all the firms in *The Am Law 200* to seek their nominations. We also spun our own Rolodexes, scanned Web sites and news clippings, and reached out to luminaries within particular practice areas to solicit their thoughts.

As for criteria, there were a very few. We looked for prodigies who had already notched a major trial win or complex deal, for those who had established remarkable records of professional development, for those who could point to an independent book of business, for those who might have overcome adversity. We also looked far and wide. It would be possible to construct a list of 45 young bankruptcy specialists whose accomplishments were noteworthy (particularly in this market), but we wanted to draw from many walks of law.

The result, we think, will stand up over time. That was certainly true of the alumni from our last such effort; their impressive updates appear throughout the following pages. So, for all you elitists out there, happy talent scouting.

ILLUSTRATION BY BRIAN DUGAN

By Susan Beck, Tatiana Boncompagni, Paul Braverman, Matt Fleischer-Black, Alison Frankel, Jeffery Knight, Carlyn Kolker, Nathan Koppel, Robert Lennon, Andrew Longstreth, Douglas McCollam, and Heather Smith



**LEORA
BEN-AMI, 44**
Clifford Chance
New York

PATENT LITIGATOR LEORA BEN-AMI teaches complex science through simple narrative. In a jury trial of a biotech patent dispute in federal court in Delaware in 2001, Ben-Ami held up two vials of medication. "This is a case about two medical miracles," she said. In reality, it was a case about four patents over a technology called "complementary-determining region grafted chimeric antibodies."

Ben-Ami, who was defending her client, Genentech, Inc., in a patent infringement case brought by Glaxo Wellcome Inc. (now GlaxoSmithKline plc), first explained to the jury how Genentech had used the patents to produce life-saving drugs for breast cancer and non-Hodgkin's lymphoma. Then she got to the science, one witness at a time. The jury invalidated Glaxo's patents and found Genentech not guilty of infringement, in one of the largest patent defense verdicts of that year. (Glaxo had sought nearly \$200 million in past royalties, plus a portion of future royalties.)

Ben-Ami is head of Clifford Chance's 60-lawyer IP group for the Americas. She's also on the firm's 11-member global board, where she's the sole woman. But Ben-Ami did not always yearn to be a lawyer. A biochemistry degree in college led to the start of a Ph.D. in biochemistry at the State University of New York at Buffalo. Her goal was to do research involving genetic engineering, and, ultimately, to teach. But Ben-Ami, a self-described klutz in the lab, says she wasn't cut out for the meticulous nature of bench science. So she switched to Buffalo's law school, almost on a whim.

After graduating from law school in 1984,

she clerked on the newly formed Federal Circuit, aiming to try out patent law. She bounced through a few big New York firms until she and her mentor, John Kidd, landed at Rogers & Wells in 1994. (Rogers & Wells later merged with Clifford Chance.) "We never lost a case together," says Kidd.

In 1988 Ben-Ami took her first large role in a case with Kidd for Pfizer Inc. By the mid-nineties she was first-chairing trials, including a patent infringement case for Genentech against Novo-Nordisk. In 1996 she argued her first Federal Circuit appeal, and since then, she has argued numerous times to the patent appeals court. She is also a regular outside counsel for E. I. du Pont de Nemours and Company; next year she has two trials scheduled for the company.

Over time Ben-Ami's trial skills have earned her fame—and clients—in the tight-knit biotech world. Boston-area biotechnology companies ARIAD Pharmaceuticals, Inc., and Transkaryotic Therapies, Inc., both came to Ben-Ami after hearing about her trial work for other clients.

Michael Astrue, Transkaryotic's general counsel, says he was wowed when he watched Ben-Ami explain an obscure technical term—"chromosomally integrated"—in a claim construction hearing in a patent infringement case. Ben-Ami stood with a Magic Marker and posterboard, and spoke slowly to the judge, who soon dismissed the suit—brought by Genzyme Corporation and Mount Sinai School of Medicine against Transkaryotic Therapies—before a summary judgment hearing.

"She could read the judge's body language," Astrue recalls. "When he hadn't fully gotten something, she was patient, and gave the judge a chance to ask questions. She really educated the judge in a way that made him fluent with the technology, and that won the case for us."

So it seems that the refugee from grad work in biochemistry found a niche in education after all. It's just that her classroom is the courtroom.



**THEODORE
BOUTROUS, JR., 42**
Gibson, Dunn
& Crutcher
Los Angeles

TO HIS MANAGING PARTNER, KENNETH Doran, Ted Boutrous is just "fun to be with." Says his mentor, Solicitor General Theodore Olson: "Everyone loves to work with him—staff people, messengers, paralegals." Which is all to the good, because Boutrous works for some notably unsympathetic clients: feisty media organizations and big corporations socked with punitive damage awards.

It's a far cry from his father's legal practice in North Dakota, but Boutrous says he emulates his dad in one regard: "People had good feelings about [him], even when he was handling a difficult situation." Yet likability—market researchers call it a high-Q rating—will take a lawyer only so far. "He consistently delivers results," says Steven Hantler, assistant general counsel of DaimlerChrysler Corporation, who is impressed with Boutrous's all-hours accessibility and efficiency. In the fall of 2002, says Hantler, "we brought [Boutrous] in on two separate appeals at the proverbial eleventh hour. He got fully up to speed on both matters and was able to turn around work product in both cases in one week." Those cases are pending.

First in his class at the University of San Diego School of Law, Boutrous started out in Gibson's Washington, D.C., office in 1987. He learned appellate practice from Olson, who involved Boutrous in some of the earliest cases to raise constitutional challenges to punitive damages, an issue that has come to define Boutrous's career. In 1995, Olson and Boutrous teamed up to represent the Civil Justice Reform Group in a lobbying campaign to pass punitive damages reform in Congress. The effort failed. But it helped Boutrous forge ties to the group's high-powered members, such as the general counsel

**45 UNDER
1995 45**

**Where Are
They NOW?**

What has happened to the "45 Under 45" whom we identified in December 1995? Some have gotten married, some have had kids, some have gone in-house. One became an Iron Man, one ran away to the Canadian Rockies (but came back). And only one has left the law altogether. Here's a brief look at what the alumni of our last list of rising stars have been up to lately.

aimlerChrysler and Ford Motor Company. Both companies now routinely use Boutrous for key appellate work.

Boutrous is also a media law star. He learned the field from former Gibson partner Robert Sack, who is now a judge on the U.S. Court of Appeals for the Second Circuit. In 1997 Dow Jones & Company, Inc., hired the pair to reverse a \$222 million libel verdict, the largest in history. After Sack left for the bench in 1998, Boutrous took the lead and persuaded a Texas federal district judge to reverse the verdict ["Erasing a Verdict," May 2000]. Boutrous has become a regular outside counsel for Dow Jones.

Boutrous has also punched his ticket as a member of both the firm's executive and management committees. He now serves as the cochair of the appellate practice and the media law practice group. And in 2000 Doran brought Boutrous to the firm's Los Angeles office to land more federal and California appellate work. Apparently, nice guys don't always finish last in the law.



**BRUCE
BRAUN, 39**
Winston & Strawn
Chicago

IN 1994 DAN ROSTENKOWSKI, THE former chairman of the House Ways and Means committee, was charged with a slew of rather petty forms of corruption, such as giving no-show jobs to cronies. "Pretty standard stuff by Chicago standards," says Bruce Braun of Chicago's Winston & Strawn, who represented Rostenkowski alongside Winston éminence grise Dan Webb.

Braun decided to ignore the grubby facts and fight on rarefied ground. He moved to dismiss, arguing that the Constitution gave the House sole power to decide when its rules had been broken. The U.S. Court of Appeals for the D.C. Circuit granted his mo-

tion; according to Braun, it's the only criminal indictment ever dismissed on separation of powers grounds. (Rostenkowski served six months in prison on a count of mail fraud.)

Being comfortable in both the courtroom and the library sets Braun apart. Early in his career, he seemed headed for the latter. After the University of Virginia School of Law, he clerked at the U.S. Court of Appeals for the Seventh Circuit, then for William Rehnquist at the U.S. Supreme Court. When he started at Winston & Strawn in 1991, he was made what he calls "unofficial head of the unofficial appeals group."

But the library couldn't hold Braun, and Webb gave him the opportunity to work on high-profile cases. They defended Microsoft Corporation in the damages phase of its antitrust trial (having replaced Sullivan & Cromwell as lead counsel) and the Federal Bureau of Investigation in a civil suit brought by Randy Weaver, the white supremacist whose wife was killed at Ruby Ridge, Idaho. (The case settled.)

Webb can open doors like few others, but Braun mostly handles his own clients, such as Kmart Corporation and Owens Corning. He's also brought class actions (worth \$10 million in contingency fees), handled white-collar cases, and tried three pro bono murder cases, winning acquittals in all three. Plus, he's a regular law review contributor.

Braun is now making his way through a new world: the ridiculous. A class of fat people is suing McDonald's Corporation, claiming that its food caused their obesity. Braun is defending the ground beef traffickers. The case is a long shot, but the exposure is huge. "Lots of people can make a good legal argument. I need someone who has the judgment to do it in the right way, someone who will protect the McDonald's brand," says Jerome Krulewitch, head of litigation for McDonald's. (A PR danger clearly lurks in the expected defense—that it's obvious that Big Macs aren't health food.) Krulewitch has nothing but good things to say about Braun's mentor, but he says he figured that if he hired Webb, Braun would be doing the lion's share of the work anyway.



**LANNY
BREUER, 44**
Covington & Burling
Washington, D.C.

SOMEWHERE DEEP IN FLORIDA there's a bridge with Lanny Breuer's name on it. Don't look for a plaque, and there was no ribbon-cutting ceremony. Breuer's name was carved there by Steven Spry, a grateful construction foreman. Spry had faced 300 counts of violating the Clean Water Act for allegedly dumping concrete, but Breuer negotiated the charges down to a single misdemeanor. "Lanny," says Spry, "is definitely the man."

The story reflects one aspect of the Covington litigator's varied career. From defending the president of the United States on the floor of the Senate to defending alleged murderers in the D.C. courts, Breuer has built a reputation as a man to see when trouble is close by. Breuer began his career in 1985 in the office of New York district attorney Robert Morgenthau. For a poor kid from Queens with many big-firm offers and a pile of school loans, it wasn't a popular choice at home. "I told my mother I'd be practicing with Cyrus Vance, Jr., and Andrew Cuomo and Dan Rather, Jr.," Breuer recalls. She wasn't impressed: "They can afford it."

Breuer eventually moved on to greener pastures. In 1989, following a four-year stint with Morgenthau, he became an associate in Covington's Washington, D.C., office. He made an immediate impact in high-profile civil matters, defending Warner-Lambert Co. and representing state governments in nursing home litigation. One of his most celebrated cases was his defense of a teenager accused of a jailhouse murder, whom he got off on self-defense. And then came a call from a very different kind of client. Jack Quinn, then White House counsel for President Bill Clin-

KEVIN ARQUIT (48)

Partner, Simpson Thacher & Bartlett, New York

Before jumping to Simpson Thacher in December, Arquit had been global cohead of Clifford Chance's antitrust group, as well as a chairman and member of CC's governing J. Most recently he has been representing MasterCard in the class action suit brought by retailers, and Sun Microsystems in the Microsoft antitrust case.



FRANCIS BARRON (52)

Partner, Cravath, Swaine & Moore, New York

Barron stayed at Cravath and has resisted specializing, preferring life as a generalist. He has represented Lucent in its trademark fight with the Regional Bell Operating Companies, and Ticketmaster in the Justice Department's antitrust investigation. Currently he is lead counsel in the ongoing Tyco securities litigation.



Likability—
market researchers
call it a
high-Q rating—only
took **Boutrous**
so far.

Scoring a Victory for Disabled

Lawyer Pressures Stadium to Obey Disabilities Act

By Claude Walbert
Daily Journal Staff Writer

SAN DIEGO — Back in 1997, when Amy B. Vandeveld began negotiating better access at Qualcomm Stadium for disabled people, she wasn't setting out to sack the Super Bowl.

Six years ago, Vandeveld wanted only to win the stadium's compliance with access standards spelled out in the Americans with Disabilities Act and then to move on to fresh cases.

But the city didn't live up to its end of the bargain.

In court Thursday, though, Vandeveld won a partial victory when U.S. Magistrate Judge Leo S. Papas agreed that the city of San Diego failed to comply with an agreement to improve conditions at Qualcomm for disabled people and ordered it to do so.

But Papas ruled that the city had given Vandeveld's demand the old college try, and he refused to grant her request for an injunction that would have stopped the Super Bowl.

The ruling didn't dismay Vandeveld.

"I thought it was likely the judge would deny injunctive relief," she said.

But seeking it, she added, "did motivate the defendants to perform modifications."

In fact, she said, when she toured the stadium on Thursday with the judge and other parties to the lawsuit, workers were lowering concession stands to make them accessible to people in wheelchairs. Previously, she said, city officials told her the work could not be done before spring.

Under the agreement Vandeveld struck, the city will spend \$5.5 million to accommodate the disabled. Features include installing 900 special seats, marking off 300 parking spaces, striping wheelchair lanes in the parking lot, building four ramps into the stadium, erecting two elevators and improving restrooms.

Assistant City Attorney Eugene P.



Daily Journal / 2000

"I tell [clients] who come to me that, if they're just in it for the money, I don't want them," said attorney Amy B. Vandeveld, who has been disabled since birth.

Gordon declined to comment on the case, citing the litigation.

"She's a very zealous advocate for her clients," said Deputy Port Attorney Ellen G. Miles, who has tangled with Vandeveld over access for a handi-

capped man at the Port of San Diego. "She does whatever it takes for them."

Michael T. Gibbs, who opposed Vandeveld in a case stemming from Imperial County's refusal to provide a

A See Page 5 — LAWYER

Lawyer Pressures Stadium to Comply With Law

Continued from Page 1

sign-language interpreter for a deaf man, found her to be a worthy court competitor.

"I very much admire her for practicing law in an area in which she has a personal commitment," Gibbs said. "I wish I could do that. I'm just out there making money."

Vandeveld, 43, has been disabled since birth with a rare blood condition that limited the motion in her legs.

She has filed 500 disabilities act cases against business owners, settling almost all of them without going to trial. In every case, she said, she has succeeded in winning compliance.

When small business owners can't afford modifications to meet disabilities act requirements and also pay legal costs, Vandeveld said, she waives her fees, and her clients waive damages — as long as the business is brought into compliance.

"I tell people who come to me that, if they're just in it for the money, I don't want them as a client," Vandeveld said.

Her clients must waive that potential conflict, she said. Then, before she takes any action, Vandeveld said, she has an expert in disabilities act requirements investigate to see whether the complaint has merit.

"I have a reputation for being concerned primarily with compliance," she said.

Her concern often leads to cases that become more than she bargained for but sometimes end up with more than she hoped for.

She sued Imperial County in 1997 over the treatment of Miguel Duarte, a deaf man, after the county refused to provide him a sign-language interpreter in a child-custody dispute. But the case took a twist when Duarte's wife accused the man of child abuse, and he was jailed, again without an interpreter to tell him even what charges had been filed.

Police dropped the charges when they learned that evidence for the wife's claim of abuse was actually a medical condition in the child. Ultimately, Vandeveld won a consent decree that requires the county to provide interpreters in court cases.

Gibbs of San Diego's Gibbs & Fuerst represented Imperial County in the case and said of Vandeveld, "She's extremely knowledgeable and cooperative. We managed to get to a point that's good for both our clients."

Vandeveld took on the California Center for the Arts in Escondido in 1999 after its staff refused admission to a quadriplegic, Kathleen Lentini, who uses a service dog to retrieve her keys and purse. The staff insisted that her dog was only a pet before they called the police and threw her out. Vandeveld won damages and injunctive relief.

Steven John Nelson, who handled the case for the Escondido city attorney's

office, could not be reached for comment.

And when the Port of San Diego balked in 1998 at providing an anchorage that could be used by disabled John Gallagher, Vandeveld took the port district to court, winning a long-term free anchorage. But the boat space was unusable, being far from shore and affected by bad weather, so Vandeveld went back to court. A hearing in the case is scheduled for later this month.

Because of Gallagher's case, Miles said she has grown to respect Vandeveld over the two years since Gallagher's suit was filed.

Vandeveld didn't expect to become the most popular person in San Diego when she filed the Super Bowl stadium lawsuit on behalf of Beverly Walker and four other plaintiffs.

And she expected even fewer pats on the back when she began talking about filing an injunction just weeks before the game was to be played.

"I understood that we were taking what would be an unpopular stance," Vandeveld said.

But Vandeveld is used to obstacles. She gets around on crutches and has throughout her legal career. She's a UCLA graduate. She received her law degree from the University of San Diego School of Law and passed the State Bar Exam in 1988. She has worked as a congressional aide as well as with two San Diego law firms.

In 1991, she moved to San Diego's Chapin, Fleming & Winet but left in 1996, she said, because the firm wanted her to defend clients facing disabilities act lawsuits. She said she would rather represent plaintiffs.

Vandeveld said she knew her decision wasn't going to make her rich. Her first year, she made \$2,500, she said.

Because of her emphasis on early settlements leading to compliance, Vandeveld said, she doesn't run up big legal bills.

"I had no idea if I would be able to support myself," Vandeveld said. "But it has proven to be an area of the law in which I can support myself."

Last year, the 9th U.S. Circuit Court of Appeals vindicated her role in an unexpected way.

It happened because of a 1998 class action, filed by Mark Potter at the Center for Disability Access in San Diego, alleging that gas pumps and restrooms at Arco stations were not accessible to disabled people. A U.S. District Court judge in San Diego approved a settlement agreement.

Vandeveld learned of the lawsuit when an Arco attorney asked her to review a section of the proposed settlement. Later, she reviewed the entire settlement. She found that it failed to offer payment to the thousands of class members and required them to waive damage claims, while

exempting scores of gas stations that hadn't complied with disabilities act requirements.

Another pioneering San Diego lawyer for the disabled, Theodore Pinnock, represented a separate plaintiff suing Arco. Pinnock also thought the agreement was unfair.

The two attorneys thought that the agreement worked "to the detriment of the disabled," Vandeveld said, so she intervened.

In October, the 9th Circuit ruled in favor of both Pinnock and Vandeveld and 32 other class objectors to the settlement. A three-judge panel said that the agreement was "fundamentally unfair" and that it protected Arco from a potential liability of \$500 million. The case was sent back for a new agreement.

By the time of the 9th Circuit decision, Vandeveld was deep into the case that became the battle over the Super Bowl.

The threat to shut down the game, which pits the National Football League's two best teams against each other, came two years after the San Diego City Council agreed with Walker and promised to change the stadium to accommodate the disabled.

Walker's lawsuit had been filed in federal court in August 1997, a time when the city was rushing to complete a \$78 million expansion of Qualcomm Stadium in time for the 1998 Super Bowl. The complaint states Walker was denied equal access to the stadium because of conditions there.

The City Council agreed with Walker in November 2000 and said the city would provide suitable elevators, ramps, seating and parking for the disabled. The council also agreed to pay attorney fees and damages.

But last year, Walker, one of the original suit's plaintiffs, complained. She said she didn't like what she saw during a dozen inspections of the stadium. The promised improvements in access for disabled people, supposed to have been finished in April, were nowhere near completion, she said.

In December, Vandeveld said she would seek a restraining order or injunction that would stop the Super Bowl because of failure to comply with the agreement. City officials began frantic negotiations.

Thursday, Papas and lawyers for both sides of the case toured the stadium. Afterward, the judge ruled that the game could go on but that he would set deadlines for the city to complete the work.

Walker, who came to court in her wheelchair and a San Diego Chargers jacket, grinned and said she was pleased that the work was going to get done.

■ E-mail: claudewalbert@dailyjournal.com

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JASON DOY

WHO YOU GONNA CALL? Fourth District Court of Appeal Justice Judith Haller chairs the California Judges Association's ethics committee, which has seen an increase in calls to its ethics hotline for judges.

Ethics hotline helps keep judges out of hot water

By Jeff Chorney
RECORDER STAFF WRITER

FRONT PAGE

4154
Alameda County Judge Peggy Hora was in a pickle.

Her son, Paul Hora, had graduated from the University of San Diego School of Law and landed a job with the Alameda County district attorney.

At the time, Judge Hora presided over criminal cases, and her son's new job had her worried about conflicts of interest. Because other judges had family ties in the courthouse, she knew she didn't have to step down from the bench.

"My particular question was: 'Do I have to inform every criminal defense attorney who walks in the room that my kid works for the DA's office?'" Hora said.

For guidance, Judge Hora called the ethics hotline of the California Judges As-

sociation, which has helped judges sort through such dilemmas since 1950.

Nowadays, judges are using the hotline more and more. Between October 2001 and October 2002, the hotline received 400 inquiries from across the state, up from 324 the previous year. And the long-term increase is even more dramatic. Between 1978 and 1982, for example, the hotline received only 28 inquiries.

Why the increase in calls? It could be that judges find themselves in quandaries more often these days, or maybe word of the hotline is simply spreading.

More likely, though, say lawyers and judges, is that ethical issues are on judges' minds these days because of high-profile ethical lapses — see Enron and the Catholic church. And since 1999, state judges have undergone special ethics train-

See **HOTLINE** page 6

HOTLINE

Continued from page 1

ing in order to qualify for insurance intended to cover the costs of discipline proceedings.

"I think that signing up with ethical courses puts them more in tune with what's happening," said Edward George Jr., a Long Beach solo practitioner. He has represented judges in discipline proceedings since the 1970s and sat on the Commission on Judicial Performance from 1991 to 1995.

"I don't think that there's any doubt, as a general rule, they're ethically more conscious [these days]," George said.

Fourth District Court of Appeal Justice Judith Haller also looks to a broad explanation to explain the uptick in calls.

"I think it's part of the bigger picture societally," she said. "At every level, we're looking at those issues."

This year she chairs CJA's 19-person ethics committee, which operates the hotline and issues opinions on inquiries.

"I don't think it's any surprise that if we are looking at lapses of ethics in business, churches," then it shouldn't be a surprise to see judges turning to their colleagues to make sure their own behavior is on the up and up, Haller added.

Of course, in order to do their jobs, judges have to make sure they not only are free from bias and influence but that there isn't even the appearance of such conflicts.

To understand how important that is to judges statewide, look over the 2002 "Judicial Ethics Update," an annual report put out by the ethics committee that's a snapshot of the previous year's hotline inquiries.

The section on "conduct outside the courtroom" is twice as long as "conduct inside the courtroom." Political and charitable activities get entries, too.

Items include where judges can wear robes away from the bench, when it's appropriate for a judge to lead the Pledge of Allegiance at a po-

litical fund-raiser (it's not) and what sorts of letters can go on judicial stationery.

The update comes out each spring. Although based on the hotline, the updates are generalized so as not to give away the identities of the judges or their communities.

The report is presented as an addendum to retired Los Angeles County Judge David Rothman's "California Judicial Conduct Handbook," and each item refers to a canon from the Code of Judicial Ethics. Those two books form the bible of state jurist behavior.

"Our job is to give the best advice as to whether or not the conduct in question [violates] the canons of ethics," Haller said.

Hotline advice isn't just to make everyone feel better; it has esteem outside CJA as well. Haller said that a judge accused of unethical behavior by the Commission on Judicial Performance can use an inquiry to the ethics committee as part of a defense.

"I have been told that there has not been a judge disciplined by the commission who has called and gotten an opinion," she said. "The view is that [the] commission takes opinions of the ethics committee very seriously."

Victoria Henley, director and chief counsel for the Commission on Judicial Performance, agreed that a judge's seeking advice from the ethics committee can be a mitigating factor during commission proceedings. In fact, if the commission learns that the judge went against such advice, "that could be almost aggravating," she said.

Even so, Henley pointed out that it's a little odd that a private organization's opinions have sway in a forum that is otherwise regulated by the state. The judicial code is promulgated by the state Supreme Court, and the commission, of course, is part of state government.

However, George, the lawyer who represents judges, said he didn't see any inconsistency with ethics opinions being released by an organization that doesn't actually make the

rules. He believes the hotline is "an expedient way to solve problems."

As for the upswing in the scrutiny of judges' ethics, Henley, like George, pointed to the malpractice insurance.

Since September 1999, the Administrative Office of the Courts has provided judges with insurance coverage to pay the costs associated with defending against actions by the Commission on Judicial Performance. To qualify for coverage, judges have to undergo ethics education.

"That would mean they've . . . been going through training, which results in heightened awareness," Henley said.

According to the AOC, virtually all of the state's approximately 2,100 judicial officers have signed up for the insurance. They are required to take a six-hour, interactive class every three years to maintain the insurance coverage.

And that's on top of the weeklong new-judge orientation, half of which is devoted to ethics and fairness. New judges learn about the hotline during that same orientation.

If a judge knows someone on the ethics committee, he or she can contact that person directly. Otherwise, the judge can call CJA and get the names of two or three committee members. Judges can also submit questions via e-mail or U.S. mail.

The committee member will try to give the inquiring judge an immediate, tentative opinion and then will run that by the committee vice chair. Eventually, the entire committee will take up the matter and make a final decision on the ethical dilemma. Those decisions are called informal opinions and are used to produce the judicial ethics updates.

The committee will not give legal advice and only answers questions from judicial officers and judge candidates. You don't have to be a member of CJA to use the service.

The committee meets six times a year to discuss and vote. It also issues formal opinions, which are usually initiated by a high number of inquiries regarding a similar subject, Haller said.

The committee has issued 51 formal opinions since its creation in 1950. No. 52, a paper on judges' relationships with jurors, is due in a

couple of months, Haller said.

Hora, who has been an Alameda County judge for 18 years, made the call about her son 10 years ago. Since then, she has called three other times, all on behalf of other judges who had problems but were worried about the hotline's confidentiality.

Haller said only the committee member receiving the call knows the identity of the judge — and when that member leaves the committee, he or she is instructed to destroy all materials related to their work.

Other judges also call on behalf of colleagues, but not always because of privacy worries. Contra Costa County Presiding Judge Garrett Grant said judges often come to him with problems.

"Why not just call the hotline and get an opinion from them?" Grant responds. If they don't follow that suggestion, he will call for them.

Although he wouldn't discuss any specific cases, Grant said that as presiding judge he gets questions about speaking engagements, attending political functions, "almost any issue you can think of where someone could be perceived as being biased."

For judges like Alameda County's Hora, questions of perception come up frequently. The call about her son wasn't Hora's first. In her early days on the bench, she was a member of a women's political group that changed its rules so it would only endorse female candidates.

The ethics hotline told her she couldn't belong if the organization had such discriminatory practices.

As for her son, the ethics committee said she didn't have to inform every defense attorney of the family connection. Committee members didn't explain but Hora assumed disclosing to every attorney is considered too burdensome to the justice system.

She said she didn't even bother consulting other sources to resolve her dilemma.

"That's what they're there for," Hora said. "If anybody ever says anything, you've got it covered."

Reporter Jeff Chorney's e-mail address is jchorney@therecorder.com.

Love of Home Anchors Justice

By Katherine Galdos
Daily Journal Staff Writer

SAN DIEGO — Court of Appeal Justice Gilbert P. Nares loves the area of San Diego where he grew up.

Nares, who sits on the 4th District Court of Appeal, was raised in Oceanside and has lived there all his life.

He remembers when Oceanside, north of San Diego, was just a small town.

"Parents could let their kids go to the beach and not be concerned about anything," Nares said.

Since then, the burg has grown to a city of 160,000. And Nares has been a fixture the whole time. He worked his way through college and law school at the University of San Diego by driving a Catholic High School bus from Oceanside to San Diego. His first law job, in 1968, was with an Oceanside firm just a mile from where he grew up.

Now, Nares lives next to the beach in Oceanside and loves the city as much as ever.

"I'm a beach person," he said. "Always

have been."

FRONT PAGE

And the town loves him back. Last year, it went so far as to name Jan. 17, 2001, Gilbert P. Nares Day to honor his 25 years on the bench and in community service.

"I was honored that they would think enough of me to give me the award," he said.

Nares practiced law at an Oceanside firm from 1968 to 1976. Before he left Daubney Banche Patterson & Nares in 1976 for the Municipal Court bench, he had made it onto the masthead and had served a term as president of the North San Diego County Bar Association.

Because Nares speaks Spanish, he was able to represent many Spanish-speaking clients at Daubney Banche. The firm's practice ranged from civil work to criminal and family law. Nares says the firm's partners encouraged him to get trial experience.

"The firm took the time to develop my skills and I've always been very grateful for that," he said.

In 1976, Gov. Jerry Brown appointed Nares, who was 32, to the Municipal Court bench. The next year, he was promoted to presiding judge of the Municipal Court, overseeing the areas of Oceanside, Escondido and Carlsbad and six other judges. The following year, Brown elevated him to the Superior Court bench in Vista.

Nares stayed for 10 years, serving as supervising judge for 1981 and 1982, and as a judge on the court's appellate division in 1986 and 1987.

He also served as seminar leader from 1981 to 1988 for an orientation program for new Superior Court Judges.

He joined the appellate court in 1988.

"When the right wave comes, you surf it," he said, borrowing a metaphor well-known to beach types, even though Nares doesn't surf.

Now, with his fellow Division 1 justices, he hears oral arguments one week a month and spends the rest of the time reading, writing, analyzing and conferring.

See Page 5 — JURIST'S



HUGH WILLIAMS / Daily Journal

"When the right wave comes, you surf it," Associate Justice Gilbert P. Nares said of his career's arc, borrowing a metaphor well-known to beach types.

LOS ANGELES DAILY
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Jurist's Town Celebrates Day in His Honor

Continued from Page 1

"I think I've appreciated it more having been a trial judge," Nares said of his appellate post. "I think you're better able to understand the record and read between the lines as to what really goes on."

Nares says the justices of Division 1 like to confer with each other about cases after oral argument.

"This is a very collegial court," he said.

And Nares says the give-and-take atmosphere helps the justices reach good decisions.

"I think it's very important that you get as many opinions as you can," he said.

But once a case has been decided, it's time to move on, Nares said.

"It doesn't do any good to think about the case after it's decided," he added.

Attorneys who have appeared before Nares in Division 1 say that he pays close attention during oral arguments, sometimes commenting on the facts of a particular case.

"He occasionally finds funny things in the record," said appellate lawyer Charles A. Bird of Luce Forward Hamilton & Scripps in San Diego. But, Bird added, Nares "doesn't make counsel the butt of jokes."

Instead, Bird said, "if some party or witness did something incredibly stupid, he may comment on it in a funny way."

Sometimes, Bird said, Nares can take offense to facts in the record, as well.

Bird recalls representing a woman whose husband was killed after a prisoner escaped in downtown San Diego during a transfer from one prison to another. Only one sheriff had accompanied the prisoner, who had a history of escapes.

During oral arguments, Bird remembers, counsel for the county suggested that the acts of the deputy sheriffs "really weren't that bad."

Justice Nares disagreed, commenting that "this looks like criminal negligence to me," Bird recalled.

"He was not abusive [to the county counsel]," Bird said. "He was just obviously offended by the conduct that was reflected in the record."

Appellate specialist David A. Niddrie of San Diego's Niddrie & Hegemier said that Nares sometimes does "quip from the bench."

"Usually it's with people that he knows or who have appeared before him before," Niddrie said.

"His quips are usually limited to some aspect of the case that does, on its face, present sort of a comical situation."

Nares said that he does enjoy "going into the record."

"I always read the lawyers' opening and closing arguments in jury cases," Nares said. "I want to know how they tried the case. And it's always of interest to me."

Whether or not Nares finds the facts of a given case funny, he focuses carefully on each one, according to Niddrie.

"He's one of these people that I think tries to do the right thing in every case," Niddrie said.

"He doesn't seem to have an ideology that drives him. He just takes each case on an individual basis and tries to do

Profile



Gilbert P. Nares

Associate Justice
4th District Court of Appeal
San Diego

Career highlights: Appointed by Gov. George Deukmejian to the 4th District Court of Appeal, 1988; appointed by Gov. Jerry Brown to San Diego County Superior Court, 1978; appointed by Gov. Brown to San Diego County Municipal Court, 1976; partner, Daubney Banche Patterson & Nares, 1968-76

Law school: University of San Diego School of Law, 1967

Age: 59

what he perceives to be the right thing," he added.

In one case, doing the right thing involved simply appointing a new lawyer for a convict. Nares remembers getting a letter from a man who had been convicted in 1984 of rape and kidnapping charges in San Diego Superior Court. He was serving a life sentence but maintained his innocence and said he needed a new lawyer.

The prisoner wrote, "My lawyer doesn't believe in me anymore, my family doesn't believe in me anymore, but I didn't do it," Nares said.

So Nares appointed the man a new lawyer, from Appellate Defenders Inc. in San Diego. The man's new attorney, Carmela F. Simoncini, was able to use a DNA test to exonerate him in 1994.

"There are a lot of important cases in this world in terms of general principles and shaping the law, but when you make something right, I think that's equally important," Nares said.

If Nares had decided not to bother with the man's plight, Simoncini said, "who knows what would have happened?"

"He's really got a strong sense of fundamental fairness, and I've seen him on cases where he's taken a second look at a case where there's something fundamentally wrong," Simoncini said.

"He's invited supplemental briefing on issues, if there's something wrong, even if he can't put his finger on it," she said.

Nares believes the law was the right profession for him.

"It's been a wonderful profession. It's been very good to me," he said. "I'd recommend it to anyone."

And he has recommended it to his goddaughter, who is now in her second year at USC Law School.

Nares is not the only member of his family who has stuck close to home. His father's side of the family lives in San Diego, and his mother's side lives in nearby Orange County. Nares, who is unmarried, says his beachside home is the "nerve center" for the family. He has hosted weddings, family celebrations and Fourth of July crushes for family and friends.

And his nephews and their friends take advantage of his seaside locale, storing their surfboards underneath his house and hitting the waves from his backyard, Nares said. They've offered to teach him.

"I may surprise them and go out there one day and learn," he said.

Here are some of Justice Nares' recent cases and the lawyers involved:

■ *People v. Samples* DJDAR 13795

For the appellant: Anthony Lovett and Josephine A. Kiernan, district attorney's office

For the respondent: Donal M. Hill, Coronado

■ *Giles v. Horn* DJDAR 7979

For the appellant: Judith A. McDonough, San Diego county counsel's office

For the respondent: Thomas L. Tosdal, Tosdal Levine Smith & Steiner, San Diego

For the respondent: James G. Varga, Van Bourg Weinberg Roger & Rosenfeld, Los Angeles

■ *Caressa Camille Inc. v. Alcoholic Beverage Control Appeals Board* DJDAR 7491

For the appellant: Ralph Barat Saltsman, Solomon Saltsman & Jamieson, Playa del Rey

For the Real Party in Interest: Dennis W. Dawson and T. Michelle Laird, state attorney general's office

■ *Palestini v. General Dynamics* DJDAR 6403

For the appellant: Mark O. Stern, La Jolla, and Debra L. Back, San Diego; Laura G. Schaefer, Boyce & Schaefer, San Diego

For the respondent: Charles A. Bird and Timothy R. Pestotnik, Luce Forward Hamilton & Scripps, San Diego

For the respondent: Mark S. Pulliam and Erik S. Bliss, Latham & Watkins

■ *People v. Mason* DJDAR 555

For the appellant: Jerome P. Wallingford, San Diego

For the appellant: Stephen Gilbert, Santa Monica

For the respondent: Patti W. Ranger and Gary W. Brozio, deputy attorneys general

TIMES RECORD

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Wilkinson to lead state lawyer group

AUGUSTA — ⁴¹⁵⁴Lester F. Wilkinson Jr., managing shareholder of the Augusta law firm of Bernstein Shur Sawyer & Nelson, has been elected president of the 3,000-member Maine State Bar Association.

Wilkinson succeeds Bangor lawyer John F. Logan at the association's helm.

The association's other officers for 2003 are President-elect **Dana E. Prescott** of Saco, Second Vice President **Meris J. Bickford** of Bangor, Third Vice President **Wendell Large** of Portland and Treasurer **Virginia E. Davis** of Augusta.

The Maine State Bar Association is the oldest and largest professional association for lawyers, serving both Maine's lawyers and the public since 1891.

A 1978 graduate of Bates College, Wilkinson earned his degree from the University of San Diego School of Law in 1981. He has taught real estate law at the University of Maine at Augusta and has been a presenter of continuing legal education programs for both the association and the Maine Association of Realtors.



Haile makes list of top lawyers under 45

Law Briefs ⁴¹⁵⁴

By Andrew Donohue ^{193A}

Local attorney Lisa Haile has been named in *The American Lawyer* magazine's list of "The Top 45 Lawyers Under 45."

The award is handed out after a two-month selection process that determines the top nationwide lawyers in private practice under the age of 45. The selection panel reviewed more than 600 names.

Haile, a partner at **Gray Cary Ware & Freidenrich LLP**, is a member of the firm's intellectual property and technology group. She has a Ph.D. in microbiology and immunology.

A mother of three, Haile has worked with **Diversa Corp.** (Nasdaq: DVSA), **Fibrogen Inc.**, the Regents of the University of California, Johns Hopkins University School of Medicine, the California Institute of Technology, The Scripps Research Institute and

Metamorphix Inc. Source Code: 20030121tja

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Real Estate Southern California Magazine named local attorney Nancy Scull one of the most influential women in real estate for 2002.

Scull, a partner at **Luce, Forward, Hamilton & Scripps LLP**, also chairs the firm's real estate practice group.

She was the first woman elected to the firm's four-person executive committee and the firm's top revenue earning woman.

One of 46 women recognized by the magazine for significant contributions in the field, Scull represents high-profile clients in land acquisitions and dispositions, as well as other areas of real estate law. Source Code: 20030121tjb

• • •

Brobeck Phleger & Harrison has added two new partners in its San Diego office and seven in the entire firm.

Locally, Kurt M. Kjelland and

Franklin D. Ubell were named as new partners.

Both attorneys handle intellectual property cases. Kjelland specializes in litigating biotechnology and chemical patent cases. Ubell works on litigating intellectual property cases and counseling emerging technology companies. Source Code: 20030121tjc

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Ken Klien has been promoted to partner at **Foley & Lardner's** downtown office.

He has worked on issues including antitrust, class actions, unfair competition, patent licensing, banking, partnership dissolutions, Qui Tam actions and contract disputes.

Klien has also taught as a visiting professor at University of San Diego School of Law and as an assistant professor at the New England School of Law.

He specializes in trademark and public entity litigation. Source Code: 20030121tjd

andrew.donohue@sddt.com

**SAN DIEGO DAILY
TRANSCRIPT**

SAN DIEGO, CA
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**SAN DIEGO BUSINESS
JOURNAL**

SAN DIEGO, CA
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PEOPLE

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Law

Lucas, Mullany, Boyer & Haverkamp has hired **Pat Buchanan** as a lawyer. Previously, Mr. Buchanan served as in-house counsel for Unified-Market, Inc. and was legal and business development consultant



Buchanan

for Jumpstart Equity LLC. He received his law degree from the University of Oregon School of Law in 1998. **Brobeck, Phleger & Harrison** has hired **William F. Stryker** and **Dave B. Koo** in the Intellectual Property Group and **Morgan J. Miller** in the Securities Litigation Group. Mr. Stryker has extensive litigation experience in pharmaceuticals, orthobiologies and microarray devices. He received his law degree from the Gonzaga University School of Law in 1994. Mr. Koo has experience in patent prosecution, patent litigation and licensing. He received his law degree from Loyola Marymount University in 1999. Mr. Miller will focus on the defense of public companies, officers and directors in class action lawsuits. He received his law degree from the University of San Diego School of Law in 1999. **Murchison & Cumming** has made **Jefferson Smith** an associate partner of the firm. Mr. Smith joined the company seven years ago. He focuses his practice on medical malpractice, product and general liability, and commercial litigation. **Fish & Richardson** has hired **Sean T. Prosser** as a securities litigator. Previously, Mr. Prosser worked at Brobeck, Phleger & Harrison LLP and at the U.S. Securities and Exchange Commission. He received his law degree from New York Law School in 1992. **McKenna, Long & Aldridge** has elected **Christian D. Humphreys** partner. Mr. Humphreys works in the San Diego office and focuses his practice on complex civil litigation. He received

his law degree from the University of San Diego School of Law.

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As you page through this issue of *Student Lawyer*, the possibilities beckon: summer study abroad—maybe Paris, Athens, or Madrid. Or how about Australia, or even Costa Rica? Imagine taking courses for credit in international or comparative law, getting to know professors and law students from the host country, visiting legal institutions, and seeing the sights. Sounds lovely, but what will study abroad do to your job prospects later on?

Twenty years ago, employers with rigid opinions about what law students should do with their summers were dubious about students who headed overseas to study. Back then, international law was a legal specialty, far removed from what most lawyers would expect to do. But times have changed, and the law practice with no international issues is now the exception. Accordingly, more and more employers recognize the value of hiring people with the broader perspective that comes from foreign study.

Just ask Ian Meyeroff of Thiells, N.Y., a January 2002 graduate of Thomas M. Cooley Law School in Lansing, Mich. Meyeroff spent the summer after his second year in law school with the University of San Diego's study abroad program, which included five weeks in Barcelona and eight weeks in Paris. He took European Competition Law, European Union Law, and International Business Transactions.

"I thought it was excellent," he says, telling of watching a criminal trial in the Palace of Justice in Paris and visiting one of the top law firms in Spain. "You can pick up a lot of credits fast, and you make contacts that last forever." Not only did he learn from top American and foreign professors, but he also got to spend a summer with like-minded students from across the United States and other countries. "When we'd go out at night, everyone wanted to talk about international law."

Today, Meyeroff is starting a two-year internship with the Presidential Management Intern Program, an elite training ground for people aiming for careers in analysis and management of public policy. He'll be a lawyer for the State Department, working on legal and policy issues. During his interview, Meyeroff played up his summer study experience. "It did help me get the job," he says. "They were really looking for overseas experience, because they work with embassies overseas."

Breaking the mold may be just what you need to get ahead. Karen McMichael, director of international programs at Temple University School of Law, notes that summer jobs for law students can be routine, even at big law firms. "For a student to do something different by going abroad shows they can take a different path," she says. "It shows the student as a creative thinker, better able to take a risk." And for students who are really interested in international law, she adds, it's a chance to consider this as a career choice.

Not that career advancement is the primary purpose of summer study abroad. "I've never perceived that summer programs are designed to enhance students' résumés," says deputy dean Gary Roberts of Tulane University School of Law, which offers summer programs in eight countries. "I think they're designed to enrich students' education in a way that some employers will appreciate and some won't." Roberts notes that the value of summer study abroad is the combination of course materials, field trips to legal

Summer study abroad is more than a way to earn academic credit while having adventures overseas. It can make you more attractive to potential employers and help you become a better lawyer

BY JANE EASTER BAHLS



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institutions, contacts with foreign students, professors, and lawyers, and the whole experience of living in another country. "It makes them a more well-rounded and better lawyer," he says. "And provides a fun summer in the process."

In years past, participating in these programs was a calculated career risk, says Chicago solo attorney Jonathan Clark Green, because taking summer classes overseas meant opting out of the traditional American expectation of working a summer associate job. "It was a big trade-off," he says, reflecting on the summer of 1985, between his second and third years at Chicago-Kent College of Law, when he studied in Paris with the University of San Diego. "A lot of students made a big sacrifice, because it put them back a year. Some firms look at it as, you're having a good time for a summer."

Green says it was well worth the risk. "It was a great program. It really opened up my mind to the European market," he says, telling of learning about European Union law long before the EU became a reality. Learning how civil law differs from common law has made a difference in his international practice. "I understand the issues a lot better," he says. Green credits his summer study experiences for the fellowship he landed with the American Society of International Law to administer the Jessup International Moot Court Competition.

"European firms think it's great," Green adds. "They want you to go out and get experience." And now, he says, more U.S. firms are recognizing the value of hiring students with a broader background. "I think firms don't look down on it as much," he says. "They're a little more savvy internationally."

If you're considering summer study abroad, perhaps you're thinking more about getting law school credit for taking classes in an exotic place than about building your résumé. But it may help to know that study abroad probably won't hurt your career, and it may well help it.

Contributing editor Jane Easter Bahls is a freelance writer in Bexley, Ohio.

As Good a Time As It Gets

If you're thinking of studying abroad, now may be the time. Some law firms have their own programs to immerse young associates in another culture, notes Chicago international law attorney Jonathan Clark Green. "But then you lose a year," he says. For students who are planning to start a family someday, he points out, it gets harder and harder: "You've got to pay the mortgage."

Of course, you also have to pay for law school, and international airfare isn't cheap. A summer study abroad program may entail giving up a summer's income. But earning several credits during the summer may free up time during the year to work and make up the difference.

"It's hard to do this later," says Barry Currier, the ABA's deputy consultant on legal education. And few programs are organized for lawyers to study abroad. You always can travel as a tourist once you've earned enough money to afford it (or backpack around Europe on the cheap), but those who've participated in foreign study programs agree it's not the same.

It's one thing to learn about the International Criminal Tribunal in a classroom in the United States, Currier says, and it's another to go to The Hague and sit in the room where it convenes, then sit down with the judges and ask questions. "During law school may be one of the only times you can get it," he says. "Imagine showing up at the International Criminal Tribunal at The Hague and saying, 'I'd like to have lunch with one of the judges.'"

—Jane Bahls

How much it helps depends on the program and what you're hoping to do. "For someone serious about international law, I think it's invaluable," says Tulane law professor Keith Werhan, who directs his school's summer program in Thessaloniki, Greece. He explains that the interactions with foreign professors, lawyers, and students, visits to the country's courts and law firms, and the whole experience of living abroad can provide a perspective that can't be duplicated in a U.S. classroom.

Deirdre Nero, a third-year student at the University of Miami School of Law, participated in a summer program in Madrid with the College of William and Mary School of Law after her first year. Because she was fluent in Spanish, she got to work for a week as an intern at a Madrid law firm before classes started. The program helped her get a job during the school year with the international

department of Becker & Poliakoff.

"They definitely thought my experiences in Spain to be valuable," she says. During her second summer, Nero worked as an intern at a firm in Barcelona, organized through the University of San Diego's Comparative Law Institute. "I wouldn't trade what I have done for anything else," she says. "They were the most formative experiences of my law school career." After taking the Florida bar exam, she hopes to return to Spain to work on a Spanish law degree. Her goal is to work for a U.S. firm and be licensed to practice both here and in Spain.

"I am 100 percent positive that my experiences abroad have already helped me get the job as a clerk that I have now and will help me in the future find a position," she says. "For someone who is not on law review nor in the top 10 percent of the class, these kinds of experiences add marketability."

What if your career goals don't involve international law at all? Don't bet on it, says McMichael, of Temple University. "We truly think it's not going to be possible to practice law with a total domestic focus," she says. Business is increasingly global, and people move between countries as if they were different states. A family lawyer could be involved in international custody disputes. An estate or tax lawyer might have to deal with assets overseas. "We think that all well-rounded lawyers should be prepared for an international interface," she says.

"Increasingly, most law firms have some international aspect," notes Linda Lacey, a professor at the University of Tulsa College of Law, which offers summer programs in Ireland, Argentina, and Switzerland. "It would be unusual not to have any international component." Employers know that, she says, so many

firms that don't specialize in international law are seeing summer study abroad as a plus.

"Students say that in interviews, employers are impressed by it," Lacey says. "I've seen their résumés, and they feature study abroad." Even employers who don't anticipate international dealings generally appreciate the broader perspective, she says.

Lacey acknowledges that this wasn't the case even 10 years ago. And, she adds, "There are still some employers out there who ask, 'How is this relevant?'" But just the exposure to another culture provides valuable perspective, she says. "We have students who've never been out of Oklahoma and Texas." Then there's having to solve problems on your own, while dealing with people who don't speak your language. "There are so many intangible benefits," she says. "I've seen students mature through the program."

Even for students who don't antici-

pate having clients with international concerns, one of the most valuable aspects of study abroad is the way it helps clarify U.S. law. "Looking at law comparatively is one of the best ways to understand your own system," says Tulane's Professor Werhan, describing a visit to a judges' college in Greece. "The way judges are selected and trained is diametrically opposed to how we do it," he says. After the visit, students engaged in a comparative discussion. "By broadening your perspective," he says, "you deepen your understanding."

Not all foreign study programs are alike. Check for ABA approval, which provides consumer protection. "We've seen programs abroad where the curriculum isn't very different from what they'd have on their home campus," says New England School of Law dean John O'Brien, chair of the accreditation committee of the ABA Section of Legal Education and Admissions to the Bar and past chair of

its foreign summer programs subcommittee. ABA standards require a substantial international or comparative law focus in the curriculum, which must be as rigorous as courses in the school's on-campus program. Faculty must include someone from the host country, and all faculty members must be fluent in English. Other standards ensure visits to legal institutions in the host country, adequate study time, suitable classrooms, and other measures of quality.

Still, programs differ in character and quality just as law schools do. "You look at the same things you would if you were looking for a law school," advises Roberts, the Tulane deputy dean. "Plus, where it is, to get the most out of it personally."

Your choice of a summer study abroad program may hinge on such prosaic factors as timing and cost, and whether it lines up with someplace you want to go. But take a good look at any program you're considering. What's the reputation of the school and the summer study program? What courses are offered and who's teaching them? Is there a strong emphasis on the other country's legal system, international, or comparative law? Will there be interaction with for-

eign lawyers and law students? Are internships available? What legal institutions would you visit? Many people say the most eye-opening experience was actually sitting in court in another country, seeing how the legal system operates in another part of the world.

Then line all that up with your own goals. "Just as students choose courses at home, it's wise to choose what's offered that matches up with your own interests and career plans," O'Brien says. If, for instance, you're not interested in human rights issues or the European Union, it doesn't make a lot of sense to take those courses overseas, even in a pretty part of the world, he says.

If you don't yet have a handle on your career goals, following your interests is a good start, Werhan advises. "If something appeals to a student," he says, "nourish that a bit and see what comes of it." At the worst, he says, you'll have a really great experience. "You never know what you're going to end up doing," he adds. "An experience may not seem practical, but it may end up being tremendously practical. The things I did in law school to be practical

didn't end up being practical, but the things I did for fun ended up being highly practical."

Nancy Kramer, director of career services at Yeshiva University's Cardozo School of Law, advocates combining summer study abroad with some kind of practical experience. Although taking five or six weeks out probably disqualifies you from a typical 12-week summer associate position, she notes that many judges are open to negotiating a shorter clerkship. They may not be able to pay you, but the experience can be valuable while enhancing your résumé. Or you might be able to line up an internship in the host country for the remainder of the summer.

Once you've done summer study abroad, how do you turn it into an asset in your career search? Start with your résumé, playing up the summer study experience—what you did and what it did for you. That's especially important if you're applying for a job with an international law firm or government agency where the international experience might be especially valuable. Then talk about it in your job interview.

"We've had students who've been able to articulate what the summer abroad meant to them, and how it'll make them more marketable," says McMichael of Temple University. "It can make them stand out from other applicants who've taken the usual path of summer clerkships." She contends that summer study abroad shows commitment to learning and broadening one's horizons.

Don't forget about whom you've gotten to know through the program. "It's possible to make contacts with professors from top schools who can help you in your future endeavors," says Chicago attorney Green, who serves as deputy editor of *International Law News*, a publication of the ABA Section of International Law and Practice. A lawyer you meet through a class overseas might be able to point you toward a summer job in that country next year, which could lead to further opportunities later on, Green says.

So browse through the summer study abroad program listings on pages 27-79, and dream a little. It may lead to one of the most rewarding things you ever do.

4/15/24

Bayh-Dole Reform and the Progress of Biomedicine

*Editor's Note: First page only. Complete article available. Call (619) 260-4659

Allowing universities to patent the results of government-sponsored research sometimes works against the public interest

Arti K. Rai and Rebecca S. Eisenberg

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Although the development of pharmaceutical compounds has long been a commercial enterprise, the broader field of biomedical research has enjoyed a very different tradition, one that allows the free sharing of scientific knowledge. But the culture of open science has eroded considerably over the past quarter-century. Proprietary claims have increasingly moved upstream, from the end products themselves to the ground-breaking discoveries that made them possible in the first place. One important reason for this change has been a narrowing of the gap between fundamental research and commercial applications. Once largely a matter of serendipity or trial and error, drug discovery now depends critically on basic knowledge of genes, proteins and associated biochemical pathways. In addition, the practical payoffs of basic research have become easy to anticipate in many cases, making it straightforward to obtain patents for discoveries that in an earlier era would have seemed too far removed from useful application to warrant the effort.

This shift in patenting activity has met little resistance. For example, in 1980 the U.S. Supreme Court held that genetically engineered microorganisms were eligible for patent protection. Shortly thereafter, Congress created a specialized court to hear appeals in patent matters, the Court of Appeals for the Federal Circuit, which has further extended the Supreme Court's expansive approach to patent eligibility. The Federal Circuit has also relaxed the standards normally required for patent protection, such as proof of the practical utility of an invention and of its lack of obviousness—standards that might otherwise have prevented the patenting of incremental advances in biomedical research.

These changes in the economics of research and in the interpretation of the patent laws have been important factors in the proliferation of intellectual property claims for discoveries of a fundamental nature. But perhaps even

more significant has been the explicit U.S. policy of allowing grantees to seek patent rights for the results of government-sponsored research. This policy, which began in 1980 with passage of the Bayh-Dole Act, has turned universities into major players in the biotech business.

The Bayh-Dole Act was intended to promote the widespread use of federally funded inventions. The sponsors of the legislation believed that permitting grantees to obtain patent rights and to convey exclusive licenses for their inventions to private corporations would motivate investors to pick up where the government left off. This process, it was hoped, would produce commercial products from discoveries that might otherwise languish in the halls of academe.

This goal is, of course, quite noble. But the law draws no distinction between inventions that lead directly to commercial products and fundamental advances that enable further scientific studies. Universities have taken the opportunity to file patent applications on discoveries like new DNA sequences, protein structures and disease pathways—results that are primarily valuable because they enable more investigation. Columbia University, for example, now holds a portfolio in which 50 percent of its licensed patents represent such research tools. And even when they do not seek patents, universities often try to preserve their expectations for profitable payoffs by imposing restrictions on the dissemination of materials and reagents that might generate commercial value somewhere down the line.

This frenzy of proprietary claiming has coincided with unprecedented levels of both public and private investment in biopharmaceutical research and development—and magnificent progress in health care. So for many people, it may be difficult to see that there is any problem. But in the long run the current system may, paradoxically, hinder rather than accelerate biomedical research. Here we explore how

Arti K. Rai earned her undergraduate degree from Harvard University in 1987. She studied medicine for one year at Harvard Medical School and then entered Harvard Law School, graduating in 1991. She served on the faculty of the University of San Diego School of Law before moving to the University of Pennsylvania Law School in 2000. Rebecca S. Eisenberg is a graduate of Stanford University and Boalt Hall School of Law at the University of California, Berkeley. She worked as a litigator in San Francisco before joining the University of Michigan Law School in 1984, where she is Robert & Barbara Luciano Professor. Both Rai and Eisenberg teach courses on intellectual property law and the legal regulation of science. This article is derived from scholarly work of theirs soon to appear in the journal *Law and Contemporary Problems*, published by Duke University School of Law. Address for Rai: University of Pennsylvania Law School, 3400 Chestnut Street, Philadelphia, PA 19104. Internet: akr@law.upenn.edu

School of Nursing

► EDUCATION

Continued from page 1

EXTENDED STUDIES KEY TO SUCCESS IN TODAY'S WORKPLACE

Here, officials from a handful of local extended study outlets assess career opportunities available through education and how to find the right classes for you.

The San Diego County Regional Occupational Program (ROP) offers 500 to 600 different career training options to people 16 years or older at any given time. Today, 50,000 students are enrolled, according to Susan Yamate, coordinator of ROP's adult education services.

Available through local college and high school districts, the classes are free and teach a diverse range of skills leading to

such jobs as heavy equipment mechanic, deckhand, emergency medical technician and veterinary assistant.

A course in truck driving has a perpetual waiting list, according to Yamate.

ROP offerings reflect marketplace conditions. "The classes have to be in an area where there is a demand," Yamate said.

You can check the ROP catalog in all public libraries, visit www.sdcoe.k12.ca.us/rop, or call (858) 292-3611.

SDSU College of Extended Studies is another source for new employment options or career advancement.

"We have a wide variety of certificate programs," said SDSU's Steve Dolan. Courses in photography, writing, communications, criminal justice, education, music and physical education are just a sampling of hundreds of other extended studies courses.

Some classes are as little as three hours in length. Others can involve many sessions and are spread over a period of up to two years. Many are scheduled on evenings and weekends in deference to the returning student who works full-time.

Prices range from about \$69 for a three-hour class to \$1,000 for a certificate program. Call (619) 594-5152 for a catalog that explains everything.

The University of San Diego College of Nursing curriculum gives added meaning to the phrase, "lifelong learning," since continuing education is required to maintain a registered nurse's license. For 27 years the college has been offering courses

for RNs, many of whom earn master's and doctorate degrees.

Recently a Masters Entry Program in Nursing for individuals with a bachelor's degree in another discipline who want to go into nursing was established. A year of intensive study readies students for the RN licensing exam. When licensed, they can work full-time while completing their master's.

Qualified people on the fast track to becoming an RN will help alleviate a significant nursing shortage, said Mary Jo Clark, Ph.D., dean of the nursing college.

First-year cost of the new program — the only one of its kind in San Diego — is based on 50 units at \$800 per unit and some financial aid is available, Clark said.

For more information about all USD nursing programs call (619) 260-4548, or visit www.sandiego.edu/nursing.

The Adult Reentry Center at Grossmont College goes the extra mile to assist students in retraining or upgrading skills. A Reentry Orientation Workshop, personal counseling and job placement support augment the extensive list of classes.

"We offer programs that represent emerging trends," said Nancy Davis, student development services supervisor for the center.

Currently, areas of high interest include office technology, culinary arts and health science. The center offers courses in respiratory and occupational therapy, cardiovascular technology and nursing.

The office technology pro-

gram includes an intensive, general clerical course where, for example, a single mother can find a full-time job and benefits after one semester, according to Davis.

Employers also use the classes to give employees new skills.

"In the new world of work, all of us need to stay on the cutting edge or we will quickly become obsolete," Davis said.

With classes at \$11 a unit, the price is right. For information, call (619) 644-7696 or visit www.grossmont.net/adult-reentry/.

The San Diego Culinary Institute, a private school, offers short classes for the at-home chef and two career programs in culinary arts, according to Lili Meyberg, CEO of the school. The State of California certifies both.

Basic Professional Culinary Skills prepares students for entry level positions in the industry and cost for the 352-hour program is \$10,130 with placements in the 90th percentile, Meyberg said.

The first Baking and Pastry Arts course is underway at the school and students will have been through a concentrated 1,050-hour course plus a 100-hour paid "externship" when they graduate this spring. The California Association of Private Post-Secondary Schools offers some scholarship opportunities for the two programs, and veterans are eligible for veteran benefits. Call (619) 644-2100 for information.

— Valerie Lemke is a San Diego-based free-lance writer

Continuing education paramount in today's changing marketplace

By Valerie Lemke

Continuing education, occupational training, extended studies, adult reentry — call it what you will, the halls of learning no longer exist exclusively for the young.

Statistics indicate 55 percent of us will go back to school at some point in our adult life, according to Steve Dolan, communications specialist in the College of Extended Studies at San Diego State University.

Heads of continuing education programs cite two major reasons we return to school: to further education in our existing career or to retrain for a new career.

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“The reality is we inherit about 1,300 new students every year who come from all parts of the country. Many come with racist, sexist and homophobic ideas and attitudes. It’s our job to educate them.”

TOM COSGROVE, USD dean of students

Uprooting the seeds of hate

USD combats incidents of intolerance on campus

By **Eleanor Yang**
STAFF WRITER

4154

Nine incidents apparently motivated by prejudice have shaken the University of San Diego campus since fall, prompting the school to boost its tolerance training for students and consider making a class in diversity mandatory.

After school began last September, six incidents were reported within a span of two weeks, USD’s Dean of Students Tom Cosgrove said. In the following four weeks, three were reported.

The most serious involved a Hispanic landscaping worker on the campus who was spat upon by young men driving by in a pickup. In other instances, notes were left on students’ doors that read “Go home, nigger,” and fliers publicizing ethnic and gay events were defaced with swastikas and gay slurs.

In 1997, anti-gay, racist and anti-Semitic graffiti were found in restrooms and on law-school bulletin boards at the private institution. The following year, students and residents in the area united in planting bushes to cover and/or stop a steady stream of graffiti.

In response to the recent occurrences, a candlelight vigil was held in November to publicize them. About 100 students and staff members heard a statement in which



USD student Pia Abelardo, 20, posed in front of a poster placed on campus in an effort to combat a recent series of incidents of intolerance. Abelardo is a member of the USD Hate Crimes Task Force. Eduardo Contreras / Union-Tribune

President Alice B. Hayes declared “outrageous and offensive” behavior would not be tolerated on campus.

“I believe that those misguided individuals who do not share the university’s views on the dignity of each individual will quickly learn that abuse of others is not accepted here,” Hayes — who had a scheduling conflict — wrote in the statement read at the vigil.

The university also is reacting in other ways. A public safety officer has been assigned to coordinate hate-related investigations. A policy of non-discrimination has been revised to include hate crimes. Dorm aides are being trained in handling incident reports. And administrators are considering a diversity-class requirement

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► USD

CONTINUED FROM PAGE B1

College aiming to add courses on diversity

for the largely white campus.

A troubling number

As often is the case with vandalism, campus officials have been unable to identify suspects. To prevent other incidents, they have informed every student and employee in writing that anyone who violates the hate-crime policy may be expelled, suspended or terminated.

USD's rate of reported hate crimes and incidents is disproportionately high compared with neighboring colleges. At UC San Diego, where the 23,500-student body size is nearly five times that at USD, one hate crime and three incidents were reported last year, according to the UC Police Department. At San Diego State University, which has 33,500 students, one hate crime and two incidents were reported last year, said Police Capt. Steve Williams.

Many USD administrators and students say they are especially bothered by the incidents because they are happening on a Catholic university campus.

"We identify respecting individual differences as a core value here," Cosgrove said. "That's what we stand for and teach and try to preach."

Despite the recent incidents, Cosgrove said he believes the campus has made significant progress in raising awareness of diversity issues.

In the past decade, the university has received two grants from the James Irvine Foundation, totaling more than \$1 mil-

lion, to create a hospitable and welcoming campus and to train administrators on diversity issues.

As evidence of the progress, Cosgrove points to the administration's increased investment in cultural programming, such as Hanukkah parties, foreign movie showings and Asian dance performances. About five times a year, the university sponsors "human relations weekends," which are training sessions open to all students to develop better understanding of issues of difference. In late November, more than a dozen students participated in a training session focused on hate crimes.

And, after years of student lobbying, administrators approved an ethnic studies major in December. Trustees are expected to ratify it next month.

Cosgrove emphasizes that many of the changes are not direct results of the incidents, but part of a long-term effort to make the university a better place.

"The reality is we inherit about 1,300 new students every year who come from all parts of the country," Cosgrove said. "Many come with racist, sexist and homophobic ideas and attitudes. It's our job to educate them."

Although administrators say the number of incidents has increased this fall, some students say they have long observed signs of intolerance.

"It's not just a new thing," said Robert Neighbours, a junior and Associated Students vice president of multicultural relations. "We've had a history of incidents like this happening. People just don't come forward and report them."

Neighbours, who supports creating a mandatory diversity class and an ethnic studies major, said the classes are all the

more necessary considering the school's low percentage of minority students.

Constant numbers

On the 4,800-student campus, about 68 percent are white, 15 percent Hispanic, 6 percent Asian, 2 percent black and 1 percent American Indian. Seven percent of the students do not live on campus and were not included in the figures. Despite efforts to recruit more minorities, the breakdown has remained constant for the past 10 years.

Turnout for events sponsored by ethnic student organizations is so low that some professors are offering extra credit for attendance. Professor Leeva Chung, who was disappointed by sparse attendance at the Asian Film Festival last year, created a class requirement that students attend one campus event per semester.

Pia Abelardo, who chairs the United Front, an umbrella for nine ethnic student organizations, said participation at events is low because most students aren't interested in learning about different cultures.

"People just think, 'I live this way. I don't like those people,'" she said.

Cosgrove says the lack of participation at campus events is not related only to cultural events.

"Students have classes, papers, and a ton of programs going on all the time. Sometimes they can't do it all," he said.

Abelardo, who was also a victim of a hate incident, said she has high hopes for the diversity course. Two years ago, she returned to her dorm from an evening of ice skating to find the words "You dyke" scrawled across her door. An 18-year-old freshman at the time, Abelardo was devastated.

Now, she makes a point of informing friends and her boyfriend of her whereabouts, and she is careful to stay out of unfamiliar parts of campus at night.

Supporting diversity

Although students and administrators have yet to decide details for what the diversity course would include, Neighbours said he hopes the class would balance out what he perceives as the "European and white American slant on classes." He said he also hopes the class would address issues of sexual orientation, religion, class status and gender.

"I feel it should help people learn about people not like themselves," said Neighbours, who is 20.

Cosgrove acknowledged that much of the curriculum on campus focuses on white European heritage. "There are some, but not a whole lot of classes that focus on different cultures," he said.

Although it is unlikely that one specific diversity course will be approved for all, because the campus lacks a large-enough lecture hall, Cosgrove said administrators are instead considering courses that would emphasize diversity in the context of sociology, or psychology.

Such an approach is applauded by many, including Morris S. Casuto, the regional director of the Anti-Defamation League, who has monitored San Diego hate crimes for years.

But he believes such courses can promote cynicism if they are not well designed. "These types of courses should not be entered into lightly," Casuto said.

Eleanor Yang: (619) 542-4564;
eleanor.yang@uniontrib.com

Sister Annette Bourret; official at USD

By Jack Williams
STAFF WRITER

When the University of San Diego merged its men's and women's colleges in 1972, Sister Annette J. Bourret felt the full impact.

As director of undergraduate admissions for the San Diego College for Women at Alcalá Park, she expanded her role to include incoming male students.

Then, in 1980, she began the first of her nine years as director of graduate admissions — an assignment she considered the highlight of her career.

"I loved interviewing mature men and women who had such clear goals for master and doctoral degrees," she wrote in her memoirs.

Sister Bourret, a USD administrator for more than three decades, died of cancer Jan. 14 at Oakwood, a retirement center for the Society of the Sacred Heart in Atherton. She was 87.

The cause of death was cancer, which was diagnosed in 1990, said Pamela Schaeffer, a spokeswoman for the Society of the Sacred Heart.

Born in Seattle, Sister Bourret was one of seven children, four of whom entered religious life. In 1936, she joined the Society of the Sacred Heart and like her late sisters, Mary Louise and Florence Bourret, became a lifetime member.



Annette J.
Bourret

In 1942, she earned a bachelor's degree at San Francisco College for Women, which was operated by her religious order.

As a young woman, Sister Bourret taught at various Society of the Sacred Heart elementary and high schools in Menlo Park, Chicago and Seattle. At 36, she was promoted to administrator.

From 1951 to 1962, she served as principal of Forest Ridge School of the Sacred Heart in Seattle. She earned a master's degree in educational administration in 1961 at Seattle University.

Moving to San Diego County in 1963, Sister Bourret became principal of Convent of the Sacred Heart in El Cajon.

She began her affiliation with USD in 1966 as director of financial aid for the San Diego College for Women. Retiring in 1989, she moved to New York, where from 1990 to 1998 she oversaw hospitality for a community of her religious order.

She settled at Oakwood in 1998.

Survivors include two brothers, Philip Bourret, a Jesuit priest, of Los Gatos, and Kirkwood Bourret of Medford, Ore.

A funeral Mass was celebrated Saturday at Oakwood. Donations are suggested to Religious of the Sacred Heart, Oakwood, 140 Valparaiso Ave., Atherton, CA 94027.

Jack Williams: (619) 542-4587;
jack.williams@uniontrib.com

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CCIM education foundation awards scholarships

By GARY M. CORNELSSEN
CCIM

The Education Foundation of the CCIM Institute is a non-profit entity that works to advance knowledge and professionalism in the field of commercial investment real estate. The mission of the foundation is to create and administer an endowment to provide the best vision and vehicles to ensure the development of the highest quality commercial/investment real estate education.

One of the programs the foundation supports is the University Scholarship Program. One student

from each of the selected academic institutions receives a cash award of \$1,000 plus complimentary enrollment in the CCIM Institute's CI 101 course, Financial Analysis for Commercial Investment Real Estate.

In 2001 the San Diego CCIM Chapter, in collaboration with the University of San Diego and San Diego State University, applied for and gained foundation approval for the two universities to participate in the University Scholarship Program. USD and SDSU are two of the 28 universities nationwide currently participating in this annual scholarship program, which fosters better

understanding of the CCIM education program throughout the academic community.

The San Diego CCIM chapter is very pleased to announce that Timothy J. Olson will receive the University of San Diego Scholarship and Michael A. Hoeck will receive the San Diego State University Scholarship. Both recipients are seniors at their respective universities and anticipate a career in the commercial real estate field upon their graduation in May. The San Diego CCIM Chapter congratulates both recipients and wishes them well in their future endeavors.

SAN DIEGO DAILY TRANSCRIPT

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San Diego

Datebook

Author Hal Urban will talk about his book "**Six Great Lessons of Life**" at 4:30 p.m. tomorrow at the University of San Diego's Institute for Peace and Justice, 5998 Alcalá Park. The free event will include a reception and book-signing. Information: (619) 260-5980.

San Diego
Union-Tribune

1-9-03

SAN DIEGO BUSINESS JOURNAL

**SAN DIEGO, CA
WEEKLY 20,000
JAN 6 2003**

COLLEGES AND UNIVERSITIES

Ranked by fall 2001 total enrollment

Rank (last year)	School Address Web address	Telephone Fax	Total fall enrollment: • 2001 • 2000 • % change (loss)	Students: • Full time • Part time • Percent California resident	Faculty: as of 3/1/02 • Full time • Part time • Total	2001-2002 tuition:* • Resident • Nonresident • Graduate	Total operating budget 2001-2002 • Restricted • Unrestricted \$ Millions	• Type of institution • Accredited by**	Major disciplines of study†	• President • Director of admissions	Year established locally
1 (1)	San Diego State University 5500 Campanile Drive, San Diego 92182 www.sdsu.edu	(619) 594-5200	33,285 30,733 8	24,105 9,180 94.3	1,041 883 1,924	\$1,776 \$7,758 \$1,854- \$7,758 ¹	na na	Four-year public university WASC	Liberal arts, business, psychology, public administration, communications, computer science, education, english, social sciences	Stephen Weber Kathleen Deaver	1897
2 (2)	Palomar College 1140 W. Mission Road, San Marcos 92069 www.palomar.edu	(760) 744-1150 (760) 744-8123	29,715 25,701 16	5,859 23,856 88	333 964 1,297	\$434 \$4,904 NA	\$20.2 \$89.1	Two-year public community college WASC, ADA, BRN, NLN	Vocational, transfer programs, sciences, technology, arts	Dr. Sherrill Amador Herman Lee	1946
3 (3)	San Diego Mesa College 7250 Mesa College Drive, San Diego 92111 www.sandiegomesacollege.net	(619) 388-2600	23,716 23,308 2	4,175 19,541 90	235 502 737	\$315 \$1,880 NA	\$22.2 \$39.2	Public community college WASC	Fine arts and sciences	Constance Carroll Ivonne Alvarez	1964
4 (4)	University of California, San Diego 9500 Gilman Drive, La Jolla 92093 www.ucsd.edu	(858) 534-4831 (858) 534-5629	21,568 20,212 7	na na 97	880 165 1,045	\$3,862 \$14,566 \$4,942	\$373.2 \$870.2	Four-year public university WASC, ACSCU	A full spectrum of majors (except business and physical education)	Robert Dynes ² Mae Brown	1960
5 (5)	Southwestern College 900 Otay Lakes Road, Chula Vista 91910 www.swc.cc.ca.us	(619) 421-6700	19,538 18,403 6	5,902 12,501 97	246 420 666	\$370 \$4,270 NA	\$9.6 \$58.7	Public community college WASC	Computer services, health sciences, criminal justice, child development	Serafin Zasqueta Georgia Copeland	1961
6 (6)	Grossmont Community College 8800 Grossmont College Drive, El Cajon 92020 www.grossmont.net	(619) 644-7000 (619) 644-7922	16,911 16,175 5	6,350 10,561 94	268 721 989	\$288 \$3,504 NA	\$10.6 \$41	Two-year public community college WASC	General education, occupational, transfer programs	Dr. Ted Martinez Jr. Brad Tiffany	1961
7 (7)	San Diego City College 1313 12th Ave., San Diego 92101 www.city.sdccd.net	(619) 388-3475 (619) 388-3063	16,021 15,492 3	na na na	110 131 241	\$264 \$3,384 NA	\$39.9 \$24.1	Two-year public community college WASC	Liberal arts, transfer studies, business studies, child development, nursing education	Terrance Burgess Lou Humphries	1914
8 (13)	National University 11255 N. Torrey Pines Road, La Jolla 92037 www.nu.edu	(858) 642-8330	11,177 10,058 11	3,725 7,452 100	60 935 995	\$7,695 \$7,695 \$8,955	\$3.2 \$124.0	Four-year private, nonprofit university WASC, CCNE, IACBE, CCTC	Business, computer science, information technology, liberal studies, teacher education	Jerry Lee Nancy Rohland	1971
9 (9)	MiraCosta College One Barnard Drive, Oceanside 92056 www.miracosta.edu	(760) 757-2121 (760) 795-6609	9,909 9,566 4	2,903 7,006 96	145 412 557	\$398 \$3,514 NA	\$6.5 \$57.0	Public community college WASC, ACCJC	General education, transfer programs, career certificate programs	Dr. Tim Dong Alicia Terry	1934
10 (10)	San Diego Miramar College 10440 Black Mountain Road, San Diego 92126 www.miramar.sdccd.net	(858) 536-7800	9,885 8,996 10	1,382 8,503 95.8	83 108 191	\$290 \$3,410 NA	\$3.7 \$15.7	Two-year nonprofit, public community college WASC	Liberal arts, business, fire protection technology, administration of justice, psychology	Patricia Keir Dana Andras	1969
11 (12)	Cuyamaca College 900 Rancho San Diego Parkway, El Cajon 92019 www.cuyamaca.net	(619) 660-4000 (619) 660-4399	7,423 6,842 8	1,794 5,629 96.9	87 245 332	na na na	\$5.5 \$18.7	Two-year public community college WASC	General education, transfer programs, vocational	Dr. Geraldine Perri Dr. Beth Appenzeller	1978
12 (11)	University of San Diego 5998 Alcalá Park, San Diego 92110 www.sandiego.edu	(619) 260-4600	7,062 6,943 2	5,905 1,157 66	314 316 630	\$20,458 \$20,458 \$17,330	NA \$173	Four-year private university WASC	Arts and sciences, business, nursing, education, law, doctoral intensive	Dr. Alice Hayes Stephen Puttz	1949
13 (14)	California State University, San Marcos 333 S. Twin Oaks Valley Road, San Marcos 92096 www.csusm.edu	(760) 750-4000 (760) 750-4030	6,496 6,256 4	3,403 1,814 94	194 204 398	\$1,796 \$7,610 \$1,874	\$6.2 \$56.1	Public, liberal arts university WASC	Arts, sciences, business administration, education	Dr. Alexander Gonzalez Cherine Heckman	1989
14 (15)	University of Phoenix 3890 Murphy Canyon Road, Suite 100 San Diego 92123 www.phoenix.edu	(800) 473-4346 (858) 573-0032	4,840 4,479 8	4,840 0 100	9 574 583	NA NA \$9,360	NA NA	Private, professional college NCA-CIHE	Undergraduate and graduate programs in business, nursing, counseling, technology and education	Laura Palmer NoOne Bruce Williams	1989

15 (16)	Chapman University 7460 Mission Valley Road, San Diego 92108 www.chapman.edu	(619) 296-8660 (619) 296-8690	4,200 na NA	wnd wnd wnd	wnd wnd wnd	wnd wnd wnd	wnd wnd wnd	Private, liberal arts university WASC	Education, psychology, computer science, human resources, organizational leadership	James Doti Michael Pelly	1970
16 (17)	Point Loma Nazarene University 3900 Lomaland Drive, San Diego 92106 www.ptloma.edu	(619) 849-2200 (619) 849-2579	2,576 2,492 3	2,399 177 81	146 110 265	\$15,300 \$15,302 varies	NA \$54	Four-year private, liberal arts university WASC	Liberal studies, communication studies, psychology, accountancy/business/economics, nursing	Dr. Bob Brower Scott Shoemaker	1973
17 (24)	Alliant International University 10455 Pomerado Road, San Diego 92131 www.alliant.edu	(858) 271-4300 (858) 635-4739	1,600 695 130	1,315 285 86	65 150 215	\$6,180 NA \$6,180	wnd wnd	Private university WASC	Education, liberal studies, international relations, business, psychology	Dr. Judith Albino Susan Topham	1972
18 (19)	Coleman College 7380 Parkway Drive, La Mesa 91942 www.coleman.edu	(619) 465-3990 (619) 463-0162	1,125 1,238 (9)	NA NA 98	58 90 148	\$10,800 NA \$10,440	wnd wnd	Private nonprofit, career college ACICS	Computer information science, computer business administration, computer network technology, computer graphic design	Dr. Coleman Furr Richard Funk	1963
19 (21)	Webster University 6480 Weathers Place, Suite 104 San Diego 92121 www.webster.edu	(858) 458-9310 (858) 458-0914	990 975 2	0 990 95	0 50 50	\$4,050 \$4,050 \$5,175	wnd wnd	Private nonprofit, business college NCACS	MBA, international business, finance, human resources, health sciences, IT management, organizational security	Tana Tucci Dr. Kim Varey	1980
20 (NR)	ITT Technical Institute 9680 Granite Ridge Drive, San Diego 92123 www.itt-tech.edu	(858) 571-8500 (858) 571-1277	885 853 4	885 0 100	33 4 37	na na NA	na na	Private two-year, proprietary college ACICS	Electronics, drafting, information technology	John Byers Sheryl Schulgen	1981
21 (22)	California Western School of Law 225 Cedar St., San Diego 92101 www.californiawestern.edu	(800) 225-4252 (619) 525-7092	760 720 6	650 110 53	38 61 99	\$23,420 \$23,420 NA	wnd wnd	Private nonprofit, three-year law school ABA	Criminal law, international law, family law, labor law, creative problem solving	Steven Smith Traci Howard	1924
22 (23)	University of Redlands 9040 Friars Road, Suite 310, San Diego 92108 www.redlands.edu	(619) 284-9292 (619) 284-9525	700 700 0	700 0 50	46 510 556	NA NA \$8,461- \$8,704 ³	NA NA	Nonprofit liberal arts university WASC	Business management, information systems, MBA, M.S. in interactive telecommunications	Dr. James Appleton Miriam Giorgianni	1979
23 (NR)	Kelsey-Jenney College 7310 Miramar Road, San Diego 92126 www.kelsey-jenney.com	(858) 549-5070 (858) 549-0837	650 550 18	na na 100	25 50 75	\$9,000 \$9,000 \$9,000	wnd wnd	Nonprofit, private college WASC	Business, legal, computer studies	Thomas Cajka Gery Barratta	1887
24 (25)	Christian Heritage College 2100 Greenfield Drive, El Cajon 92019 www.christianheritage.edu	(619) 441-2200 (619) 440-0209	636 675 (6)	551 85 93	38 42 80	\$12,550 NA NA	\$2 \$7.4	Four-year private, liberal arts college WASC, TRACS	Education, business, human development, aviation, biblical studies, psychology, biology, communications	Dr. Vance Yoder Jennifer Wiersma	1970
25 (NR)	Thomas Jefferson School of Law 2121 San Diego Ave., San Diego 92110 www.tjssl.edu	(619) 297-9700 (619) 294-4713	612 580 6	423 189 45.2	26 27 53	\$22,180 \$22,180 NA	NA NA	Private law school ABA, WASC, CBE	Legal studies	Kenneth Vandevelde Jennifer Keller	1969

*Unless otherwise noted, tuition reflects a full-time program for the 2001-02 school year. For community colleges, a full-time program consists of 12 units per semester.

**The institutions on The List are accredited by various organizations, including Accrediting Commission for Independent Colleges and Schools (ACICS); Accrediting Commission for Trade and Technical Schools of the Career College Association (ACTTS-CCA); American Bar Association (ABA); American Dental Association (ADA); American Psychological Association (APA); Association of American Law Schools (AALS); American Assembly of Collegiate Schools of Business (AACSB); Accreditation Board for Engineering and Technology Inc. (ABET); American Association for Marriage and Family Therapy (AMFTA); Board of Registered Nursing (BRN); Committee of Bar Examiners (CBE); Community College League of California (CCLC); Commission for Teacher Credentialing (CTC); Department of Education (DOE); Liaison Commission for Medical Education (LCME); National League of Nursing (NLN); North Central Association of Colleges and Schools (NCA); Transnational Association of Christian Schools (TACS); and Western Association of Schools and Colleges (WASC).

† This is a partial listing.

wnd Would not disclose

na Not available

NA Not applicable

(NR) Not ranked

¹Reflects resident and nonresident tuition and fees.

²Individual is a chancellor.

³Undergraduate annual tuition and fees are \$11,158-\$11,980.

Notes: Colleges and universities on The List are accredited and offer degree programs. Maric College, No. 20 on last year's List; Keller Graduate School of Management; Fashion Institute of Design and Merchandising; Azusa Pacific University; The Art Institute of California; The California School of International Management; and Foundation College San Diego did not qualify for the top 25 List, according to the ranking category of fall 2001 total enrollment.

Source: The institutions and California Postsecondary Education Commission.

It is not the intent of this List to endorse the participants nor to imply an institution's size or numerical rank indicates its quality.

Researched by Natasha Lee

Originally published April 29, 2002

"I want to be me without making it more difficult for you to be you."

JAMES JOSEPH,
former U.S. ambassador, quoting a mentor to Dr. King at the "All People's" prayer breakfast

Eventful day honors Martin Luther King

By Susan Gembrowski
STAFF WRITER

4154
Forty years ago, Tierrasanta resident Betty Walker marched for civil rights in her native Detroit. Yesterday, she sat down to breakfast to honor Dr. Martin Luther King Jr.'s legacy.

She's only missed a few of the "All People's" events held annually in San Diego for the past 15 years.

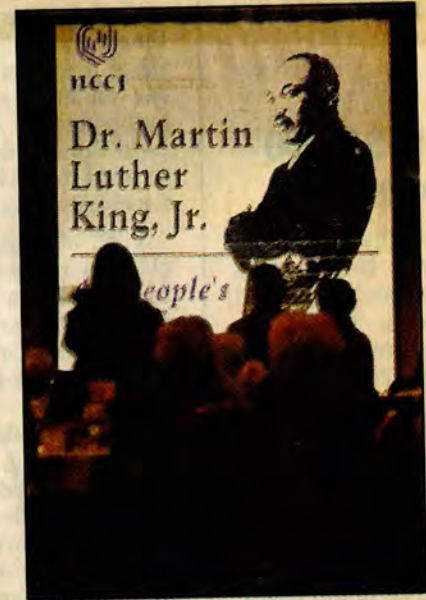
As a career adviser at Serra High School in Tierrasanta, Walker would rally students to work as greeters at the breakfast. She retired from San Diego city schools last year, but can't bring herself to retire from this event.

"It's a good way to start my morning," Walker said, as she mingled with civic, business and community leaders.

Nearly 1,500 people turned out to venerate the slain civil rights leader and to hear young people, religious leaders and a former U.S. ambassador to South Africa talk about the meaning in King's message that "unarmed truth and unconditional love will have the final word." King spoke those words in Oslo, as he accepted the Nobel Peace Prize in 1964.

One breakfast speaker, former U.S. Ambassador James Joseph, organized

SEE King, B3



Nearly 1,500 people attended the "All People's" prayer breakfast yesterday at Golden Hall to honor the slain civil rights leader.



Members of the San Diego Freedom Music Project Choir performed a "step dance" yesterday during a concert at USD honoring Dr. Martin Luther King. The choir is a mixture of Jewish and African-American high school students. *Laura Embry / Union-Tribune photos*

► KING

CONTINUED FROM PAGE B1

Slain leader honored countywide

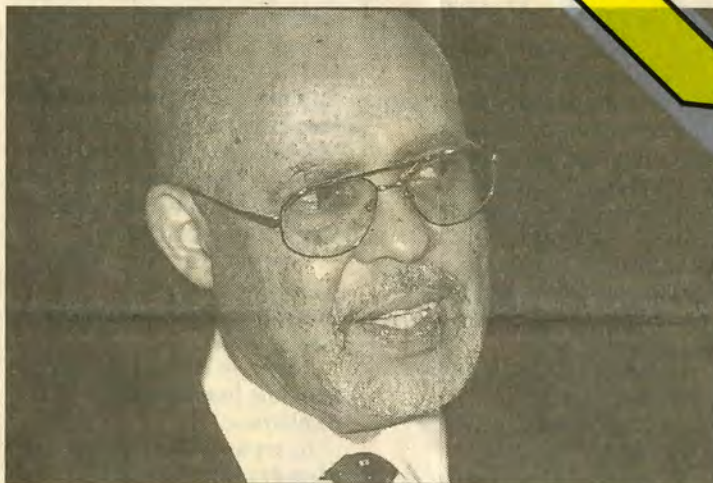
civil rights marches in 1960s Alabama. The man who served four U.S. presidents said his work now is to train young people to become South African leaders in the tradition of King and Nelson Mandela.

"We sought to appeal to the national consciousness," Joseph, 67, said in an interview before his speech. "Now, we need to translate that consciousness into public policy. How do we persuade people to translate private compassion into public action?"

Joseph chairs the national board of the National Conference for Community and Justice, formerly the National Conference of Christians and Jews, which was the event sponsor.

The former ambassador said in his speech that there are two kinds of power. "Hard power" gets others to do what we want them to do, while "soft power" gets others to want the things we want.

A mentor of King's often used the phrase: "I want to be me without making it more difficult for you to be you," he said. People can be Americans and yet not make it hard for Asians, Africans or Arabs to be



James A. Joseph, former ambassador to South Africa, spoke at the "All People's" prayer breakfast yesterday at Golden Hall in downtown San Diego.

themselves. People can be Christians, but allow for Jews, Muslims and Hindus to practice their religion without interference.

Joseph's remarks hinted at his feelings regarding the potential of an impending war with Iraq. Afterward, he made it clear.

"I'm very worried that too many people tend to think of war as an abstraction, of good vs. evil," Joseph said. "It's people killing people."

Joseph worked alongside King and agreed then, as he does now, with the slain leader's ideal of nonviolent protest.

Also at the breakfast, five young women spoke about their pride in their African-American, Latino and Ameri-

can Indian heritages, about not discriminating against gays and about their commitment to making the world a better place.

NCCJ is planning a five-week program beginning next month for more than 30 Muslim, Christian and Jewish teenagers. The teens will talk one-on-one and in groups about their culture and religion.

"We cannot legislate people to love each other," retired city schools employee Walker said after the breakfast. "We have to have values and goals to really accomplish this."

Two other breakfasts were held yesterday to honor King, including one at O'Farrell Community School in San Diego and another at Discovery

Church in Carlsbad. King also was the focus of a gospel concert at the University of San Diego.

Nearly 300 people attended the Third Annual Community Prayer Breakfast to honor King in Carlsbad.

It was sponsored by the United Ministerial Coalition, Faith-Based Community Development Corp. and the North County Branch of the National Association for the Advancement of Colored People.

"Dr. King paved the way, so I can stand before you today," said Lillian Adams, president of the board of Oceanside Unified School District. She said that she had attended poorly equipped segregated schools in Virginia.

The keynote speaker, retired Navy chaplain Charles Burt, said King "had a profound impact on the psyche of America. More than anyone else, he changed the way America looked at itself."

Staff writer **Lola Sherman** contributed to this report.

Susan Gembrowski:
(619) 718-5071;
susan.gembrowski@uniontrib.com

Festival Of Jewish Learning Lectures

4154
Professor Sarah Ozacky-Lazar, co-director of the Jewish-Arab Center for Peace at Givat Haviva in Israel will be a featured speaker at the Festival of Jewish Learning for 2003, sponsored for the 14th year by the Agency for Jewish Education. She will discuss, "What to Expect When Israel Goes to the Polls" at 7 p.m. Sunday, Jan. 19, at the Lawrence Family JCC.

Ozacky-Lazar's talk will deal with possible outcomes of the upcoming Israeli election and their potential impact on the volatile situation in Israel and the entire Middle East. There will be no charge for this event.



Peri Smilow

A Family Concert, invoking the legacy of Dr. Martin Luther King Jr., will be held at 2 p.m. on Monday, Jan. 20, Martin Luther King Day. The featured performer will be Peri Smilow, a Jewish singer who has developed the Freedom Music Project as an innovative approach to enhance Jewish/African-American understanding. The project brings together young Jewish and African-American singers, creating performances that feature the freedom music of both the Passover tradition and the civil rights movement. Youth choirs from the San Diego area will perform with Smilow.

The concert will be held in the Shiley Theater on the University of San Diego campus in Linda Vista. Ticket

prices are \$12 for adults and \$8 for children under 18.



Professor Shalom Paul

The Dead Sea Scrolls, which afford unparalleled insight into Judaism and Jewish life 2000 years ago, will be the subject of the concluding lecture. Shalom Paul, professor of Bible at the Hebrew University in Jerusalem and Chair of the Dead Sea Scrolls Foundation, will discuss, "The Drama of the Dead Sea Scrolls" at 7 p.m. Thursday, Jan. 23, at the JCC.

Paul will stress the value of the Scrolls in shedding light on the dramas of Judaism in the first century CE. The Dead Sea Scrolls Foundation is an international organization of leading scholars and is responsible for all publications of the Scrolls' text.

Admission is \$10 in advance and \$15 at the door. To purchase tickets, phone the JCC box office at 858-457-3030, ext. 1348.

There will be 28 lunch-and-learn sessions, most of them at noon, led by area rabbis and other scholars, from Jan. 13 through 16 and 21 through 23. The sessions are complimentary, and those attending are asked to bring a dairy or pareve (meatless) lunch.

For information call the AJE at 858-268-9200. The JCC is located at 4126 Executive Drive in La Jolla.

SAN DIEGO JEWISH TIMES

EL CAJON, CA
BI-WEEKLY 16,500
JAN 17 2003

Couple find success in hard work and a rare saving grace

4134 USD

By Ann Perry
 PERSONAL FINANCE COLUMNIST

By any measure, James and Judy Ruvalcaba are an American success story.

He came to this country from Mexico, working at age 6 in the fields of the Central Valley. She was the daughter of Puerto Rican immigrants.

Today James is a Marine Corps major, overseeing maintenance on a fleet of Cobra attack helicopters, and Judy is a registered nurse at Tri-City Hospital and an associate faculty member at Mira Costa College. Their annual income exceeds \$150,000.

What's truly remarkable about this couple, both 38, is their dedica-

tion to saving. Just consider their net worth — three-quarters of a million dollars, produced solely from their own saving and investing.

With such exemplary finances, why did they volunteer for a Money Makeover?

Being such go-getters, they wanted to see if they could do even better. And then there's that nagging matter of their stock market investments, worth \$365,000 at the height of market, but only \$235,000 today.

The Money Makeovers are sponsored by *The San Diego Union-Tribune* and the San Diego chapter of the Financial Planning Association. In exchange for sharing their experience in the newspa-

per, the Ruvalcabas received free financial advice from Brandon Thorsten, CFP, of Merrithew & Thorsten in Scripps Ranch.

Thorsten praised the Ruvalcabas for their ability to save at least 25 percent of their earnings, a rate higher than he's ever seen. "We're happy if our clients save 10 percent of their income," he says.

He credited them with starting early, working and saving hard, while spending little, especially on cars and clothes.

James says that being the youngest of 11 children from Guadalajara, Mexico, was the basis for his work ethic and the "foundation for trying to make a dollar go a

K SEE **Makeover, H4**



James and Judy Ruvalcaba with their daughter Jillian, 4.
 Charlie Newman / Union-Tribune

Help for James and Judy Ruvalcaba

ANNUAL INCOME

His: \$79,000
Hers: \$45,000
Rental income: \$30,000

ASSETS

Oceanside home: \$440,000
Oceanside rental home: \$420,000
Florida rental condo: \$80,000
Investment accounts: \$134,000
Retirement accounts: \$103,000
Savings: \$45,000
TOTAL ASSETS: \$1,222,000

DEBTS

Oceanside home mortgage: \$349,000
Oceanside rental loan: \$100,000
Florida rental loan: \$9,000
TOTAL DEBTS: \$458,000

NET WORTH: \$764,000

FINANCIAL GOALS

- Law school for James
- College for Jillian
- Continue to grow investment portfolio
- Make more time for family, community and church

PLANNER'S RECOMMENDATIONS

- Review your wills and create an A/B trust to minimize estate taxes and expenses.

- Diversify your investment portfolio by adding mutual funds with small-company stocks, mid-sized company stocks, international stocks, value stocks and short- and intermediate-term bonds.
- Purchase an umbrella liability insurance policy.
- Use tax-enhanced 529 college savings plans to help save for law school for James and college for Jillian.

MAKEOVER COST

The financial planner would have charged \$2,500 for this makeover.

PLANNER BIOGRAPHY

Brandon Thorsten is a certified financial planner and an enrolled agent with Merrithew & Thorsten in Scripps Ranch, a fee-only firm. He earned a bachelor's degree in political science from the University of California San Diego and is completing his master's degree in financial planning with the College for Financial Planning. He specializes in comprehensive financial planning and investment management.

FIND A PLANNER

For a referral to a certified financial planner, visit the Financial Planning Association of San Diego's Web site at www.fpasandiego.org. Click on Visitors, then on Planner Search. If you don't have Internet access, call (800) 322-4237, press '0' and ask for Membership Services. A customer service representative can mail or fax a list of planners near you.

Family hopeful growth stocks will come back

long way."

Somewhere along the way, he says he learned that if you saved early enough in life, that by the time you reached your 40s you could amass \$1 million. So he's been giving it a try ever since.

James earned his bachelor's degree from the University of Southern California. Although he had several scholarships, he also worked part time. As a result, he graduated with a \$15,000 surplus.

From there James went to Marine flight training in Florida and wherever he was assigned.

Along the way, he and Judy, who married in 1989, made some savvy real estate decisions. In 1990, they purchased a condominium in Pensacola for \$43,000 and decided to keep it and rent it out after they left. It's now worth \$80,000 and has just \$9,000 debt.

In 1992, the couple paid \$200,000 for a house in Ocean-side that until recently had been their home. Now worth \$420,000, it too is a rental, with \$100,000 debt.

Six months ago James and Judy bought a \$445,000 condominium near the Oceanside pier where they now live.

To save and invest as they have takes dedication.

James says they save at least \$3,700 a month, or \$44,400 a year. "As much as we can," he says. "I realize these are our wealth-building years."

He admits he can be fanatical about saving. Does it ever get to Judy?

"Not a whole lot," she says. "I was a saver, but not as aggressive as James is. He's constantly thinking and managing."

They don't buy on impulse, they shop at the commissary and look for sales. They save a lot of money by driving and maintaining older cars, she a 1986 Volvo and he a 1991 Honda. "I eventually want a Mercedes," says James. "I can afford one now." But it's not part of the plan at this point.

Judy says they don't deprive themselves, however, and enjoy going to the movies and taking trips to Hawaii.

James manages not only the family budget, but the long-term investments as well. He chooses the mutual funds for

the couple's retirement accounts and taxable accounts, worth about \$235,000, down from \$365,000 in 2000.

Like many Americans, James invested heavily in growth stocks in the late 1990s. He has stuck with his picks and thinks they will come back.

Thorsten praised James for doing an outstanding job, but noted that "his entire portfolio was an end of the '90s portfolio."

Many of the mutual funds hold the same large-company growth stocks, making the Ruvalcabras' portfolio highly undiversified, says Thorsten. Using a computer program, he was able to demonstrate that numerous stocks appeared repeatedly. For example, Microsoft was represented in 12 of the mutual funds, Intel in nine and Cisco Systems in 12.

"By owning all these different funds, he does not have the diversification he thinks he has," Thorsten says. "That is very common with do-it-yourself investors."

He would like the Ruvalcabras to diversify their investments into different kinds of stocks, such as small and mid-sized company stocks, value stocks, international stocks, and also bonds. This, he believes, would increase their returns and also lower their risks.

Thorsten knew this would be a tough sell for James, who has never divested any of his holdings. In fact, Thorsten says he was torn between recommending a portfolio that James would be likely to accept or the portfolio that he thought was the best. He chose the latter.

James agrees that his portfolio is not well balanced, and he would consider small cap and international stocks. But he doesn't see any need to invest in bonds now, because he doesn't plan to tap the investments until he's age 57 or older. He figures he can handle the volatility of stocks for now, and he would like to invest more in stocks while the market is down.

Thorsten points out that bonds should be included because they might be the best investment tools for the next few years, just as stocks were during the 1990s.

He says that while some diversification is better than none, the outcome is unlikely to be satisfactory if the financial planner and the client can't agree on an investment approach.

In his experience, says Thorsten, "The client portfolios that do the worst are ones where

clients keep some control. It becomes a competition. And we're working to defeat each other."

For now, the Ruvalcabras and Thorsten are at an impasse on what to do about the investments, with Thorsten believing that his recommended portfolio should be taken as a whole and not in pieces and James acknowledging that he's a bit of a control freak who's not ready to hand over the reins.

Thorsten's other recommendations:

- Set up an A/B trust and other estate planning strategies to minimize estate taxes. Thorsten estimated that without such strategies, their estate of about \$1.8 million would lose \$433,000 to taxes and settlement costs. James and Judy say that implementing these suggestions is their top priority.

- Use tax-favored college savings 529 plans to save for college.

James, who is eligible to retire from the Marine Corps in four years, expects to do so in five to seven years. Then he would like to attend law school at either USC or the University of San Diego, with the ultimate goal of running for Congress. He estimates the cost at \$75,000.

Giving the Ruvalcabras' assets and their regular savings, Thorsten notes that they have enough to meet this goal. He recommends moving a lump sum of money into a 529 plan for the tax benefits.

The couple would also like to provide enough money for their daughter Jillian to attend a state college. Thorsten estimated the cost at \$24,000 in today's dollars, or \$55,000 starting in the year 2016.

To meet that goal, he recommended setting aside a lump sum of \$16,700 or a monthly contribution of \$143 earning 8 percent in a 529 plan.

- Add an umbrella insurance policy to protect against liability lawsuits. James and Judy immediately realized the value of such insurance. "The more assets you have, the more they can come after you," says James.

- "Continue doing what you're doing," Thorsten advises lastly, "and remember that your financial situation allows you to stop and enjoy yourselves every once and awhile!"

Nick Canepa

The writer who came into town and left a city



4154-USD
Jack Murphy chronicled our games before they were important. Then he made them important.

Because he was important, quite possibly the most influential sports figure — athlete or otherwise — in the history of San Diego. Imagine that. A sportswriter, of all people. Jack Murphy went to the mountains. He couldn't move them. But he came close.

So close that, following his death in 1980, they named a stadium after the

longtime sports editor and columnist of *The San Diego Union*. The name was pulled in favor of Qualcomm when the city needed stadium remodeling money — remodeling that was never finished — but the field, where the action takes place, still bears his name.

And today, largely through the efforts of Herb Klein, editor-in-chief of Copley Newspapers, Murphy's legacy will be honored when a statue of Jack and his Labrador, Abe of Spoon River, is unveiled in the stadium parking lot.

"You couldn't help but admire Jack," says Raiders owner Al Davis. "He had

the redeeming quality of excellence. He never spoke with forked tongue. I was very fond of Jack Murphy. He was an inspiration and a warm human being. He came to L.A. all the time, all the while moving us to San Diego."

Murphy got to know Davis when Davis was an assistant to Sid Gillman after the Chargers moved south from Los Angeles. Davis, who sent in a team of doctors to see Murphy when he was in terrible health, spoke at Jack's funeral.

"I had been to Jack's house several

SEE Canepa, C7

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CONTINUED FROM PAGE C1

Murphy helped lift city from doldrums

times," Davis recalls. "When he gave the eulogy, Herb Klein told me that was the only way to get (former Chargers owner) Gene Klein and myself in the same room."

Why all the fuss over this rather folksy outdoorsman who came to San Diego out of Fort Worth, Texas, in 1951, carrying his pipe, vision and love for the language in his saddlebags? Because Jack Murphy's hands, when put to the typewriter, became a powerful force in molding San Diego into a major sports city.

When he arrived, this town was in the postwar doldrums: Navy, aeronautics, the fishing industry and not much else. From a sports standpoint, there was San Diego High. San Diego State was small-time. USD didn't even exist. Terribly important UCSD, which transformed this county into an area of great thought, wasn't on the radar screen.

It was Murphy, along with former *Evening Tribune* columnist Gene Ston — the eventual editor of the *Tribune* and *The Union* — who met with then-Chargers owner Barron Hil-

ton and wooed the team from Los Angeles to San Diego in 1961.

It was Murphy, at the height of his powers in the 1960s, who pushed to get the stadium built, and it won the vote in a landslide. With the new Mission Valley stadium in place and ready by 1967, it was Murphy who campaigned hard for major league baseball to expand to San Diego. And so the big league Padres were born, in 1969.

This is why they named a stadium after a sportswriter. This is why they are unveiling a statue of him this morning.

"They wouldn't be the San Diego Chargers without Jack Murphy," says Jack Kemp, former congressman and the Chargers' quarterback when the team moved to San Diego. "Jack Murphy and Herb Klein became my two best friends. We had varied interests, the three of us. We could switch from football to politics to economics just like that.

"San Diego came of age during the Jack Murphy era, and he was a big part of it. He had that Irish wit. He could slice through hypocrisy and phoniness. He had an eye for the truth. I grew up in L.A., admiring Jim Murray. Those two could write about the human drama. Jack leaves a great legacy."

That Abe is by his side in this statue



Jack Murphy
He put us on the sports map

A tribute to Jack Murphy

What: A 13-foot statue of Jack Murphy and his faithful dog, Abe of Spoon River, will be unveiled outside the south entrance of Qualcomm Stadium. Murphy, sports editor and columnist for *The San Diego Union* from 1951 until his death in 1980, also will be honored with a 10-foot medallion to be placed inside the stadium.

When: Today, 10:15 a.m. Event is not open to the public.

The statue: The bronze work was done by sculptor A. Wasil, who was commissioned by the San Diego International Sports Council, which raised money for the tribute through private donations.

SAN DIEGO UNION-TRIBUNE

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is only fitting. Murphy loved that dog and often wrote about the black Lab. I don't know if Abe was much of a hunter. Retired *Tribune* staffer Phil Norman, who had — and still has — a great love for animals, once said of Abe: "That dog couldn't find a skunk in a phone booth."

But Abe comforted Jack, and man and dog often went off hunting or fishing. Besides being a wonderful writer, Murphy also was a terrific public speaker, and he often spoke of his outdoor life, and, of course, Abe.

I will admit without hesitation that, growing up, I read Jack Murphy, Jerry Magee — still walking around and the finest all-around sportswriter this city has ever known — Rick Smith, Wayne Lockwood, the late Bob Ortman and Don Freeman. I got hooked on sports-writing when I, by pure chance, picked up a book, "The Best of Red Smith."

Now Jack and Red, widely regarded as the 20th century's greatest sportswriter, were famous friends, inseparable on the road. I first met Red Smith at the 1980 Super Bowl in Pasadena. Nobody knew it then, but Jack would be attending his final Super Bowl — he had made all of them up to then — and he introduced me to Red one night in the hospitality room.

They were having late-night cocktails, these two, and Jack asked me to join them. He wanted to know about

the commissioner's party, which he chose not to attend, no doubt a wise decision. So we talked for a while, and when Jack spoke to Red, honestly, it was as if they were writing verbal columns to one another. I was fascinated.

Jack went off to bed and then it was just we two, and Red talked my ear off for an hour. It was like an aspiring politician sitting down with Jefferson.

The next morning, I went to breakfast in the hotel coffee shop. I sat in a booth. A few minutes later, Red Smith walked in, spotted me, and came over and sat down. A minute later, Jack Murphy arrived and came to my booth.

I was covering San Diego State athletics at the time, a basic rookie, in L.A. to sidebar a Super Bowl because it was 120 miles away. I was in the Sally League sitting with giants. And yet these two men treated me with great kindness. You don't forget that stuff. Not in this business, you don't.

"Without Jack, a lot of things that happened here would not have been possible," says Bob Breitbard, founder of the Hall of Champions. "Jack had a way about him. He could put it out in the public and make it feel good. He was very influential. He was wonderful."

The shame of it all is that Murphy died far too soon, too many years before the first Super Bowl came to San

"San Diego came of age during the Jack Murphy era, and he was a big part of it. He had that Irish wit. He could slice through hypocrisy and phoniness. He had an eye for the truth . . . Jack leaves a great legacy."

JACK KEMP

Diego. He would love this week. He helped make it.

"The only thing you can do for the great ones is wrap them in a cloak of immortality," Davis says. "I can dominate almost anything. I can't dominate sickness. Sadly, if Jack were ill today, we might have been able to save him."

His legacy, at the very least, lives on.

**Nick Canepa: (619) 293-1397;
nick.canepa@uniontrib.com**

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SUPER BOWL XXXVII

Lining up to volunteer for Big Game

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7,000 helpers lured
by glitz, limelight

By Michael Stetz
STAFF WRITER

Margaret Pagliacci is flying all the way across country to help in this year's Super Bowl.

She won't get paid a dime for doing so.

She won't get a primo ticket to the Big Game.

She won't even be put up in a hotel room.

And she couldn't care less. For one thing, she lives in Buffalo.

And, for another thing, well, she lives in Buffalo.

But here's the big motivating factor: "I'm a Super Bowl junkie."

She's not alone, by any means. More than 7,000 people will be volunteering their time and efforts to help the Super Bowl and its many related events shine in San Diego.

Some, like Pagliacci, travel significant distances. They take time off from regular jobs. They provide their own transportation, their own accommodations.

They do so because there's no other event that can rival the Super Bowl for its thrill and glitz,

they say.

After all, the world — or at least a sizable portion of it — watches.

Pagliacci is a former Buffalo Bills cheerleader who cheered at the Bills' four Super Bowl appearances. She fell in love with the spectacle. She remembers the half-time shows, the big-shot entertainers that headlined them.

"Once you get it in your blood, you can't let go," Pagliacci, a receptionist for an engineering firm, said earlier this week from Buffalo, where — big surprise — it was snowing.


She's dreaming of San Diego, she said, where she will greet Su-

per Bowl visitors at a local hotel. She's to arrive Thursday.

Then, on Super Sunday, she's scheduled to work at corporate events, she said.

Such volunteers are key to making this weeklong extravaganza work, say Super Bowl Host Committee officials. The many events couldn't be properly staffed without them.

Today, at the University of San Diego's Jenny Craig Pavilion, volunteers will attend what's called the Super Bowl Super Team Kick-off, a pep-rallylike event that sig-

 SEE Volunteers, B3

► VOLUNTEERS

CONTINUED FROM PAGE B1

Festivities to kick off today at USD

nals the start of the hoopla.

It's a bit late if you're thinking of joining. The volunteer slots have been filled for months.

Some volunteers may work at the NFL Experience. That's the Super Bowl theme park where people can throw a football, hit a blocking dummy and try other football-related stuff. Or volunteers might help welcome visitors arriving at Lindbergh Field.

Most of the participants are local or hail from Southern California. And it's something of a thankless task. The last time San Diego hosted a Super Bowl, in 1998, a party was to be thrown the day after the game for the volunteers, who numbered 10,000. But it was canceled, due to lack of money.

Payback came a little bit later, when the volunteers were honored at the San Diego Padres' home opener and treated

to free seats.

Today's event, which will include food and give-aways, is to celebrate the volunteers' efforts as well as rally the troops, Super Bowl Host Committee officials say. No other party will follow.

Not everyone who volunteered in 1998 was happy with the experience. Some were embittered that they didn't have enough to do or were given less-than-glamorous assignments.

Still others maintain there's no job like it.

Jack Papp, for one, rubbed shoulders with such NFL players as Peyton Manning, Tim Brown and Keyshawn Johnson when he took part in 1998. Papp is bummed he can't volunteer again this year. He recently retired from the Navy and is busy with that transition.

"If you're a fan of the NFL, it's a great chance to get into that whole atmosphere," he said.

Not all volunteers are rabid football fans. Take Ann Wu, for instance. The Qualcomm software engineer grew up in Taiwan. Although she's lived in the United States for 21 years, including the past eight in San Diego, she's not exactly ESPN-



Margaret Pagliacci, a receptionist for a Buffalo engineering firm and an admitted Super Bowl junkie, will pay her own way to fly to San Diego to help out with festivities. *Charles R. Lewis*

savvy. She's never been to a Chargers game.

"There is a quarterback ... There is a running back ... And there are a bunch of big guys," she said.

She's involved because she believes the event is good for the city, and it will help raise money for local charities.

"I love San Diego and want to do something to make it better."

Some volunteers are veterans of past Super Bowls and are coming back for more. Being involved is simply too rare of an opportunity, they say.

"You get to meet some of the

greatest people," said Buddy Russell of San Diego, who served as a volunteer in 1998 and is doing so again this year.

He works as an engineer for a software developer. And the work there, he said, can be weighty and analytical and not at all like the Super Bowl.

"I'm a people person," he said.

So volunteering at this event provides a huge outlet for that part of his personality, he said.

When the Super Bowl was last held here, Russell worked about 1,000 volunteer hours, he said.

Athletics

Toreros foul up against Gonzaga in 24-point loss

By Steve Bergum
SPECIAL TO THE UNION-TRIBUNE

SPOKANE, Wash. — USD coach Brad Holland figured his Toreros would have their hands full trying to deal with Gonzaga's deep and talented front line.

But not even his considerable insight could prepare him or his team for what they ran into last night in front of a hostile, sellout crowd of 4,000 at The Kennel.

The Bulldogs, behind the inside dominance of Ronny Turiaf and Cory Violette, kicked USD early and often and then avoided the second-half letdown that has plagued them much of the season.

The result was a convincing 89-65 West Coast Conference victory that ran GU's winning streak to seven and kept the Bulldogs (15-5 overall, 6-0 WCC) alone atop the conference standings.

Turiaf finished with 22 points and seven rebounds, and Violette added 12 points and six boards as the Bulldogs took advantage of some early USD foul trouble to win their eighth straight over the Toreros (9-9, 3-2).

Senior center Jason Keep, the WCC's

SEE Toreros, D4

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TOREROS

CONTINUED FROM PAGE D1

Foul trouble spells disaster at Gonzaga

top scorer, paced USD with 16 points and six rebounds, despite picking up two quick fouls and playing only four minutes in the first half.

In addition, senior forward Jason Blair and senior guard Roy Morris ran into early foul trouble that limited their first-half minutes and allowed Gonzaga to spring to a comfortable 43-30 lead at intermission.

The Bulldogs opened the second half with a 12-5 run that effectively decided the issue, even though Keep bounced back from his first-half misfortunes to score 14 of his 16 points.

"Our top three players were out most of the first half with foul trouble," Holland said after watching his Toreros lose for the first time in four games. "That killed us. That really killed us."

"We're up 18-13, then foul-foul-foul and we've got our three best players sitting on the bench. We just couldn't survive that," he added.

With Keep watching from the bench, GU went to work inside to build its 13-point half-time advantage. The Bulldogs outscored the Toreros 20-4 in the paint in the opening period and dominated the boards by a 22-13 margin. Violette scored six of his eight first-half points on putbacks, while Tur-

WCC

	Conference		All Games	
	W	L	Pct.	Pct.
Gonzaga	6	0	1.000	15 5 .750
Pepperdine	3	2	.600	11 7 .611
USD	3	2	.600	9 9 .500
Saint Mary's	2	2	.500	9 8 .529
San Francisco	2	3	.400	7 11 .389
Santa Clara	2	4	.333	11 8 .579
Portland	2	4	.333	9 10 .474
LMU	1	4	.200	7 13 .350

Yesterday's Games

Gonzaga 89, USD 65
Portland 72, Santa Clara 47

Today's Games

Pepperdine at San Francisco, 7 p.m.
LMU at Saint Mary's, 7 p.m.

Tomorrow's Games

USD at Portland, 7 p.m.
Santa Clara at Gonzaga, 5 p.m.
LMU at San Francisco, 7 p.m.
Pepperdine at Saint Mary's, 7 p.m.

SUMMARY

Gonzaga 89, USD 65

	Min	FG-A	FT-A	R	A	F	Pts
USD							
Belser	28	3-7	1-4	5	0	3	7
Blair	21	1-4	2-2	0	0	3	4
Keep	20	6-7	4-11	6	0	3	16
Morris	21	4-9	1-2	3	4	2	11
Deizell	26	1-2	0-0	2	3	1	3
Sane	17	2-6	0-0	3	0	0	4
Smith	14	0-0	5-6	0	0	1	5
Lechtenberg	19	2-7	0-0	0	0	0	6
Nevin	3	0-0	0-0	0	1	0	0
Stockalper	9	0-2	0-0	1	1	1	0
McGrain	3	0-1	0-0	0	0	1	0
Lewis	19	3-7	2-2	3	0	2	9
Totals	200	22-52	15-27	30	9	17	65

Percentages: FG .423, FT .556. 3-Point Goals: 6-19, .316 (Morris 2-5, Lechtenberg 2-6, Deizell 1-2, Lewis 1-3, Belser 0-1, Blair 0-1, Stockalper 0-1). Team Rebounds: 7. Blocked Shots: 1 (Lewis). Turnovers: 18 (Lewis 5). Steals: 3 (Blair, Lechtenberg, Lewis). Technical Fouls: team.

GONZAGA	Min	FG-A	FT-A	R	A	F	Pts
Skinner	32	3-6	0-1	2	2	2	7
Violette	25	6-15	0-0	6	2	4	12
Fox	14	1-5	2-2	3	0	4	4
Brooks	27	3-6	3-4	3	5	1	9
Stapp	29	6-10	4-5	6	3	3	21
Reisman	15	2-4	0-0	3	0	2	5
Michaelson	2	0-0	0-0	0	0	0	0
Floyd	0+	1-1	0-0	0	0	0	2
Amaya	2	0-1	0-0	0	0	0	0
Bankhead	17	2-5	0-0	2	1	2	5
Gourde	12	0-0	2-2	3	0	2	2
Turiaf	25	9-12	4-4	7	1	2	22
Totals	200	33-65	15-18	38	14	22	89

Percentages: FG .508, FT .833. 3-Point Goals: 8-20, .400 (Stapp 5-8, Reisman 1-1, Bankhead 1-4, Skinner 1-4, Violette 0-1, Brooks 0-1, Amaya 0-1). Team Rebounds: 3. Blocked Shots: 3 (Bankhead, Gourde, Turiaf). Turnovers: 13 (Gourde 3). Steals: 10 (Stapp 4). Technical Fouls: None.

USD 9-9, 3-2 30 35 - 65
Gonzaga (15-5, 6-0) 43 46 - 89

A-4,000. Officials—Jim Stupin, Chris Rastatter, Mike Peterson.

a big factor in the loss.

"That seems to be the way I always start out a game," said the 6-foot-11, 280-pounder, who played one season at nearby North Idaho College in Coeur d'Alene, Idaho, before eventually landing at USD. "One, two quick ones and then I don't play until the second half."

"It's hard on my team and it's hard on me. Usually it's just one or two of us, but tonight it was all three, and that hurt us."

iaf added 10 points, all of them coming on power moves on the low blocks. Junior point guard Blake Stepp scored only two first-half points for GU but added 19 in the second half on 4-for-6 shooting from three-point range.

"They played a good game," Holland said of the Bulldogs. "I mean, Turiaf did whatever he wanted against us, and Stepp had his usual productive game. I don't want to say it was out of reach after the first half, but that first half really set us back."

Keep, who made 6-of-7 field-goal tries but only 4-of-11 free-throw attempts, said the early foul problems encountered by Blair, Morris and himself were

Walk-on guard propels USD

Lechtenberg's downtown shots overcome USF

By Hank Wesch
STAFF WRITER

The first mark Brad Lechtenberg made on the USD basketball team was with a random act of kindness.

Toreros
74

USF
69

Now the junior walk-on guard is leaving marks on opponents with merciless acts of sniping. And being encouraged by his coaches to have no conscience about doing so.

Lechtenberg, pumped in two three-point shots in the final 4:38, at times when San Francisco had the Toreros' feet to the fire, and USD pulled out a 74-69 West Coast Conference victory last night before 2,079 at the Jenny Craig Pavilion.

The roll of Lechtenberg, a walk-on from Walnut Creek and Grossmont Community College, is as a long-range shooting zone buster. It's one that he has played all his career, he said, but he only started plying it seriously for USD on Dec. 28 when he got his first chance at significant playing time and scored 14 points against Nevada.

His on-court exploits at Nevada were preceded by the random act of kindness at Lindbergh Field on the way to Reno. There, he befriended an elderly woman who had been injured in an accident and was on her way home.

When she asked for his autograph, on a napkin, Lechtenberg purchased a holiday card, wrote best wishes, and had the entire USD team sign it. The woman's grateful daughter wrote a letter to the *Union-Tribune* that appeared on the editorial page.

"I really didn't expect anything like that," Lechtenberg said of the incident. "She was bandaged-up and I was just trying to be nice."

Fast forward to last weekend, when Lechtenberg hit four three-pointers in the first half of a victory against Pepperdine. And last night, when he went 1-for-4 in the first half, then two-for-two in the second.

The first got USD even at 64-64 with 4:38 to play, the second to 68-67 behind with 3:06 remaining. Senior point guard Matt Delzell put USD ahead to stay with a three-pointer with 1:54 to play, and the Toreros held on as Roy Morris hit two free throws with 11.8 seconds left and Matt Delzell two more with 0.4 remaining.

It was the third straight win for USD (9-8, 3-1 WCC) and made the record of USF (7-11, 23) at the Jenny Craig Pavilion 0-5 over the last three years.

"I thought both teams played pretty well," said USD coach Brad Holland. "Our inside game was very good. (USF's) John Cox and Shamell Stallworth are good wing players, and we had our hands full trying to guard them."

WCC

	Conference			All Games		
	W	L	Pct.	W	L	Pct.
Gonzaga	5	0	1.000	14	5	.737
USD	3	1	.750	9	8	.529
Pepperdine	3	2	.600	11	7	.611
Saint Mary's	2	2	.500	9	8	.529
Santa Clara	2	3	.400	11	7	.611
San Francisco	2	3	.400	7	11	.389
Portland	1	4	.200	8	10	.444
LMU	1	4	.200	7	13	.350

Yesterday's Games

USD 74, San Francisco 69
Santa Clara 66, Saint Mary's 63
Pepperdine 70, LMU 67

Thursday's Games

USD at Gonzaga, 7 p.m.
Santa Clara at Portland, 7 p.m.

Friday's Game

Pepperdine at San Francisco, 7 p.m.
Loyola Marymount at St. Mary's, 7 p.m.

The 6-5 Cox, who came in averaging a WCC-leading 21 points per game in league play, scored 25 points; the 6-6 Stallworth had

12, going 3-for-4 on three-pointers. With 6-6 Alvin Broussard adding 17 points, the Dons were positioned for their second straight road win.

The Toreros dominated inside for most of the game with frontliners Jason Blair (18 points, 8 rebounds), Jason Keep (16/14) and Nick Lewis (12/5) using their size to advantage. But USF was able to more than counter with accurate work from the perimeter — until Lechtenberg provided his spark for USD. It got to the point where the Toreros were calling plays in timeouts designed to go to the 6-2 sharpshooter.

"They were zoning a lot, a 2-3 matchup, and that's Brad's meat," said Holland. "He passed up a shot in the first half and I told him, 'Don't you ever hesitate again.' Those two threes he hit were big."

"It's good to know the coaches have confidence in me," Lechtenberg said. "When they call plays for me in the huddle, it's not a burden. I'm comfortable in the

SUMMARY

USD 74, San Francisco 69

USF	Min	FG-A	FT-A	R	A	F	Pts
Bayless	17	0-1	2-2	1	1	4	2
Cox	40	9-19	4-5	5	1	3	25
Broussard	35	7-11	0-0	3	1	5	17
Gaines	36	2-7	0-0	3	11	3	4
Stallworth	31	4-9	1-2	8	3	3	12
Queen	27	3-6	0-0	3	0	3	6
Chambers	8	1-1	0-0	0	0	2	3
Harris	5	0-1	0-0	0	2	0	0
Cisse	1	0-0	0-0	0	0	0	0
Totals	200	26-55	7-9	27	19	23	69

Percentages: FG .473, FT .778. 3-Point Goals: 10-20, .500 (Broussard 3-4, Stallworth 3-4, Cox 3-7, Chambers 1-1, Harris 0-1, Chambers 0-3). Team Rebounds: 4. Blocked Shots: 0. Turnovers: 11 (Stallworth 4). Steals: 4 (Broussard, Gaines, Chambers, Harris). Technical Fouls: none.

USD	Min	FG-A	FT-A	R	A	F	Pts
Belser	27	1-2	0-0	1	1	2	2
Blair	33	6-15	4-4	8	0	2	18
Keep	23	6-12	4-6	14	3	4	16
Morris	32	2-7	3-5	1	2	0	7
Delzell	27	2-5	2-2	2	1	2	8
Sane	7	1-2	0-0	0	0	1	2
Smith	14	0-0	0-0	0	8	0	0
Lechtenberg	10	3-6	0-0	1	1	1	9
Stockalper	10	0-2	0-0	2	1	1	0
Lewis	17	4-5	3-4	5	1	0	12
Totals	200	25-56	16-21	37	18	13	74

Percentages: FG .446, FT .762. 3-Point Goals: 8-23, .348 (Lechtenberg 3-6, Delzell 2-5, Blair 2-6, Lewis 1-2, Belser 0-1, Stockalper 0-1, Morris 0-2). Team Rebounds: 3. Blocked Shots: 2 (Belser, Stockalper). Turnovers: 11 (Keep 3, Lewis 3). Steals: 3 (Belser, Blair, Lewis). Technical Fouls: none.

USF (7-11, 2-3) 41 28 - 69
USD (9-8, 3-1) 43 31 - 74

A-2,079. Officials—Michael Eggers, Donald McAllister, Mike Greenstein.

role. I don't think I ever was uncomfortable."

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SUNDAY 374,856
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Fresh outlook helps Blair, Toreros rebound

Benching, counseling energize USD senior

By **Hank Wesch**
STAFF WRITER

4154

One week ago the season appeared headed for disaster, for Jason Blair personally and the USD basketball team as a whole.

Today, things appear headed in the opposite direction. And the problems, it seems, were all in their heads.

"I had started bringing outside issues onto the court, and I think some

of the guys in general did that, too," said Blair, the Toreros' 6-7 senior forward. "The last two games, the only thing on our minds was basketball."

One week ago, the Toreros were 6-8. They had lost their West Coast Conference opener, at home, to stretch a losing streak to five games. Blair, an All-WCC honorable mention and team co-MVP as a junior, was fresh from the second-lowest combined point-rebound output of a two-year USD career.

"I was really depressed," Blair said of that time. "This is a game of ups and downs, but I had never experienced a

down like this in my life."

Blair wasn't playing well. He wasn't running the floor and banging the offensive boards like he had last season when he averaged 14.4 points and 6.8 rebounds per game.

He wasn't playing as much as he was accustomed to — a product of both sub-par effectiveness when on the floor and foul trouble that forced him to the bench.

"I had four fouls with 17 minutes to play one game, four with 19 to play another game, and that's just not me,"

SEE **Toreros, D7**



After mental adjustments, USD's Jason Blair has found renewed confidence. *Jim Baird / Union-Tribune*

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► TOREROS

CONTINUED FROM PAGE D1

Blair's resurgence tied to counseling

Blair recalled. "And I wasn't getting my money's worth on my fouls either. They were little touch fouls, which added to the frustration."

The low point came a week ago Saturday when Blair and senior center Jason Keep, the team's leading scorers and rebounders, were removed from the starting lineup for the WCC opener against Santa Clara.

Coach Brad Holland pointed out that, their overall importance to the team notwithstanding, Blair and Keep were "leading us in mental mistakes."

Blair played 20 minutes, with season lows of seven points and four rebounds, in the 67-65 loss to Santa Clara.

"Being taken out of the starting lineup was tough, but you just have to deal with it," Blair said. "I was told I'd have to earn my starting spot back. I really found out the importance of the mental part of the game."

Early last week, Blair requested a talk session with Jim Brogan. In addition to doing color commentary on USD radio broadcasts, Brogan, a former Golden State Warriors and San Diego Clippers guard with degrees in business and psychology, has his own motivational company, Youth Solutions Unlimited.

Through it, he markets his Making A Difference Program that is aimed at teaching 9- to 16-year-olds the traits and habits common to successful people that Brogan has gleaned from over 700 interviews over the past 18 years.

"I had never been around him or his program and I didn't know what to expect," Blair said. "He started out saying, 'This is your senior year,' and I kind of backed off a little, because I've heard *that* many times before."

"But as we got into it, we talked about life in general as well as basketball and a lot made sense."

A salient point that Brogan made to Blair individually, and the three other Toreros seniors in a subsequent talk to the team, was this: When you go on a road trip, remember it's your last time in that gym as a college player. How do you want to be remembered there?

"That was the final click for me," Blair said. "It's funny how something simple like that can change you so much."

The record shows that the Toreros then went out and swept the L.A. series against Loyola Marymount and Pepperdine for the first time in six

Slide and rise

Statistics for USD senior forward Jason Blair during the Toreros' five-game losing streak and two-game winning streak:

Opponent	Pts.	Reb.	Fouls
Utah (L, 64-58)	13	5	3
Nevada (L, 81-70)	11	5	4
SMU (L, 88-82, OT)	13	7	5
SDSU (L, 78-72)	15	4	4
Santa Clara (L, 67-65)	7	4	0
LMU (W, 82-68)	31	14	2
Pepperdine (W, 88-73)	25	9	1

years. Blair had 31 points and 14 rebounds against LMU, 25 and nine against Pepperdine.

He was selected the WCC Player of the Week.

"I was honored when Jason asked to come see me because I think this kid is a warrior," Brogan said. "I think he gets the most out of what he has as a player, and he's a highly intelligent, good person."

"I'm not on the coaching staff. I'm not one of his professors. I'm an interested third party to Jason Blair. And third parties can sometimes get through when the people who are there every day trying to help them can't."

The difference in Blair was evident in more ways than on the stat sheet.

"I saw a determined player and a confident player out there tonight," Holland said after the LMU game. "I saw a guy who said, 'I've had enough of being mediocre.' He was like the Jason Blair of old."

Blair said the support of his teammates also contributed to his resurgence.

"I don't think they were ever down on me, but they were as frustrated as I was through the losing streak," Blair said. "(Senior point guard) Matt Dellzell came down and said that I wasn't shooting enough and that I wasn't aggressive enough offensively and I needed to start doing that. Other guys said the same thing."

"I've always thought of myself as an all-around player, not a ball-hog. Their encouragement to play a bigger part in the offense was good."

Blair's success has created an interesting situation for Holland. Continue using Blair as the first front-liner off the bench, five minutes or so into the game? Or restore him to starting status?

"What we've been doing has been working," Holland said. "But that's not to say we won't make changes sometime. For right now, it sure has been great bringing Blair in off the bench and seeing that instant offense."

Dunks

USD: The Toreros looked on the verge of playing out the season, having lost five straight and beginning West Coast Conference play 0-1. But a road sweep of Loyola Marymount and Pepperdine vaulted Brad Holland's team into possible contender status.

Reece Gaines: The Louisville guard is college basketball's latest poster boy for why players should remain in school. A senior, Gaines is more skilled and mature than ever, averaging 18.5 points as Rick Pitino's team surges up the Top 25.

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4154
WCC weekly award goes to Blair

USD forward Jason Blair has been named Rawlings/West Coast Conference Player of the Week for leading the Toreros to back-to-back road wins last weekend over Loyola Marymount (82-68) and Pepperdine (88-73).

The 6-foot-7 senior from Phoenix came off the bench in both games and averaged 28 points and 11.5 rebounds per game, including a season-best 31 points, along with 14 rebounds, in the Friday night win over LMU.

He continued his torrid play the next evening in Malibu with 25 points and nine rebounds against Pepperdine.

For the weekend, Blair made 21-of-30 shots (70 percent), 4-of-5 three-pointers and 10-of-15 free throws. He played 29 minutes in each game and improved his season averages to 16.9 points, 8.3 rebounds and 53.3 percent shooting.

— HANK WESCH

every endeavor she undertakes," said Tomey.

Bryant, who was one of seven freshmen recruited by **Barb Smith** before her firing last March, saw her only playing time against USD, when she collected one rebound in one minute.

With two recruits already signed for next fall, the departure of Bryant means Tomey has four scholarships available for the 2003-2004 year.

— NICOLE VARGAS

Blair, Keep power USD

By Hank Wesch
STAFF WRITER

LOS ANGELES — The Jason Blair of old, the one who was a preseason All-West Coast Conference selection,

Toreros
82
LMU
68

returned to the USD basketball lineup last night. He replaced the one whose output had inexplicably fallen nearly off the charts one game earlier.

And with the new/old Blair scoring 31 points and grabbing 14 rebounds, USD ended a five-game losing streak, dispatching Loyola Marymount 82-68 before 1,751 at Gersten Pavilion.

Not that Blair was the whole show for the Toreros (7-8, 1-1 WCC). USD's other Jason, center Jason Keep, scored 27 points in 16 minutes and had an experience similar to Jack Nicholson's Jake Gettes character in the movie "Chinatown."

In the grisly scene where a villain slices Jake's nose open with a knife.

After catching the ball on an inbounds play, the 6-10, 280-pound Keep was swarmed by LMU players. A finger flailing in the general vicinity got inside Keep's left nostril and caused a slice that took Keep out of the game for nine minutes while he received three stitches.

"We were just saying in the locker room that it was like that movie," Keep said. "It's going to hurt tomorrow. But oh, yeah, I'll play."

Keep and the new/old Blair both will be needed tonight when the Toreros venture up the coast to Malibu to take on WCC preseason co-favorite Pepperdine, a 73-69 winner last night over Santa Clara.

Asked what had caused his return to form, Blair — who had seven points and four rebounds a week ago in a loss to Santa Clara — cited a change

in mental outlook. "The Jason of old had fun and played with passion," Blair said. "I'd been thinking too much and trying too hard. I had the greatest talk I've ever had at the start of the week with Coach (Holland), and I felt a lot more confident and a lot better out there than I had been."

Holland agreed.

"I saw a determined player and a confident player out there tonight," Holland said. "A guy who said 'I've had enough of being mediocre.' That was huge for him and for us."

Keep and Blair, in that order, worked LMU over thoroughly in a first half that ended with the Toreros in control 45-31.

Keep scored 11 points in the first six minutes, then picked up his second foul and was rested for the remainder of the half. Keep's scores all came by establishing close-in position, receiving and entry pass and muscling home lay-ins. He made 12 of 13 shots.

SUMMARY

USD 82, Loyola Marymount 68

USD	Min	FG-A	FT-A	R	A	F	Pts
Belser	26	1-3	3-5	6	6	2	5
Lewis	23	3-5	0-0	3	1	2	6
Keep	16	12-13	3-6	3	1	3	27
Morris	36	2-9	2-2	2	3	2	7
Delzell	34	2-3	0-0	3	6	1	5
Sane	12	0-0	1-2	0	0	2	1
Smith	9	0-1	0-1	0	2	3	0
Lechtenberg	1	0-0	0-0	0	0	2	0
Stockalper	14	0-2	0-0	2	0	1	0
Blair	29	11-18	7-11	14	2	2	31
Totals	200	31-54	16-27	35	21	20	82

Percentages: FG .574, FT .593. 3-Point Goals: 4-11, .364 (Blair 2-2, Delzell 1-2, Morris 1-4, Smith 0-1, Belser 0-2). Team Rebounds: 2. Blocked Shots: 4 (Sane 2). Turnovers: 17 (Lewis 6). Steals: 5 (Stockalper 2). Technical Fouls: None.

LMU	Min	FG-A	FT-A	R	A	F	Pts
Osborn	30	2-9	0-0	4	2	2	6
Kincade	24	3-4	4-6	2	2	2	10
Ayer	9	2-6	2-2	7	0	5	6
Brown	21	2-5	0-0	1	3	4	4
Wardrop	31	1-5	2-2	3	3	0	5
Worthy	20	5-10	3-4	3	1	4	14
Dennis	10	0-1	0-0	0	0	0	0
Dickens	12	2-5	0-2	1	1	4	4
Haywood	15	1-2	0-0	1	0	1	2
Gay	25	7-16	3-4	9	1	1	17
Brown	3	0-1	0-0	1	1	1	0
Totals	200	25-64	14-20	24	14	24	68

Percentages: FG .391, FT .700. 3-Point Goals: 4-11, .364 (Osborn 2-5, Worthy 1-1, Wardrop 1-2, Brown 0-1, Dennis 0-1, Haywood 0-1). Team Rebounds: 3. Blocked Shots: 6 (Gay 6). Turnovers: 18 (Brown 4, Worthy 4). Steals: 6 (Worthy 2). Technical Fouls: None.

USD (7-8, 1-1)	45	37	82
LMU (6-12, 0-3)	31	37	68

A-1,751. Officials—Mark Reischling, Ken Ditty, Frank Harvey.

Blair entered 4:15 into the game and quickly contributed a layup to give USD its first 10-point lead, 20-10 with 14:18 to play. Blair was 6-for-9 shooting, including 2-for-2 from three-point range, for 18 points, and also grabbed seven rebounds in the half.

The Toreros' 1-2 worked again at the start of the second half. Keep scored nine points in the first 3:15. And when Keep left because of his bleeding nose with 13:45 to play, Blair scored eight of USD's next nine points.

Leading by 23 early in the half, USD saw LMU (6-12, 0-3) cut the advantage to 10 with 3:36 to play. But the outcome was never in doubt.

"It's nice to get a win," Holland said. "We've been close the last few games, but didn't close the door. Keep and Blair were outstanding, obviously, and our perimeter players did a good job of getting them the ball in the right spots."

Small forward Corey Belser and point guard Matt Delzell each has six assists. The Toreros had a low, for them, 17 turnovers while forcing 18 from LMU.

WCC

	Conference			All Games		
	W	L	Pct.	W	L	Pct.
Gonzaga	3	0	.1000	12	5	.706
Pepperdine	2	1	.667	10	6	.625
Santa Clara	1	1	.500	10	5	.667
Staint Mary's	1	1	.500	8	7	.533
USD	1	1	.500	7	8	.467
San Francisco	1	1	.500	6	9	.400
Portland	1	2	.333	8	8	.500
Loyola Marymount	0	3	.000	6	12	.333

Yesterday's Games

USD 82, Loyola Marymount 68
Pepperdine 73, Santa Clara 69
San Francisco 73, Portland 59
Gonzaga 56, Saint Mary's 53

Today's Games

USD at Pepperdine, 6 (FSN2, 1170-AM)
Portland at Saint Mary's, 7:05
Santa Clara at Loyola Marymount, 7:05

Tomorrow's Game

Gonzaga at San Francisco, 1:05



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LMU men give Toreros chance to win on road

By Hank Wesch
STAFF WRITER

LOS ANGELES — USD's men's basketball team finds itself in unhealthy circumstances— in more ways than one — at the moment.

But the obvious cure, a victory to end a five-game losing streak, looks tantalizingly available as the Toreros take on Loyola Marymount tonight in the first of back-to-back West Coast Conference games.

Tomorrow night, USD moves up the coast to Malibu for a much tougher assignment against Pepperdine.

Coach Brad Holland's Toreros were the picture of ill health early this week as five players either missed practices or were limited in their participation. The list included seniors Jason Keep (flu), Matt Delzell (flu), Jason Blair (knee tendinitis) and sophomores Mike McGrain (deep thigh bruise) and Nick Lewis (knee).

"That's how it's going for us," said Holland, whose team has gone 3-8 after a 3-0 start that included a win over UCLA.

All five of the ailing players had practiced at near full ca-

capacity by yesterday. And physical problems aren't Holland's major concern for the matchup with an LMU team that has lost eight of its last nine. One of the losses was to NAIA-affiliated Point Loma Nazarene.

"A win would solve a lot of things," Holland said. "But there are no gimmes. Loyola is a young, scrappy team and they're not afraid of anybody."

The WCC has, for many years, scheduled games on back-to-back days in instances where teams visit the Los Angeles area (for LMU and Pepperdine) or Bay Area (San Francisco and Saint Mary's). University presidents and WCC administrators like the savings, both financially and in the time student-athletes must spend on the road.

But it's not a format loved by all.

"We have meetings every year and there's not a coach in the league who likes playing back-to-back games," Holland said. "From a coach's standpoint, it's something we'd like to see changed."

"The fact of the matter is, it's a definite big advantage for the teams that are at home."

Men: USD at Loyola Marymount

Site/Time: Gersten Pavilion, L.A./7:05 tonight

Records: USD 6-8, 0-1 WCC; LMU 6-11, 0-2

Radio: KCBQ (AM 1170)

Internet: www.usdtoreros.com or www.KCBQ.com

Series: LMU leads 33-30

Outlook: USD takes a five-game losing streak, the longest in Brad Holland's eight-plus years as head coach, in against an LMU team that has dropped four straight and eight of nine. The Toreros lost their West Coast Conference opener to Santa Clara, 67-65, on Saturday. LMU lost initial WCC assignments at Portland and Gonzaga last week and begins a three-game home stand. USD's Jason Keep leads the conference in scoring (17.6), rebounding (8.7) and field-goal percentage (.636, 16th in the nation), and is fresh from his fourth double-double of the season in the Santa Clara game (16 points, 13 rebounds). LMU is led by guard Charles Brown (11.5 ppg, 4.3 apg) and forward Andy Osborn (10.9 ppg, 4.8 rpg).

Matchup to watch: USD vs. the free-throw line. The Toreros have shot a miserable 58 percent (72-for-124) from there in the five-game losing streak and four of the losses have been by six points or fewer.

— HANK WESCH

USD falls short in WCC opener

Toreros lose their fifth in row as Santa Clara holds on at end

By **Hank Wesch**
STAFF WRITER

4154
Jason Keep accurately summed up USD's 67-65 loss to Santa Clara last night in the West Coast Conference season opener with an off-heard loser's litany.

Santa Clara

67

Toreros

65

"There's another one. Shoulda beaten them," the Toreros' 6-foot-10, 280-pound center said. "Shoulda, coulda, woulda... didn't. We missed a couple key free throws. Somebody's on, somebody's off. We get everybody on at once and we're going to win."

But for the fifth straight game, USD (6-8, 0-1 WCC) didn't. The first opportunity to begin WCC play at home in five years and a partisan crowd of 2,424 at the Jenny Craig Pavilion wasn't enough to pull the Toreros out of the funk in which they've been enveloped for the past month.

Not against Santa Clara (10-4, 1-0), a team that played poised, smart basketball and seemed to get every ball that was up for grabs and made the kind of clutch shots that USD missed.

With what proved to be the final score on the board, USD had two excellent chances to win or at least force overtime in the final 10 seconds. And came up empty.

First, senior guard Matt Delzell, who hit 3-of-6 three-pointers and had a

season-high 15 points, missed an open trey. When there was a tie-up for the rebound, the possession arrow was pointing Santa Clara's way and the Broncos got the ball out of bounds with 6.6 seconds to go.

But Delzell stole the inbounds pass and Toreros freshman guard Travis Smith was fouled and went to the line to shoot two with 3.1 seconds remaining. The first bounced off the back of the rim. The second was purposefully missed, but time expired with neither team gaining control.

"It was the kind of game we've had with Santa Clara the last few years," said USD coach Brad Holland. "That's what we expected. We're right there with a chance to win at the end. But we didn't make the shots."

"To be a good team, you have to play consistently over several minutes. We've yet to figure out how to do that."

Holland shook up the starting lineup, benching Keep and senior forward Jason Blair, the team's leading scorers. Keep entered after six minutes, Blair eight, and the Toreros built a 19-9 lead in the first 10 minutes.

"No one knows better than I do the importance of Keep and Blair to this team," Holland said. "But they have led us in mental mistakes, and I just told them they'd have to earn their spots back."

Keep wound up playing 27 minutes

SEE USD, C10

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► **USD**

CONTINUED FROM PAGE C1

Santa Clara nips USD in opener of WCC play

and his stat line read: 16 points, 13 rebounds and five assists. He also had seven turnovers, including four in as many Toreros possessions in one first-half stretch when Santa Clara went on a 12-0 run to get in the contest.

Freshman guard Brandon Rohe led Santa Clara's first-half burst and what proved to be a shorter (5-0) but game-deciding one in the second half. The sharpshooter came off the bench to hit 7-of-12 field goals and go 3-for-4 from three-point range for a game-leading 20 points.

The Broncos, with no player over 6-8, also outrebounded USD, 38-35.

Santa Clara went on its 5-0 run with just under 12 minutes to play to erase a 49-46 USD advantage and take a lead the Broncos stubbornly refused to give up the rest of the way.

USD cut the lead to 65-63 when Delzell hit two free throws with 1:57 to play. But Santa Clara answered when Jim Howell finessed a layup over Keep, who was strapped with four fouls and couldn't risk a strong defensive resistance.

A jumper by Roy Morris (11 points, five assists) got USD back to 67-65 with 1:02 to play, but the Toreros were unable to make the necessary plays after that.

"We're awfully frustrated and a little bit shocked," said Delzell. "I don't know if anybody here has ever been with a team that lost five in a row before, and we don't know how to take it.

"We're not accepting it. It will never get to that point. We should have won, but we didn't."

"We're awfully frustrated and a little bit shocked," said Delzell. "I don't know if anybody here has ever been with a team that lost five in a row before, and we don't know how to take it.

WCC

	Conference			All Games		
	W	L	Pct.	W	L	Pct.
Santa Clara	1	0	1.000	10	4	.714
Gonzaga	1	0	1.000	10	5	.667
Pepperdine	1	0	1.000	9	5	.643
St. Mary's	1	0	1.000	8	6	.571
Portland	1	1	.500	8	7	.533
USD	0	1	.000	6	8	.429
San Francisco	0	1	.000	5	9	.357
Loyola Marymount	0	2	.000	6	11	.353

Yesterday's Games

Santa Clara 67, USD 65
Portland 73, Loyola Marymount 68
St. Mary's 67, San Francisco 62

Tomorrow's Game

Pepperdine at Gonzaga, 1

Friday's Games

USD at Loyola Marymount, 7
Santa Clara at Pepperdine, 7
Portland at San Francisco, 7
Gonzaga at St. Mary's, 7

SUMMARY

SANTA CLARA	Min	FG-A	FT-A	R	A	F	Pts
BAnderson	20	2-3	0-0	7	1	1	4
Legge	29	1-4	0-1	6	1	3	2
Altheimer	25	2-7	3-6	3	4	1	7
Rodhe	32	2-6	3-4	1	1	2	9
Patrick	19	3-7	0-0	4	4	1	6
Rohe	24	7-12	3-3	1	2	2	20
Borchart	5	2-4	3-3	1	0	3	7
Niesen	15	3-7	1-1	2	0	2	7
Howell	30	2-9	1-4	6	0	3	5
Totals	200	24-59	14-22	38	13	18	67

Percentages: FG .407, FT .636. 3-Point Goals: 5-11, .455 (Rohe 3-4, Rodhe 2-5, Altheimer 0-1, Patrick 0-2). Team Rebounds: 6. Blocked Shots: 3 (BAnderson 2). Turnovers: 10 (BAnderson 3). Steals: 5 (Rohe 3). Technical Fouls: None.

USD	Min	FG-A	FT-A	R	A	F	Pts
Delzell	34	5-10	2-2	2	3	1	15
Belser	33	2-2	0-0	3	2	4	4
Lewis	21	2-5	0-0	5	1	2	4
TSmith	21	3-5	0-2	1	0	4	8
Morris	34	5-13	0-1	1	5	3	11
Stockalper	8	0-1	0-0	1	1	0	0
Blair	20	3-9	0-3	4	0	0	7
Keep	27	5-6	6-9	13	5	4	16
Totals	200	25-51	8-17	35	17	18	65

Percentages: FG .490, FT .471. 3-Point Goals: 7-23, .304 (Delzell 3-6, TSmith 2-3, Blair 1-5, Morris 1-6, Stockalper 0-1, Lewis 0-2). Team Rebounds: 5. Blocked Shots: 5 (Belser 2, Lewis 2). Turnovers: 15 (Keep 7). Steals: 7 (Belser 4). Technical Fouls: None.

Santa Clara (10-4, 1-0)	25	42	- 67
USD (6-8, 0-1)	29	36	- 65

A-2,424. Officials - Thomas Wood, Byrne Haskins, Steven Dreher.

USD aims for home turnabout

4154
By Hank Wesch
STAFF WRITER

It's about time the USD men's basketball team got to open West Coast Conference play at home.

And the timing couldn't be better for the Toreros to end a five-year streak of road conference openers when they take on Santa Clara tonight at Jenny Craig Pavilion. USD, 6-7 and on a four-game losing streak (three of them on the road), could use any of the comforts a home court can provide against 9-4 Santa Clara.

The problem is that the visiting team has won each time the teams have met the past two years. The schools have split their regular-season encounters the past seven years.

Santa Clara is off to a sterling start despite having all-conference guard Kyle Bailey play only six games before choosing to redshirt because of back and foot injuries.

"Other guys have stepped up and done a reasonable job, and we've developed depth because we had to," said Santa Clara coach Dick Davey. "They're all Division I-caliber players or you wouldn't recruit them. And it's a case of throwing someone in there and letting him be 'the guy.'"

Freshman guard Brandon Rohe has a team-leading 12.5 scoring average and nearly three rebounds and three assists a game.

"One reason a player can step in like that and do so well is because of his high school program," Davey said. "And the one he comes from is about as good as it gets."

Rohe's Santa Margarita High is the same Orange County program that produced USD freshman guard Travis Smith. Rohe and Smith have been good friends since sixth grade, teaming for 70 wins over three prep seasons.

They're looking forward to a homecoming. USD is just happy to be home.

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Toreros suffer 34-point loss

UNION-TRIBUNE

4154

El Capitan alumna Kendra Rhea scored 12 points and had a game-leading 13 rebounds as Santa Clara beat USD 77-43 in the teams' West Coast Conference women's basketball opener last night at Leavey Center in Santa Clara.

Santa Clara

77

Toreros (w)

43

Rhea, a 6-foot senior forward, was one of four Broncos to score in double figures. Megan Nelson added 15 points, Julie Butler 12 and Kayla Huss 10 for Santa Clara (10-4, 1-0).

No USD player scored in double figures. Marta Meñuez and Kerri Nakamoto had eight points each to lead USD (6-8, 0-1). Nakamoto needs eight more points to reach 1,000 in her career. Toreros freshman Polly Dong handed out seven assists and had two steals.

Aztecs (w) 77, Sacramento St. 68

At Sacramento, SDSU freshman Amber Fouse scored a career-high 15 points and four other Aztecs tallied double figures in the nonconference win over the Hornets (2-11).

Ashlee Dunlap and Veronica Shaw both chipped in 14 points while Valencia Howard and Jamey Cox scored 10 apiece.

Shaw had eight steals in the game, the most by a Mountain West Conference player this season.

SDSU (6-6) reached the 10-foul limit at the 11:50 mark and had to play most of the final minutes without Cox and Dunlap, who, along with senior Tynisha King, fouled out of the game.

Businesslike Aztecs make rivalry real

SDSU beats Toreros;
first time in 5 years

By Ed Graney
STAFF WRITER

You saw it from the beginning, from the moment San Diego State's basketball team was introduced. The headbands were history. The chest bumping, too. The Aztecs adopted a businesslike approach last night — team instead of individuals, no smiles allowed — and in the process snapped a very conspicuous streak.

SDSU beat USD for the first time in five years, outlasting the Toreros 78-72 before 8,078 at Cox Arena.

It wasn't the prettiest cross-town rivalry at times, but that didn't bother what was a desperate home team. By winning, SDSU beat its ninth straight unranked opponent in the same season for the first time in school history.

"This is big for us," said SDSU center Mike Mackell. "This is the last time our seniors will play those guys, so we wanted to start a new trend."

Call it great defense by the Aztecs (9-4). Call it poor shooting by the Toreros (6-7). But there was one nine-minute stretch in the first half where SDSU didn't score a basket and actually increased its lead from six to nine.

With 4:10 gone in the second half, the teams were a combined 25-of-70 shooting.

"Our inability to score really cost us," said USD coach Brad Holland, whose team has lost four straight and seven of its past nine. "You shoot 50 percent from the free throw line (USD was actually 15-of-28), you're not going to win many games, home or away.

"Our lack of concentration at the line and not paying attention to detail during timeouts prevented us from



USD's Jason Keep disturbs the net while blocking a layup by SDSU's Tony Bland. Sean M. Haffey / Union-Tribune

having a good night."

The game began with two lineup changes for SDSU, and neither included hobbling point guard Deandre Moore (four points, four assists in 23 minutes). Mackell and fellow starter Tommy Johnson were benched at the start for reporting late to pregame meetings. Mackell ended up playing 20 minutes and scoring 15; Johnson didn't play at all.

"I don't have many rules," said Aztecs coach Steve Fisher, "but one of them is to be on time. (Johnson) was a little later than the rest of them.

"I guess we can say it's a rivalry now that we finally won one. From our standpoint, it's about time."

Those who stepped into the lineup — sophomores Travis Hanour and Chris Manker — played well. Hanour had a career-high six rebounds in 20 minutes and Manker scored nine

► AZTECS

CONTINUED FROM PAGE D1

SDSU team gets serious

points, making three-of-seven three-pointers.

Tony Bland led SDSU with 17 points, six rebounds and eight assists but shot 6-of-14 from the line. Steve Sir (nine points, four rebounds in 19 minutes) and Evan Burns (nine points, seven rebounds in 26 minutes) brought energy off the bench. SDSU shot a season-high 49 percent.

USD — which made it a game late by rallying from 13 down with 3:11 left — didn't fare as well from the field. The Toreros shot just 39 percent. Take away an admirable effort from senior guard Roy Morris (game-high 22 points) and USD shot 16-of-50.

Manker did a good job early and then got much help in defending USD center Jason

Keep (14 points, 14 rebounds), whom the Aztecs double-teamed on most every catch.

"I learned I was starting about 45 minutes before the game," said Manker, who

"It was our time to win."

MIKE MACKELL

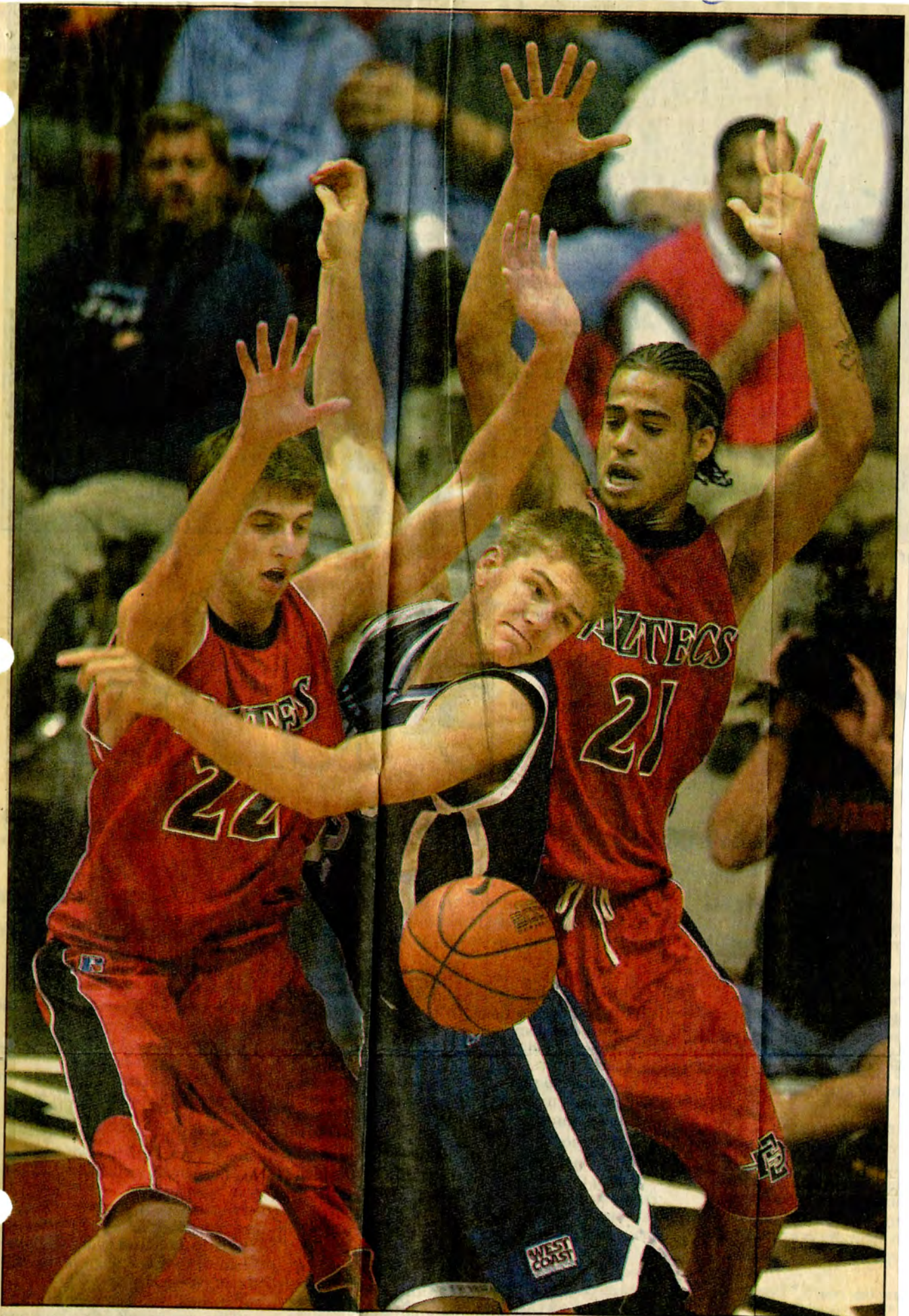
played a season-high 22 minutes. "I was prepared. I'm not worried at all about how many minutes I get. I just want to go in, play hard and give (Mackell) and Aerick (Sanders) a rest when I can."

Fisher said afterward he spoke to the team's seniors about bringing everyone closer together, about ditching the headbands and antics that might detract from a team effort. You saw the result last night.

"It was our time to win," said Mackell.

Finally.

SEE Aztecs, D5



USD's Nick Lewis loses ball under pressure from Chris Manker (22) and Evan Burns (21). Sean M. Haffey / Union-Tribune

Defensive-minded Aztecs win ugly, but beat crosstown



4154
Sometimes, basketball is ballet: artful and elegant, fabulously fluid. Sometimes, it is a bruise: dark and discolored, the by-product of pain.

And sometimes it is disjointed by design. Someone decides to play defense and all of basketball's intrinsic grace is lost in a gruesome exchange of elbows.

For example, last night.

San Diego State ended its recent futility against the University of San Diego in a game that could have passed

for a 10-car pileup. The Aztecs prevailed 78-72, and if it was plug-ugly, it was also potentially unifying.

Gone were the headbands, the headstrong play and the pregame histrionics that had marked Steve Fisher's squad through its first dozen games. In its place was a more streamlined appearance and, perhaps, a newfound resolve. The Aztecs opened the game with the solemnity of morticians, then played an opening half that was as brutally businesslike as any this season.

They sputtered on offense. They faded at the finish. They shot free

throws as if blindfolded. But for 20 telling minutes, the Aztecs contested each Torero shot as if striving for a shutout.

If it was as painful to play against as it was to watch, it's an encouraging sign for Aztec fans. If it was any *more* painful than it was to watch, it was childbirth.

"I thought we really fought hard defensively," Fisher said. "In the second half, they hurt us off the dribble, but we had high energy and nice effort from everyone who played. . . I think it was hard-fought. We told them to make 'em shoot through tears if you

rival USD

SULLIVAN

CONTINUED FROM PAGE D1

Aztecs 'D' ends futility against crosstown rivals

dent.

4
"Defensively, we didn't close the game like we were supposed to," said SDSU guard Tony Bland. "(But) we played great defense at the beginning. We just need to commit to it the whole game."

Offense is pastry. Defense is vegetables. A basketball player might be willing to try it, but he's likely to be slow to adopt it as a steady diet. It's hard work, for one thing, and it slows the pace of play. It's hard to make a crowd-pleasing dunk shot if you're spending all of your time clogging passing lanes and denying your man the ball.

The natural inclination of a basketball player is to run. The demand on defense is to grind. Steve Fisher's challenge is to persuade his players to make last night's first half their typical effort — to find the beauty in distributing bruises.

Tim Sullivan: (619) 293-1033; Tim.Sullivan@uniontrib.com

have to."

If the Toreros weren't reduced to weeping last night at Cox Arena, it was only because they didn't get a close look at the halftime stat sheet. They made only eight of for 30 field-goal attempts before intermission, and only the steady aim of Roy Morris prevented their abject humiliation.

Excluding Morris, the Toreros were four-for-24 in the first half, 16-for-50 for the game. You see higher shooting percentages at a carnival, when drunks are trying to land quarters on plastic plates. You see higher shooting percentages in a Shaquille O'Neal free

throw instructional video. The Toreros threw up enough bricks last night for a small subdivision.

"Our inability to score in the first half caused us to lose the game," said USD coach Brad Holland.

Duh.

Poor shot selection was part of it. Poor shooters was another part. But it is defense that makes layups disappear, that turns open looks into claustrophobia. The Aztecs have held six opponents below 40 percent shooting this season. Maybe that's not an acci-

H SEE Sullivan, D5

For USD, a familiar story

4154 - Univ of San Diego

Fourth consecutive loss looks a lot like first three

By **Hank Wesch**, STAFF WRITER

It was a game much like the three that preceded it for USD. And therein lies the Toreros' problem.

"We had our opportunities, but our lack of concentration, paying attention to detail and listening in timeouts cost us again," USD coach Brad Holland said after the Toreros (6-7) dropped their fourth straight, 78-72 last night at San Diego State. "Our inability to score in the first half really hurt us."

You think?

The 22 points USD totaled in the first half was a season low, and the Toreros had to be dumbfounded that they were only behind by seven at the break.

In the first half, the Toreros shot 27 percent overall from the floor (8-for-30), 15 percent on three-pointers (2-for-13) and 40 percent from the free-throw line (4-for-10) with nine turnovers.

"Our shots were off and our shot selection was kind of bad," said USD senior guard Roy Morris, who led the Toreros with 22 points. Morris was 1-for-2 from behind the arc in the first half and 3-for-4 in the second.

Making SDSU pay from the perimeter was part of a USD game plan coming into the latest game in a crosstown series USD had dominated since 1985, winning 11 of 13 and the last four in a row.

The Aztecs figured to, and did, double-team USD's 6-foot-10, 280-pound center Jason Keep to prevent him from dominating in the paint. And the Toreros' inaccuracy, after establishing an early 8-2 lead, put them in a position to chase from behind from the 5:28 mark onward.

"If we could have knocked in a few more of those early in the game, it might have been a different game," said senior forward Jason Blair (15 points).

What kept the Toreros in touch for the first 20 minutes was 11 offensive rebounds as part of a 23-18 advantage on the boards. SDSU came back to win the rebounding battle 20-14 in the second half, when both teams warmed up from the field and there were fewer misses to corral.

SDSU scored the first five points of the second half and got Blair two fouls in the process to



USD's Jason Keep (14 points, 14 rebounds) muscled up a shot against SDSU's Travis Hanour in first half. Sean M. Haffey / Union-Tribune

make him a bench rider just 1:03 into the half. Keep got seven of his 14 points and six of his 14 rebounds in the second half and USD rallied late. But the Toreros got no closer than 76-72, that with 25 seconds left.

"A month ago, I didn't think we were competing well," Holland said of the start of a period in which the Toreros have gone 2-5. "We're competing better, I like how we're competing in terms of effort. We competed better, but now we need to compete smarter. Until we do that, we'll fall short."

Award for Keep

Keep was named the West Coast Conference Player of the Month for December. His highlights included a 32-point, 14-rebound night against UCSD, All-Tournament selection at the Purdue Tournament with 24 points and nine rebounds against the hosts in the championship game.

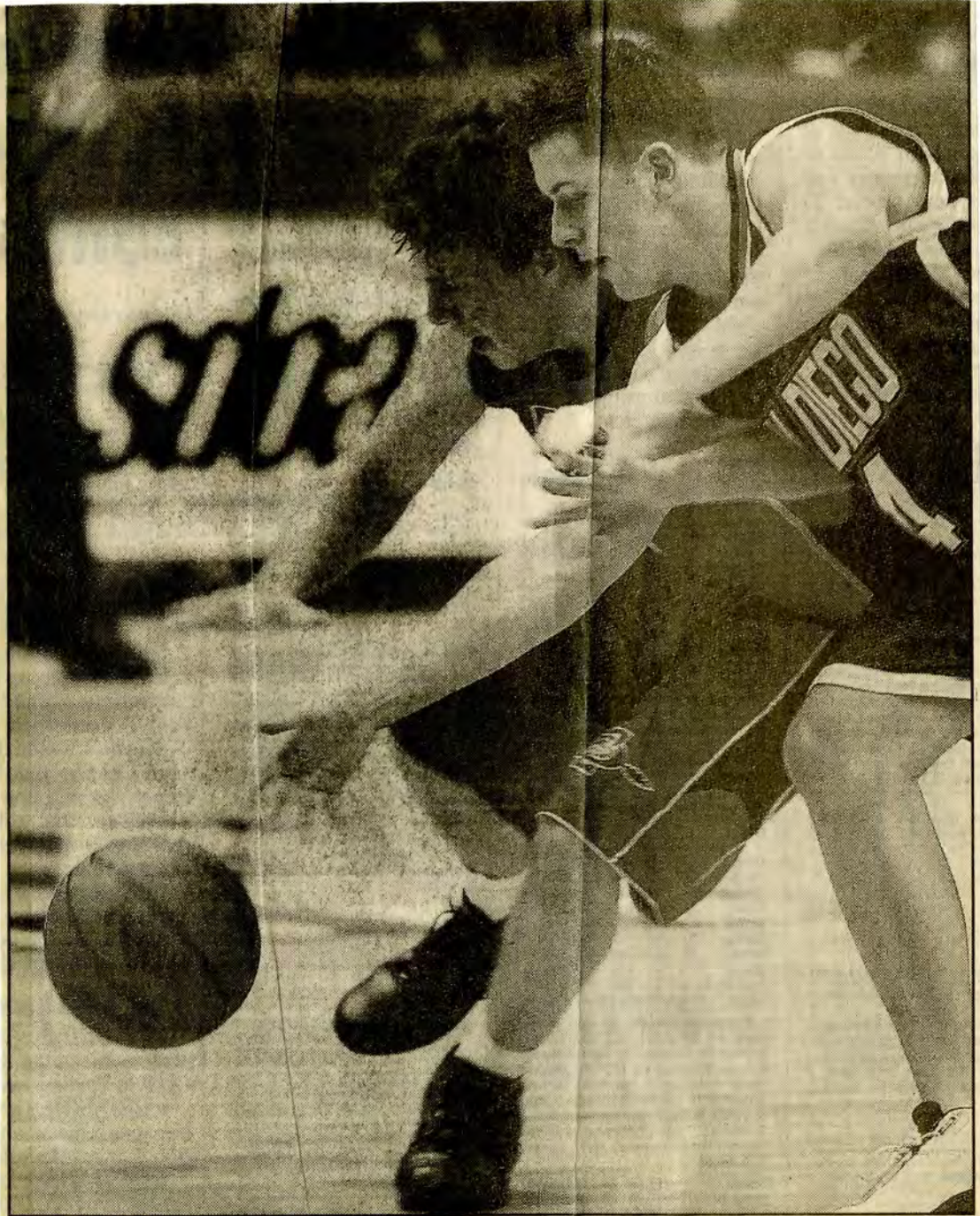
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USD's Brad Lechtenberg (right) goes for the steal against Steve Sir. Sean M. Haffey / Union-Tribune



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Toreros Takeover

Since 1985, USD's Toreros have won 11 of 13 games with SDSU's Aztecs, who hold a 17-16 overall lead in the cross-town men's basketball series. The series over that span:

DATE	RESULT	SITE
DEC. 14, 1985	USD, 81-64	SPORTS ARENA
DEC. 11, 1986	USD, 83-67	SPORTS ARENA
DEC. 19, 1987	USD, 76-53	SPORTS ARENA
DEC. 6, 1989	SDSU, 85-75	SPORTS ARENA
NOV. 27, 1990	USD, 75-74	SPORTS ARENA
NOV. 22, 1991	USD, 60-57	SPORTS ARENA
DEC. 1, 1992	USD, 85-60	SPORTS ARENA
DEC. 2, 1995	USD, 69-65	USD SPORTS CENTER
DEC. 8, 1996	SDSU, 87-70	SPORTS ARENA
DEC. 19, 1998	USD, 52-51	COX ARENA
DEC. 4, 1999	USD, 73-45	USD SPORTS CENTER
DEC. 9, 2000	USD, 55-52	COX ARENA
DEC. 5, 2001	USD, 72-67	JENNY CRAIG PAVILION

Change due for basketball bragging rights?

Aztecs aim to halt recent Toreros dominance in showdown

By **Hank Wesch**
 and **Ed Graney**
 STAFF WRITERS

4154

The swing of the pendulum has been decidedly in the direction of USD for the past decade and a half of the basketball series with San Diego State.

The last four games, eight of the last nine and 11 of the last 13 between the city's two Division I representatives have wound up in the win column of the Toreros.

But most of that was done before Steve Fisher arrived to lead the Aztecs out of the dark

ages and, last year in his third season, to the renaissance of the NCAA Tournament. So when the 8-4 Aztecs meet the 6-6 Toreros tonight there's reason to anticipate the pendulum swinging in a new direction.

The oddsmakers apparently think so. They have SDSU an 8 1/2-point favorite for the game that SDSU officials anticipate will lure upward of 9,000 to Cox Arena.

"They have a better record than we do, and based on that I guess you could say that they're a better team right now," said USD senior guard Matt Delzell.

"But I think both teams feel a little extra for this game. I think it has become a great rivalry, at least during my years here."

Delzell's experience in the series is the same three years as Fisher. It began with a 73-45 USD blowout in 1999 at the old USD Sports Center, the largest margin of victory in the series. It continued with Delzell playing the hero with five points and a key defensive stop in the final 2:38 of USD's 55-52 victory in 2000. Last year the Toreros came from eight behind at half-



Tonight's game

USD (6-6) at SDSU (8-4)

Where: Cox Arena

Time: 7 p.m.

TV/Radio: Channel 4 San Diego/XTRA-AM (690), KCBQ-AM (1170)

Notable: Over the course of the 33-game series USD has scored 2,145 points (65.0 ppg) to SDSU's 2,165 (65.6)

SEE Rivalry, D6

RIVALRY

CONTINUED FROM PAGE D1

USD coach has 5-1 record against crosstown school

time to win by five behind seniors Andre Laws and Tom Lippold.

"We've got the utmost respect for USD," Fisher said yesterday, about 16 hours after his team's 75-63 loss Monday night to No. 23 Texas Tech.

"They have kicked our butts for the three years of my tenure here. We know they have a good program. For those of us in this business, it didn't take them going up and winning at UCLA to know (USD coach) Brad Holland has done a wonderful job with that team. They're not doing it with smoke and mirrors. They have good players.

"Maybe it won't be a true rivalry until we win one. It has been a domination since I've been here. We need to come out and play with immense energy and emotion and intelligence.

"Maybe it won't be a true rivalry until we win one. It has been a domination since I've been here."

STEVE FISHER,
SDSU head coach

basketball in San Diego. Face it — this hasn't exactly been a basketball town.

"The last couple of games have been very hard-fought, and I think this one will be too. This is Coach Fisher's deepest team and they've been playing well. I think we're playing their best team (of the past three years). We're not our best team yet, but I hope we will be (tonight)."

USD has four players who played at San Diego County high schools or community colleges, with senior guard Roy Morris (Bonita Vista) a starter. For SDSU, Chris Walton (USDHS) is redshirting and Andre Torres (Eastlake) has played only one minute this season.

"There aren't many of us who played high school locally, but that doesn't matter," Delzell

This is an extremely important game for us."

Holland, who is 5-1 against SDSU, readily acknowledges that the arrival of Fisher at SDSU ratcheted up both the intensity and caliber of play in the rivalry.

"When they ended up with a big-name coach, I thought it was great," Holland said. "Because maybe it could help us in some ways to generate enthusiasm for

USD at SDSU

Site/Time: Cox Arena/7 p.m. today

Records: USD 6-6, SDSU 8-4

TV/Radio: 4 San Diego/XTRA-AM (690), KCBQ-AM (1170).

Internet: www.usdtoreros.com or www.KCBQ.com

Series: SDSU leads 17-16

Outlook: USD has lost three straight, the most recent 88-82 in overtime Thursday at SMU, a game the Toreros once led by 18. SDSU had a six-game winning streak snapped Monday night by No. 23-ranked Texas Tech, 75-63. The Aztecs have, however, won eight straight against unranked opponents and could establish a school record in that regard with a win tonight. USD is led by its frontcourt duo of Jason Keep (18.1 ppg, 7.9 rpg) and Jason Blair (16.0 ppg, 8.4 rpg). Keep, 6-10, 280 pounds, has been foul-prone of late, averaging 24 minutes while fouling out of the last two contests. USD has averaged 20.3 turnovers per game and missed 30 free throws (49-for-79) combined in the three losses. SDSU is led statistically by center Mike Mackell (16.3 ppg, 5.4 rpg), guard Tony Bland (15.3 ppg) and forward Aerick Sanders (9.3 rpg). The Aztecs have been given a boost in the past month with Evan Burns, Travis Hanour and Chris Manker all gaining eligibility.

Matchup to watch: Keep vs. Mackell, 6-9, 241, for prominence in the paint.

— HANK WESCH

said. "We may be from different cities or different countries, but we know that they're across town from us and they want to beat us as badly as we want to beat them."

Said SDSU senior guard Tony Bland: "To us, it's the next game, so that means it's a big game. It's no more or less important than Texas Tech was or any other game. Really good teams usually don't lose two straight games, and we're coming off a loss, so that makes this a big game for us. We're desperate for a win."

Injury updates

Aztecs starting point guard **Deandre Moore** (sprained foot) spent yesterday's practice on crutches and his status is uncertain for tonight. Starting center **Mike Mackell** (sore) and freshman forward **Evan Burns** (ankle) sat out practice. Each is expected to play . . . USD redshirt freshman forward **Nick Lewis** is expected to make his return after missing four games with a sprained medial collateral ligament of the left knee.

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Gonzaga women trip up USD

By Nicole Vargas
STAFF WRITER

4154

After eight seasons at the bottom of the West Coast Conference, it seems as if the Gonzaga women's basketball team has had enough.

Gonzaga
67

Toreros (w)
58

Off to their best start in a decade, the Bulldogs proved that point, beating USD 67-58 at Jenny Craig Pavilion last night in front of 581.

"They took away almost every shot we had," said USD coach Kathy Marpe, whose team falls to 8-11 overall, 2-4 in the WCC. "They knew every shot we were going to take before we took it."

The stats proved it. Although they outrebounded Gonzaga 44-30, the Toreros made only 16 of their 55 attempts (29.1 percent).

Meanwhile, Gonzaga was shooting 44.2 percent. The Bulldogs used a 15-4 run to extend a two-point halftime lead to 42-29 with 13:10 remaining. During that time, USD didn't make a single field goal, scoring its only four points on free throws while missing five shots from the field.

The only thing that kept USD in the game was free throws. The Toreros made 21-of-28, and used those shots to close the Bulldogs' 16-point lead to just seven three times in the second half, including the final time with 54 seconds

remaining.

Gonzaga (13-8, 4-2) matched the Toreros' 75 percent, though, and made 6-of-8 in the final 50 seconds.

USD finished with only one player in double figures. Junior Marta Menezes paced the Toreros with 16 points, while freshman Jamie Corwin led in rebounds with 11. Three players — senior Kerri Nakamoto, freshman Polly Dong and freshman Tiara Harris — had eight points apiece.

The Bulldogs' guard corps of Raeanna Jewell, Triana Allen and Shannon Mathews led the way, scoring 36 of the team's 67 points, with 24 coming in the second half when the bulk of the Bulldogs' forwards saw their time limited because of foul trouble.

Saint Mary's 61, Toreros 51

Kearny High alumna **Triola Jackson**, a sophomore forward, had her 10th double-double of the season in leading Saint Mary's (8-10, 1-4 WCC) over USD (8-10, 2-3) in front of 1,410 at McKeon Pavilion in Moraga.

Jackson, who was known as Triola Alexander while at Kearny, scored 13 points and had 10 rebounds plus three blocks and a steal while teammate Julie Morris scored 14 points. The Gaels built up a 33-20 halftime lead over the Toreros, who shot only 30 percent from the field for the game.

Erin Malich scored 18 to lead the Toreros (8-10, 2-3) while **Tiara Harris** scored 13, had seven rebounds, four steals and four assists.

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USD women win at USF

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SAN FRANCISCO — The USD women's basketball team didn't let a seven-point halftime deficit deter it as the Toreros rallied to beat West Coast Conference foe USF 61-57 last night before 1,247 at War Memorial Gym.

Toreros (w)
61

USF
57

Senior Erin Malich came off the bench to score 19 points and Marie Plocher scored 12 to pace the Toreros (8-9 overall, 2-2 WCC).

Melissa Padgett had a game-high 10 rebounds and Kerri Nakamoto had six assists and four steals for USD, which trailed 35-28 at the half.

The Toreros will visit Saint Mary's in Moraga for a WCC game tonight at 7:05.

Nakamoto's three sparks Toreros in victory over Lions

4154

USD gets valuable momentum going into game with Pepperdine

By Nicole Vargas
STAFF WRITER

It was a night to remember for USD women's basketball player Kerri Nakamoto.

It ended with the senior guard hitting the key baskets to ignite the crowd and lead her team to a vital 65-61 victory over Loyola Marymount at Jenny Craig Pavilion last night.

"That three won the game," said USD coach Kathy Marpe of the three-pointer Nakamoto hit with 1:14 left that tied the score at 61-61 and set the Toreros up for victory. "They had that three-point lead, and (the shot) came on a broken play. That was the Kerri of old."

And if winning this game weren't big enough on its own, Nakamoto marked a milestone by scoring her 1,000th career point on a first-half free throw with 13:00 minutes left in the period.

"It's a great accomplishment," said Nakamoto, who finished with a game-high 17 points and the honor of becoming only the sixth Toreros woman to hit the 1,000 mark. "I haven't been scoring as much this year as people would expect me to be, but I was doing what my team needs me to do to win. Tonight, they needed me to score, and it's a great honor to go along with it."

The win snapped the Lions'

perfect 2-0 West Coast Conference record while putting Toreros back in the thick of the conference race with a renewed confidence in themselves.

"It was do or die," Nakamoto said. "We could have either buried ourselves in the bottom of the conference or we could compete. This game tonight puts us up there with the rest of the other teams. "We proved tonight that we're not going to fold. We're 1-1 and everyone is fair game."

USD (7-8, 1-1) opened the game with a 13-3 run, using a new lineup and a smoother flow of substitutions off the bench to outrebound the Lions 5-2, force five quick turnovers and put LMU's leading rebounder, Adrienne Slaughter, on the bench after only four minutes with two quick fouls.

The Lions (10-6, 2-1) opened the second half with a run of their own, outscoring the Toreros 19-6 in the first 9:47 behind Slaughter, who scored six of her 11 points during that run, and Jennifer Henry, whose three-point play tied the score at 40-40.

After Nakamoto's big three, Toreros senior Erin Malich made a free throw for a 62-61 lead before two more by Nakamoto put the game out of reach at 64-61. Malich's final free throw with three seconds left marked the end of the game and gave USD some much-needed momentum going into tomorrow's game with Pepperdine, the defending WCC champion.

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LOCAL COLLEGE BASKETBALL

USD women ground Flyers

4154
UNION-TRIBUNE

Erin Malich scored 22 points on 10-of-13 shooting and four others scored in double figures as the USD women's basketball team got by host Dayton 76-66 last night.

Tiara Harris came off the bench to hit 3-of-4 three-pointers and score 17 points for the Toreros (6-6), who ended a four-game losing streak. Dayton dropped to 7-4.

USD trailed 35-27 at halftime after hitting 1-of-11 three-pointers and shooting 37 percent from the floor. The Toreros improved in the second half, shooting 54.5 percent and holding Dayton under 40 percent.

The Toreros took their first lead with 15:42 left in the game.

For the game, they outscored the Flyers 40-24 in the paint.

Kerri Nakomoto led USD's guards with 10 points, 11 assists and three steals. Marie Plocher added 11 points, six rebounds and six assists, and Marta Menuez chipped in 10 points and nine rebounds.

CAL STATE STANISLAUS (w) 72, UCSD 61: Ali Ginn scored 15 points and Stacy Gallagher-Bolton and Margaret Johnson combined for 23 for the Tritons (0-8, 0-3 California Collegiate Athletic Association).

CAL STATE STANISLAUS 73, UCSD 42: C.J. Duffaut scored a team-high 10 points for the Tritons (2-6, 1-2 CCAA), who were 1-of-22 on three-pointers.



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COLLEGE BASEBALL

USD missing aces for Longhorns

4154
By Kirk Kenney, STAFF WRITER

If this weekend's meeting between USD and defending national champion Texas were a gunfight, the Toreros would be advised against a high noon showdown on Main Street. Hiding behind some rocks and getting the jump on the Longhorns before they reached town would be more like it.

USD comes into the series without its top two pitchers: Senior Tom Caple is still recovering from shoulder surgery and junior Kyle Collins has been bothered by shoulder tendinitis.

Caple, who attended Texas as a freshman, will be available to DH. Collins will test his arm today and could be available Sunday out of the bullpen.

"We are limping into a series with the national champions while they come in at full strength," said USD coach Rich Hill. "We're just hoping to hang with them."

Freshman Justin Blaine, who made his collegiate debut last week against Cal Poly, will start tomorrow's opener at 2 p.m. at Cunningham Stadium. Blaine is expected to be opposed by Texas junior Justin Simmons, who led the nation last season

with 16 victories. Senior Tony Perez, who is normally the Toreros' center fielder and closer, will start Saturday and sophomore Sean Warlop will start Sunday.

"This is the best we have," said Hill. "It's an opportunity for guys to step up."

Prior takes the mound

Chicago Cubs pitcher **Mark Prior** (USDHS) will throw out the first pitch before tomorrow's game. After the game, Prior will be among the sports celebrities attending a dinner and auction hosted by the USD Diamond Booster Club.

The event, which begins at 6 p.m., will be held in the Haun University Center on the USD campus.

Tickets are \$75 per person. For information and reservations call **Pauline Thonard** at (619) 260-5917, ext. 3.

Remember these Titans

The Padres' **Phil Nevin** and **Mark Kot-say** return to Cal State Fullerton along with **Tim Wallach** when the school honors its former Golden Spikes Award winners in a ceremony before Saturday night's game against Stanford.

The Golden Spikes is presented by USA

Baseball each year to the nation's top amateur player. Wallach, who won the award in 1979, Nevin (1992) and Kotsay (1995) will be presented with their Titans jerseys in the ceremony.

Clothes make the coach

Connie Mack wore a suit and tie in the dugout during his 40 years as manager of the Philadelphia Athletics. The NCAA isn't requiring head coaches to knot it up, but umpires have been instructed to pay attention to fashion this season.

San Diego State coach **Tony Gwynn** discovered this before last Friday's opener at Arizona State.

"The umpire said he wasn't going to talk to me because I had my plastic warmup jacket on," said Gwynn. "He said you have to wear your team jacket or jersey."

Gwynn's first on-field discussion with the umpires came after a close play at second base in which a Sun Devils runner was ruled safe. Gwynn's complaint was that neither umpire was in position to make the call.

Gwynn — wearing his team jacket — didn't win the argument.

LOCAL COLLEGES

Mustangs stick Toreros with lopsided loss

4154
The USD baseball team got off to a fast start last year, winning a school-record 10 straight games to open the season.

The Toreros stumbled out of the gate yesterday to open the 2003 season, losing 12-5 to Cal Poly before 479 at Cunningham Stadium.

"We got beat in every phase of the game," said USD coach Rich Hill. "We were never in it."

Junior transfer Kyle Collins was expected to start for USD, but it was junior Aaron Wilson who took the mound in the top of the first. Collins has shoulder tendinitis and will be held out all weekend.

Wilson (0-1) allowed seven hits and four runs — two runs in the third and fourth innings — before being replaced by David Dunn to start the fifth with USD trailing 4-0.

Center fielder Tony Perez got the Toreros back in the game with a two-run single that made it 5-2 in the fifth. But the Mustangs benefited from poor fielding by USD — two infield errors — in the seventh to score three runs. Perez was 4-for-5 with three RBI.

The teams meet again today and tomorrow. Both games begin at 1 p.m.

— KIRK KENNEY

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COLLEGE BASEBALL

Aztecs rise and fall in ninth

By Kirk Kenney
STAFF WRITER

4154

San Diego State baseball players wore the expressions of disappointment and frustration for a second straight game following yesterday's 4-3 loss to No. 8 Arizona State in Tempe, Ariz.



James Guerrero

"They scratched back and got even, then fell a little bit short," said SDSU head coach Tony Gwynn. "Yes, they're 0-2. Yes, they're upset. But this is exactly why we came here. In their minds now, I don't think there's any doubt that they can compete."

SDSU rallied for two runs to tie in the ninth inning before Arizona State (8-0) pushed across the winning run in the bottom of the ninth in front of 3,249.

The consolation for the Aztecs is the realization that they belong on the same field with one of the best teams in the nation.

For SDSU freshman shortstop James Guerrero, competing is enough — for now.

"Everybody's feeling bad," said Guerrero. "We're disappointed. But we're playing Arizona State and they can see we can compete."

Guerrero believed as much coming into the season, which is one

reason Gwynn made him the team's starting shortstop and leadoff hitter.

Guerrero's mental toughness showed yesterday under adversity. He made mental mistakes in the top and bottom of the eighth inning but retained his focus to cap the ninth-inning rally.

In the top of the eighth, Guerrero likely cost the Aztecs a run when he failed to advance from second on a ball misplayed by Arizona State center fielder Rodney Allen. The Sun Devils got out of the inning clinging to a 2-1 lead.

"I didn't want to chance it," said Guerrero. "As the season goes on, I'm going to start being more comfortable and more aggressive, and I'll probably take that base."

In the bottom of the eighth, Guerrero and second baseman Peter Stoward both called for a high fly behind second base — then watched it fall between them.

"When the ball was hit he called for it," said Guerrero. "But he had the sun in his eyes, so I thought I should take it."

What impressed Gwynn was SDSU's ability to fight back.

After Arizona State padded its lead to 3-1 in the eighth on Jeff Larish's solo home run, the Aztecs scored twice in the ninth to tie it. The runs were driven in by left fielder Curt Mendoza, the team's only other freshman starter, and Guerrero. ASU closer Ryan Schroyer had the crowd on its feet and the Aztecs down to

their final strike when Guerrero grounded a single — his third hit of the game — between short and third to make it 3-3.

Toreros 4, Cal Poly 1

USD pitchers allowed a dozen runs in Friday's season-opening loss, but yesterday the Toreros were in complete control at Cunningham Stadium.

Freshman left-hander Justin Blaine allowed one run over three innings and right-handers Chad Cummings and Matt Coy shut out the Mustangs (1-1).

Cummings earned the win for four innings of work in which he had four strikeouts.

USD (1-1) scored all the runs it would need in the third inning on catcher Josh Hansen's two-run double. The Toreros added two more runs in the seventh on first baseman Lucas Wennersten's leadoff home run and an RBI single by left fielder Derek Simper (San Marcos High).

PLNU 8-0, Concordia 2-5

PLNU split a doubleheader against visiting Concordia (Ore.), taking an 8-2 victory in the first game before dropping the nightcap 5-0. In the victory, the Crusaders (2-1) banded out 14 hits, including three apiece by Ralphie Marin and Jud Richards to make a winner of reliever George Jimenez. Marin's production included a home run.

More kicks in '02

Parameters for annual awards include global considerations

Unlike the economy, our second annual year-end soccer awards are growing.

Last year we brought you only the best in San Diego soccer, with the proviso that candidates had to be born and raised in the county, attend high school here, or play for one of the area's college or professional teams. But that effectively rules out Ronaldo and Rivaldo and Roberto Carlos, and — let's face it — what good are soccer awards without Brazilians?

So this year we've added an international dimension, for everyone outside our corner of soccer world.

The 2002 winners:

INTERNATIONAL

MALE PLAYER OF THE YEAR: Brazil's coach, Felipe Scolari, went on record this week saying that Rivaldo, "for me, was the best player in the World Cup." And he might be right.

But given his history of catastrophic knee injuries coupled with the enormous burden of expectation, what teammate **Ronaldo** did last June was nothing short of stupendous. He finished with eight goals in seven games to equal Pele's career World Cup output of 12 — all this at the unfathomable age of 25.

FEMALE PLAYER OF THE YEAR: Mia Hamm won the FIFA award. But that was a joke, the product of voters who either don't have access to women's soccer or do and don't bother following it closely (e.g. Somalia, Tahiti and Bosnia-Herzegovina).

A better choice: Germany's **Birgit Prinz**, who led Carolina to a worst-to-first season in the WUSA, finishing with 12 goals and eight assists in just 14 games; led Frankfurt to the European women's club title as well as two German championships; and is a mainstay on the German national team, which has won three straight European Championships.

COACH OF THE YEAR: There is no shortage of qualified candidates — Scolari, Bruce Arena (U.S. national team), Sigi Schmid (L.A. Galaxy), Marcia McDermott (Carolina Courage) — but none did what South Korea's **Guus Hiddink** did. Or even came close.

Not only did the Dutchman take a team to the World Cup semifinals that entered the tournament with an all-time record of 0-10-4, he also helped transform an entire nation in a matter of weeks. Postwar South Korea suffered from a severe inferiority complex both regionally and internationally. A few soccer matches later, and the tiny peninsula was on top of the world.

TEAM OF THE YEAR: The best team in the world was not in the World Cup.

It was Spain's Real Madrid, which won its second UEFA Champions League title in three years. With **Real Madrid** fielding a lineup that includes the best player from France (Zinedine Zidane), Portugal (Luis Figo) and Spain (Raul), plus one of the best from Brazil (Roberto Carlos), a bigger story would have been if the Spanish team hadn't won.

LOCAL

MALE PLAYER OF THE YEAR: You probably didn't notice, but University of San Diego senior forward **Ryan Coiner** was named Player of the Year in the highly regarded West Coast Conference. The most impressive part: Coiner's team finished tied for third in the seven-team league at 3-3.

Coiner had 14 goals and nine assists in 20 games, despite being a (heavily) marked man once strike partner Sy Reeves went down with a season-ending injury early in the year. Coiner finished his career with 49 goals, two short of Guillermo Jara's school record.

FEMALE PLAYER OF THE YEAR: How many

people can say they played in the final of the under-19 Women's World Championships and the NCAA final in the space of three months? **Megan Kakadelas** can.

On Sept. 1, the La Costa Canyon High alum provided the pass for the winning goal against host Canada in sudden-death overtime of the U-19 worlds. A few days later she was on the field at Santa Clara, and by early December she was playing in the NCAA final against Portland, her team losing 2-1 in overtime.

COACH OF THE YEAR: In the final match of group play at the under-14 national championships last July, La Jolla Nomads coach **David Armstrong** found his team trailing 2-0 in game it had to win or tie to reach the final. So he made the unorthodox move of switching defender Luis Smith to forward for the second half.

What happens? Smith scores twice, the Nomads tie 2-2 and advance to the final. And win it.

TEAM OF THE YEAR: This is more like the Team of the Decade.

The **San Diego Surf** under-19 girls, a power since beginning as an under-11 outfit in the early '90s, reached the youth national final for the third straight time in July and won for the second time. And did it without Kakadelas, who was with the under-19 national team preparing for the World Championships.

An incredible stat: All 16 members of the U-19 roster are playing for NCAA Div. I schools.

Another: a 474-30-29 overall, and 18 of the losses came against teams in older age divisions.

No wonder many rank it among the greatest youth sports teams of all time.

Mark Zeigler: (619) 293-2205;
mark.zeigler@uniontrib.com

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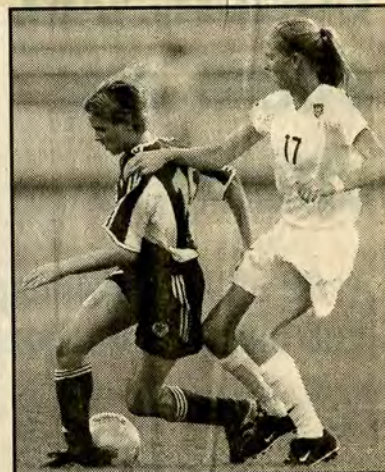
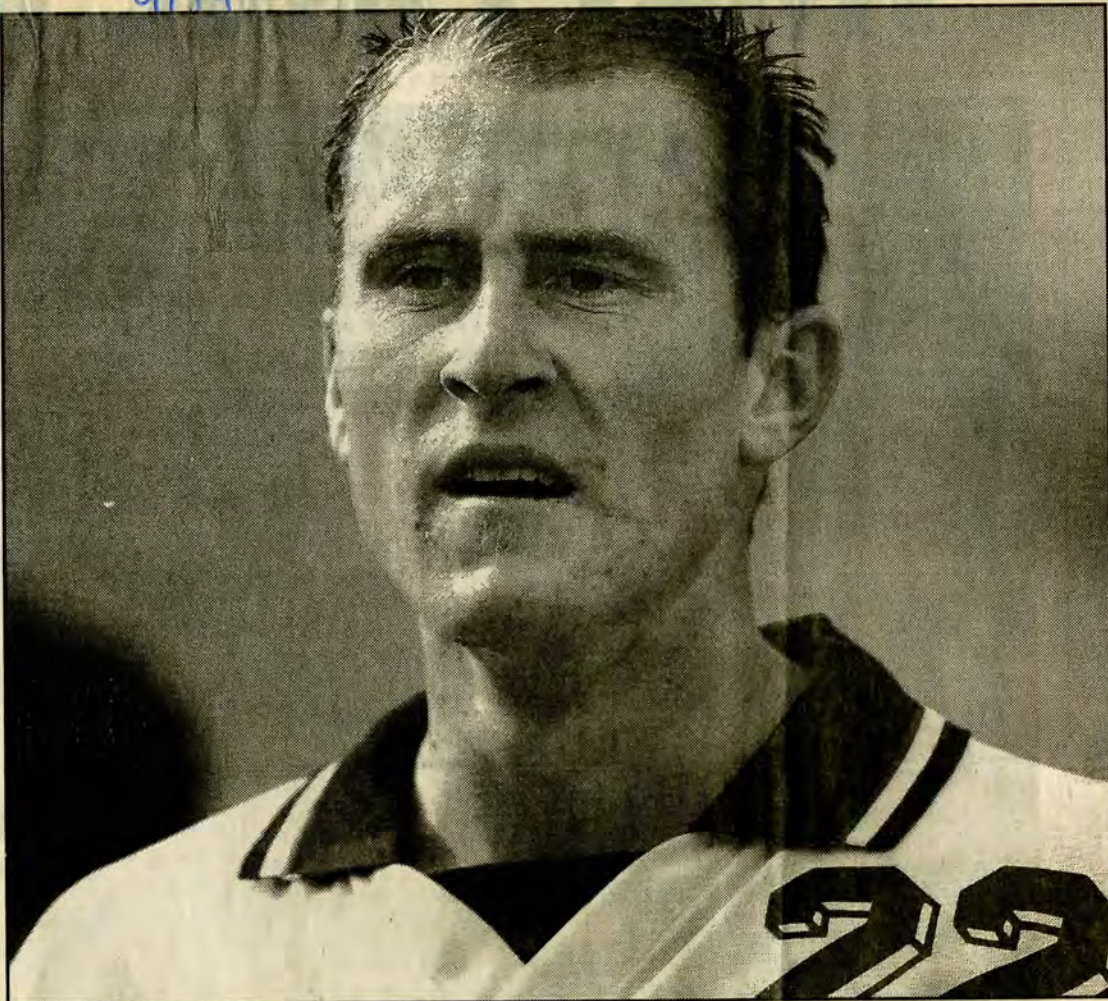
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The second annual Goal! Awards were bestowed on people who ply their trade on the world stage as well as locally. Among the honorees, USD's Ryan Coiner (above), Santa Clara's Megan Kakadelas (17, top right), a former La Costa Canyon standout, and Brazil's Ronaldo.

Travelin' Man

Former USD standout O'Brien has put his career on the soccer map



O'Brien (right) has played for five professional teams in four years since leaving USD as a two-time Player of the Year in the West Coast Conference. *Milwaukee Wave photo*

By Glae Thien 4154
SPECIAL TO THE UNION-TRIBUNE

Former USD standout Leighton O'Brien had a reunion of sorts in Dallas last year, when he encountered one of his father's teammates on the original Sidekicks indoor team in 1984-85.

O'Brien again met Tatu, who not only used to car pool with his father, Fran, but who is still active with the Sidekicks as their player/coach. On this day, Tatu shared a laugh with the younger O'Brien before playing against him.

"I remember when you were (only) that big," said Tatu, thinking back to when O'Brien was 8 years old.

If ever a player grew up traveling around pro soccer, it's O'Brien. Born in Dublin, he lived in his native Ireland two years before his family moved in step with his father's career stops in Philadelphia, Montreal and Vancouver in the North America Soccer League and Dallas and Tacoma in the Major Indoor Soccer League.

And now O'Brien has seen his share of the soccer map, having played with five teams in the four years since leaving USD as a two-time Player of the Year in the West Coast Conference.

O'Brien, 26, earned honors as the Most Valuable Player last season in the A-League, one step below MLS. Then, as soon as he could, he headed off to the MISL and the Milwaukee Wave for the current campaign.

"It's perfect," said O'Brien, who was in San Diego last week to oppose the Sockers. "You can go year-round, which I've done for almost two years. You keep fit, you keep sharp. I'm enjoying life."

A midfielder, O'Brien tied for the A-League lead with 11 assists and added 13 goals in leading the Seattle Sounders (23-4-1) to the second-best record in A-League history before their season ended in the second round of the playoffs.

Because his father's career wound up in Tacoma, O'Brien spent much of his teen years in the Seattle area. In considering college, he wrote USD about playing there.

As Toreros coach Seamus McFadden recalls, O'Brien wasn't a highly recruited player because he didn't have great "physical speed." But O'Brien would compensate with exceptional "technical speed" drawn from working on his game.

After an injury forced him to redshirt his first year at USD, O'Brien garnered WCC Freshman of the Year honors the next season. He was on his way to becoming one of the Toreros' all-time best players in the view of McFadden, who started the USD program in 1980.

"There's an old adage in Ireland," McFadden said. "You have to have the players that carry the water, and you have to have the players that can sprinkle the water where it needs to go. Leighton was that player who was really the quarterback of our team."

O'Brien appreciated the latitude that he had at USD to develop his style within the team framework.

"It was just a great experience," O'Brien said. "I played with a lot of good players. Seamus believed in me. He gave me a lot of freedom and confidence. I just flew with it."

O'Brien went from USD to San Jose of MLS, where the coach was current Sockers mentor Brian Quinn. However, after Quinn was later fired, O'Brien's chances dimin-

ished, leading to his departure.

"The next guy comes in and likes his own players," said Leighton. "That's just the way that it goes sometimes."

O'Brien subsequently ended up with the San Diego Flash of the A-League for the 2000 season. Then it was on to the Sounders the next year.

In addition, O'Brien began in pro indoor soccer that year with Sacramento of the old World Indoor Soccer League. The Knights folded after his one season there, so he elected to accept an offer from perennial power Milwaukee this season.

The Waves are off to a 13-5 start, leading the MISL West, with the help of 16 points from O'Brien in 15 games.

In coming years, the question is whether O'Brien will again get a call from MLS, es-

pecially given his strong showing in the A-League.

"I'm just plugging away," O'Brien said. "Obviously, that's the top level in the U.S. You have to be shooting for it. If it works, it works. If it doesn't, I'm very happy playing indoor and outdoor."

This year-round schedule exceeds what was done by his father, who shifted to the indoor game when the NASL began to collapse. Otherwise, he feels a kinship with his father's career.

"I love playing the game," O'Brien said. "We only have a few years to play this game. It's what I want to do. I grew up that way. My old man was a player. My whole life has been traveling from team to team."

Like father, like son, he travels in the same world of soccer.

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Address: Sports Letters, The San Diego Union-Tribune,
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Fax: (619) 260-5078 / **Email:** sports@uniontrib.com

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OBNOXIOUS SDSU FANS: Being a faithful Torero, I attended the USD-SDSU basketball game at Cox Arena on Jan. 8. As everyone knows, this is the huge crosstown rivalry.

I watched from the front row when USD beat SDSU last year at the Jenny Craig Pavilion. I was hoping that USD would pull through and beat SDSU for the fifth year in a row. SDSU played the better game defensively, and USD lost. But the defeat is not the reason I left the game feeling so disgusted. The obnoxious cheers of the SDSU fans is what left me with a bad taste in my mouth.

USD's Jason Keep was fouled multiple times. I realize that distraction is the key to the audience participation of the opposing team. Just minutes before he was fouled, an announcement was made about Cox Arena supporting all fans and players. The announcement also asked for the fans to refrain from making any religious, racial, sexist or vulgar comments toward any other fan or player.

But as Keep stepped up to the free-throw line, the SDSU fans chanted, "Alcoholic!" and "DUI!" I was completely ashamed that fellow San Diegans would attack a player from the opposite team in such a way. These same two chants were heard again and again. I was very disappointed with the behavior of some of the SDSU fans. They ruined the game I had been waiting for all year. Very poor sportsmanship.

HEATHER BROWN, *USD sophomore*

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4154
GILLMAN A GENTLEMAN: Aside from Sid Gillman's incredible football innovations, what I remember most about him was that he was a gentleman's gentleman. We were fortunate to sit with him at a USD football preseason banquet about eight years ago, and even his needling of Bobby Beathard about choosing which quarterback to play was good-natured. He was very friendly, open and cordial and one would never have realized the stature of this man by his understated persona. Hopefully, the good Lord will exercise first-round draft rights to have Sid coaching his teams.

TOM SCHIFF, *San Diego*

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SIDELINES

By Mark Zeigler

USA vs. Japan 4154

The U.S. women's national team begins training tomorrow for its first-ever match in San Diego — Sunday against Japan at USD's Torero Stadium. Practices are tentatively scheduled for tomorrow at 3 p.m. and Friday at 10:30 a.m., both at the ARCO Training Center in Chula Vista and open to the public; Saturday's session at Torero Stadium is closed. Tickets in the \$40 and \$45 categories are sold out, but tickets ranging from \$20 to \$35 remain. They are available at all Ticketmaster outlets or by calling (619) 220-8497. With the entire team in town, U.S. Soccer will announce its 2002 female Player of the Year at a news conference Friday afternoon.

Comings and goings

A flurry of interesting moves involving Ma-

jor League Soccer: Forward Joe-Max Moore is out at England's Everton and rumored to be on his way back to MLS, perhaps to the Kansas City Wizards. Replacing Moore at Everton is Columbus Crew forward Brian McBride, who signed a three-month loan agreement that allows him to return for the 2003 MLS season. On the other way across the Atlantic is 33-year-old midfielder Earnie Stewart, who arranged a free transfer from Dutch club NAC Breda, where he has played for the last six years. Stewart says he prefers to play for the defending champion L.A. Galaxy (who wouldn't?), but the MetroStars and D.C. United have first dibs at major allocations. The Chicago Fire is cleaning house because of salary cap restrictions (no wonder coach Bob Bradley left for the MetroStars), sending All-Star midfielder Peter Nowak to New England and forward Josh Wolff to Kansas City. And likely leaving MLS after being in the league since its inception is 41-year-old Carlos Valderrama, who was cut free by the Colorado Rapids and has indicated he will play one final season in his native Colombia.

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Future of U.S. women's soccer could be at stake

Winning World Cup would give WUSA legs

By Mark Zeigler
STAFF WRITER

4154
U.S. women's national soccer coach April Heinrichs arrived in San Diego a few days ago to begin preparations for today's match against Japan at USD's Torero Stadium, and it hit her.

"Kind of a pinch-me moment," Heinrichs says. "It's like, 'This is the World Cup year. It's here.'"

It's a year that begins today at 1 p.m. against one of the top teams from Asia and winds across the globe, with stops in South Carolina and southern Portugal and a half-dozen other locales be-



Today's match

USA

vs.

JAPAN

Where: USD's Torero Stadium
When: 1 p.m. TV: ESPN

fore ending in China in October for the fourth Women's World Cup.

At stake is arguably the top prize in women's team sports and, perhaps, a whole lot more.

The WUSA, launched on the heels of the '99 World Cup, experienced a drop in attendance and television ratings last year. Title IX is being exam-

SEE U.S. Soccer, C11

WUSA's survival might depend on World Cup

ined by a federal commission and could face what women's groups call a major rollback. And the national team is no longer the dominant global force it once was, failing to defend its Olympic title in 2000 and needing an overtime goal to beat Canada — a country it defeated in 22 of its first 23 meetings — in the region's World Cup qualifying tournament last fall.

"I think, flat out, we have to win (the World Cup)," said San Pasqual High alum Shannon MacMillan, who on Friday was named U.S. Female Player of the Year for 2002. "What happened in the Olympics and some games we have lost since them, it's time to put our stamp on the game again.

"We keep saying we have the best league in the world and the best (national) team in the world, but you have to live up to it with your actions. We can't just talk about it. We have to go out and prove it."

It is unfair, really, to strap a group of athletes and coaches with this burden, with leading — and in this case, preserving — a cultural revolution of women's sports. Their job is to put a white ball into a white net at the end of a green field, not to convince investors to write seven-figure checks to an eight-team league or compel the American media to cover women's futbol the way it does men's football.

"We're not trying to win the World Cup so the WUSA will survive," defender Brandi Chastain says. "That's absolutely not the motivating factor . . . I don't think we rue on that. We don't sit in our hotel rooms and think, 'Is women's soccer just going to crumble up and blow away in the wind if we don't win a championship?'"

"The motivating factor is because this team, as individuals, is so intense and so driven. It doesn't matter if we're playing Boggle or if we're doing the crosswords or if we're playing 5 vs. 5 (at practice). They're just driven to challenge themselves and this is another challenge."

Ruing or not, the reality is that the next 10 months could determine the fate of American women's soccer for the next 10 years.

The WUSA is clearly hurting financially, having originally budgeted \$64 million for its five seasons and reportedly having lost all of it in two. Negotiations over a new collective bargaining agreement with the players have spilled into this month, and one of the key issues is the investors' desire to rescind the remaining three years of the five-year salary guarantee they initially made to the 20 founding players.

The Spirit, in an effort to generate more revenue, recently announced a sizable increase in ticket prices for the upcoming season despite never making the playoffs. Tickets that were \$12, \$15 and \$20 last year are now \$15, \$20 and \$25 in advance and \$18, \$23 and \$30 on game day.

"Like all new businesses with a little bit of inexperience, we've had some bumps in the road," Chastain says. "There are some tough business decisions that have to be made. We're trying to navigate our way through it."

The 2003 season is not in danger, but 2004 and beyond could be.

"We're getting to that point where we have to establish ourselves as a viable league," MacMil-

USA vs. Japan

Site/time: USD's Torero Stadium/1 p.m.

TV: ESPN

At stake: A friendly. This is the first of an expected 15 tuneup matches for the U.S. women before the World Cup next fall in China.

Series: The U.S. leads 13-0-1. The lone blemish is a 1-1 tie in Phoenix in 2000.

U.S. outlook: The U.S. women have regularly trained in San Diego but never played an official match here before today. Coach April Heinrichs has gathered her "A" team minus veterans Mia Hamm, Julie Foudy and Kristine Lilly, who have the month off to rest up for a busy year. Heinrichs brought a 26-player roster to training camp and chose 18 for today's game, including Shannon MacMillan, Brandi Chastain, Joy Fawcett, Tiffeny Milbrett, Cindy Parlow and Aly Wagner. The team will stay here to train before leaving Thursday for a four-team tournament in China.

Japan outlook: The big name is skillful midfielder Homare Sawa, the Mia Hamm of Japanese soccer and the only Japanese player on a WUSA roster (Atlanta Beat). Otherwise, it's an almost exclusively domestically based team. Japan has yet to qualify for the 2003 World Cup; the Asian qualifying tournament is scheduled for April at a site to be determined. China, as host, is already in. Two more teams make it from Asia, and the third-place team faces Mexico in a two-leg playoff for an additional spot. Japan, along with North and South Korea, is favored to finish in the top three.

Expected attendance: 4,500. Tickets are \$20-\$35.

— MARK ZEIGLER

Key dates for women's soccer

Jan. 23-29: LG Cup Four Nations Tournament in China (USA, Germany, Norway and China)

Feb. 2: WUSA draft

Feb. 16: USA vs. Iceland, Charleston, S.C.

March 14-20: Algarve Cup, Portugal, 12-team tournament

April 5: Start of WUSA season (Boston at San Diego)

April-July: Four national team matches in the United States (dates and sites to be determined)

Aug. 10: End of WUSA regular season

Aug. 23: WUSA championship game (site to be determined)

September: Two tuneup matches (dates and sites to be determined)

Sept. 23: Women's World Cup opens in China

Oct. 11: Women's World Cup final, Shanghai

lan says. "But hopefully, we can go to China and be successful and re-energize women's soccer a little bit."

Or as Heinrichs puts it: "Winning the World Cup would give WUSA legs to run longer."

A big year for the national team, a huge year for women's soccer . . .

"Look what happened in '99," Milbrett says. "It made history. It changed so many things. I don't think this time around you will make history, but in order for people to listen and take notice, you always have to keep winning.

"You like to say that it's unfair, but we understand that it's part of the job. We understand that we are part of the bigger picture and we are part of being able to make change happen, that we can influence and grow a sport.

"It's not a burden to us. It's actually a responsibility that we take very seriously. We look forward to it."

Compiled by USD
Office of Communications and Marketing