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USD News Print Media Coverage

February 2003

USD Print Media Coverage February 2003

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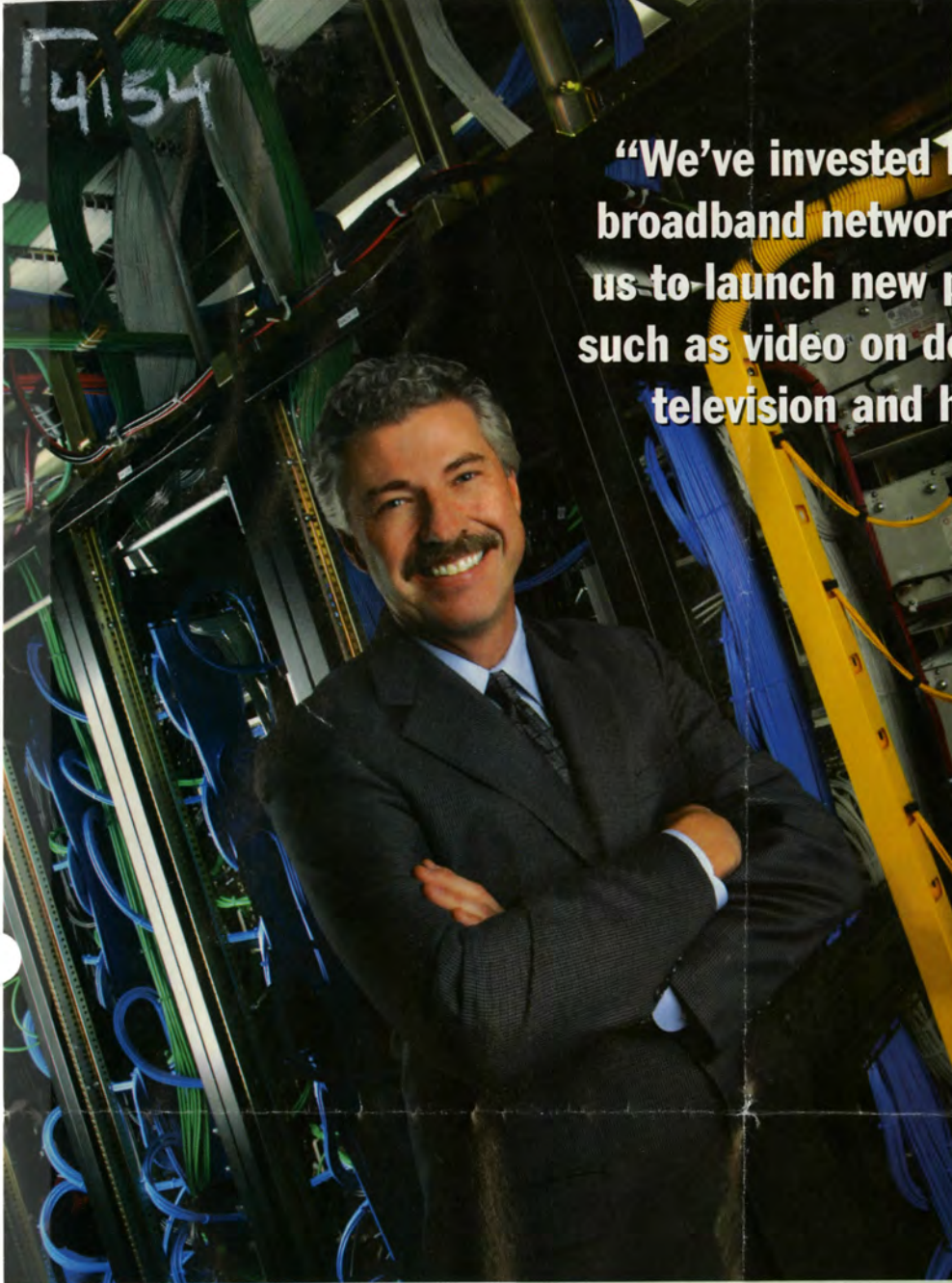
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**Office of the President/
Board of Trustees**



“We’ve invested heavily in our robust broadband network, which has enabled us to launch new products and services such as video on demand, high-definition television and home networking.”

Geppert. “With Cox, Customers are able to bundle voice, video and data services on one bill, which provides significant value and savings.”

In 2002, Cox began offering video on demand, which gives customers access to a video library that streams into homes on a real-time basis. “Using your remote control, you can pause and fast-forward just like a video rental, but you don’t have to leave home,” explains Geppert. Other new services include high-definition cable television and home networking, which allows high-speed Internet customers to network their home computers through wireless or wire line connections.

Cox’s innovation extends to its television station. Designed specifically to create exclusive programming for the San Diego audience, Channel 4 San Diego telecasts 250 live sporting events a year, including 145 Padres games, San Diego Spirit women’s soccer and collegiate sports. In addition, the station produces the award-winning *San Diego Insider*, *Forefront*, *Cox Carols by Candlelight*, *Salute to Teachers* and *Editors’ Roundtable*. Free of network constraints, Channel 4 San Diego “has the ability to cover the events and tell the stories in a way that really represents our community,” Geppert says.

One of Cox Communications’ core values is giving back to the community, and Geppert is leading the way. Known for his commitment to education, the community and his employees, the father of two serves on multiple boards and committees, including the Economic Development Corporation, USD Board of Trustees, American Red Cross, Super Bowl Host Committee, American Heart Walk, Rotary and the United Pan Asian Community.

Under the leadership of Vice President and General Manager Bill Geppert, Cox Communications San Diego is one of California’s fastest growing companies. In recent years, the company that provides cable, Internet, telephone and commercial services has doubled its customer base, tripled its number of employees and increased profitability by 100 percent. Cox Communications also enjoys one of the highest ratings of customer and employee satisfaction.

“We’ve invested heavily in our robust broadband network, which has enabled us to launch new products and services such as video on demand, high-definition television and home networking,” says

COX COMMUNICATIONS

BILL GEPPERT

SAN DIEGO MAGAZINE

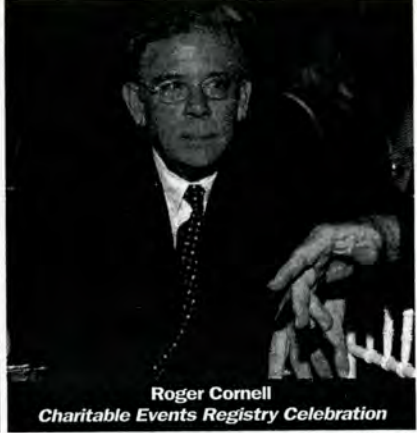
SAN DIEGO, CA
MONTHLY 54,000
FEBRUARY 2003



Donald Rossignol, Janet Bongiorno
Charitable Events Registry Celebration



Janet Stewart, Mariea Antoinette
Charitable Events Registry Celebration



Roger Cornell
Charitable Events Registry Celebration

lines
SAN DIEGO MAGAZINE
SAN DIEGO, CA
MONTHLY 54,000
FEBRUARY 2003

by Jeanne Beach Eigner
photographs by Carol Sonstein



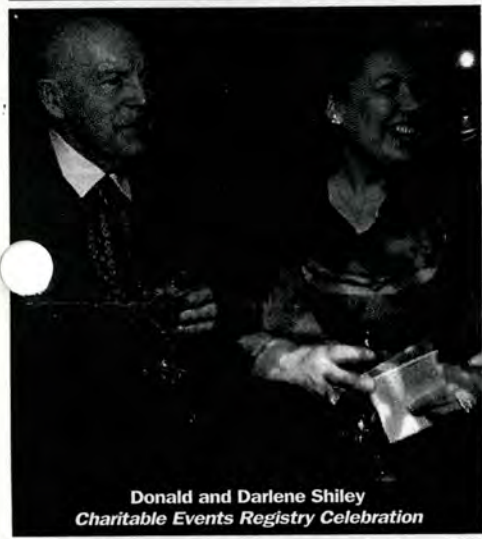
Giving, Glitter and the Copacabana

IF ONLY WE'D HAD TIARAS. We could have handed them out along with the plaques. But when *San Diego Magazine* bestowed the inaugural The Art of Giving awards at its annual Charitable Events Registry Celebration ... well, there was just so much mutual congratulation and "No, no, thank you" going on, everybody would have ended up wearing tiaras. Which would have been perfect, because the evening was all about charity, glamour and elegant cheer.

It was one of those clear, cold, sparkly nights. Downtown looked its most urbane. The El Cortéz terrace was the perfect spot for alfresco cocktails. Dinner was plenty sparkly, too. Kathy Wright & Co. topped the Don Room tables with snowbanks (willing suspension of disbelief, please) surrounding tall silvery trumpet vases of baby's breath and sprouting fragrant paper-whites. Very winter wonderlandy.

Festivities Catering served up salmon, and then *SDM* publisher **Jim Fitzpatrick** and editor-in-chief **Tom Blair** got down to thanking *Registry* sponsors Luce Forward, Metabolife, Park Laurel, The Art of Dentistry, **USD**, Qualcomm, San Diego County Credit Union, Iomega, Festivities and Union Bank of California. **Darlene** and **Donald Shiley** were honored as Philanthropists of the Year (just look around town for all those things with their names attached—the Shiley Eye Center, the new Donald Pearce Shiley Center of Science & Technology at USD, and so on). *Sempre Energy* was named Philanthropic Business of the Year.

The tireless **Joyce Glazer**, currently the fine hand guiding the Mingei International Museum's 25th anniversary celebration, earned the title Commu-



Donald and Darlene Shiley
Charitable Events Registry Celebration



Bob Buell, Maggie Watkins
Charitable Events Registry Celebration



Shannon Rice, Martha Ehringer
Charitable Events Registry Celebration



Ed and Joyce Glazer
Charitable Events Registry Celebration

People

KEY HIRES AND PROMOTIONS

AWARDS

Darlene Marcos Shiley has received the Chancellor's Medal from the University of California, San Diego. The award is given for extraordinary contributions to education and is UCSD's highest recognition. Ms. Shiley was honored for her involvements at UCSD, the University of San Diego, Scripps Clinic, KPBS, the Old Globe Theatre, and the Salk Institute.

February 10, 2003

Office of Alumni Relations



“We need to harness the vision and the determination to put together a team effort to find decent, safe and sanitary housing that can be afforded by our workforce.”

six years' experience as senior vice president of Koll, a giant in the real estate world, before founding American National Investments in 1997. From its roots as a property management company, American

National Investments is now a diversified network of interrelated companies that provide services to virtually every aspect of the real estate industry.

“The company is exploding—we're growing by leaps and bounds,” says Champion-Cain. “We offer a full range of real estate services and brokerage activities, as well as development expertise and investment opportunities.”

For Champion-Cain, who lives with her husband in a renovated 1921 Spanish hacienda in Mission Hills, San Diego has always been the place to be. “I was involved in urban renewal,” she says, “and I thought that downtown San Diego was a good place to start.”

Champion-Cain lends her voice to support the cause of affordable housing in San Diego, a crisis situation that has not gone unnoticed by Mayor Dick Murphy and local government officials. “I am really on the rampage about affordable housing,” says Champion-Cain, recently appointed as chair of the Housing Authority & Appeal Board. “We need to harness the vision and the determination to put together a team effort to find decent, safe and sanitary housing that can be afforded by our workforce.”

AMERICAN NATIONAL INVESTMENTS

GINA CHAMPION-CAIN

SAN DIEGO MAGAZINE

SAN DIEGO, CA
MONTHLY 54,000
FEBRUARY 2003

At age 37, Gina Champion-Cain has already accumulated more than a handful of awards for her work in real estate. Chosen in 2001 by *San Diego Business Journal* for its Women Who Mean Business Award and *San Diego Metropolitan* for its 40 Under 40 Award, she was also named by *San Diego Magazine* as one of the 50 People To Watch in 2002. Still, she says, the award of which she is most proud is the Author E. Hughes Career Achievement Award from the School of Business Administration at USD.

Champion-Cain came to San Diego with

BusinessLink USD

The Vista
Feb. 6, 2003

The NFL Experience BusinessLink USD hosts Superbowl luncheon

By Chad Wilson
EDITOR IN CHIEF

Although the Super Bowl wasn't played at Torero Stadium, the University still got a little taste of the action.

On Jan. 23, the Jenny Craig Pavilion hosted the official Super Bowl luncheon. The event, called "Big Game, Big Business – Evolution of the Super Bowl," was presented by BusinessLink USD.

Established in 1982, BusinessLink USD is a membership-based program that allows prominent business professionals and distinguished community organizations to build mutually beneficial relationships with the University.

BusinessLink USD membership provides current and stimulating programs, highly valued networking opportunities with industry leaders, and the most significant return on investment – a link to the development of skilled and enlightened individuals who become future employees and colleagues.

Tickets for BusinessLink members were \$100 or \$1,000 for a table of 10 (nine guests and a sponsored USD student). Non-members paid \$150 and

\$1,500 for a table.

All proceeds from the event went toward financial support of USD students.

Among the sports executives and media figures that participated in the event, the luncheon featured NFL Commissioner Paul Tagliabue, who stated that one of his favorite parts of the Super Bowl is the music.

The luncheon also featured a lively panel discussion led by Michael Wilbon, a *Washington Post* columnist and co-host of ESPN's "Pardon the Interruption."

Wilbon's boss, John Walsh, Sr. Vice President and Executive Editor of ESPN was also on the panel. Walsh stated that during the week of the Super Bowl, ESPN would have 37 hours of video footage, 100 hours of radio and nine

internet pages on the event.

"Sports Illustrated's" senior writer Rick Reilly also attended the event and was on the panel. Reilly is in his 17th year as a senior writer for "Sports Illustrated," and was the most humorous of all the panelists.

"All these Raider fans are coming into town. They're missing teeth and chewing tobacco," He said. "And then you got the male Raider fans."

Finally, perhaps one of the most influential figures in football history, Steve Sabol, President of NFL Films, also attended the event. Sabol is one of only 15 people in the world to have attended every Super Bowl.

Sabol compared the media today with the media of the first Super Bowl. Ac-

cording to Sabol, the first media day consisted of four journalists visiting the Packer's players in their hotel rooms a few days before the big game.

The final panelist was Joyce Rogge, Sr. Vice President of Marketing for Southwest Airlines, the Official Airline of the Super Bowl. Rogge added to the business side of the Super Bowl. She stated that Southwest Airlines couldn't run a commercial during the Super Bowl due to the cost.

Walsh added that during the first Super Bowl a one minute commercial cost \$70,000 while in this year's Super Bowl a commercial cost \$70,000 a second.

The luncheon ended with a drawing for four tickets to the Super Bowl game and events for the attendees.

Insurance broker's new game: long-term financial planning

By **TIM COFFEY**
San Diego Daily Transcript

The lay of the land looks a lot different from Larry Shea's desk now.

For years, the 63-year-old chief executive of the privately held insurance broker **Barney & Barney** fought for business with larger, San Diego-based competitors. Not anymore.

Local heavyweights **Robert F. Driver Co.** and **John Burnham & Co.** were acquired last year, leaving Shea with the oldest and largest insurance brokerage based in San Diego. A designation he's unlikely to surrender soon.

Three years ago, Barney & Barney moved from a limited partnership to a traditional corporate structure and overhauled its long-term plan. The reforms expanded the number of employee owners and created a permanent succession plan, ensuring that Shea's replacement comes from within the firm. Shea must sell his ownership in Barney & Barney, approximately 10 percent, when he turns 65, according to the new by-laws.

Additionally, Barney & Barney has recommitted to existing clients, offering more services in a holistic approach to selling insurance, Shea said. Retaining clients is the new game.

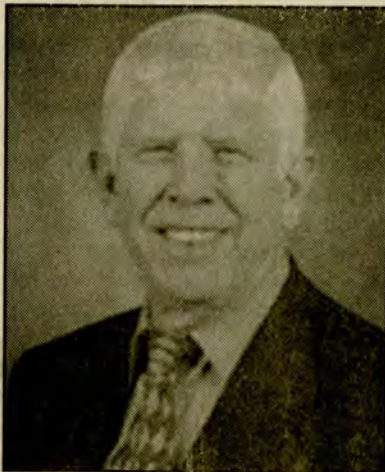
By arranging for internal transfer of control and avoiding the pitfalls that necessitate being acquired, Shea's confident Barney & Barney will survive through this year, the next, his retirement and his successor's retirement.

"Unless you're focused on perpetuating your company, things will happen ... and you haven't prepared for them," he said.

Shea took his current title of managing partner of Barney & Barney in 1982. He joined the firm in his mid-20s, in 1968, defecting from a national insurance company that offered the San Diego native a promotion to

Wisconsin or Texas.

Shea grew up in east San Diego, near San Diego State University. One of four boys, Shea's childhood consisted of riding bikes to Mission Valley, fishing in ponds



Larry Shea

in the old sand pits on Friars Road, and watching football games at the SDSU campus.

"It was a much slower-paced world then," he said.

All of the Shea brothers left San Diego, except Larry. Two brothers live on the East Coast and the youngest in San Luis Obispo, where he's the county district attorney.

After graduating from University of San Diego in 1962, Shea took his first post-college job with the **Insurance Company of North America**, a national firm headquartered in Philadelphia. He spent six years with them.

"As I rose up in the company, I was offered a position in Wisconsin and Texas," Shea said. "I took a look at those two locations and decided that I really didn't want to move. I wasn't averse to moving, but those two locations didn't excite me very much."

Also, Shea's wife, Sandra, had just given birth to their first child. The couple is still married, going on 42 years. They have four children and six grandchildren.

In the time after turning down the promotion, two local brokerages approached Shea. Only one offered the incentive Shea was most interested in.

"I joined Barney & Barney because I saw an opportunity for ownership," he said.

Barney & Barney brought in revenues of \$30 million last year, an 87 percent increase from 2000. The brokerage has 180 employees, a 35 percent increase in the same time period.

It will be difficult for Barney & Barney to continue the upward trend in revenue growth. The insurance cycle has turned. Insurance firms, and in turn, insurance brokers, now charge higher prices and competition is stiff because banks can now sell insurance.

Moreover, insurance companies are no longer optimistic on investing the float — the amount of money paid in premiums, but not yet used to cover claims. When the stock market surged in the late 1990s, insurance companies withstood charging lower prices because they made it up with high returns from stock investments. Of course, that's changed.

Also changed is the makeup of insurance companies, which write the policies brokers sell. They are no longer one-stop-shops.

Now, they're as specialized as any other business, Shea said.

"The insurance companies that were the old, traditional multiline insurance from home owners to personal to auto to everything else are gone," he said. "You just don't find a company that fits everyone, so you have to be able to find out what insurance companies are doing and you have to adapt to that."

That adaptation, at least in the case of Barney & Barney, means the brokerage offers more services, becoming not just a seller of

See **Shea** on 4

Shea

Continued from Page 1

life insurance — a fading product because of longer life expectancy — but a financial planner for long retirements.

Maintaining the firm's independent and private status is the company's commitment to its clients and the future. Attracting new owners and paying off old debts strengthened Barney & Barney, allowing the firm to focus on serving clients well into their retirement years.

"If we hadn't made those changes three years ago we probably would have had to sell, too," Shea said.

tim.coffey@sddt.com

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College of Arts and Sciences

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 ■ In a phrase that should be included in books of quotations for a long time to come, Daniel Patrick Moynihan described our cultural problem as one of “defining deviancy down.” The dynamics of the descent are maddeningly complicated, involving ever-shifting notions of compassion, sensitivity, victimization, and offense. Drug abuse, teenage promiscuity, suicide—all come close to being “normalized” in a society that, at the same time, increasingly rejects the idea that anything is normative. What was once deviant, for instance homosexuality, is now declared normal, while questioning that change is “homophobia” and is declared deviant. Little wonder that many people are confused. You can’t tell the cultural players without a scorecard and such a

scorecard is provided by Ann Hendershott in *The Politics of Deviance* (Encounter, 190 pp., \$26.95). The author is professor of sociology at the University of San Diego and provides an evenhanded account of how we got to where we are. Her book is part history, part social criticism, part moral reflection, and in large part an effort to rescue sociology as a discipline. The constituting idea of the social sciences, going back to defining figures such as Durkheim and Weber, is that a society requires boundaries or fairly clear and stable notions of what is “social” and what is “antisocial,” what is “normal” and what is “deviant.” In recent decades, however, the social sciences have joined hands with advocacy groups and a sympathetic media in defining deviancy down, or even defining it away. Charles Krauthammer, on the other hand, has suggested that what we are witnessing is “defining deviancy up”—meaning that something has to be way over the top before it qualifies as deviancy. That, too, is a big part of the truth. My own view is that we are witnessing the inversion of deviancy. Here, for instance, is a front-page story in the *New York Times* about an American nurse shot dead by a Muslim in Lebanon. She was working with an evangelical aid group that cares for children, mainly Muslim children, in need. The word got out that she was also telling the Muslim children about Jesus, and so she was killed. In what used to be the usual view of things, murder is definitely a deviant act and is severely censured. The *Times* story, however, is overwhelmingly sympathetic to the killer, instructing the reader on how very offensive a Christian presence, never mind any hint of missionary activity, is to Muslims. In this telling of the story, the American nurse is clearly the one engaged in deviant behavior that violates Muslim sensibilities. The moral is not that Muslims need to develop a greater respect for human rights and religious freedom but that Americans—and especially Americans prone to something so louché as sharing their faith—need to respect Muslim disrespect. A quite perfect inversion of deviance. But I wander. Anne Hendershott’s book is about what is happening on the homefront, not about today’s clash of civilizations. On second thought, maybe it is about a clash of civilizations, at home. In any event, it is very much worth a read. The title is *The Politics of Deviance*.

FIRST THINGS

NEW YORK, NY
 10-TIMES/YEAR
 FEBRUARY 2003

**SAN DIEGO DAILY
TRANSCRIPT**

SAN DIEGO, CA
MONDAY 15,000
FEB 3 2003



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Construction on schedule for USD science center

Rudolph and Sletten Inc. reports it is on schedule with construction of the Donald P. Shiley Center for Science and Technology on the University of San Diego campus at 5998 Alcala Park. The four-story, 150,000-square-foot building is cast-in-place concrete.

The facility will contain teaching labs, lecture rooms, classrooms, faculty laboratories, lab support

spaces, faculty offices, conference rooms and break rooms. The building design by Cindy Blair of *Carrier Johnson* reflects the 16th century Spanish Renaissance architecture of the campus with plaster and precast decorative elements and ornamentation. The contractor's team includes project manager Mike Conroy and superintendent Kris Specht. Completion is scheduled for April.

CHOICE

MIDDLETOWN, CT
11-TIMES/YEAR 4,000
FEBRUARY 2003



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40-3575 *4154* DU430 2002-405424 MARC
Stone, R.C.J. **From Tamaki-makau-rau to Auckland.** Auckland University
Press, 2002 (c2001). (Dist. by Paul & Company) 342p bibl index ISBN
1-86940-259-6 pbk, \$54.95

Stone's history of Auckland, New Zealand's early capital and an isthmus known to the Maori as Tamaki-makau-rau presents a richly detailed and thoughtfully illustrated account of over a thousand years of human settlement on this North Island site. Well over half of Stone's book examines Maori perspectives on the Tamaki isthmus, synthesizing the work of archaeologists and using the evidence available in Native Land Court minute books from the 1860s. In addition, Stone (emer., Univ. of Auckland) mines the journals of missionaries, travelers, and adventurers who began to visit the region with greater regularity by the 1820s. By the early 19th century, a combination of disease and intertribal warfare depleted the Maori population on the isthmus, a region that had been relatively densely settled. In this context, 32 Maori chiefs transacted the Fairburn Purchase in 1836, transferring much of the site to Pakeha ownership. When New Zealand became a British Colony in 1840, however, the Crown nullified much of the original purchase but did nothing to return the resulting "Surplus Land" to its original Maori owners. General readers and all academic collections.—*J. O. Gump, University of San Diego*



Rabbi Wayne Dosick

Once again, the United States of America — and much of the world with us — has been plunged into grief and mourning.

When the space shuttle Columbia disintegrated during its descent back to Earth from its 16-day mission in space, killing the six American and one Israeli astronauts on board, we lost some of our very best and brightest.

These gallant, courageous men and women knew the dangers of traveling in space. But whatever the risks, each of them was certain that there was great and satisfying reward in going beyond the boundaries of the known into the vastness of new frontiers. Like every adventurer and explorer before them, they came to discover and to open and to conquer and to tame the abyss and make it their — and our — own.

Their deaths are a tragic reminder of our human frailty, of the possibility — wittingly or unwittingly — of human error; of the complexity of the human plan, of the inexplicability of the divine plan.

Their deaths are a dramatic

reminder of the greatness of the human spirit, and the grandeur of the human quest.

For us, as Jewish Americans, the tragedy is compounded by the death of the first Israeli astronaut in space, Ilan Ramon — now of blessed memory. As the Israeli ambassador to the United Nations so poignantly put it, Col. Ramon carried with him the hopes and the aspirations of the Israeli people. He — the son of Holocaust survivors — literally carried with him into space a drawing made by a ten-year-old child in Auschwitz. Saved from the fires of the Shoah, and preserved for the generations to see, that drawing was destroyed in the fiery descent. The brutal irony is almost too much to bear.

The drawing that he carried perished with him. Yet, the hopes and aspirations he — and the other astronauts — carried cannot die. For, like every explorer, they went as far as they could, and they now hand over the mantle of exploration to the ones who will come next, and to the ones after that. Moses brought the people through the draft, but he did not live to see the Promised Land. And so it is. Then and now.

President Bush — invoking the language of the prophet and the pulpit — reminded a stunned and grieving nation to look beyond the stars we can see and the heavens we might know. "In the skies today, we saw destruction and tragedy. Yet farther than we can see, there is comfort and hope. In the words of the prophet Isaiah, 'Lift your

eyes and look to the heavens. Who created all these? He who brings out the starry hosts one by one and calls them each by name. Because of His great power and mighty strength, not one of them is missing.'

"The same Creator who knows the names of the stars also knows the names of the seven souls we mourn today. The crew of the shuttle Columbia did not return safely to Earth; yet we can pray that they are all safely home."

Our faith affirms for us. They are all safely home. They are all with God who made them.

All of them together, and each of them alone, deserve all the respect, all the honor, all the gratitude that we can and will give them. Their lives will be for us a blessing and an inspiration.

And, their lives must serve for us as a powerful reminder.

We rightly mourn these seven — seven who died in service to humankind, seven who died highly public deaths.

They Also Died

Yet, what about those who die quiet, unpublicized deaths?

In the year 2000 (the last year

statistics are available) 17,448 Americans died at the hands of drunk drivers, 16,765 Americans were killed in homicides (almost 8,000 of these with handguns.) 29,350 Americans committed suicide.

They also died.

These are not the famous; these are not the well known. Except for the few whose stories are publicized because of their notoriety, or because someone in the family is rich or famous, these are the ones who die without fanfare, often without notice.

These are 63,603 Americans who died because someone was crude and uncaring enough to get behind the wheel of a car while drunk on alcohol (or drugs), who were murdered by a known or unknown assailant, who were sad and lonely enough to take their own lives.

Except for their family and their close friends, who mourned these 63,603?

Yet, they are our neighbors, our community-mates, our fellow citizens, our fellow human beings.

There will most rightly and most deservedly be a lengthy and expensive national inquiry — and soul-searching — into why the shuttle failed and

Continued on page 3

SAN DIEGO JEWISH TIMES

EL CAJON, CA
BI-WEEKLY 16,500
FEB 14 2003

In Memoriam

Continued from front cover
why seven precious human beings died. There will be scores of recommendations and the institution of an array of new procedures to avoid future calamity. There will be a national resolve that this kind of tragedy will not happen again.

What kind of national inquiry — and national soul-searching — is being conducted to determine why so many are still killed by drunks, why so many are murdered, why so many are so self-destructive? Where are the scores of recommendations and new procedures to avoid further killing and murder and self-inflicted death? Where is the national resolve that the tragedies that happen in our streets, on our roads, and in our homes, will not happen again?

Seven lives. Each one a precious soul, each one a precious child of the

universe, each one a precious child of God.

63,603 lives. Each one a precious soul, each one a precious child of the universe, each one a precious child of God.

Seven lives, 63,603 lives. No one better, no one worse, than another. No one more worthy, no one less worthy, than another.

"The one who saves one life saves the entire world."

Let us save lives — one by one, soul by soul.

Let us save the world.

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.

CLASSICAL MUSIC

Norma The San Diego Opera presents Bellini's bel canto masterpiece about love and betrayal. *8 p.m. tomorrow; 2 p.m. Sunday; 7 p.m. Wednesday. Civic Theatre, 202 C St., downtown. \$18 to \$138; (619) 220-TIXS.*

La Jolla Chamber Music Society Discovery Series presents Thomas Carroll on the cello performing with Richard Joo on the piano. *3 p.m. Sunday. Sherwood Auditorium, Museum of Contemporary Art, San Diego, 700 Prospect St., La Jolla. \$7.50 and \$25; (858) 459-3728.*

Linda McCauley & Ensemble present new music from an old world with a unique blend of celtic, medieval and apalchian music traditions. *8 p.m. Saturday. Trinity Church, 845 Chestnut St., Escondido. \$10; (760) 743-1629.*

San Diego Opera's Young Artists perform a program of operatic duet favorites. Members include soprano Kathleen Helm, coltura soprano Stacey Fraser, mezzo-soprano Liza Agazzi, tenor Chad Frisque, baritone Thomas Roy and bass-baritone James Newman. *12:15 p.m. today. French Parlor, Founders Hall, USD. \$6 and \$8; (619) 260-2280.*



8:00 P.M. MATINEE SUNDAY AT
2:00 P.M.

Livin' Fat

Community Actors Theatre presents Judi Ann Mason's award-winning comedy about a poor family, the bag of money they found, and the second thoughts they have about keeping it. Jennie Hamilton directed.

COMMUNITY ACTORS THEATRE,
THROUGH MARCH 9; FRIDAY AND SAT-
URDAY AT 8:00 P.M. MATINEE SUNDAY
AT 3:00 P.M.

The Misanthrope

Globe Theatres/USD Professional Actors Training Program stage Molière's comedy of flattery, love, and hypocrisy.

STUDIO THEATRE, SACRED HEART HALL,
UNIVERSITY OF SAN DIEGO, SATURDAY,
MARCH 1, THROUGH MARCH 8; TUES-
DAY THROUGH SATURDAY AT 8:00 P.M.

SUNDAY AT 7:00 P.M. MATINEE SUN-
DAY, MARCH 2, AT 2:00 P.M.

The Music Man

The Welk Resort Theatre offers the popular heartland musical about fast-talking Harold Hill, trouble in River City, and a modest tuba player in a band with 76 trombones. Lewis Wilkenfeld directed. WELK RESORT THEATRE, THROUGH MARCH 29; TUESDAY, THURSDAY, AND SATURDAY AT 8:00 P.M. MATINEE TUESDAY THROUGH THURSDAY, SATURDAY AND SUNDAY AT 1:45 P.M.

National Comedy Theatre

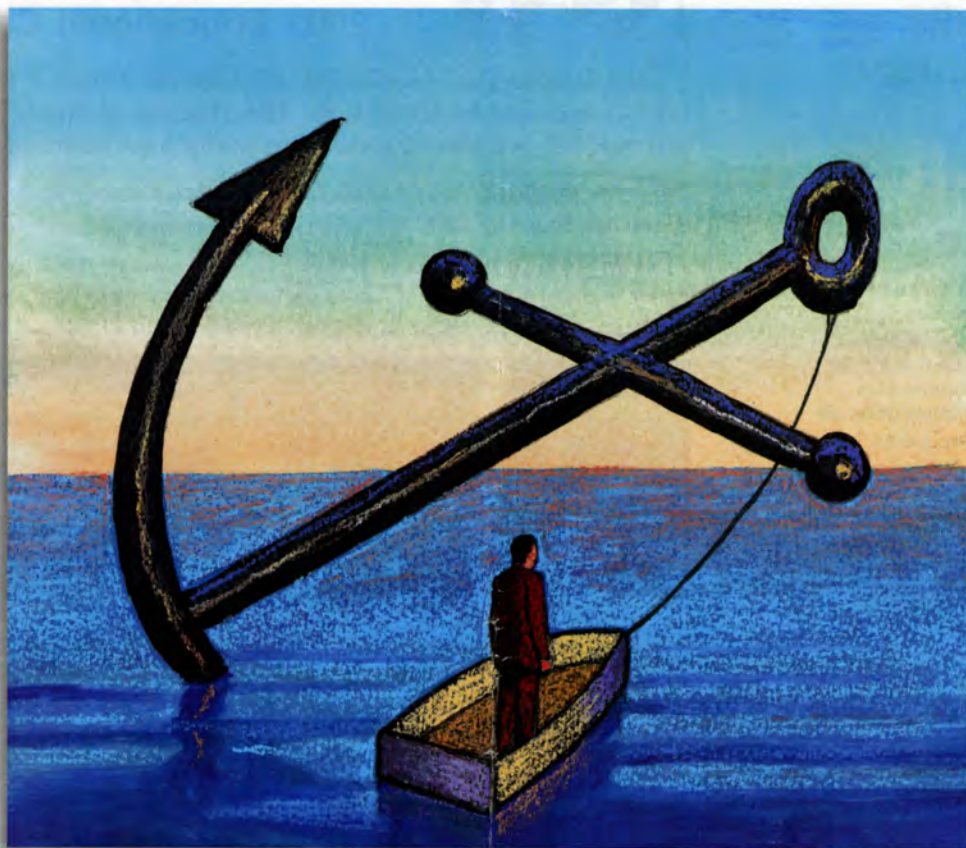
ComedySportz changed its name, but its methods (and madness) remain the same. Improvisational comedy, making up funny stuff on the spot, is difficult enough. Years ago, however, Keith Johnstone thought it'd be more exciting if done competitively. He got the idea

Reader
Feb. 27, 2003

CLASSICAL LISTINGS

Mostly Mozart, the sixth annual James H. Kolar Amadeus Music Fund Concert takes place on Sunday, March 2, with participants including USD professor emeritus, violinist, and composer Henry Kolar and friends. The concert begins at 3 p.m. in French Parlor at the University of San Diego (5998 Alcalá Park). Call 619-260-2280 for information. Tickets are \$8 general. (LINDA VISTA)

School of Business Administration



Bankruptcy Law for Accountants

*Randall K. Hanson, JD, LLM
James K. Smith, CPA, PhD, JD, LLM*

Bankruptcy filings are once again increasing at an alarming pace: 1.5 million bankruptcy filings are expected this year and an estimated \$40 billion in debt is expected to be discharged by financially troubled debtors. With the alarming number of filings, it is clear that accountants need to be keenly aware of bankruptcy law. While no accountant needs to be a bankruptcy expert, it is important to be current on developments in this area of the law so that a referral can be made when necessary. Clients may be considering bankruptcy protection, or customers of clients may well be seeking bankruptcy relief.

New bankruptcy legislation has been seriously considered for more than five years, and the credit card and banking industries have aggressively lobbied for reform throughout this time frame. A

reform package was nearly in place when the terrorist attacks occurred and halted the legislation. With the passage of time, bankruptcy reform has returned to the forefront.

A bill appeared imminent during the summer of 2002, but right before the summer recess, the bill was pulled from consideration because of a dispute over whether or not certain judgments involving anti-abortion protest activities at abortion clinics would be dischargeable in bankruptcy. This political issue polarized the legislative body, precluding the passage of the reform package. Bankruptcy reform is not dead—it is just being delayed once again.

Even with the legislation setback, the hazy picture of bankruptcy reform is becoming much clearer. Several issues still need to be resolved, but the Senate and the

House have basically reached an agreement on what the Bankruptcy Reform Legislation will look like. President Bush has frequently indicated that he would sign reform legislation when presented to him.

OVERVIEW OF THE PRESENT BANKRUPTCY SYSTEM

There are three primary chapters of bankruptcy law: Chapters 7, 11 and 13. Chapter 7 provides for a discharge of debts and a fresh start for debtors who feel they cannot turn around their financial situation. Chapter 11 provides for a business reorganization, to allow business debtors in financial trouble to develop a viable plan for recovery without discharging debts. Chapter 13 allows wage earners to develop a plan for recovery without discharging all debts.

Chapter 7

Chapter 7 bankruptcy proceedings are the most alarming to businesses because these proceedings result in the complete discharge of valid obligations. The distressed debtor is given a fresh start through the discharge of debt process.

Briefly, the way Chapter 7 works is that a financially troubled debtor retains an attorney; the attorney prepares a bankruptcy petition and files it with the Bankruptcy Court. The debtor is permitted to keep exempt assets, but is forced to turn all nonexempt assets over to the trustee in bankruptcy. In return for turning nonexempt assets over to the trustee, the debtor is discharged from all dischargeable debts (which are most of the debtor's debts). The Bankruptcy Court will appoint the trustee who represents the creditors and a bankruptcy judge will oversee the action. The debtor is permitted to go through Chapter 7 again after six full years have elapsed.

If the debtor does not file for bankruptcy relief, creditors are permitted to force a debtor into bankruptcy by filing an involuntary petition under Chapter 7. Some creditors, who are not being paid despite aggressive collection activities, may prefer to force the appointment of a trustee who may be more cooperative than the debtor. This may also minimize losses by a creditor if the debtor is squandering away any remaining assets.

Once a petition under Chapter 7 is filed, creditors are precluded from attempting to collect from the debtor on any claims. The creditors listed in the bankruptcy petition are notified that the debtor has filed for bankruptcy and the creditors then must file a proof of their claim with the bankruptcy court. The creditors must disclose if they have a perfected security interest in any collateral belonging to the debtor. The trustee in bankruptcy will accumulate all nonexempt assets belonging to the debtor for the benefit of the creditors.

Exempt assets do not have to be turned over to the trustee in bankruptcy—so defining exempt assets is very important under bankruptcy law. It is also a very confusing area of bankruptcy law. Although bankruptcy law is a federal law and is uniform throughout the United States, the Bankruptcy Code allows each state to decide what exemptions will be allowed. The Federal Code does set forth a federal list of

exemptions, but states are allowed to use it or their own set of exemptions. Most states have developed their own exemptions, but it is important to understand the federal list. Common exemptions under the federal list of exempt assets are:

| | |
|-----------------------------------|----------|
| Homestead Exemption | \$17,425 |
| Personal Property Exemption | \$9,300 |
| Automobile Equity Exemption | \$2,775 |
| Tools of Trade Exemption | \$1,750 |
| Jewelry Exemption..... | \$1,150 |

Many states have adopted broader exemptions than the federal list, but some are more restrictive. For example, the homestead exemption in Alabama is set at \$5,000, but Texas and Florida offer unlimited homestead valuations. The wide disparity in

.....
 A critical reform
 measure will likely be
 to force more debtors
 to use Chapter 13 by
 eliminating the
 unrestricted access to
 Chapter 7 relief.

approaches causes much chagrin among creditors. Of course, creditors favor small exemptions and debtors favor very broad exemptions. Creditors are particularly annoyed with the unlimited homestead exemptions allowed in Texas and Florida.

In addition to seizing nonexempt assets, the trustee can also set aside fraudulent transfers made by debtors who attempt to hide assets from the trustee. Also the trustee can seek to recover any preferential payments the debtor made to favorite creditors before filing for bankruptcy relief.

Accountants should recognize that, under current bankruptcy law, there are some debts that cannot be discharged by going through bankruptcy. Common examples of these nondischargeable debts are: alimony and

child support obligations, governmental fines, most student loans, judgments involving driving under the influence of alcohol, claims based on fraud or malicious activities, and some tax obligations.

Chapter 11

The purpose of Chapter 11 is not to discharge debts and grant a fresh start to a debtor, but rather to protect viable businesses that are facing temporary financial problems. The key component of Chapter 11 is the development of a viable reorganization plan to allow the business to recover.

If creditors are aggressively seeking payment and threaten to seize key assets, a business can file a Chapter 11 petition. This stops creditors from seizing assets and allows the troubled business an opportunity to develop a recovery plan. After filing a petition, the business has 120 days to prepare a reorganization plan, with the debtor usually remaining in possession of the business during this time.

The typical reorganization plan requires that the business repay most of its debts. Before a plan is approved there must be a hearing on the plan. Creditor input is allowed and the bankruptcy court must confirm the plan. Only feasible plans are approved and the bankruptcy court has the power to convert the bankruptcy to Chapter 7 if there is no hope of salvaging the business.

Chapter 13

The purpose of Chapter 13 is to allow wage earners to set up a plan for the debtor to get back on his or her feet financially. It is not like Chapter 7, where valid debts are discharged and the debtor gets a complete fresh start.

Chapter 13 protects financially distressed debtors by having them set up a court-supervised repayment plan. Debtors are frequently given an extension of time to pay debts. The emphasis is on repaying as much of the debt as possible while allowing the debtor to retain enough income for support. Repayment is generally expected to be completed within three years, but may be extended to five years with cause. Priority creditors are entitled to receive full payment and the bankruptcy court must confirm the repayment plan proposed by the debtor.

Again, note that under Chapters 11 and 13, the goal is not to discharge all debts, but

rather to develop a viable plan for a distressed debtor to regain a stable financial position. Businesses have long felt that more debtors should be forced to use Chapter 13 and be required to develop a plan to take care of their obligations rather than being permitted to eliminate debts by filing for Chapter 7 relief. Many businesses have taken the position that reasonable obstacles to Chapter 7 relief would alleviate abusive filings by individuals who have the capability of meeting their obligations

OVERVIEW OF ANTICIPATED CHANGES

To properly advise clients, accountants need to be familiar with anticipated reform legislation. A critical reform measure will likely be to force more debtors to use Chapter 13 by eliminating the unrestricted access to Chapter 7 relief.

Pushing More Debtors Into Chapter 13

The biggest changes in the bankruptcy system stem from a desire to push more debtors away from Chapter 7 and into Chapter 13.

Remember the difference between Chapter 7 and 13—Chapter 7 allows the discharge of debts and a fresh start, while Chapter 13 provides for developing a plan to recover from financial problems and to ultimately pay off most debts.

To accomplish this goal, it appears likely that the new legislation will include a needs test. The “needs test” would set up a formula for determining how much money will be left to pay creditors after allowable expenses are deducted. If a person failed to qualify under the needs test, that person would be forced into Chapter 13 rather than being allowed to proceed under Chapter 7.

A formula would be used where the debtor’s monthly income would be reduced by the debtor’s average monthly obligations using IRS standards for expenses. The resulting figure would be compared to several computations to see if the debtor has sufficient funds to climb out of financial problems. If a debtor has over a certain dollar amount left over a five-year period, Chapter 13 would be the only permissible route.


Consumer protection advocates are vehemently opposed to this dramatic change to the current system.

Changes to Homestead Exemptions Available to Debtors

One of the most controversial areas of bankruptcy reform is trying to reconcile diverse opinions on homestead exemptions. Exemptions are important because exempt assets are assets that debtors are allowed to keep under Chapter 7 and still obtain a discharge of debts.

The homestead exemption is the largest exemption and, therefore, the most important. Reconciling differences of opinion on the size of homestead exemptions was difficult. Representatives from Texas and Florida fought to allow each state to set their own exemption amounts as they see fit. Since those states have the most liberal homestead exemptions, it was no surprise that they opposed proposed caps on the homestead exemption.

The final compromise allows states like Florida and Texas to grant expansive home-



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stead exemptions if the debtor has lived in the state for a period of at least 40 months. If a debtor has not lived in a state for this period of time, the homestead exemption cannot exceed \$125,000. If the debtor has lived in the state for over 40 months, the homestead exemption will not be limited by the \$125,000 and the homestead will go up to whatever amount is specified by the state's statutes. This provision will prevent people from buying an expensive home in Florida and immediately filing for bankruptcy relief and fully exempting the homestead.

This compromise provision was necessary to gain sufficient support to pass the Bankruptcy Reform measure.

Last-Minute Purchases of Luxury Goods

Under the reform legislation, luxury purchases in the months immediately before filing for Chapter 7 relief will become nondischargeable. For example, a purchase of luxury goods or services that exceed \$500 made within 90 days before filing for bankruptcy would be nondischargeable.

Under present law, consumer debts in excess of \$1,075 for luxury goods or services are presumed to be nondischargeable if they were made within 60 days of filing of a Chapter 7 petition. Decreasing the threshold amounts and increasing the time periods will hopefully halt abusive, last-minute party activities by debtors who know they will soon file for bankruptcy relief. This abusive activity clearly should be eliminated.

Mandatory Credit Counseling

Another area of reform would include the requirement of mandatory credit counseling for debtors prior to allowing them to file for bankruptcy. The hope is that counseling sessions will help some debtors avoid bankruptcy filings altogether as well as enhance the compliance with plans prepared under Chapters 7 and 13.

Excessive spending habits by Americans and the ease of obtaining credit create a formula for financial ruin. Educational activities supporting responsible financial planning is an admirable goal, and may help some debtors get back on their feet and possibly avoid filing for bankruptcy. A mechanism will have to be implemented to approve credit counselors and set the counseling agenda.

Under the new act, credit counseling will be mandatory and must occur within the six-month period before the debtor files for bankruptcy. If a debtor does not go through the counseling, then the debtor will not be permitted to file for bankruptcy. In addition, a debtor will be required to complete a course on personal financial management before the bankruptcy court will approve a final discharge. Here again, the course requirements will have to be developed and instructor qualifications will have to be articulated.

.....
The new legislation prevents debtors from repeatedly filing for bankruptcy relief just to halt legitimate efforts by creditors to collect on legitimate claims.
.....

Child Support Obligations to Become a Higher Priority

Under the proposed legislation, Court-ordered child support and alimony would not be halted during the administration of the bankruptcy action. Parents would still be expected to pay child support throughout the entire bankruptcy process. Previously, these obligations were stayed by the filing of a bankruptcy petition. Further, these payment obligations would become a higher priority payment, a higher priority than even trustee administration expenses. Child advocacy groups will appreciate this priority treatment.

Curbing Abusive Practices

The new legislation will only allow debtors to file for Chapter 7 relief every eight years. The old approach was to allow another filing to take place after six years had elapsed.

The new legislation prevents debtors from repeatedly filing for bankruptcy relief just to halt legitimate efforts by creditors to collect on legitimate claims. The bankruptcy clerk will be required to provide all prospective debtors with a notice concerning penalties for fraudulently concealing assets or making false statements to the bankruptcy court. Debtors will be required to submit copies of payroll receipts and federal income tax returns. This will assist in verifying information submitted by the debtor.

REQUIRED STUDIES

Intense lobbying by banks and the credit card industry provided the impetus to reform bankruptcy law. There has been some negative backlash against these industries—many feel that providing easy credit has created most of the financial problems for defaulting debtors. As a result of this negative backlash, the reform legislation will require studies to determine if issuers of credit cards are offering credit without adequately investigating the debtor's ability to repay the debt. Further study will also likely be required to examine the impact of college student credit card debt and the subsequent filing for bankruptcy by former college students. Information gained through these studies may fuel future changes to bankruptcy law.

CONCLUSION

It is important for accountants to be aware of basic bankruptcy law and the potential legislative changes so they can properly advise clients. Bankruptcy reform will change accountant counseling responsibilities.

Clearly, more debtors will be forced into Chapter 13 through the use of the "needs test." This will require that accountants become more familiar with Chapter 13 bankruptcy actions than in the past. Accountants need to be aware of the pending changes as some clients may have to be encouraged to file for bankruptcy relief before the new changes take effect. ❖

Randall Hanson, JD, LLM, is a Professor of Business Law at the University of North Carolina at Wilmington. James K. Smith, CPA, PhD, LLM, is an Assistant Professor of Accounting at the University of San Diego.

SOUTHERN CALIFORNIA

San Diego, Orange and Riverside counties: Neighbors who strengthen the region



Photo courtesy Hotel del Coronado.

The Hotel del Coronado is a national historic landmark and a symbol of San Diego County. The 115-year-old luxury hotel in Coronado has 688 rooms and draws about 50 percent of its guests' business from corporate travelers and the rest from leisure travelers.

By **GEORGE CHAMBERLIN**
Daily Transcript Financial Co. respondent

The San Diego region could easily be referred to as the "place that is a little bit south of Southern California." Consider the geography. The county is bounded on the south by the international border, the west by the Pacific ocean, the east by the desert and on the north by the expanses of Camp Pendleton.

Yet, while the area could be considered a regional island, it also has many things in common with its neighbors to the north and east. The combination of San Diego, Orange and Riverside counties makes up a sizeable chunk of what is loosely considered southern California.

For one thing, the populations of these three counties are growing at a rate well in excess of the rest of California. Orange and San Diego counties both have slightly more than 3 million residents, while Riverside County counts about 1.6 million people.

However, in the coming years, it is Riverside County that will show the most aggressive population growth. The California Department of Finance

projects that Riverside County's population will hit 2 million before 2010 and rise to 2.8 million people in 2020.

The growth in Orange County will be more moderate, topping out at 3.5 million in 2020. San Diego County will grow slightly faster, hitting 3.9 million people at the same time.

So, it comes as no big surprise that the biggest challenge facing this tri-county region is finding a place for all of these people to live.

"Bold, innovative action is needed to increase and diversify the housing supply in the region," states a report prepared by the San Diego Association of

See **Neighbors** on page 12

SAN DIEGO DAILY TRANSCRIPT

SAN DIEGO, CA
MONDAY 15,000
FEB 10 2003

San Diego County... at a glance

Source: U.S. Census Bureau

The following data is based on the
Census 2000.

Who we are

Percentage born outside the United States: 21.5

Percentage of those over the age of 5 who
speak a language other than English: 33

Percentage of those over the age of 25 with a
high school diploma or higher: 82.6

Percentage of graduates over the age of 25 with
a bachelor's degree or higher: 29.5

Percentage of civilian veterans: 14.6

Percentage of grandparents responsible for
grandchildren (under 18 years): 32.4

How we get to work

Percentage of those who drive alone: 73.9

Percentage of those who carpool: 13.9

Percentage of those who use public transit: 3.4

Percentage of those who use other means of
transportation: 5.3

Percentage of those who work at home: 4.4

How much we earn

Median household income: \$47,067

How we live

Average household size: 2.73

Average family size: 3.29

Median mortgage: \$1,523

Neighbors

Continued From **Page 6**

Governments, commonly known as Sandag. The report, "Region 2020: Strategies to Solve the Housing Crisis," suggests that it will be necessary to build 365,000 new homes -- an average of 18,000 a year -- to meet the population growth in San Diego County alone.

Of course, a housing shortage in southern California is nothing new.

"My estimate is that we are about 90,000 housing units short countywide based on the job growth we've had since 1990," said Alan Gin, associate professor of economics at the University of San Diego. "I think the shortage of housing will outweigh any dampening on the demand side to lead to stable if not increasing housing prices."

Rising housing prices—that's another thing that San Diego, Riverside and Orange counties have in common. Orange County leads the way with the median price of a home sold in October coming in at \$435,650, an increase of 21 percent over the same month in 2001. San Diego County prices hit \$378,290, up nearly 29 percent in a year.

Riverside County, by comparison, is certainly more affordable. But, that is changing fast. The overall county, which ranges from Rancho California to Palm Springs, saw the median price hit \$201,000 in October. However, Temecula -- the closest community to the San Diego County line -- saw prices hit \$270,000, up from \$218,000 a year earlier.

"The California housing market has been characterized by unprecedented sales activity and impressive price appreciation in 2002, and will remain strong into 2003 as it benefits from a recovering economy," said Robert Bailey, president of the California Association of Realtors. "Southern California weathered the economic slowdown with minimal job losses and should show solid gains in economic activity in 2003."

But, where will those jobs come from? Certainly San Diego and Orange counties will benefit from the reemergence of technology. According to the American Electronics Association's report, "Cybercities 2002," both regions rely on high-tech for higher employment.

"Fueled by such leading industries as consumer electronics and communications equipment manufacturing, San Diego's technology employment edged up last year," said Kevin Carroll, executive director of the AEA's San Diego Council. He said that tech employment in San Diego climbed to 76,000 in 2001, an increase of 1,000 over the previous year. That represents a payroll of \$6.4 billion.

While Orange County's tech work force numbers 104,600, it actually lost 1,100 jobs in 2001. Still, more than 3,400 companies generate a payroll of more than \$7 billion.

While Riverside County has yet to develop a significant high-tech presence in its business community, it is gearing up to grab a piece of the action.

The Riverside County Economic Development Agency, in conjunction with the University of California, Riverside and the city of Riverside, has created the University Research Park, "the ultimate location for business development and technological innovation."

Despite the fact that these communities have the luxury of being located what many people consider to be the best environment in the United States, they are still closely linked economically to the rest of the country. Yet, even with the possibility of war in Iraq, new terrorist attacks, a double dip recession and more corporate corruption, one thing remains constant: All things considered, most people would rather live in San Diego, Orange or Riverside counties than just about anywhere else.

george.chamberlin@sddt.com

life science executives in a two-day conference focused on the strategic business requirements of the life sciences community. San Diego Convention Center, 111 W. Harbor Dr. (858) 455-0300. jlandress@biocom.org. www.calbiosummit.org

Tuesday, March 11

SEMINAR: At "**Creating Successful Collection Relationships**," learn tips to increase your company's cash flow, create more effective 'collection' relationships with your customer accounts, successfully turn irate customers into paying customers and 'cooperative language' techniques that turn complaints into opportunities. 9a.m.-1p.m. \$75. Discounts available. 8240 Parkway Dr., La Mesa. (619) 463-3494. information@rightarmconsulting.com. www.rightarmconsulting.com

Wednesday, March 12

WORKSHOP: "**Internet Marketing & E-commerce for Small Business: Keys to Successful Online Marketing & Sales**" is beneficial for small businesses and aspiring web entrepreneurs. 6:30-8p.m. No charge. Central Library, 820 E St. (619) 238-6630. businesslink@sandiego.gov.

Friday, March 14

SEMINAR: "**Beyond Survival: Success Strategies for the Nonprofit Sector**" looks at innovative solutions for nonprofits, including new ways for groups to collaborate and share resources, develop marketing strategies and cultivate donors. 3:30-6p.m. \$20 donation. Joan Kroc Institute for Peace and Justice, USD campus. (619) 282-8875. cnewman@sandiego.edu. www.sandiego.edu/soe/nonprofit

BREAKFAST: The USD School of Business Administration hosts "**Breakfast with Gordon Bethune**." Bethune is chairman of the board and CEO of Continental Airlines Inc. 7:30-9:30a.m. \$35 in advance. Hahn University Center, USD campus. (619) 260-7629.

Tuesday, March 18

MEETING: The **Association of Information Technology Professionals** holds a meeting. 5:30p.m. social hour; 6:30p.m. dinner. \$15-\$30. Radisson Hotel, 1433 Camino del Rio S., Mission Valley. (888) 871-3849. rwsmit@aol.com.

WORKSHOP: The Small Business Administration presents a **lender** workshop that provides hands-on assistance. 10a.m.-noon. No charge. Small Business Development Center, 1823 Mission Ave. (760) 795-8740. www.sandiegosmallbiz.com

WORKSHOP: The Small Business Development Center presents, **Accion**, a loan orientation workshop for the San Diego Microloan program. 5:30p.m. No charge. Small Business Development Center, 1823 Mission Ave. (760)795-8740. www.sandiegosmallbiz.com

Wednesday, March 19

**NORTH COUNTY TIMES
(ESCONDIDO EDITION)**

ESCONDIDO, CA
SATURDAY 89,754
FEB 1 2003



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Telmosse attends residential real estate conference

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Roni Telmosse, CRB Broker Associate, attended the Third Annual Residential Real Estate Conference: Outlook 2003 on December 11, 2002 in San Diego. The conference was held on the campus of the University of San Diego (USD) and was presented by the USD School of Business Administration, Real Estate Institute. Presenters included Leslie Appleton-Young, vice president and chief economist of the California Association of Realtors; Dr. Alan Gin, associate professor of economics, USD; and a panel of local real estate professionals who shared insights and best practices.

"I found the outlook for 2003 in the San Diego area to be quite encouraging," says Telmosse. "Job growth is predicted to continue, along with moderate price appreciation



Roni Telmosse

forecasted in the housing market. San Diego is expected to outperform the nation and California in 2003. This is good news for our industry and for our clients."

With 30 years of real estate experience under her belt, Telmosse has received numerous awards for her achievements including the Cornerstone Award for Business and Service Excellence and the Omega Tau Rho Award from the National Association of Realtors for leadership and extensive service to the industry. She is also a Director of the California Association of Realtors.

School of Education

PRESS-ENTERPRISE

RIVERSIDE, CA
MONDAY 180,724
FEB 17 2003



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Riverside County Teachers of the Year selected



⁴¹⁵⁴
Jerri Higinbotham of Corona and Roxanne Zoss of Desert Hot Springs have been selected as the 2003 Riverside County Teachers of the Year.

Higinbotham and Zoss represent more than 12,000 teachers from Riverside County's 23 K-12 school districts.

Higinbotham is a special education teacher at Jefferson Elementary School in Corona, part of the Corona-Norco Unified School District. She has taught for 17 years, beginning in the Los Angeles Unified School District,

and six at her current site.

She earned her bachelor's degree at California State University, Long Beach, and her master's degree from Loyola Marymount University. She is a mentor teacher and regular presenter at special education teacher trainings. She also was given the Leukemia Society Volunteer Service Award.

Higinbotham is also the assistant cross country coach at Corona High School. Her principal wrote that Higinbotham "recognizes the value of each student

and teaches in a way that is best suited for his/her needs.

Zoss is a math teacher at Desert Hot Springs High School, part of the Palm Springs Unified School District. She has taught for seven years, three at her current site. She received her bachelor's degree from Eastern Michigan University and a master's degree from Chapman University.

She is a math, algebra, geometry, advanced algebra, and advanced placement calculus teacher at her high school. She has been an instructor for the

Upward Bound Program at College of the Desert, math teacher at Cathedral City High School, and a teacher at Crescent Academy International private school in Canton, Michigan.

She is a mentor teacher, lead teacher for mathematics and trains students in a formal tutoring program in mathematics.

She was nominated for a Disney Teacher of the Year Award by her students, Who's Who Among America's Teachers, and recognition by the University of San Diego.

Institute for Peace and Justice

Joan B. Kroc Donates \$5 Million for USD Peace and Justice Lectures

SAN DIEGO — Philanthropist Joan B. Kroc has donated \$5 million to the University of San Diego's Joan B. Kroc Institute for Peace & Justice for an endowed lecture series to bring in top-level policymakers to discuss issues of global concern.

The gift will allow the Institute to bring in nationally and internationally known speakers to discuss issues related to war and peace, justice and human rights.

"This new year is presenting global challenges to our government, our citizens and our families," said USD President Alice B. Hayes. "We are immensely grateful



ANN AUBREY HANSON

JOAN B. KROC

to Mrs. Kroc for making it possible for the Institute to bring in speakers who will allow us to hold meaningful dialogue about these events and to advance our nation's democratic tradition of dialogue and discussion."

Kroc's initial gift of \$25 million funded the Institute that opened in late 2001 as a place dedicated to fostering peace, cultivating justice and creating a safer world.

"We are thrilled to receive this wonderful gift from our benefactress, Mrs. Kroc," said Dr. Joyce Neu, executive director of the Institute for Peace & Justice.

The Institute's 2001 dedicatory conference, "Peacemaking with Justice: Policy for the 21st Century," brought together world leaders such as former U.S. President Jimmy Carter and former Costa Rican President Rodrigo Carazo, along with parties to conflicts in the Democratic Republic of Congo, Guatemala, Macedonia and Nepal.

The Institute draws upon Catholic social teaching that sees peace as inseparable from justice and acts to prevent and resolve conflicts that threaten local, national and international peace.

The Southern Cross

Kuwait Works to Preserve History of Its Resistance to Iraq

By TONY PERRY
Times Staff Writer

AL QURAIN, Kuwait — It's an ugly sight in the center of this tidy middle-class neighborhood: a three-story home with gaping holes blasted in its walls, ceilings and roof by an Iraqi tank. The sign outside says simply: Al Qurain Martyrs Museum.

Just yards from a mosque, the yellow brick house was the scene of one of the last instances of brutality inflicted on Kuwaitis by the Iraqi army during the 1991 Persian Gulf War. It was also the site of one of the bravest examples of Kuwaiti resistance against overwhelming firepower.

Sheik Jabbar al Ahmed al Sabah, Kuwait's emir, is expected to preside soon over the opening of the museum, dedicated to the 12 resistance fighters who were cornered and killed at the home near the end of the war, as well as to hundreds of others slain by the Iraqis. Even as a U.S. military force prepares for another possible war, Kuwaitis are accelerating efforts to preserve the history of the 1990 Iraqi occupation and the liberation of their nation by a U.S.-led coalition the following

year.

And while the Kuwaiti version of the past does not stint on praise for the U.S. and other nations that came to this country's aid, it emphasizes events that are often overlooked in Western accounts, including the bravery of civilian militia groups in fighting the Iraqis and the defiance of women who staged street protests.

An American academic says the Kuwaitis are engaging in "standard post-conflict history-making" common in countries that have been conquered and occupied.

The process includes celebrating heroes and forgetting such unsavory things as looting and collaboration by some civilians and the poor performance by some units of the nation's military.

"The Kuwaitis are writing — or rewriting — history to reflect the fighters among them, the ones who held true to Kuwaiti identity even in the midst of the invasion," said Joyce Neu, executive director of the Joan B. Kroc Institute for Peace and Justice at the University of San Diego. "Those are the people who carry

and defend the pride of the people and culture."

Although nearly all of the war-damaged homes and businesses have been replaced, the emir has decreed that several sites will remain untouched as history lessons for the younger generation and foreign visitors.

"It is important that people know of the bravery of Kuwaitis and how much they were able to withstand," said Shatta Altaher, one of the workers at the Al Qurain museum project.

This week, the country will hold its annual National Day followed by Liberation Day. Those who died fighting the Iraqis and others who refused to submit will be honored.

"It's good for the new generation to know these things," said Yaser Mohsen, a guide at the newly opened House of National Works Memorial Museum, dedicated to the occupation and war. "The schools do not do enough to tell the story of the bravery. And it is important for visitors to learn too."

Among other exhibits, the memorial museum has a listing of those declared by the govern-

ment to be "martyrs" of the Iraq conflict; pictures of the street protests in which Kuwaiti women demanded "Free Kuwait: Stop the Atrocities Now"; and three-dimensional mock-ups of key battlegrounds in first days of the occupation in August 1990.

The memorial museum has several rooms dedicated to war crimes allegedly committed by Iraqi President Saddam Hussein's forces in Kuwait, Iran and the Kurdistan region of northern Iraq. The museum's doormat shows a drawing of a man sitting on a chamber pot; on the pot is Hussein's face.

The government also has opted not to demolish or repair the emir's Bayan Palace, which was damaged when it was captured by the Iraqi army on the first day of the invasion and again when militia members tried unsuccessfully to rescue Kuwaitis held there.

On the masonry fence that surrounds the spacious hilltop property are graffiti sprayed by Kuwaiti youth while the palace was under Iraqi control, including obscenities and swastikas.

Miles away, in front of the Asian Olympic Committee

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(NATIONAL EDITION)

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SUNDAY 20,000
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LOS ANGELES TIMES

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building facing Arabian Gulf Street, is the late-model Lincoln in which the emir's brother, Sheik Fahad al Ahmed al Sabah, was riding when he was killed by Iraqi tank fire during resistance in the early days of the Iraqi invasion.

The car, now raised on a granite pedestal, has been painted gold, including the tires and windows. A large sculpture of a clenched fist protrudes from the car's roof.

A plaque, in English and Arabic, says that for the sheik, "dying for Kuwait was the ultimate honor he sought all his life." A sports complex bearing his name is under construction.

Immediately after the liberation in 1991, the Kuwaiti government created a department dedicated to issues involving those slain or taken captive. Although Iraq denies it, Kuwait insists that the Hussein regime is still holding hundreds of prisoners.

By decree, the department is charged with "keeping martyrs' names fresh in the minds of the Kuwaiti, Gulf and Arab societies, as well as the whole world."

For Muslims, the word mar-

tyr holds special meaning. A martyr goes directly to paradise while all others must wait for judgment day to learn their fate.

Families of those designated as martyrs are given homes, automobiles, furnishings, compensation and free trips to the Saudi city of Mecca for the hajj, or pilgrimage, that all Muslims are expected to make at least once in their lives. Streets, roads and public buildings are named for individuals who were slain.

Rugaya Radhi Almayass, whose 23-year-old brother, Saad, was killed by the Iraqis because of his militia activities, believes it is important that such bravery be remembered.

It is not right that the world only remembers the coalition fighters who liberated Kuwait, she said. Her brother was held prisoner for 25 days and then shot to death in the street in front of the family home.

"The martyrs deserve to be remembered," Almayass said. "Without them and their sacrifices, maybe we wouldn't have gotten our country back. If they had not resisted and fought back, the world maybe would not have noticed our plight."

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**Generous Joan Kroc
is a force for peace**

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Joan Kroc, San Diego's sweetheart, got Page B-3 billing Jan. 30 for her generous donation of \$5 million for a lecture series to add to her generous donation of \$25 million for the Joan Kroc

Institute for Peace and Justice at the University of San Diego.

If only President Bush's speech-writers had included this item in his State of the Union address. With the president acknowledging Kroc's gift, it would plant the seed of understanding how to solve conflicts, how to achieve human rights worldwide without war.

As Eleanor Roosevelt said: "It isn't enough to talk about peace. One must believe in it. And it isn't enough to believe in it. One must work at it."

Kroc not only talks about peace and believes in it, she works at it. The Institute for Peace and Justice will continue to be a beacon of light in our dark world with action and understanding overtaking rhetoric and saber rattling.

Certainly Joan Kroc is a living example of someone with a special mission to help as she continues to share her fortune with worthwhile causes, and we are fortunate to have her in San Diego.

Author Richard Bach's humorous advice should encourage us all to be proactive. "Here is the test to determine whether your mission on earth is finished: If you're alive, it isn't."

Thank you, Joan Kroc.

SANDY LIPPE
University City

Kyoto Symposium

Recipients Of Inamori Foundation Awards To Present Work At Kyoto Laureate Symposium

USD's Kroc Institute will host international meeting in March

BY SANDY PASQUA

The three most recent recipients of a Kyoto Prize, awarded by the Inamori Foundation, will participate March 5 to 7 in the second Kyoto Laureate Symposium at the University of San Diego's Joan Kroc Institute for Peace and Justice.

The Inamori Foundation was established in 1984 by Dr. Kazuo Inamori, founder and chairman emeritus of Kyocera Corp. The following year, after consultation with the Nobel Foundation of Sweden, Inamori established the Kyoto Prizes to be given annually in three categories: Advanced Technology, Basic Sciences and Arts & Philosophy.

The 2002 laureates are Dr. Leroy Edward Hood of Seattle, president and director of the Institute for Systems Biology; Mikhael Leonidovich Gromov, professor at the Institute des Hautes Études Scientifiques near Paris and professor at New York University's Courant Institute of Mathematical Sciences; and Tadao Ando, a self-taught Japanese architect and professor at the University of Tokyo.

Their appearance at next month's symposium provides a platform for them to present their pioneering work to a diverse audience with opportunity for discussion and interaction. A concluding panel will focus on issues of peace and justice and how those concepts relate to



Tadao Ando

their work.

The Inamori Foundation reflects its founder's belief that human beings are called upon to strive for the greater good of humanity. The Kyoto Prizes were not established to compete with the Nobel Prizes, the founder says, but to complement them.

"It is my hope that the Kyoto Prizes will encourage balanced development of both our scientific and our spiritual sides," Inamori says.

Hood, recipient of the prize for advanced technology, was named for his role in the successful mapping of the human genome during the 1990s. He developed automated instruments for the synthesis and determination of protein and DNA sequences. His automatic peptide sequencer was 100 times more sensitive than previous instruments. His contributions have helped to greatly advance study of the genetic code of DNA.

French mathematician Gromov was a recipient for work that has contributed to the development of geometry and other mathematical fields by introducing a metric structure for families of geometric objects. He has toppled the traditional approaches to geometry by



Mikhael Gromov

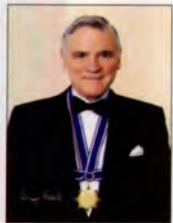
proposing an idea to consider the distances between a set of spaces.

The third laureate, Tadao Ando, is known for applying unique architectural designs to homes, churches and museums in many nations. In the United States, he is known for his design of the Pulitzer Foundation for the Arts in St. Louis and the Modern Museum of Art at Fort Worth, Texas. His creative style seeks a fusion with nature, exhibiting a modernist signature while maintaining natural traditions of Japanese architecture.

Several San Diegans joined more than 1,000 international dignitaries, including Japan's Imperial Family, for presentation of the awards last year. They included Bruce Blakely, senior managing partner of PricewaterhouseCoopers; Dr. Frank Lazarus, provost and vice president of the USD; and Rodney Lanthorne, president of Kyocera International Inc.

Since inception of the awards, 60 laureates from 12 countries have been honored, 26 of them from the United States. The newest honorees received a diploma, a gold medal and a cash gift of about \$400,000.

The foundation was established as a not-for-profit organization by Inamori. It has been endowed with a gift of 20 billion yen of his own money. With subsequent contributions, the foundation's assets are around 64.5 billion yen, or roughly \$500 million in U.S. currency. The first prize awarded in 1985 was a special commemorative to the Nobel Foundation. ❖



Leroy Hood

Kyocera's Presence In San Diego Area

Kyocera was founded in Japan in 1959 as Kyoto Ceramic Co., Ltd., by Dr. Kazuo Inamori. The company created its first U.S. subsidiary, Kyocera International Inc., in 1969, which moved to San Diego in 1971.

With that move, Kyocera became the first Japanese-owned multinational company with manufacturing operations in California.

The name, pronounced "key-oh-sarah," is a contraction of "Kyoto" and "ceramic."

Kyocera employs 1,950 full-time in San Diego and 600 in Tijuana.

Its four primary businesses here are:

- Kyocera Wireless Corp., North America's leading manufacturer of CDMA wireless phones, created after Kyocera's acquisition of Qualcomm's wireless handset business in 2000.
- Kyocera America Inc., a producer of microelectronic packaging products for the telecommunications and semiconductor industries.
- Kyocera International Inc., headquarters and holding company for seven wholly owned subsidiaries based in North America.
- Kyocera Mexicana, S.A. de C.V., provides contract assembly services for Kyocera Group companies. ❖

Kyoto Laureate Symposium

Next month's Kyoto Laureate Symposium will begin with a 9:30 a.m. opening ceremony March 5 at the University of San Diego's Joan B. Kroc Institute for Peace and Justice.

The first of the symposium sessions with the laureates of the 2002 Kyoto Prizes will be that afternoon, with two the following day. A morning panel discussion the third day will conclude the event.

For details and a reservation form, visit www.kyotoprize.org. ❖

— YOU ARE INVITED TO ATTEND —

The Inamori Foundation and USD Present the Second Kyoto Laureate Symposium

March 5-7, 2003 at the University of San Diego

Meet the laureates of the 2002 Kyoto Prizes — Japan's highest private awards for lifetime achievement — as they discuss their groundbreaking accomplishments and philosophies at USD's Joan B. Kroc Institute for Peace and Justice.



Wednesday, March 5, 1:30 p.m.

Advanced Technology: Dr. Leroy Edward Hood (U.S.A.)

Molecular biologist; DNA sequencing expert and contributor to the Human Genome Project; President, Institute for Systems Biology, Seattle, Washington



Thursday, March 6, 1:30 p.m.

Basic Sciences: Mikhael Leonidovich Gromov (France)

Mathematician; pioneer in the global structure of spaces; Professor, Institute des Hautes Études Scientifiques, Paris; Professor, Courant Institute, New York University



Thursday, March 6, 7:00 p.m.

Arts and Philosophy: Tadao Ando (Japan)

Internationally acclaimed, self-taught architect; recent works include the newly opened Modern Art Museum of Fort Worth; Professor, University of Tokyo

Friday, March 7, 9:30 a.m.

Laureate Panel Discussion: "Technology, Sciences, the Arts & Peace"

Invited guests (from left): Dr. Walter Munk, 1999 Kyoto Prize laureate in Basic Sciences; Dr. Kurt Wüthrich, 1998 Kyoto Prize laureate in Advanced Technology and 2002 Nobel Prize laureate in Chemistry; and Dr. Sydney Brenner, 1990 Kyoto Prize laureate in Basic Sciences and 2002 Nobel Prize laureate in Medicine.



Details and RSVP form at <http://www.kyotoprize.org>

BUILDING VISION

Architect Tadao Ando doesn't just want you to look at his amazing creations, he wants you to look inside yourself

By Ann Jarmusch
ARCHITECTURE CRITIC

Tadao Ando has a gift for imbuing architecture with uplifting sunlight and spirituality. "People weep in his buildings. It happens every day," said Marla Price, director of the Modern Art Museum of Fort Worth, which in December opened its new \$65 million building designed by the renowned Japanese architect.

"The building is magical," Price said. "It changes with the light and at night. Weather has an effect on it. It is breathtaking and functional."

The much-lauded Ando, 61, is a self-taught architect known for his serenely satisfying blend of traditional Japanese craftsmanship and spare modernism rooted in geometric clarity and unembellished materials. He is in great demand around the world to design art museums, cultural centers, corporate showcases and private homes.

Ando will pay a rare visit to San Diego this week for the three-day Kyoto Laureate Symposium, which begins Wednesday, at the University of San Diego. He received the Kyoto Prize in Arts and Philosophy in November.



Ando discussed the gallery spaces at the Modern Art Museum of Fort Worth in November. Ron T. Ennis / Fort Worth Star-Telegram

"In the world of rapidly transforming values, my hope is to help promote both an architecture and a city which embrace humanity with enduring care and love."

- TADAO ANDO, ARCHITECT

SEE **Architect, D4**

Tadao Ando, architect

Born: Sept. 13, 1941, the first of twin boys; Osaka, Japan.

Personal:
Married to Yumiko Ando.

Education: Trained as a model builder and wood craftsman. Self-trained as an architect by reading and traveling to see and sketch important buildings.

Firm: Tadao Ando Architect & Associates, Osaka.

Selected projects: Azuma house (row house), Osaka, 1976; Church of the Light, Osaka, 1988; Japan Pavilion, Expo '92, Seville, Spain, 1992; Naoshima Contemporary Art Museum, Kagawa, Japan, 1992; Meditation space, UNESCO, Paris, 1995; Fabrica (Benetton Research Center), Treviso, Italy, 2000; Modern Art Museum of Fort Worth, Fort Worth, Texas, 2002; Pinault Contemporary Art Foundation, Paris (under way).

Selected awards: Architectural Institute of Japan, 1979; Alvar Aalto Medal, Finnish Association of Architects, 1985; Gold Medal, French Academy of Architecture, 1989; Pritzker Architecture Prize, 1995; Royal Gold Medal, Royal Institute of British Architects, 1997; Kyoto Prize, American Institute of Architects Gold Medal, both 2002.

Selected solo exhibitions: Museum of Modern Art, New York, 1991; Pompidou Center, Paris, 1993; Royal Academy of Arts, London, 1998; St. Louis Art Museum, Mo., 2001; Clark Art Institute, Williamstown, Mass., on view through April 27.

► ARCHITECT

CONTINUED FROM E1

Ando wants his work to bring an understanding

Heaped with international architecture prizes, Ando is one of a handful of architects to receive both of this country's top design honors.

In 1995, when the Osaka-born architect won the first of these — the Pritzker Architecture Prize, considered the design world's equivalent of the Nobel Prize — he had built few projects outside of Japan.

The Pritzker Prize citation described Ando's work as "artistically composed surprises in space and form . . . that both serve and inspire . . . with never a predictable moment as one moves through his buildings."

By the time he received the other major American award — the 2002 American Institute of Architects Gold Medal, the group's highest award to an individual — Ando had completed the Pulitzer Foundation for the Arts museum in St. Louis and was anticipating the Fort Worth museum opening.

He's also designing a future museum for the work of Alexander Calder and his family of artists in Philadelphia and an addition to the Clark Art Institute in Williamstown, Mass.

Ando's architecture — which ranges from a new theater for Italian designer Giorgio Armani to a children's museum and Christian churches in Japan — is usually discussed in terms of its spiritual effects and connection with nature. A master at sculpting light and space within thick, silvery-smooth concrete walls, Ando creates rooms that encourage people to find sanctuary within themselves and in their humanity.

"I believe that architecture, in its presence and power, has to touch and inspire people," Ando recently wrote in an e-mail from his office in Osaka. He writes and speaks English with the help of his associate and translator, architect Kulapat Yantrasast.

Architecture "needs to encourage people to think, to contemplate," Ando continued. "The subject of contemplation may vary to each individual, but, spiritually, architecture has great potential to affect people."

Price, the Fort Worth museum director who worked with Ando for five years on the building's design and construction, called him an inspirational person. "He has very high principles and goals. In architecture, he wants to create emotional responses, and he achieves them."

Ando designed the museum — his largest public commission in the United States to date — as glass pavilions supported by concrete columns that branch out like trees. A grove of live oaks and other native trees surround the pavilions and their reflecting pools on an 11-acre site.

In addition to fulfilling the museum's goals and ambitions (the Modern is filled with \$60 million worth of recent acquisitions of postwar art), Ando accepted another challenge when he was chosen unanimously over five other architects as the museum's architect.

The Kimbell Art Museum

(1972), which is considered a masterpiece of modern architecture and one of the world's finest environments for viewing art, is the Modern's next-door neighbor. It was designed by the late Louis Kahn, whose work greatly influenced Ando.

"He displayed great sensitivity to the Kimbell," Price said. "It was important to everyone that the two live happily together."

Many agree that Ando succeeded in complementing the Kimbell by creating a poetic counterpart. Several design aspects pay homage to Kahn's temple for art, such as repetitive structural elements, smooth concrete walls and a vaulted ceiling.

While in San Diego, Ando said he hopes to revisit another one of Kahn's landmark designs, the Salk Institute for Biological Studies (1965) in La Jolla. As he did with many landmark buildings in Asia, Europe and the United States, Ando studied the Salk Institute on a trip during the 1970s.

At the Salk Institute, two concrete-and-teak laboratory buildings face each other across a plaza. A narrow channel of water runs down the middle of the plaza and over its western edge, toward the ocean below.

Many visitors stand on the plaza facing west and feel the pull of the ocean and sky, which Kahn intended to suggest infinity. Others say the Salk Institute leaves them cold, because its buildings seem stark and fortresslike.

Ando explained the impact of the Salk Institute on him in his recent e-mail. "Louis Kahn is one of the great architects of the 20th century. The Salk Institute is particularly unique, as it begins humbly as a utilitarian building type — a laboratory.

All about winning the Kyoto Prize

The Kyoto Prize is awarded annually by the Inamori Foundation of Japan for lifetime achievement in advanced technology, basic sciences and arts and philosophy.

Kazuo Inamori, founder and chairman emeritus of Kyocera Corp., a conglomerate that operates four companies in San Diego, established the Inamori Foundation in 1984 and awarded the first Kyoto Prize the following year.

Japanese architect Tadao Ando, Russian-born mathematician Mikhael Leonidovich Gromov of France and Leroy Edward Hood, a Seattle-based researcher helping map the human genome, were named Kyoto laureates late last year.

The prize carries a cash award of about \$400,000, a gold medal and, for two years running, a trip to San Diego for the Kyoto Laureate Symposium at USD's new Joan B. Kroc Institute for Peace and Justice.

The setting reinforces Inamori's intention that the Kyoto Prize celebrate outstanding individual achievements undertaken on behalf of humankind.

For more information about the Kyoto Laureate Symposium, log onto www.kyotoprize.org or call (619) 260-7803. Ando's lecture is sold out.

— ANN JARMUSCH

Yet it is a place of meditation and inspiration. The prototypical (laboratory design) as well as the spiritual quality of the central court has made this into one of the most inspiring places."

The spirit of Kahn's work, which also relies on the manipulation of natural light and space defined by meticulously formed concrete walls, lives on in Ando's designs.

His striking Church of the Light in Osaka is a concrete box pierced by a slender, cross-shaped window that brings sunlight into the darkened room. At Church on the Water in Hokkaido, Japan, Ando immersed a cross in flowing water "to express the idea of God as existing in one's heart and mind," he said in 1995. "I also wanted to create a space where one can sit and meditate."

Quiet reflection, Ando wrote, can benefit individuals and the

way they behave in the world. At the Kyoto Laureate Symposium, which will be held at USD's Joan B. Kroc Institute for Peace and Justice, he intends to send a message for these tense times in international relations.

"Art, architecture and philosophy are the world's cultural heritage, transcending ethnicity and religion. These disciplines could be beneficial for people to contemplate," Ando wrote from his office.

To avoid "wars and disasters of global scale" Ando advised "going beyond mere emotional reactions." Instead he urged people to search within for "sympathy and deep understanding" of diverse and competing cultures.

"Mere retaliation is not an enduring answer."

Ann Jarmusch: (619) 293-1019; ann.jarmusch@uniontrib.com

School of Law

Firm is showing turnaround talent, but end's in doubt

By Bruce V. Bigelow
STAFF WRITER

4154
In the 19 weeks since Peregrine Systems filed for bankruptcy protection, the troubled software developer has raised badly needed cash, stabilized revenue and proposed an extensive reorganization plan.

For many companies, such turnaround momentum would be a good omen for emerging intact from bankruptcy. But in Peregrine's case, the outcome is still much in doubt.

In coming weeks, the San Diego software company is scheduled to go several more rounds in a continuing legal bout with its biggest creditors over a variety of crucial issues.

The fight is likely to determine the winners and losers among Peregrine's creditors and shareholders — and may ultimately decide who will control the company.

Some of the issues "seem like the

typical chess game that takes place in a big case like this as both sides battle for leverage," said Mary Jo Wiggins, who teaches bankruptcy law at the University of San Diego Law School.

One of the key battles involves the \$270 million public bond offering that Peregrine sold in November 2000.

The investors holding these bonds constitute the company's biggest contingent of unsecured creditors — a key group under bankruptcy law

SEE **Peregrine, C4**

► PEREGRINE CONTINUED FROM PAGE C1

Company says bondholders want control

with the power under certain circumstances to veto Peregrine's reorganization plan.

While the face value of these bonds totals \$270 million, the trading value plummeted — along with the share price of Peregrine stock — when the company disclosed a corporate accounting scandal last spring.

Peregrine officials say most of the company's bonds were purchased at a deep discount last summer by hedge funds and other "vulture" firms that invest in distressed companies.

As unsecured creditors, however, those investors could multiply the return on their bonds many times over — depending on how fully Peregrine repays its unsecured debts in the bankruptcy case.

Now Peregrine officials contend the bondholders are using strong-arm tactics to try to seize control of the company itself.

The issue is important because under Peregrine's proposed reorganization, shareholders would retain a 90 percent interest in the company when it leaves bankruptcy. If the bondholders prevail, however, those shareholders would likely be wiped out, said Richard Pachulski, Peregrine's lead

bankruptcy lawyer.

"They've bought our bonds for 15, 20, 25 cents on the dollar, and they want to take control of the company," Pachulski said during a hearing last week.

But such allegations only distract attention from the core issues of the case, said Bruce Bennett, the bankruptcy lawyer for the unsecured creditors committee.

In the same hearing, Bennett acknowledged that the bondholders who lead the committee bought Peregrine's notes at a discount — with the intent of making a profit.

But Bennett also contends that Peregrine's proposed reorganization is doomed to fail because it saddles the company with excessive debt and no reasonable prospects for paying off the bondholders.

No creditor would be willing to assume the level of risk the company has proposed in its reorganization, he said.

As a result, Bennett said, Peregrine's proposed plan of reorganization "doesn't have a reasonable prospect of being confirmed."

So, the committee has asked the bankruptcy court for permission to submit its own plan of reorganization for approval.

"The creditors have long believed the company needs deleveraging, which means converting existing debt to equity," which would help reduce the high level of debt, Bennett said.

He also contends that Peregrine "still hasn't come clean" about the extent of its corporate fraud, which is the subject of investigations by the Securities and Exchange Commission and the U.S. Justice Department.

SAN DIEGO UNION-TRIBUNE

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No results yet

Following an internal investigation last summer, Peregrine said it would restate its financial results for the previous 2½ years.

The company filed for bankruptcy reorganization on Sept. 22, but it still has not released the results of its internal investigation or submitted its audited financial restatement to the bankruptcy court, as promised.

So while it's true the bondholders on the committee want to make a profit, Bennett said: "No member of the committee is the subject of an SEC investigation, no member of the committee is the subject of a Department of Justice investigation, and no bondholder on the committee has failed to perform any of its promises or obligations to the court."

As part of its proposed plan of reorganization, however, Peregrine would stifle much of

the loud objections coming from its bondholders.

Under its reorganization plan, the company would reinstate the bonds under their original terms, payable at 5½ percent interest and maturing in 2007. This would make the \$270 million debt "unimpaired," which means the bondholders could no longer veto the company's reorganization plan.

Bennett argued, however, that the bonds were based on fraudulent or misleading financial statements when Peregrine held its bond offering in late 2000. As a result, he said, the bonds can be rescinded under state law — which means the bondholders can demand full repayment of the face value of the bonds.

Success ignored

Pachulski counters that Bennett's argument is "preposterous, frivolous and even sanctionable," because the "vulture" funds had purchased Peregrine's bonds after the company had disclosed its accounting scandal and because the bondholders failed to meet a procedural deadline.

"At this point, it's clear to us that the bondholders bought their bonds to steal away the company, or frankly grab away the company from the equity" shareholders, Pachulski said.

What is frustrating, Pachulski added, is that the company's success at reorganizing its business has gone largely ignored amid all the legal bickering.

After selling its Remedy subsidiary for \$355 million and paying off an emergency loan, Peregrine now has about \$290 million in cash and a business that generates revenue of \$160 million a year.

"This business has been stabilized," Pachulski said. "We are meeting our projections, where our collections are higher and our costs are lower and our revenues are higher than projected.

"In this case," he added, "everything was done so well that everybody is fighting over it."

In the end, the company has other options to pursue in its plan of reorganization, even if it withdraws its proposal to reinstate the bonds, Pachulski said.

"Win or lose, it's not going to determine who's won this fight," he said. "It's just a battle. It's far from the war.

"At this moment," Pachulski added, "the main event is ultimately going to be confirmation of our plan of reorganization."

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Shareholders' voice sought in Peregrine case

4154-San Diego Union
By Bruce V. Bigelow
STAFF WRITER

Worried that shareholders may get squeezed out of Peregrine Systems' bankruptcy reorganization, a major stockholder wants to create an independent committee to represent their interests.

A formal request to appoint an official committee of shareholders was made last week by a lawyer for Peregrine shareholder David Hildes.

Hildes, a self-described private technology investor, lost \$33 million when Peregrine's stock collapsed last year amid a corporate accounting scandal. The San Diego software company filed for Chapter 11 bankruptcy in September amid two federal investigations of its accounting practices.

Hildes was a director of Harbinger

SEE **Peregrine, C2**

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
THURSDAY 374,856
FEB 6 2003

► **PEREGRINE**
CONTINUED FROM PAGE C1

Shareholders' views mixed on the proposal

Corp., an Atlanta e-commerce specialist acquired by Peregrine on April 4, 2000. He acquired 978,162 Peregrine shares in the merger, an all-stock deal then valued at \$2.1 billion.

Hildes' request was made amid mounting signs that Peregrine is locked in a bitter battle with its biggest creditors for control of the company.

"This is the time and place to make a stand to protect our rights and to try to preserve as much stock as we can in Peregrine when it is reorganized," Hildes wrote in a message posted to a Web site for Peregrine shareholders. "It is possible that Peregrine may be solvent, but the shareholders have no independent representation to protect our interests in the Chapter 11 case."

Though Peregrine has yet to restate its financial results for nearly three years, officials say the company is solvent. That claim has been disputed, however, by the company's biggest creditors.

Under Peregrine's proposed

plan of reorganization, existing shareholders would retain stock amounting to a 90 percent interest in the company. The company also proposes to issue new stock, representing 10 percent of the reorganized company, to settle 44 shareholder suits that have been filed against it.

But the official committee of unsecured creditors has opposed Peregrine's reorganization plan. The committee, which is led by investment firms holding \$270 million of Peregrine's bonds, has asked the court for permission to submit its own reorganization plan.

Many shareholders fear the creditors' plan will use all of Peregrine's stock to satisfy the bond debt — which would wipe out the shareholders.

With the creditors' interests diametrically opposed to the shareholders — and without access to meaningful financial information disclosed to the bankruptcy court — shareholders are entitled to representation in the case, Hildes' lawyer wrote in a Jan. 29 letter asking for the shareholders' committee.

The letter was addressed to the U.S. Trustee, who represents the government in bankruptcy proceedings and has authority to create a shareholders' committee, providing the court approves.

Explaining his stake in the case, Hildes wrote in an e-mail yesterday to *The San Diego Union-Tribune*: "I am a 3-year holder of Peregrine and am a very big believer in the value of its products and services. I believe that the management of the world's infrastructure is a multibillion-dollar business and that this company had, and may still have, a real chance at a big piece of it."

Beyond that, he referred questions to his lawyer, Richard Lieb of New York.

Other stockholders offered mixed views about the idea.

"I think the shareholders who were suckered into this thing, who were swindled and conned, deserve some representation," said Dan Genac of Moline, Ill., who holds about 9,000 Peregrine shares.

Austin Webb, a Tampa resident with 55,000 Peregrine shares, said he supports the move, although he isn't sure it's necessary. Peregrine's management, Webb said, "are already obligated under law to act in the shareholders' best interests."

Madison, Conn., resident Mark Israel, who holds 350,000 Peregrine shares, said he supports the proposal largely because he doesn't trust statements from either the company or its creditors.

"Clearly it's not a bad move

for the shareholders," said San Diego lawyer Jeffrey Krinsk, who represents Stoneridge Investment Partners and other investors in a shareholder suit that charges Peregrine with fraud.

But Krinsk added the only way Peregrine can survive under the company's proposed reorganization "is if they discover oil on their back lot."

Mary Jo Wiggins, who teaches bankruptcy law at the University of San Diego, said "there's nothing unorthodox about it from a legal standpoint."

Nevertheless, creating a shareholders' committee is unusual because in most cases the company is so insolvent there is no shareholder equity left to be allocated, said Richard Pachulski, Peregrine's lead bankruptcy lawyer.

"We're not surprised that the request has been made," Pachulski said last night. He was unsure, though, if the company would support or oppose the request.

Bruce Bennett, the bankruptcy lawyer for the unsecured creditors, did not respond yesterday to a request for comment. But Lieb said he would be surprised if the creditors supported the request.

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Flap over city's new \$\$ expert

4154
New York City, the biggest seller of municipal securities, has hired a financial adviser who five years ago settled federal allegations that he overcharged municipalities for Treasury bonds.

Martin J. Stallone, a managing director at Investment Management Advisory Group Inc. in Pottstown, Pa., will advise the city on interest-rate swap agreements, municipal officials said. The transactions would be used to reduce borrowing costs on \$27 billion of bonds.

Stallone was suspended from the securities industry for one year and paid a \$115,000 fine in 1998 after he was accused of overcharging West Virginia and Pennsylvania municipalities while at Meridian Capital Markets Inc., Reading, Pa.

Stallone was one of a dozen individuals charged with "yield burning."

"Anyone who's hiring a financial adviser, especially a financial adviser in an area like interest-rate swaps, has to ask about the person's background," said Frank Partnoy, a University of San Diego Law School professor. "Couldn't they find someone with a clean record?"

Partnoy detailed his experiences as a swaps salesman in a 1997 book, "F.I.A.S.C.O."

Alan Anders, New York City's finance director, said in an interview that the city "did not ask about litigation" while evaluating bidders for the advisory work.

Anders, who serves under Mayor Bloomberg, said the city was reviewing Stallone's settlement with the SEC.

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SATURDAY 487,219

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4154

WAR REPARATIONS

Affixing Blame

Conflicting court decisions don't resolve whether World War II POWs can sue for damages

By Murray Hiebert/WASHINGTON

SOME CONFLICTS DIE HARD. Fighting in the Pacific theatre of World War II ended nearly 57 years ago, but the battles are continuing—in California courtrooms. January saw conflicting appeals-court decisions in two lawsuits brought by former prisoners of war suing Japanese companies that the POWs say enslaved them. Thousands of former POWs are seeking more than \$1 billion in back wages and compensation for mistreatment through United States courts.

In one decision, a California appeals court reversed the ruling by a federal judge who said former POWs could not sue. The appeals court essentially ruled in favour of Jae Wong Jeong, an 80-year-old Korean-American who as a POW in 1943 was forced to break limestone rock for a company that has since become the Taiheiyo Cement Corp.

A week later, a federal appeals court in San Francisco took the opposite position, ruling that people who worked as slave labourers for giant Japanese companies like Mitsui and Mitsubishi during World War II could not sue. In that case, the appeals court said a 1999 California law allowing such POW lawsuits violated "the federal government's exclusive power to make and resolve war." If the appeal ruling is ultimately upheld, it would dismiss more than two dozen consolidated suits on behalf of thousands of former prisoners.

From the beginning, the U.S. departments of State and Justice have vigorously fought these lawsuits, partly on the grounds that they could seriously damage government-to-government relations between Tokyo and Washington. In testimony before Congress in September, State Department legal adviser William Howard Taft IV warned that the lawsuits "could have serious repercussions for our defence relation-

The Region

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AGGRIEVED: Recent U.S. court decisions disagree on whether a 1951 treaty prevents World War II POW lawsuits

ship with Japan and other countries in the region, apart from damaging U.S.-Japan relations."

Not everyone agrees. "That's bunk," says Mike Honda, a Democratic congressman from California. "Our relations with Japan as a country are strong," says the Japanese-American who spent time in a U.S. internment camp during the war.

Government officials in Washington and Tokyo, as well as Japanese companies facing lawsuits, have long argued that a peace treaty signed in 1951 by the U.S. and 47 American allies with Japan settled any wartime claims. In addition, Japanese companies say they were reformed after World War II and, though they may have retained former names, are entirely new entities and not liable for past transgressions.

But many U.S. constitutional lawyers say that the treaty didn't apply to corporations. "My reading of the treaty only goes to the liability of Japan as a government," says Michael Ramsey, a treaty expert at the University of San Diego who has advised many of the plaintiffs. "To the extent that Japanese companies were operating independently of the government when the crimes were committed, the treaty doesn't apply." In the end, Ramsey expects that the U.S. Supreme Court will have to resolve the dispute.

Two years ago, Mike Honda co-sponsored legislation in the House of Representatives that would direct U.S. courts not to interpret the U.S.-Japan peace treaty as a waiver that prevents an estimated 6,000 surviving POWs from suing Japanese corporations. That proposed legislation is still pending, and Mike Honda says the federal appeals court ruling that stops their suit is the worst sort of irony for the POWs: "Now they can't survive the judicial system they fought to defend."

PAST SINS, PRESENT LIABILITY

Many U.S. companies, perhaps seeing their own interests at risk in similar cases, hope the Supreme Court will abort the proceedings. "There's no question that crimes were committed, but the question is where you draw the line on liability," says William Reinsch, who heads the National Foreign Trade Council. "There's a question about suing people too far away in time or distance to be liable. Are the people running corporations more than 50 years later liable for something that happened a long time ago?" asks Reinsch. The council members include American companies currently being sued in U.S. courts for involvement in alleged human rights violations overseas.

But some analysts believe that allowing the lawsuits to proceed might help Japan address remaining resentment from World War II, resentment that Japan is often accused of ignoring. "This could be an opportunity for Japan to face up to its historical responsibilities for the war," says Brad Glosserman, a Japan specialist at the Pacific Forum of the Centre for Strategic and International Studies in Hawaii. "This is something that Japan can't avoid. It will be contentious and will encounter resistance. But a powerful prime minister can use this as an opportunity." ■

Girls outnumbered in special ed

Schools in county show gender 'gap'

By Chris Moran **FRONT PAGE**
STAFF WRITER

4154 Sunday
Boys outnumber girls 2-to-1 in local special education classes, and experts suggest that means too many boys are pulled out of regular education classrooms while too few disabled girls are getting the specialized instruction they need.

Two-thirds of the county's 56,000 special education stu-

dents are boys. That's nearly 18,500 more boys than girls in San Diego County who receive services ranging from occasional speech therapy to full-time separate classes for severely handicapped students, according to data analyzed by *The San Diego Union-Tribune*.

Special education is instruction specially designed to serve students with mental or physical disabilities.

Public schools classify disabled students in 13 categories. Some have straightforward medical definitions, as in the case of

deafness and blindness. Other categories, such as emotionally disturbed or learning disabled, are much more broadly defined.

More than 1 in 9 public school students in the county are in special education, and the local numbers reflect similar state and national ratios.

There's no authoritative conclusion on why special education enrollment is male-dominated.

A recent report to Congress from the federal Office of Special

SEE **Students, A8**



Emily Kuhn worked on an assignment with a group of boys at Excelsior Academy, a special education school in Allied Gardens. The school has 69 boys and 13 girls. Scott Linnett / Union-Tribune

SAN DIEGO UNION-TRIBUNE

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There's no authoritative conclusion why enrollment is male-dominated

Education Programs reaffirmed the imbalance but conceded that it's unclear why it exists.

"It's just always been that way," said Judith Van Brocklin, director of special education for the San Diego County Office of Education.

Compared with the more extensive body of literature that examines racial disparities in special education placements, little research has been done on the special education gender gap.

Possible explanations by those who have considered the issue point to boys' behavior, biological differences between boys and girls and imperfections in how students are identified for special education.

Some say boys are moved into special education to manage rambunctious behavior. Others say girls who might need special education are overlooked because they hide their problems by withdrawing.

"Girls act in. Boys act out," said Margaret Dalton, a University of San Diego School of Law professor and an expert on children's mental health.

"Girls are much more likely to become withdrawn or depressed when they're struggling in school or have a mental health issue. Boys are much more likely to act out either verbally or physically."

The regulations governing special education require teachers, administrators and parents to be involved in deciding how best to educate students who have been flagged as candidates for special education.

But after time-consuming and often-contentious meetings to decide student by student what services — if any — constitute the "free appropriate public education" guaranteed in special education law, the

sum total of the individual decisions is that boys far outnumber girls.

In the districts with the greatest imbalance — Bonsall, Del Mar, Fallbrook High, Mountain Empire, National, Rancho Santa Fe, San Dieguito, Solana Beach and Vallecitos — at least 70 percent of special education students last year were boys.

Only in the Borrego Springs, Dehesa and Julian High districts were fewer than 60 percent of special education students boys.

San Diego city schools reported 16,637 special education students last year, and 67.4 percent of them were boys.

In the Sweetwater Union High School District, which has the second-highest percentage of special education students among local districts, 66.5 percent of its 4,106 special education students were boys.

Behavior to blame?

The discrepancy between boys and girls referred to special education classes stems somewhat from behavior, experts agree.

This works in boys' favor if it gets them the attention they need. It works against them if sending them off to special education is merely a tool to remove disruptive students from class.

"It's a way to deal with behavioral problems as opposed to dealing with it in the classroom. It's a dumping ground in many cases," said Michael Wehmeyer, a University of Kansas professor who specializes in education of the disabled.

Another study suggests female teachers might be more likely to identify boys' behavior as the sign of a disability, and women vastly outnumber men among the teaching corps in elementary schools, where



Students at Excelsior Academy, a private special education school in Allied Gardens, posed for a light-hearted photo after taking a formal group photo. *Scott Linnett / Union-Tribune*

most special education referrals take place.

Others say schools' tests for emotional disturbances do not adequately screen for depression, which adolescent girls experience at a higher rate than boys.

Obvious physical disabilities are easy to observe and even measure, and boys and girls are classified in these categories at similar rates.

For example, the "visual impairment" category relies on a finding that a student's impaired vision, even when corrected, hurts the ability to learn.

Countywide, 52.5 percent of visually impaired students are boys, compared with 47.5 percent girls. And of the 3,305

county students classified as mentally retarded last school year, 56.4 percent were boys and 43.6 percent were girls.

But a classification of "emotional disturbance" can mean, according to the state Department of Education, an inability to learn that can't be explained by intellectual or other factors, "inappropriate types of behavior" or "a general pervasive mood of unhappiness."

Educators have to make judgment calls on such broadly defined disabilities. In San Diego County, 77.3 percent of the emotionally disturbed are boys.

San Diego city schools have a 4-to-1 boy-to-girl ratio of emotionally disturbed students. In Chula Vista Elementary School District, 85.7 percent of emo-

"Girls are much more likely to become withdrawn or depressed when they're struggling in school or have a mental health issue. Boys are much more likely to act out either verbally or physically."

MARGARET DALTON,

a University of San Diego School of Law professor and an expert on children's mental health

tionally disturbed students are boys.

And in the category with the highest number of both boys and girls, specific learning disability, educators are to find that a student doesn't speak, listen, read, write or do math as well as he or she should, and the problem cannot be traced to a physical, sensory or intellectual problem.

Of the 25,000 students in county public schools who have a specific learning disability, 67 percent are boys.

Reading difficulties

The president's Commission on Excellence in Special Education reports that 80 percent of students classified as having a specific learning disability are diagnosed because they haven't learned how to read.

"Sadly, few children placed in special education close the achievement gap to a point where they can read and learn like their peers," the report states.

That's prompted some to say better reading instruction could circumvent the need for many special education placements and result in better schooling for the affected students.

Teachers pressed for time in managing the education of 30 students in a classroom can't be blamed for disproportionate rates, said Andrea Mintz, who represents local special education students and parents in seeking services. But she said teachers could use training in identification of special education candidates.

Other explanations of the imbalance favor biology over bias.

Attention deficit disorder occurs more in boys, so they might be more likely than girls to be identified as having learning disabilities. Girls are believed to have fewer birth defects than boys. Autism is four times more common in boys than girls.

But females might just get missed. Because girls' learning disabilities often manifest themselves in withdrawn, silent students, they might escape teachers' notice.

Nance Maguire, director of Excelsior Academy, a private special education school in Allied Gardens, believes that's the case. The school recently celebrated its National Blue Ribbon School of Excellence Award, one of the top honors the federal government bestows on schools.

On a recent assembly day, Excelsior's students did art work, sang songs, spelled out letters by laying in formation on a playing field, all in honor of the school. It looked like an assembly at a regular education school, except that there were so few girls. Excelsior has 69 boys and 13 girls.

"There are more girls who could benefit from our services if parents or teachers would be able to identify those females that are quieter, more withdrawn, who may need just as much assistance as boys," Maguire said.

"I think the consequences are that they may not reach their potential."

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Alleged abuses prompt review of consumer law

By **NANCY McCARTHY**
Staff Writer

FRONT PAGE

A California law enacted years ago as the cornerstone of consumer protection is being abused by a handful of lawyers who are targeting small business owners in a kind of legal shake-down, several state legislators charged last month.

But although the lawmakers agreed the Unfair Competition Act (§17200 of the Business & Professions Code) is ripe for reform, they want to finesse any changes to the law to avoid "throwing the baby out with the bathwater," said Assemblyman Lou Correa, D-Santa Ana.

Correa called a hearing last month to hear allegations of what he called "frivolous lawsuits and tactics that border on extortion. . . 17200 was designed to protect consumers and it shouldn't be used as a sword to go after innocent people."

At a later joint hearing held by the Assembly and Senate judiciary committees in Sacramento, Sen. Bill Morrow, R-Oceanside, denounced two plaintiff attorneys in attendance as "nothing but a couple of two-bit legal whores looking for cashola."

A handful of southern California lawyers has filed thousands of lawsuits since last April against owners of auto repair shops, nail salons, restaurants and mortgage brokerages, accusing them of minor violations. Shortly after serving the defen-

dants, many of whom are immigrants or speak limited English, with lawsuits about 200 pages long, the lawyers typically offer to settle the case for anywhere from \$500 to \$8,000, according to both the targets of the complaints and their lawyers.

Failure to respond within 30 days could lead to an automatic judgment, regardless of how frivolous or unjust the allegations.

"I believe lawsuit abuse is one of the most important issues the legislature must address," said Assemblyman Ken Maddox, R-Garden Grove. "I find this behavior reprehensible. This is banana republic-style corruption and it's legalized extortion. We must put an end to it."

Several hundred defendants who packed a Santa Ana hearing room agreed, with speaker after speaker detailing experiences. John Dunlap, president of the California Restaurant Association, said of his members who have been sued: "They really are seeking a piece of the American dream and instead they got a slice of an American nightmare."

Trevor Law Group, a Beverly Hills firm, has filed the majority of recent cases against approxi-



*Assemblyman
Lou Correa*

See §17200 DRAWS SCRUTINY on Page 18 ^A

CALIFORNIA BAR JOURNAL

SAN FRANCISCO, CA
BI-MONTHLY
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§17200 draws scrutiny in wake of alleged abuse

Continued from Page 1

ately 1,000 Los Angeles area restaurants and 2,000 auto repair shops. Attorneys Damian Trevor, Shane Han and Allan Hendrickson, who are under investigation by the State Bar, sued the restaurants on behalf of a charity for the blind, which has disavowed the actions, citing health code violations issued by the county. The auto shops were sued in the name of Consumer Enforcement Watch Corporation, whom Assemblywoman Judy Chu, D-Monterey Park, says is headed by Trevor's wife. The suits charge that the shops have routinely lied to customers about the condition of auto parts, billing and other matters.

According to Correa chief of staff Chris Leo, Brar & Gamulin, a Long Beach firm, has sued more than 400 nail salon owners in Orange, San Bernardino and Riverside counties, charging violations of health and safety laws for using the same bottle of nail polish on more than one customer. The firm also sued 140 ethnic grocery stores in Santa Clara County, charging them with video piracy for not labeling videotapes correctly.

The bar is investigating Harpreet Brar and Martin Gamulin.

Leo said Tustin-based Callahan McCune & Willis has sued more than 100 mortgage brokers for advertising violations and the law offices of Brian Kindsvater of Mather Field sued 224 travel agents in the Sacramento area because their license numbers do not appear on their web sites.

At the Sacramento hearing, Han and Hendrickson said the suits are designed to "level the playing field" for consumers, and they accused lawmakers of holding a "slanted" hearing.

Jackie Fletcher, the owner of a Los Angeles auto repair shop, called the lawsuit filed against her "a wholesale rape of small businesses under the guise of consumer protection." Fletcher said her business is "hemorrhaging" money as a result of the lawsuit, and she blamed "unscrupulous lawyers supported by inattentive legislators" for the abuse of 17200.

"We can't afford to defend ourselves and the plaintiff is a sham," Fletcher said. "How can this happen in the state of California?"

Ignacio Coronado, the owner of a restaurant in south central Los Angeles, said lawyers from Trevor originally asked for \$3,000 to dismiss him from its complaint and later upped the demand to \$8,000. "When I

call, they say all they want is money," Coronado said. Taking a different tack from the other witnesses, he added, "I want to say thank you to Trevor Group. They opened my eyes and they want to open my wallet."

Originally enacted as part of the Civil Code in the 1930s to stop businesses from using unfair practices to gain an advantage in the marketplace, the statute moved into the B&P code in 1977.

Commonly known as "17200," it generally is viewed as a powerful tool for consumer groups to protect members of the public from a variety

of unsavory business practices. 17200 empowers both district attorneys and private individuals to file suit, and the plaintiff need only show that members of the public are likely to be deceived. No damages need be sustained or alleged and attorney's fees may be awarded.

Supporters of the law, ranging from the powerful

Consumer Attorneys of California to Consumers Union to legal services providers, have successfully used 17200 to sue slumlords, to stop health maintenance organizations from deceptive door-to-door marketing practices and to enjoin a nursing home from using practices which resulted in relatives signing documents making them liable for residents' expenses.

But critics of the law, particularly the Civil Justice Association of California (CJAC), say it is abused by attorneys who, motivated by the prospect of court-ordered attorney's fees, file suit where no consumer or competitor has been harmed. Eight attempts in recent years to reform the law have failed, primarily due to opposition from the Consumer Attorneys, who argue that 17200 is a good law being misused by unethical attorneys.

At the Santa Ana hearing, there was no shortage of suggestions on how to tweak the statute. CJAC President John H. Sullivan, who said change will only come about with bipartisan support, proposed 10 solutions, including making it a felony for private attorneys to communicate with a potential defendant in a 17200 action before a court has approved a lawsuit and the suit has been filed and served, prohibiting a private attorney from filing a 17200 action unless the activity involves an actual



Assemblyman
Ken Maddox

transaction with a consumer and actual loss has occurred, and requiring that unless the action is dismissed, every settlement must be reviewed and approved by a judge.

Robert C. Fellmeth, director of the Center for Public Interest Law at the University of San Diego, who worked with former Sen. Quentin Kopp to amend 17200 in 1997, also proposed a variety of changes, while warning lawmakers to "not fall into the common legislative trap of unintended consequences — focusing on one set of abuses and fashioning a solution that does not resolve or exacerbates others."

The dilemma, he said, is to distinguish cases with merit from those without. He suggested court approval of all settlements and judgments in 17200 cases, requiring any action by a private attorney general claim to be filed with the attorney general, establishing finality so a plaintiff cannot be sued numerous times for the same violation, and forming a defendant class when more than 20 defendants are served. The last proposal would prevent the plaintiff attorney from demanding \$2,000 from 300 different defendants and would instead create a defendant class in which each defendant contributes \$100, setting up a sizable defense fund.

Other proposals ranged from requiring the plaintiff attorney to post a bond prior to filing suit to declaring the attorneys in question vexatious litigants. Correa even suggested that the filing of such suits, in and of itself, constitutes an unfair business practice.

But lawyers who often use 17200 to protect consumers objected to some of the proposed changes. A bond requirement, for instance, might prevent nonprofits from filing some actions, and other consumer groups want to preserve the ability to file suit before harm occurs.

At least two measures already have been introduced in this session — Correa, who chairs the Assembly Business and Professions Committee, introduced AB69, a spot bill whose

details will be written later, and Republicans Robert Pacheco and Tom Harman, both members of the Assembly Judiciary Committee, introduced AB102, which would require that the plaintiff in 17200 cases sustain "distinct and palpable injury" and prohibit any other attorney from commencing a similar action with the same defendant.

Correa said he expects between six and 12 measures to be introduced and thinks "there will be a solution" this session. But he said he will not support any legislation that under-

See §17200 on Page 25

§17200

Continued from Page 18

mines the core intent of 17200. "I have absolutely no intention of dismantling this law or diluting its power to protect consumers from truly unlawful or unfair business practices," he said.

Attorney General Bill Lockyer asked the State Bar to investigate Trevor and Hendrickson, likening their tactics to extortion. Lockyer has subpoenaed records from Trevor and other firms.

Bar attorney Jayne Kim, who attended the Santa Ana hearing, told witnesses the bar has assembled the largest task force in its history — two lawyers and 20 investigators — to investigate complaints about the 17200 lawsuits. She declined to say how many lawyers are being investigated or to provide a timeframe for the probe.

"We're doing everything we can to investigate this matter quickly," Kim said. "It's a top priority."

Correa said he is frustrated by what he called the bar's "slow movement" on the case and he told the bar to "step up."

He believes lawyers who abuse the law should be disbarred. "These are not people who you would trust," he said. "They're unethical. They should be held to a certain set of ethical standards."

New U.S. attorney for region hopes to target corporate lawbreakers in S.D.

White collar crime

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SUNDAY 374,856
FEB 2 2003

By Craig D. Rose, STAFF WRITER

Carol Lam wrote the book on health care fraud. In fact, the text she co-authored has become required reading for those defending or prosecuting such cases.

But Lam, the new U.S. Attorney for the Southern District of California, has set her sights on what may be a more formidable task: rewriting the book on white-collar crime in San Diego.

While San Diego garnered national attention over the past decade for crackdowns on illegal immigration, street crime and drugs, attention was diverted from prosecuting corporate and other white-collar crimes.

In the 1970s, nearly 25 percent of the assistant U.S. attorneys here focused on white-collar crime prosecution. But when Lam took office, fewer than 10 percent had such assignments.

As the focus shifted, consumer advocates say white-collar crime flourished.

"We call it Scam Diego," said Michael Shames, executive director of the Utility Consumers' Action Network. He said white-collar crime-fighting by the District Attorney's Office in particular declined in recent years.

"As anyone monitoring the (area) knows, San Diego is in dire need of white-collar crime detection and prosecution."

The local legal community also perceived a lack of attention to white-collar crime. Over the



Southern California's U. S. Attorney Carol Lam says federal prosecutors need to crack down on white-collar criminals. *Nadia Barowski Scott / Union-Tribune*

Prosecuting white-collar crimes

Number of prosecutions in Southern California federal courts.

| Year | Prosecutions | Rank |
|------|--------------|------|
| 1998 | 108 | 35 |
| 1999 | 130 | 21 |
| 2000 | 170 | 6 |
| 2001 | 142 | 18 |
| 2002 | 99 | 31 |

Among 94 U.S. districts

SOURCE: TRAC Reports, Inc.

BRIAN CRAGIN / Union-Tribune

SEE **Crime, H3**

14

of the 115 attorneys on the U.S. attorney's staff are currently assigned to prosecute white-collar crime

5%

of the 300 assistant district attorneys working for Bonnie Dumanis are prosecuting white-collar crime

\$90 billion

is estimated to be lost annually in the United States in health care fraud alone.

\$4 billion

is the FBI's estimate of annual loss from burglary and robbery.

► CRIME

CONTINUED FROM PAGE H1

U.S. attorney says SEC office needed in S.D.

past decade, said Patrick Shea, a former vice president of the county bar association, "San Diego had a reputation that it didn't focus on white-collar crime."

Lam saw the same trend.

"The resources we devote to white-collar crime have not kept pace with the growth of San Diego and the local economy," she said.

Since taking office in September, Lam has increased the number of attorneys assigned to white-collar prosecution from 10 to 14 on her staff of 120 attorneys, and she intends to add four more this year.

"It's important for us to prosecute the largest and most egregious crimes," she said, though quickly adding that immigration and drugs must also remain top priorities for the San Diego office.

"A U.S. Attorney's Office can establish a baseline of conduct."

Bonnie Dumanis, San Diego's new district attorney, says she also hopes to bolster white-collar prosecution, after hearing much about the issue from voters during her campaign.

"There's not enough emphasis on white-collar crime," Dumanis said. But the massive state budget gap and expected cutbacks could make it difficult to add resources, she added.

Currently, 5 percent of the 300 assistant district attorneys are assigned to prosecuting white-collar crime, which includes consumer fraud, environmental problems and identity theft, an increasingly prevalent problem.

Despite last year's corporate meltdowns and the stunning stock market declines, Ralph Nader, among the nation's most prominent corporate crime fighters, says the underfunding of white-collar crime prosecution remains a bipartisan issue.

The entire antitrust division of the Department of Justice remains roughly half the size of a one major U.S. firm, Nader said.

"White-collar crime prosecution falls to a disgracefully small number of overloaded workers," said the two-time presidential candidate.

"How can San Diego justify assigning just 14 of 120 assistant U.S. attorneys to white-collar crime on any financial, health or safety basis?" Nader said.

Estimates of health fraud alone range from 10 percent to 30 percent of every health care dollar, or upwards of \$90 billion annually, he said.

"There's no solid thinking on

how you allocate prosecutorial resources," Nader said.

Indeed, there's little hard data on white-collar crime.

While local and federal agencies are diligent in tracking violent and small property crimes, there's a dearth of data on white-collar lawbreaking. Neither the Federal Bureau of Investigation or any other agency compiles statistics on corporate or white-collar crimes.

San Diego's Better Business Bureau has seen its complaints soar in recent years but says it's unclear if that's from an increase in business wrongdoing or greater outreach to consumers.

Either way, the costs of white-collar crime are considerable. Russell Mokhiber, editor of the *Corporate Crime Reporter* in Washington, D.C., notes that the estimated cost of health care fraud alone dwarfs the cost of burglary and robbery, which the FBI estimates at \$4 billion annually.

"It's time to stop coddling white-collar crooks," Mokhiber said.

Robert Fellmeth, director of the center for public interest law at the University of San

**"White-collar crime
prosecution falls to
a disgracefully
small number of
overloaded
workers."**

RALPH NADER,

two-time presidential candidate

Diego Law School, says people need look no further than their bank statement for evidence of corporate crime.

"If anyone wants to know why their 401(k) accounts or pension plans are half what they were five years ago, it's white-collar crime," said Fellmeth, who is investigating the possible involvement of Duke Energy in the electricity crisis of 2000-2001 for the District Attorney's Office.

Attention to corporate crime could have prevented some of the big financial scams, he said.

Lam agrees. She says auditors grew too close to corporate management, and conflicts of interest increased within the accounting industry.

"I don't think anybody was listening to the signals," Lam said. "People didn't want to listen while the economy was doing well."

But Lam says paying attention to white-collar crime can pay large dividends.

Her 1992 prosecution of National Health Laboratories for unnecessary blood testing not only resulted in a \$111 million fine paid by the company but also led to reform of the blood testing industry in the United States.

In the years following that

prosecution, annual spending on blood testing in the nation fell by more than \$4 billion, even as the nation's overall health care bill rose, Lam said. Soon prosecutors were also winning far larger settlements in other health care fraud cases.

In the wake of scandals at Enron, WorldCom and other companies, Lam said, "There's an emphasis on prosecuting corporate fraud nationwide."

But San Diego presents special challenges, even to the most well-intentioned corporate and white-collar crime fighter.

For one thing, the region doesn't have a local office of the Securities and Exchange Commission. The SEC plays a key role in investigating securities fraud and typically hands off its findings to U.S. attorneys for criminal prosecution.

Lam says she has asked the SEC to open an office here.

"Both sides are hopeful," she said, but there's been no commitment.

Another impediment is that the region's long emphasis on drug and border crimes means that neither the district attorney nor the U.S. attorney here have tended to attract young assistants with an interest in white-collar prosecutions.

"The ability to prosecute these crimes has atrophied," said Michael Aguirre, a former assistant U.S. attorney who specializes in class-action suits.

There has also been a shortage of federal judges, Fellmeth said, and a crushing volume of cases handled by local assistant U.S. attorneys.

"It's hard to handle a complex white-collar case when you have 200 other cases to deal with," he said.

But Lam says more efficient handling of drug and other crimes through plea bargaining and other mechanisms allows the office to devote more energy to white-collar prosecutions. A new national commitment will also help, she said.

"Corporate fraud is now a national priority from the Department of Justice overall, and I believe I will get the support I need," Lam said.

President Bush last year appointed a corporate crime task force within the Justice Department. But that task force has issued no reports, said Bryan Sierra, a department spokesman.

"The task force has a coordinating role," Sierra said. "It's not actually prosecuting cases and there really is no status update."

Fellmeth of USD said signals about corporate crime remain unchanged, despite the recent scandals.

"The message from Washington has certainly been not to push white-collar crime prosecution at all," he said.

**Craig Rose: (619) 293-1814;
craig.rose@uniontrib.com**

Growth a top issue in Baldwin Park

By Karen Rubin
STAFF WRITER

BALDWIN PARK — As the March 4 election looms, redevelopment, upscale retail and continued growth stand out as buzzwords among Baldwin Park candidates in this town of 75,000 residents.

As bulldozers knock down seedy motels like the Queen's Lodge, the city continues to slice away at vacant run-down properties that have gone to seed and acres of cracked asphalt. The Baldwin Park Marketplace, a 24-acre shopping center where a Wal-Mart will be built, is a priority among City Council members.

But with a budget crisis threatening to cut city funding, the four council candidates running for two seats and three mayoral candidates said belt-tightening and looking for money in other areas is the only way keep coffers from running dry.

For the mayoral candidates, including incumbent Mayor Manuel Lozano, each wants to tackle different issues. Lozano continues to beat the redevelopment drum and is eager to see more stores, more high-end retail and restaurants in the city.

"If we look at the current growth and prosperity of Baldwin Park, this is a direction we have never moved in before," Lozano said. "In the next two years, you are going to see a different Baldwin Park. I never thought I would see stores like this in Baldwin Park."

But a state budget crisis, Lozano said, will not freeze current development projects. City officials will exercise caution but proceed with projects on the drawing board.

Challenger Raul Reyes, a 47-year-old tax collector for the Internal Revenue Service, said he wants to push redevelopment, but wants a movie theater and more child-care centers.

"The tax man is here to save Baldwin Park," Reyes said. "I am not a politician. I am not happy with the current council. We have lost our base."

He said he would also push residents to spend more in Baldwin Park to build a greater tax base for the city. To deal with the budget crisis, Reyes said, the city must spend less and try to build a larger tax base, whose dollars fund city services.

Mayoral challenger Don Huff wants to take the city in a new direction. The 38-year-old discount grocery store worker says city officials need to push for a brighter public image.

"We need to make it a more attractive place for new businesses and residents," Huff said.

Huff believes building a higher tax base will help with the budget crisis.

"We need to encourage our residents to spend more within the city," he said. "We need to audit the city's entire financial system, so we don't become more in debt."

Two seats are open in the City Council race. Councilwoman Linda Gair decided not to seek another term.

Incumbent Councilman Ricardo Pacheco wants more recreation facilities, ball parks and better parks so residents and children have a place to play or relax.

The 38-year-old father of two children says his track record speaks for itself. He pushed to build the teen center and skatepark and to improve Barnes Park for residents. Pacheco said developers should be made to support soccer and baseball leagues.

SAN GABRIEL VALLEY
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"I have more than five years of experience on the City Council," Pacheco said. "I increased the Police Department from 65 to 75 and increased the city staff by 15 percent."

But when it comes to dealing with the current budget crisis, Pacheco says the city must make the right choices.

"We need to emphasize more redevelopment along the freeway corridor and the downtown area to increase the sales-tax revenue coming into the city."

Pacheco said it's important to maintain the same level of services like street cleaning, trash pickup, bus service and park maintenance.

Challenger Anthony Bejarano, a 25-year-old attorney with

the Los Angeles-based firm McCune & Harber LLP, says he is a product of Baldwin Park and wants to contribute to the city he grew up in. A current member of the planning commission, Bejarano said he has experience working in state government.

He says the current redevelopment efforts are good for the city, and that other projects should take place with "open eyes." He would like to see a movie theater and more restaurants.

At this point, Bejarano says, it is hard to tell what could happen with the budget crisis. Cuts have not been handed down, but if they are, the city would have to make some logical cut backs.

"I have always cared about

the direction of the city," Bejarano said. "Every city can be run more efficiently. We must keep the programs that are working and cut those that do not contribute to the city."

David J. Olivas is another attorney running for a council seat. With 15 years of experience advising council members, Olivas said it is time for a new face.

"I have served as the legal adviser to City Council members and public officials," Olivas said. "Now, it is time for me to serve as your independent voice in City Hall."

The 42-year-old Harvard graduate and city attorney for Maywood and Cudahy lists five priorities as a councilman. First is supporting the Police Depart-

ment in fighting crime, gangs and graffiti. Children need after-school programs and senior citizens need programs at the parks, he said. Businesses and jobs we bring to Baldwin Park must be pro-union.

Olivas wants to establish an "Ethics Commission" to monitor City Hall money transactions and lobbyists.

"I would be going into City Hall and nobody would be pulling the wool over my eyes," he said.

With a current budget crisis, Olivas said he would explore joint ventures with banks and issue Baldwin Park credit cards so that a portion of the proceeds would go back into the city's coffers.

Council challenger Maria

Antonieta Contreras is no stranger to City Hall. As the current city treasurer, Contreras says she brings honesty and integrity to the city government.

"I am an honest person and I bring diversity to the council," Contreras said. "I have a passion for the city."

To meet the challenge of the looming state's budget crisis, Contreras says we should not shut down progress.

"We need to keep growing to create a greater tax base," she said. "We must monitor funds used in the city's daily operations."

Karen Rubin can be reached at (626) 962-8811, Ext. 2109, or by e-mail at karen.rubin@sgvn.com.

The candidates & Issues

2003 Baldwin Park mayor and City Council

MAYORAL CANDIDATES



Manuel Lozano

Age: 44

Education: Pasadena City College; Cal State Fullerton and Cal State Northridge

Family: Single

Occupation: Works at Las Encinas Hospital in Pasadena

Other elected positions: mayor since 1999



Don Huff

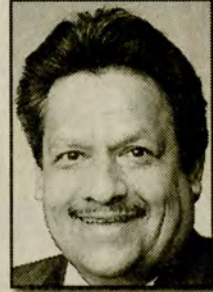
Age: 38

Education: Graduated from Jordon High School in Los Angeles

Family: Single, one son

Occupation: Employee for discount grocery firm

Other elected positions: None



Raul Reyes

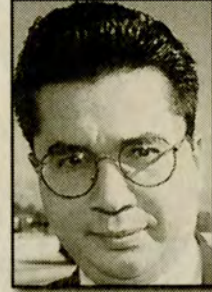
Age: 47

Education: Attended Pasadena City College

Family: Married with two adult sons

Occupation: Tax collector for Internal Revenue Service

Other elected positions: Served on the planning commission from 1989 to 1992



Ricardo Pacheco

Age: 38

Education: Bachelor's in engineering from Cal State Los Angeles

Family: Married with two children

Occupation: Engineer

Other elected positions: Served as a city councilman since 1997



Julian Bejarano

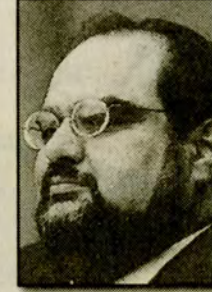
Age: 25

Education: Bachelor's in English from Georgetown University; Law degree from the University of San Diego

Family: Single

Occupation: Attorney

Other elected positions: Serves on the planning commission



David J. Ollvas

Age: 42

Education: UCLA Law School; B.A. in government from Harvard University

Family: Single

Occupation: City attorney for the cities of Maywood and Cudahy

Other elected positions: General counsel to the La Puente Valley County Water District and special counsel to the Otay Water District.



Maria Antonieta Contreras

Age: 53

Education: Associate of arts from Mount San Antonio College

Family: Married with four step-children

Occupation: Works in retail business

Other elected positions: City treasurer and vice president of Baldwin Park Tototlan Sister City

Why should people vote for you?

The growth in our city is hard to miss. A quick drive through Baldwin Park reveals several new projects: the Laidlaw-Harley Davidson Dealership; the future Wal-Mart development; teen center and skate park. It was our partnership with Congresswoman Hilda Solis that helped secure \$100,000 in federal funds to improve Maine Avenue in our downtown.

I have no personal interest to gain or promote myself as mayor, but to honor the trust given by residents. Our city needs current leadership to strengthen and improve our state budget crisis image by making it a more attractive place for new business and residents.

I can bring integrity to the system. I want to take the city away from the current council and give it back to the people. I am not a politician. I have been a resident for 24 years. I want to see a movie complex. I would like to see more child-care facilities for employees. I believe in unions and higher wages for residents.

I have more than five years' experience on the City Council. I have worked for municipal agencies. I support the Parks and Recreation Department, skatepark and teen center and the rehabilitation of Barnes Park. I increased staff by 15 percent and the Police Department from 65 to 75.

I have a unique blend of youth and experience. I am a product of Baldwin Park. I worked for Arnold Alvarez-Glasman as a law clerk, Congressman Esteban Torres, as an intern and for the office of Lt. Gov. Leo T. McCarthy. I have been involved in local government for years. I am on the planning commission. I have always cared about the direction the city has taken and I want to give something back to my community.

I have been preparing for this my entire life. I feel I could make a difference. After 15 years of advising council members, I want to be on the council. I am extremely qualified. I would be going into City Hall and nobody would be pulling the wool over my eyes. I am in favor of starting an "Ethics Committee" for registration of lobbyist who work for the city and the redevelopment agencies.

I am an honest person. I bring diversity to the council. I have passion for the city. I want to keep the city safe. My vision is to have a quaint downtown. Now, there are too many offices. I want to get residents motivated.

What would you do to help your city deal with the state budget crisis?

The governor has proposed cuts that could affect some of our funding sources. Our No. 1 priority is to ensure that we provide the services our residents expect and we plan to do that without drastic change. We must tighten our belts. We are proceeding with caution with the completion of several projects.

With new candidates together, we can focus and build new strategies. We can bring new businesses that are beneficial to our city, that are not nonprofit. We need to stimulate and encourage our residents to spend within our city. We need to audit the city's entire financial system, so that we don't become more in debt and minimize funds that can be used for priority needs.

I am not for raising taxes. We have to cut back where we can. I want to see people in Baldwin Park doing business to increase our tax base.

I would first emphasize the city must make the right choices to keep our primary programs in place. The Police Department and the Public Works Department must maintain the same level of services for the residents. We need to emphasize more redevelopment along the freeway corridor and the downtown area to increase sales-tax revenue.

At this point it is tough to say. The cuts have not been handed down yet. But every city, like businesses, can be run more efficiently. I would keep programs that work and are crucial to the city and get rid of those that do not contribute.

We should merge redevelopment project areas and use the money from one project to another. We should get more developers in the city. And we should do a joint venture with a bank and issue Baldwin Park credit cards, so that a portion of the proceeds go back to the city and programs.

We need to keep growing to create a greater tax base. We must monitor funds used in the city's daily operations.



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Ride-along policy violated, probe finds

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Police captain quit amid allegations

By **Ronald W. Powell**
UNION-TRIBUNE STAFF WRITER

February 13, 2003

A Harbor Police captain who resigned amid allegations he used a department vessel to ferry friends and family to and from restaurants on San Diego Bay ran afoul of the Port District's ride-along policy, according to an internal investigation.

Jeff Cameron, 52, resigned in November, less than four months after he took the \$98,000-a-year post. He was second in command at the Harbor Police, a division of the San Diego Unified Port District, which has 130 sworn officers.

Port Commission Chairman Jess Van Deventer said Cameron acted improperly.

"It would be like a port commissioner taking his or her relatives out on a (port) boat. That would be totally out of line," Van Deventer said. "If he doesn't want to live under our rules, then I guess he needs to move on. It hurts other officers in the department when someone does that — especially someone brought in to help lead the department."

The port is drafting a revised policy for its civilian ride-along program for port-owned vessels and autos, said Rita Vandergaw, port spokeswoman. The revision has not been completed.

Changes under consideration include toughened safety precautions, mandatory criminal-history checks and designating that the Harbor Police background-check unit authorize ride-alongs. The revised policy also would stress the requirement that ride-along participants sign waivers freeing the Port District from liability in the event of injury or death.

The waiver requirement existed when Cameron served as Harbor Police

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captain, but police sources said passengers riding with Cameron did not sign waivers.

The ride-along program allows civilian passengers aboard Harbor Police vessels or in vehicles under certain conditions. Its intent is to provide civilian employees and others an up-close view of Harbor Police work. It also gives police applicants a chance to observe Harbor Police operations.

Deputy Port Attorney Ellen Miles said the port cannot disclose details of the case because the investigation falls under a broad definition of personnel records that are confidential under California's penal code.

"We, as an employer, would be in violation of the law if we discussed the investigation," said Miles, adding that such a violation would be a misdemeanor. "We're caught in a quandary sometimes."

Robert Fellmeth, a lawyer and director of the Center for Public Interest Law at the University of San Diego, disagreed, saying the state penal code does not preclude the public's right to know about a public servant's conduct.

"It's not an all-purpose cover for someone because they're a peace officer," Fellmeth said. "This (incident) appears to be outside the scope of his employment as a peace officer."

Ferrying family and friends on Harbor Police boats is not part of a captain's duties, he said.

Shortly before Cameron's resignation, five Harbor Police officers told the *Union-Tribune* that Cameron used Harbor Police patrol and firefighting boats as a personal ferry service on San Diego Bay on at least four weekend nights in October. Some of the round trips were from San Diego to Coronado for restaurant visits, they said.

Some of the officers called the trips "cocktail cruises," and said they were disappointed and frustrated that a superior was violating department procedure without being punished.

Officers said they also were incensed because Cameron was taking officers away from their patrol responsibilities. Two Harbor Police officers are assigned to patrol the bay in each fire boat, and two boats usually operate at any time. The department has five such boats.

Cameron could not be reached for comment.

Shortly after his resignation, Cameron told *The Daily Breeze* in Torrance that he had done nothing wrong and had resigned from the Harbor Police because of internal politics.

He acknowledged, however, that he took his wife and daughter and then his wife and son on separate rides on the fire boats. He said he thought those trips were permissible because he was showing his family where he worked.

Beyond that, Cameron said, there was one dinner trip with other law enforcement guests.

"There was no alcohol on board and there was only one trip that was a round trip dinner and back," Cameron told *The Daily Breeze*. "That was not with friends; it was with people that I had just met at a conference that day and they have an interest in port security.

"I believe that part of my job as a police captain down there was to work with those that could enhance the safety and security of San Diego Bay."

Cameron joined the Harbor Police after resigning from the Redondo Beach Police Department in July after 30 years. When he left Redondo Beach, he held the rank of captain.

Ronald W. Powell: (619) 718-5070; ron.powell@uniontrib.com

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**SAN DIEGO DAILY
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Smith named managing partner at Solomon Ward



Law Briefs

By Andrew Donohue

Miguel A. Smith has been appointed managing partner at San Diego's **Solomon Ward Seidenwurm & Smith LLP**.

Smith, a graduate of the University of San Diego School of Law, practices real estate and business transactional law.

He concentrates on real estate lease transactions. Smith, who is bilingual, also advises clients on cross-border business dealings.

4154

"Miguel is highly respected in our firm, where he has spent his entire career, and in the San Diego business community," said former managing partner Jeffrey H. Silberman in a statement. **Source Code: 20030218tja**

• • •

San Diego Defense Lawyers recently honored Daniel M. White and Sidney A. Stutz during its annual dinner.

White, of the firm **White, Noon & Oliver**, was given the defense lawyer of the year award.

Stutz, of **Stutz, Gallagher, Artiano, Shinoff & Holtz**, won the defense lawyer honoree award. **Source Code: 20030218tjb**

• • •

Attorneys from **Gray Cary Ware & Freidenrich LLP**'s San Diego office recently represented Austin, Texas-based **Crossroads Systems Inc.** (Nasdaq: CRDS) in a patent dispute.

Crossroads, a provider of storage networks, was involved in a legal dispute with a private Colorado company over a Crossroads patent.

Last week a federal appeals court upheld a lower court ruling siding with Crossroads.

Working on the case from the San Diego office were partner John Giust and attorneys John Allcock, Matt Berstein and Joseph Reid. **Source Code: 20030218tjc**

• • •

The Lawyers Club of San Diego is holding its biannual read-in on March 7.

Attorneys have the chance to donate books and read to school children during the two-hour event, which will take place at Central Elementary School on Polk Avenue and 41st Avenue in Mid-City.

The read-in is meant to promote literacy and foster role models.

Children also make the attorneys peanut butter and jelly sandwiches for lunch.

The event, held in conjunction with La Raza, begins at 11:30 a.m. **Source Code: 20030218tjd**
andrew.donohue@sddt.com

Other USD-Related News

The faithful honor religious traditions

4154
For 10 years, University of San Diego students and community members have gathered at the Immaculata Church on the campus to celebrate the religious traditions of San Diego County.

This year's All Faith Service, held midday last Friday, opened with an Islamic call to prayer and closed with a Buddhist prayer about wisdom and compassion. In between was a rainbow of religions — from a Hindu dance to a soulful song led by a Jewish cantor.

Roman Catholic Auxil-



Ni Wayan Ekarini performs a Balinese welcome dance from the Hindu tradition.

iary Bishop Salvatore Cordileone told the hundreds gathered at the Catholic-affiliated univer-

sity that it is the role of the religious in the world to help bring order out of chaos. "As people of faith, we know that peace and reconciliation are only possible with God," he said.

Participants spoke of not stereotyping others, of having the courage to forgive, of bringing peace among the religions of the world and of loving their neighbors as themselves. "Hate," as one of the prayer leaders put it, "is only diminished by love."

— SANDI DOLBEE

SAN DIEGO UNION-TRIBUNE

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Changes at St. Francis Seminary to Reflect Pastoral Realities

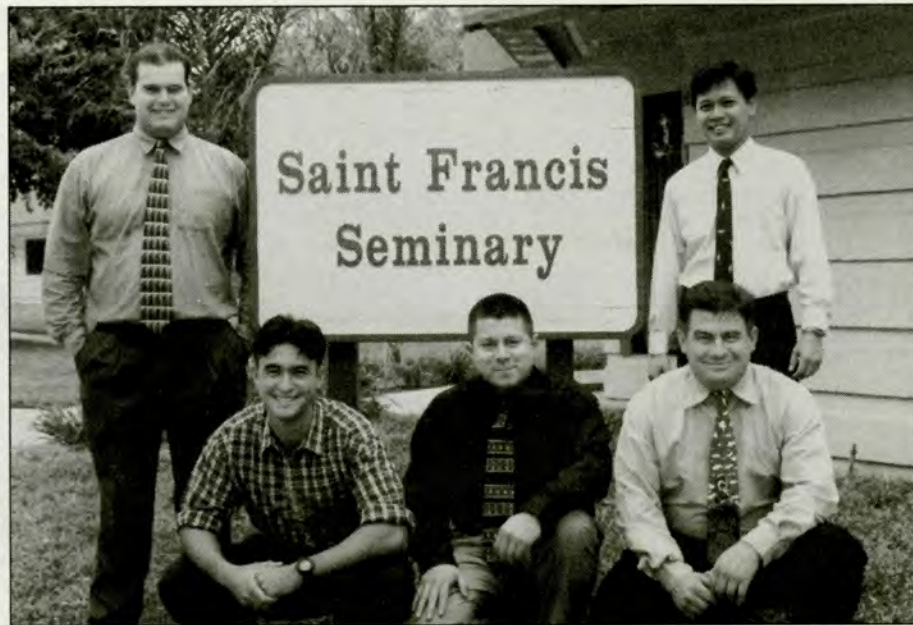
SAN DIEGO — In a memo to priests dated Feb. 3, San Diego Bishop Robert H. Brom announced that St. Francis Seminary will move from a college seminary model of pre-theology priestly formation to a more individualized approach. The bishop said he hopes this approach, which will be made effective July 1, will better serve this local Church.

St. Francis Seminary was founded in 1941 as a minor seminary, an institution to form seminarians at the college level before they are sent off for graduate-level theology studies in a major seminary, where they prepare for ordination to the priesthood.

The bishop said the move to a more individualized program at St. Francis is meant to respond to changes in the pastoral environment.

In recent years, more and more men with an interest in exploring a vocation to the priesthood have been found to be lacking the inculturation, or personal maturity, or basic knowledge of the faith which are necessary to benefit from a college seminary program such as that offered at St. Francis Seminary, according to the norms of the Program of Priestly Formation.

"Our experience of particularly



NEW SEMINARY MODEL: Effective July 1, St. Francis Seminary will be known as St. Francis Center, and men preparing for theology studies will be under the guidance of the center's director.

the past 12 years at St. Francis leads to the conclusion that it is no longer possible for us within a college seminary model to accomplish the objective of preparing candidates for a theology level seminary," the statement read. "Much more flexibility is needed in order to respond to diverse personal needs."

A priest will be appointed to serve full time as director of priestly formation in the Diocese of San

Diego. With a team of others, he will respond to potential candidates for the priesthood all the way from initial discernment to readiness for admission to a theologate (major seminary).

Individualized programs will be tailored to candidates according to their needs. Some might be in residence at St. Francis, others at the University of San Diego or off campus, and still others might be holding jobs, but all will gather

regularly for formation at St. Francis, e.g., spiritual direction, conferences, liturgy and prayer, days of recollection and retreats. Some might be college graduates or pursuing a college degree, some will be learning English as a second language.

As in the past, the program at St. Francis will continue to offer human and spiritual growth and development opportunities for all participants.

"With the implementation of this new approach to pre-theology priestly formation in the Diocese of San Diego, St. Francis Seminary will more appropriately be called St. Francis Center," the statement concluded. "Young men will be accepted to participate in a program of priestly formation rather than into a seminary. Participants from other dioceses will not be accepted."

Msgr. Steven Callahan, vicar general of the diocese and rector of St. Francis Seminary, said the new approach, already used in some other dioceses, is a better way to help men discern their vocations.

"I see it as a wonderful opportunity for us to better respond to the needs of candidates today to the priesthood."

Employer-aided housing plan urged to help recruit workers

By Lori Weisberg
STAFF WRITER

When it comes to recruiting new faculty members to the University of San Diego, there is one deal-breaker over which the administration has little control: the high cost of housing.

"In 50 percent of the cases, that makes a big difference in our recruitment," said Paul Bissonnette, vice president of finance and administration at USD. "(Prospective employees) are aware of the housing situation but not really aware until they go out looking."

SUNDAY IN HOME: Union members here qualify for expanded AFL-CIO housing aid program.

In search of a solution, Bissonnette yesterday attended a breakfast meeting hosted by Fannie Mae and the San Diego Housing Commission, which are jointly pitching an employer-assisted housing program they believe will help businesses recruit and retain employees.

While the meeting attracted only a

SEE Housing, E3

► HOUSING

CONTINUED FROM PAGE E1

Region called 'one of the most unaffordable'

handful of employers, the Housing Commission says it is committed to spreading the word to all local companies. Also pushing the program is San Diego City Councilman Scott Peters, who has set aside \$30,000 in federal funds to promote homeownership opportunities within his district covering the northern part of the city.

"This is the beginning of an opportunity to see if we have something that works," Peters said. "I think it's a real opportunity for business to work together with government to overcome the hurdles they have with high housing costs."

Fannie Mae's director of the National Community Lending Center was even more direct.

"I don't see how you can afford to not do anything," Beth Marcus said. "You're absolutely one of the most unaffordable places in the nation."

Among the employers represented yesterday were USD, the University of California San Diego, Scripps Mercy Hospital, Solar Turbines, Price Charities and several mortgage lenders.

According to the Housing Commission, 80 employers were invited to the gathering.

While yesterday's presentation was short on specifics, Fannie Mae, which is the nation's largest provider of home mortgage funds, is ready and willing to provide companies technical assistance on how to craft their own "employer-assisted housing" programs, Marcus said.

Assistance to workers can be as little as offering home-buyer education classes or as much as making interest-free forgivable loans to help finance a home purchase. Nationwide, 450 public and private employers participate in such programs, according to Fannie Mae.

One specific program that will be made available more immediately allows prospective home buyers to take advantage of second trust deed loans of up to \$70,187, or 25 percent of the maximum purchase price of \$280,749.

The Housing Commission, using \$1 million in federal housing funds, will offer the deferred loans to households earning no more than 80 percent of median income, or \$48,100 for a family of four. The only catch is that companies first must offer some form of employee assistance, such as home-buyer education, before their workers can access the special loans.

Some of the employers yesterday expressed reservations about the commission program, citing the shortage of homes priced less than \$300,000.

A Multiple Listing Service survey of homes for sale as of yesterday revealed 353 detached single-family homes for sale in the county for \$280,000 or less, said real estate agent Cheryl Betyar. There are 850 attached homes for sale in the same price range, she said. Most are resales.

A separate employee program available only for homes purchased in Peters' district would offer a 4 percent down payment and closing cost grant. It, too, would be reserved for low-income buyers.

"The income levels of people

many companies are trying to recruit are much greater than the (Housing Commission) levels," said Robert Bush, manager of international human resources for Solar Turbines. "This is a large investment for companies to make, and companies hesitate to do that unless they can see the benefit long and short term."

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SAN DIEGO UNION-TRIBUNE

**SAN DIEGO, CA
TUESDAY 374,856
FEB 4 2003**



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USD hosts Black History gathering

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The University of San Diego will host a Black History Month kickoff event at noon today at the Hahn University Center.

Vernon Sukumu will discuss "The Significance of Black History Month" and gospel artist Laneé Battle will perform.

African American food also will be available. Information: (619) 260-2395.

Despite slumping economy, university endowments remaining in equities

By MICHELLE CADWELL BLACKSTON
San Diego Daily Transcript

Endowments at area universities rode the stock market's roller coaster in the last year, but officials aren't hopping off anytime soon, according to a study on college endowment earnings.

The University of California, San Diego Foundation endowment ranked 225 on the list of higher education institutions participating in the National Association of College and University Business Officers study. UCSD Foundation reported \$144 million in assets for fiscal year 2002, a 6.4 percent decline from

2001, which was \$154 million.

University of San Diego's foundation ranked 315 with an \$87 million endowment, which declined 9 percent from 2001 figures of \$96 million. San Diego State University's foundation placed 376 and remained flat from 2001 to 2002 at \$59 million.

The local college with the smallest endowment, California State University San Marcos, ranked 621 in the study, but reported the biggest growth. CSU San Marcos reported a \$9 million endowment for 2002, a 29 percent increase from 2001 of \$7 million.

Ranking the highest in the study among county institutions at 204, National University reported a \$162 million endowment in 2002, a 1.4 percent growth over 2001.

The figure represents an endowment's change in market value between fiscal year-end 2001 and fiscal year-end 2002. Growth from gifts, reductions due to expenditures and withdrawals, as well as investment returns, determine an endowment's fiscal year-end market value.

"Everyone looks like the market," said Marlene Shaver, chief financial officer of the UCSD Foundation.

On average, colleges and universities across the country reported their endowments lost value in fiscal year 2002. Of the 654 colleges participating in the study, the average endowment declined 6 percent in the 12-month period. It was the second consecutive decline for the endowment investment pool, according to the study conducted by TIAA-CREF, a nonprofit group.

Still, the universities with the largest endowments performed the best, according to the study. The top-dollar endowments

See **Economy** on 3A

San Diego Daily Transcript
2-10-03

Continued From Page 1A

include Harvard, Yale, the University of Texas system, Princeton and Stanford. The combined endowment assets of the top 10 reporting universities make up 30 percent of all endowment assets for 2002.

While taking a hit, the bigger university endowments averaged a smaller decline.

Endowments of more than \$1 billion, such as Harvard with \$17 billion, reported an average loss of 3.8 percent. Universities with endowments ranging from \$101 million to \$500 million averaged a 6.1 percent loss and those with less than \$25 million reported a 6.6 percent drop.

How the universities use their endowments also could be a factor for their growth or decline. Cal State University San Marcos, for example, takes 5 percent annually from its endowment to be used solely for student scholarships.

When the market fluctuates, the number or amount of scholarships awarded can change, said Greg Svatora, business manager of the CSU San Marcos Foundation, which oversees the endowment.

"We're looking at keeping the same number of scholarships, but the dollar amount will decrease," he said when the endowment experiences a decline. "For the larger universities, the annual income goes toward operations to support the facilities on campus. Campuses have annual spending limits. Regardless of what the market is, the spending stays the same."

National University doesn't spend any of its \$162 million endowment, said Richard Carter, vice president of administration and business and who also is vice chancellor for business development.

The university makes enough revenue from tuition and student fees, continuing education activities and renting out conference facilities to reinvest into the endowment, he said.

Also, they are able to put money back into the university for facility growth and increased

faculty, he said.

"The secret goes to back to 2000 when the investment committee at the university decided to undertake a diversification," Carter said. "It softened the equity decline. We went from zero cash at the end of 2000 to 16 percent cash currently. We increased cash generously and took it essentially out of equities."

National University's asset allocation model is broken up into 32 percent in U.S. equities, which is down from more than 40 percent, 11 percent in global equities, 6 percent in absolute return investments, 9 percent in the inflation hedge category, 23 percent in bonds and 16 percent in cash. They also have fund managers that are "carefully vetted by an investment consulting group and then reviewed by investment committee members on the board of trustees," he said.

"Careful management and having good advice and then transferring operating revenue cash into the endowment with a positive fund balance, and we're able to invest back into the university," Carter said. "We're one of the few the private institutions that do that."

At UCSD, the endowment is restricted by the donors and used for an array of research projects, scholarships and faculty teaching positions, Shaver said.

Donors specify what projects their money will support and the UCSD Foundation endowment is made up of hundreds of individual endowment funds.

While UCSD has a board of trustees' investment committee to oversee the endowment, they don't use an investment manager. They pay 1 percent to use the UC system treasurer's office.

"Many of the campus foundations use the treasurer's office portfolio for investment," Shaver said.

The UC system's endowment ranked ninth in the study at \$4.1 billion.

With state budget cuts planned for colleges and universities, officials are rethinking their investment strategy. The study found diversification of investments was

essential for endowments to reach higher return rates than those of the major indexes.

The largest endowments on average had only 67 percent of their investments in the traditional categories of equities including U.S. and foreign stocks, fixed income such as bonds and cash, while the smallest endowments had 91 percent of their assets in those categories.

UCSD revamped their investment strategy to include a 45 percent target for U.S. equities and 10 percent target for both non-U.S. and private equities. They also plan for a 5 percent target for absolute return and real estate investments and want to keep non-U.S. and U.S. fixed income, bonds, mortgages and debt at 25 percent, Shaver said.

"We believe in the equity market and that's where endowments belong," she said. "It's for the long term and it can stand a different amount of risk that personal investment portfolios or retirement portfolios can't."

"Even though there has been a bad couple of years, that's the cycle and we're not going to get out of the equities market. Most institutions, despite it all, they are staying in equities."

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Source Code: 20030207tba

It's a Family Affair

Florida's second-, third- and even fourth-generation family-owned real estate companies face a unique set of challenges, but reap their fair share of rewards.

by Bridget McCrea



They teased each other mercilessly when they were kids (and probably still do), joke about when their youngest sibling is going to settle down and raise a family and spend as many weekends as they can boating on the Gulf of Mexico and talking about (what else?) real estate and the success of their family-run company — Century 21 Beggins

Enterprises of Apollo Beach.

Heading up the company that their father, Jim Beggins (current chairman), founded in 1985 are brothers Craig Beggins, 34, president, and Jeff Beggins, 28, managing partner. Their mother, Victoria Beggins, is one of

the company's top agents, and Craig's wife, Angelique Beggins, is marketing director. Up next is a third generation that could include Craig and Angelique's 8- and 9-year-old children, who he says "are already learning the real estate business."



Jim Beggins

Craig Beggins



Illustration by Susan Sanford

Business is pretty good these days at Century 21 Beggins, a 170-agent, four-office company that posted \$173 million in sales volume last year. Jim Beggins attributes the stellar growth to the company's recruiting and training program — which includes daily agent-training sessions from 8:45 to 9:30 a.m. — and a close-knit, family-run atmosphere.

"We know everyone's individual



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IT'S A FAMILY AFFAIR

A personalities, and that carries over to the non-family employees and managers as well," says Jim. "There's little question that everyone here is looking out for the family's best interest."

But don't think that means all Begginses think alike. While they do share similar long-term goals, they come from different backgrounds and, as such, have different views on how to reach those goals. Jim, for example, comes from a franchising background. Craig earned his license and joined the company at the tender age of 18, while Jeff worked for a non-real estate corporation after college, gaining sales and business experience before joining the family business in 1997.

"Franchising, with its national scope, is very different than running a general real estate office in a specific geographic area," says Jim. "We're in business to dominate, and you can't do that by operating just a real estate brokerage — you have to create a true sales organization. By combining our different business philosophies and ideas, we've been able to do just that."

Trials and Tribulations

You may be surprised to know that of the 15 million businesses in the United States, nearly 30 percent are family owned or controlled. "Family businesses bring in nearly 65 percent of all wages and 50 percent of the gross domestic product (GDP)," says

Joseph E. McCann, director of the University of Tampa's Florida Family Business Program. "Nearly 40 percent of the Fortune 500 is family run."

And, if the term "family owned" conjures up images of a mom-and-pop, boutique operation, think again. "Family businesses can be true indus-

try innovators," says McCann. "They have to be to compete with the national companies, so they often sustain the focus and commitment to do new things that those national firms cannot."

Unfortunately, the lifelines of most family businesses are painfully short. According to the International Institute for Family-Owned Business at the University of San Diego, less than 30 percent of all family-owned businesses survive the transfer to

the second generation, while less than 10 percent make it to the third.

Tell that to J. Parrish Jr., 26, executive vice president at Coldwell Banker M.M. Parrish REALTORS in Gainesville — a company founded by his great-grandfather M.M. Parrish in 1911. The company has survived multiple successions: the founder's two sons took over the reins in the 1930s, and then James M. Parrish (J. Parrish Jr.'s father) stepped up to the plate in 1980. Two years later, the company became a Coldwell Banker franchise, and Susan Parrish (James M. Parrish's wife) became the company's primary shareholder.

Today, Gene Ritch, a non-family member who has been with the company since 1982, is president of the



Back row: J. Parrish, Jr., Gene Ritch, Susan Parrish; Front row: Marsha Dolsak, Lorraine Handler, Linda Webb, and Peggy Radcliffe.

All in the Family

Did you know ...

- Of more than 15 million businesses in the United States, nearly 80 percent are family owned?
- Family businesses generate millions of new jobs, nearly 65 percent of all domestic wages and 50 percent of the gross national product (GNP)?
- Family businesses are not all small businesses? Cargill, Ford, Anheuser-Bush and Coors are all family owned or dominated.
- Close to 200 of the Fortune 500 largest businesses in the United States are family owned or controlled?
- Less than 30 percent of all family-owned businesses survive the transfer to the second generation?
- Less than 10 percent of all family-owned businesses survive to the third generation?

Source: *International Institute for Family-Owned Business, University of San Diego.*

**SAN DIEGO DAILY
TRANSCRIPT**

**SAN DIEGO, CA
MONDAY 15,000
FEB 24 2003**

FRONT PAGE

Close-Up

FBI career behind him, Gore moves to Hall of Justice

4154
By **ANDREW DONOHUE**
San Diego Daily Transcript

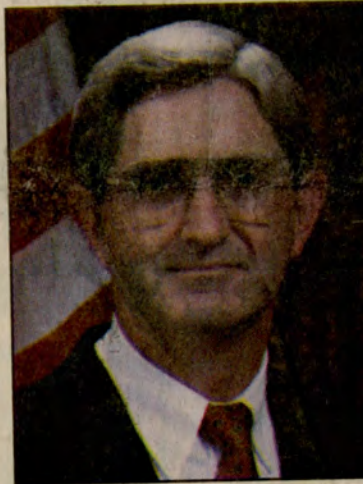
When Bill Gore speaks of the FBI, he still uses an "our" or a "we" every now and again.

It's an easy slip for someone who's spoken as an agent under every director the FBI's ever had.

He's been using these words since the days of J. Edgar Hoover, and did so through the decades while tracking Cold War spies, hunting cult-hero hijackers of the 1970s and defending his San Diego office from critics in the aftermath of the Sept. 11, 2001, attacks.

The 55-year-old Gore retired a month ago after 32 years as an FBI agent, 18 months before mandatory retirement and 15 months removed from the terrorist attacks that slid the FBI's local office underneath the congressional and media microscope.

A couple of weeks into his new position as District Attorney Bonnie Dumanis' special adviser and chief of bureau investigations, the disarming Gore is still easing out of FBI life and into his new office in the Hall of Justice.



Bill Gore

A hammer and nails sit idle on his file cabinet, next to a framed FBI photo and a video entitled "Jihad in America."

He ended his FBI career on a Friday and started work for Dumanis the following Monday, taking enough time off for an oil change and a haircut, he said.

And while the administration is still fashioning its priorities for the coming years, Gore's got more than enough interesting stories to pass the time before

A See **Gore** on 3A

Gore

Continued From Page 1A
Dumanis' first term hits full stride.

"I was pretty fortunate in that I worked both criminal investigations and intelligence investigations in the FBI and that let me see some of the best spy cases that the FBI worked in the '80s," said Gore, who earned a reputation as a deft agent and a delicate manager for the bureau.

As an agent in Seattle in the 1970s, Gore worked on several skyjacking cases, including the notorious D.B. Cooper case.

In 1971, Cooper hijacked a Boeing 727 bound to Portland from Seattle. After sending the plane back to the airport in Seattle, he used the threat of a bomb to get \$200,000 and four parachutes from authorities in exchange for freeing the passengers aboard.

Cooper then ordered the flight crew to take off and parachuted from the rear of the plane into a stormy, frigid Washington night.

"I was traipsing around the woods of southwest Washington for him," said Gore. "That case continued to be an active case in Seattle for a decade."

Agents never found Cooper, and the case remains unsolved. It's the one unsolved case that still bothers Gore.

A couple of years later, Gore and Ray Mathis, his close friend and fellow agent, were again working a skyjacking in Seattle. This time, as the hijacked plane landed back at Seattle/Tacoma International Airport, the agents drove a vehicle in behind the plane without the hijacker's knowledge.

After a seven-hour standoff, the agents decided they would have to storm the plane before dusk.

Mathis scanned the SWAT Team to see who would join him rushing through the front door of the plane, the most dangerous assignment.

"When I was looking to see who could I depend on 100 percent, when you have a very high probability of being shot under those circumstances, who could I depend on to go through the door — it was Bill Gore," Mathis said.

"That was the reputation he had. He was always willing to take the worst assignment. He was always a leader," Mathis added.

An agent posing as a pilot eventually shot and wounded the hijacker as Gore and Mathis stormed the plane.

It was Gore's law enforcement reputation, as well as his managerial experience, that impressed Dumanis.

"Bill's name had been suggested to us from every corner of law enforcement," she said.

Law enforcement runs in the Gore blood. His father, also named Bill, was second in command of the San Diego Police Department. And both his older and younger brothers became police officers as well.

After graduating from the University of San Diego in the late 1960s, Gore was accepted into law school at the university.

"But Uncle Sam and the draft, at the time 1969, had other plans for me," he said.

Informed by his father, a member of the draft board, that he would be drafted, Gore applied to the Navy's flight program.

"I figure it was better to fly over it than walk through it," said Gore.

Gore was discharged 18 months into a five-year commitment as the war slowed. But before he left training in Pensacola, Fla., he saw a posting stating that President Nixon had authorized Hoover to bring in 1,000 new FBI agents.

He started training in Washington, D.C., on Dec. 7, 1970 — Pearl Harbor Day.

He served as an agent in Kansas City, Washington, D.C., Honolulu, Seattle, and then as chief of the San Diego office.

In that time, he brought down bank robbers in Seattle, investigated Japanese organized crime and served as special assistant to the No. 2 man of the FBI.

He also attended the National War College for nine months during the Cold War, which he called, for lack of a better term, the "senior defense graduate school."

As the only FBI agent in the school, he focused on Eastern European affairs, as the nations of that area had significant intelli-

gence operations in the United States. The final month of the school was spent traveling through communist Eastern Europe and being briefed by U.S. military officials.

"So I was behind the Iron Curtain with this delegation of 13 officials from the United States. It was fascinating," Gore said.

Gore was back in Washington in 1997 when he heard the lead position in the FBI's San Diego office had opened up.

"It took me about a half a minute and I was leaving my position at headquarters as an assistant director," he said.

So it was back to his hometown, where he would head up high-profile investigations into Andrew Cunanan, Tijuana's Arellano Felix drug cartel and local ties to the Sept. 11 attacks.

The office took heat from Congress after it was discovered that two of the hijackers, Nawaf Alhazmi and Khalid al-Midhar, lived in San Diego in 2000. The local office's impending investigation also angered some in the Muslim community who thought they were treated unfairly.

Despite the critics, Gore said the investigation is the work he's most proud of in his entire FBI career.

"It changed this country, it changed the way the FBI does business, and it changed the laws that govern how the FBI investigates so we can better protect this country and try to protect (from) future acts of terrorism," he said.

Gore knows well the debate between security and private freedoms, and acknowledges an intelligent discussion is necessary to achieve the balance.

"I think what this country has to look at is, we enjoy an open society and we are more vulnerable because of our lifestyle, and I think that's a risk," he said. "I don't want to change our lifestyle and live in a totalitarian country."

Although leaving the FBI, Gore said he's happy to remain in the San Diego law enforcement community so familiar to he and his family.

andrew.donohue@sddt.com
Source Code: 20030221tba

TEXAS CITY SUN

TEXAS CITY, TX
SUNDAY 10,700
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**Carlisle commissioned
as Navy Ensign**

Navy Ensign Brandon S. Carlisle, son of Steve Carlisle of Santa Fe, was recently commissioned upon graduation from the Naval Reserve Officer Training Corps Program with Naval Reserve Officers Training Corps Unit, University of San Diego and San Diego State University.

During college, Carlisle completed naval science courses and academic courses that fulfilled degree requirements. These courses, combined with annual summer training aboard ships and shore installation, served to prepare NROTC graduates for the intellectual, mental and physical challenges of a commissioned officer.

Carlisle is a 1995 graduate of Cypress Creek High School of Houston. He is a 2002 graduate of the University of San Diego, Calif. with a Bachelor of Business Administration degree.

NEW YORK POST
NEW YORK, NY
THURSDAY 487,219
FEB 27 2003

Starr Report

BY MICHAEL STARR

Is this tire heir the new 'Bachelor' boy?

The Santa Barbara News-Press reported yesterday that ABC is likely to name **Andrew Firestone** as the next star of "The Bachelor." Firestone, the sales manager for his family's Firestone Vineyard in Santa Barbara, is also the great-grandson of tire legend Harvey Firestone.

According to the Firestone Vineyard website (firestonewine.com), Andrew is the son of vintner **Brooks Firestone** (Harvey's son) and British Royal Ballet soloist **Catherine Boulton Firestone**. He grew up in Santa Ynez Valley and graduated from the University of San Diego in 1998.

"I plan on starting a family someday, and by growing the family business, I will be building my children's future as well," he says on the site.

Watson: Fans were 'Heaven'-sent cure

Former "7th Heaven" star **Barry Watson** tells tonight's "Entertainment Tonight" (7 p.m./Ch. 2) that he's beaten Hodgkin's Disease. Watson is returning for "Heaven's" 150th episode airing in April.

"I'm cancer-free," Watson tells "ET," crediting chemotherapy and fan support for aiding him in his recovery.

"Fans to people I haven't seen in years to people here [on the set] — people on the street who'd say, 'I hope you're feeling better, get well,'" he says. "That put something inside me and I said, 'I'm gonna beat this a lot quicker than my doctor says I can.' And I did." **Stephen Collins** and **Jessica Biel** are also interviewed.

Bravo! Daisy, Sheila, Kate feted by NYWICI

"Saturday Night Live" trouper **Tina Fey** ("Weekend Update") will host the 2003 NYWICI MATRIX Awards, being held this year April 28 at the Waldorf-Astoria. They're sponsored by New York Women in Communications.

Fey will introduce top TV people who will present awards to "Women Who Change the World." **Mary Tyler Moore** will honor HBO's **Sheila Nevins**, CBS News president **Andrew Heyward** will toast Cosmo editor **Kate White** and Univision's **Cristina Saralegui** (Sarelegui Enterprises) will salute Bravo's chairman/CEO **Daisy Exposito-Ulla**.



FEY

Ernie stamps 'em out

"McHale's Navy" legend and Oscar winner ("Marty") **Ernest Borgnine** was among the stars who presented commemorative stamps yesterday at the Academy of Motion Picture Arts and Sciences in Beverly Hills.

Borgnine was joined by **Karl Malden** and **Gena Rowlands** in dedicating the new "American Filmmaking: Behind the Scenes" commemorative stamps.

This just in . . .

- ★ On tonight's "The Pulse" (9 p.m./Ch. 5): **Bill O'Reilly** interviews **Debbie Nelson**, the mother of rapper **Eminem**.
- ★ **Dominick Dunne** attending a private screening tonight of **Barry Avrich's** "Guilty Pleasure: The Extraordinary World of Dominick Dunne" with **Larry King**, **Griffin Dunne**.
- ★ Ex-"NYPD Blue" star and CNN anchor **Andrea Thompson** narrates "Psychic Detectives," tonight at 10 on Court TV.
- ★ Tonight (11 p.m.) on "Barry Z" (TW Cable/Chs. 35, 99): **Carmine Appice** (Vanilla Fudge), **Burt Young**.
- ★ Pals of "Sopranos" star **James Gandolfini** at Da Tom maso say he's interested in the play "The Impractical Application of Dreams," starring former Dell dude **Ben Curtis**.
- ★ "Profiles from the Front Lines" airs tonight at 8 on Ch. 7.



“Our goal is to create a secure living environment that is not only comfortable but also enhances the academic environment of a student’s campus housing experience.”

more than 32,000 bedrooms of student housing in 54 college markets across the United States totaling more than \$1 billion in development costs.

“Our goal is to create a secure living environment that is not only comfortable but also enhances the academic environment of a student’s campus housing experience,” says Vawter. Capstone is consistently fine-tuning designs to achieve this goal. “Even though many elements of a collegiate educational experience may be similar, no two campuses are alike, requiring unique housing solutions custom designed for the particular need of a campus. Capstone has built its reputation in the industry by delivering what it promises: affordable, reliable student housing,” says Vawter.

The company recently completed construction on Manchester Village, the new state-of-the-art apartment community at the University of San Diego, which opened its doors to 356 undergraduate students last fall. “We worked very closely with the university to design a facility that supports their student learning programs and also complements the existing campus architecture,” says Vawter. Currently, the Western Division has two new developments under construction at the University of Redlands and the University of Pacific in Stockton.

Capstone’s success can be directly attributed to its exclusive focus and to this market niche. With creative financing and development solutions, Capstone has helped many institutions, public and private, achieve their respective housing goals. “It’s very rewarding for me to work in the academic environment knowing that our housing solutions are not only meeting the expectations of today’s students but are designed to be sustainable for many years to come,” according to Vawter.

Competition among colleges and universities to attract and retain the best and brightest students is increasingly more challenging for most institutions. Student expectations have and will continue to change, and current students are coming to expect such amenities as state-of-the-art athletic facilities and first-rate dining options. Expectations for housing are no different.

Capstone Development recognized this opportunity in early 1990 and created Capstone Development Corporation to focus exclusively on the development, construction and management of student housing. With offices in Alabama, Maine and San Diego, California, Capstone has become the nation’s largest student housing developer, having completed

CAPSTONE DEVELOPMENT

JOHN VAWTER

SAN DIEGO MAGAZINE

**SAN DIEGO, CA
MONTHLY 54,000
FEBRUARY 2003**

Challenger, McAuliffe school 4154 students feel special grief

Grief over the loss of the space shuttle may be more intensely felt at two county schools named after the space shuttle Challenger, which exploded after liftoff in 1986, and Christa McAuliffe, the teacher on board.

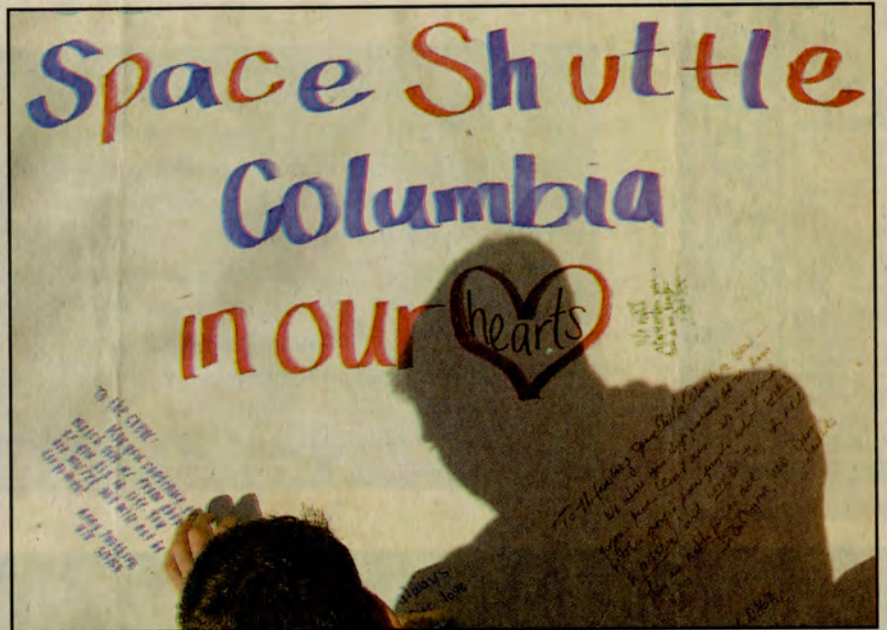
"I think it was really horrible, and it hurt my feelings in a way because it was so sad," said Matthew Valdez, 7, who attends Christa McAuliffe Elementary in Oceanside. "I just pictured their families waiting for them to come home, and I thought, 'Wow,'"

Students at Challenger Middle School in Mira Mesa commemorate the anniversary of the tragedy every Jan. 28. This week, students will be encouraged to write poems or draw pictures after they've reflected on the Columbia tragedy, and send the collection of works to NASA.

At the University of San Diego yesterday, students wrote messages of remembrance for the shuttle astronauts. "To our heroes. Our prayers are with you as you venture farther than any mission could have taken you," junior Rennee Dehesa, 20, wrote.

...

Marketers and agencies are mov-



University of San Diego student Ryan VanArnam, 20, wrote a message of condolence to the shuttle astronauts on one of two banners yesterday. The banners will be mailed to NASA. *Nadia Borowski Scott / Union-Tribune*

ing quickly to withdraw or modify advertising suddenly rendered inappropriate by the Columbia disaster.

Hewlett-Packard Co. has asked magazines to cancel an ad it recently

introduced featuring astronauts and NASA. In all but a couple of instances, the requests were made in time for the ad to be withdrawn before publication this week, said Alli-

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
TUESDAY 374,856
FEB 4 2003

son Johnson, a Hewlett-Packard senior vice president.

A television commercial based on the space ad was already scheduled to stop running the day before the accident. That commercial inadvertently appeared at least once on Sunday on CNN, which pulled it after realizing its topic.

Paramount Pictures announced that it is pulling promotional trailers of an upcoming movie, "The Core," from theaters.

The trailer for "The Core" features footage of a space shuttle crew that runs into navigational trouble upon re-entering Earth's atmosphere, but the crew is able to land the shuttle safely, a studio spokeswoman said.

• • •

WASHINGTON — The Senate passed a resolution yesterday honoring Columbia's astronauts and delayed their legislative business until tomorrow.

The resolution reads: "The Senate commemorates with deep sorrow and regret the fate of the Columbia space shuttle and when it adjourns

today, it does so as a further mark of respect to the astronauts who lost their lives."

• • •

BEIJING — Despite the Columbia disaster, China will press on with preparations to launch its first manned space mission later this year, the official Xinhua news agency reported yesterday.

Chen Maozhang, a member of the Chinese Academy of Engineering, said setbacks will happen, but "mankind will not give up the dream of space exploration."

China's press has been filled with sympathetic and laudatory reports about Columbia and its astronauts.

"They are real heroes — China salutes Columbia astronauts," one headline read.

President Jiang Zemin, in a message of condolences sent to President Bush, also indicated that China would proceed with preparations for the manned flight, expected in October.

Compiled from Union-Tribune staff and news service reports.

FOODSERVICE DIRECTOR

NEW YORK, NY
MONTHLY 45,000
FEBRUARY 2003



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MARKET MATTERS

UNIV.-SAN DIEGO C-STORE EXPANDS

■ A new convenience store at the University of San Diego is registering daily sales of \$250-\$300, with a product line ranging from popular food and beverage items to rentals of DVD movies and video games. Called The Village Store, the facility is located in Manchester Village, a residence hall housing 356 students. Other customers include parents of children enrolled in and employees of an adjacent child development center. The store measures 541 sq. ft. and recently bumped its product mix to 900-plus items in response to customer feedback. A Vanilla Coke promotion gave away a Raleigh mountain bike, MP3 player, palm computer and computer sound system.

SURVEY: COLLEGE KIDS WANT MEATLESS

■ People for the Ethical Treatment of Animals (PETA) estimates that more than 20% of college students consider themselves vegetarians, according to a Reuters story. PETA surveyed approx. 3,000 college and university students and found that almost all institutions have at least one vegetarian offering at each meal, and that many offer everything from seitan to soy yogurt. "We can only expect the demand for vegetarian options at college cafeterias to keep growing," says Jay Kelly, PETA's education manager. One impediment to meatless offerings could be that distributors don't carry enough product, according to Cathy DeCarlo, exec. chef at Johns Hopkins Univ. "We've heard of cases where college foodservice staff had to go to the local health food stores to buy soy milk or other items," Reuters quotes her. "This is a roadblock to institutions adding more vegetarian dishes."

SODEXHO SIGNS MIDWEST CAMPUS

■ Tiffin (OH) Univ. has signed Sodexho to a five-year, \$4-million foodservice management contract, under terms of which the firm will open the Marketplace in Tiffin's Cole Dining Hall. Dining options will include Flash in the Pan (international cuisine), Center of the Plate, La Vincita, Farmers Market, The Deli Case, Hot Off the Grill and Nature's Granary.

NOTRE DAME WINS RICE CONTEST

■ The Univ. of Notre Dame's North Dining Hall won first prize (\$2,000) in the USA Rice Federation's Natl. Rice Month contest. Consumption there reportedly increased 55% over the previous year. Second prize (\$1,000) went to Harmon HS in Kansas City. Third prize went to Mineral King Elem. School, Visalia, CA; hon. mention went to Fairfax Cty. Public Schools, Springfield, VA.

Hail to the chief

After meeting Bush, teen aims for nation's top job

By Robbin O'Neal
COMMUNITY NEWS WRITER

4154

CARLSBAD — Lots of kids dream about becoming president of the United States someday. But aspiring young politicians might just have to watch out for Craig Kessler.

He fully expects to achieve that high of fice — maybe even sooner than later.

"Yeah, I wouldn't mind having Bush's job someday," the La Costa Canyon High School senior said. "In fact, that's the general idea," he added with a laugh.

He was part of a group that met briefly with President and Mrs. Bush and national security adviser Condoleezza Rice on Dec. 15 in the Diplomatic Room at the White House.

There wasn't much time to talk in the receiving line, but Craig, 17, said the president made each of the students feel special.

"He shook our hands and looked right into our eyes," Craig said.

"He made me feel like I was the only person in the room he had to talk to — the consummate politician — very charismatic. I told him I supported our country's efforts to secure peace and justice."

Meeting the president made quite an impact on this teen.

"When you see someone on TV, they're just a person, and that's sort of how you see even the president," Craig said. "But before he came in, the Secret Service starting moving around rapidly, and the atmosphere just changed. Flash-bulbs were going off everywhere.

"As soon as he walked into the room, I knew I was in the presence of the leader



Aspiring politician Craig Kessler, 17, was inspired when he met President Bush in December in Washington. *Larry Gagnon*

of the free world. He absolutely had a presence."

According to Craig, "I looked him in the eye and told him, 'Mr. President, I support whatever it will take to secure the safety of our nation. As youth leaders, we're behind your decisions, and we wish you the best of luck.'"

"And (Bush) said something to the effect of, 'We're living in a great country, and it's the citizens that make

this country — not the decisions of a few.'"

"Yeah, I wouldn't mind having Bush's job someday. In fact, that's the general idea."

CRAIG KESSLER

La Costa Canyon High School senior

Though shaking hands with the president was special, meeting Rice was an added bonus.

"I'd told my friends before and that if something happened and we couldn't meet the president, the one other person I'd like to meet would be Condoleezza Rice," he said. "So it really blew me away when she walked in, too." He admires Rice because she seems to reach every goal she sets for herself.

Getting to the White House had required some work on Craig's part.

It started in October when he was among 25 youth from each of six North County high schools who went to the National Council on Youth Leadership seminar at the University of San Diego.

From there, Craig was selected to be one of 150 students from throughout the nation to attend a Town Meeting on Tomorrow at Washington University in St. Louis, Mo. Out of that group, one male and one female National Youth Leader of the Year were chosen. Craig was one of the four runners-up, and these six got to go to White House.

Though not from a political family, "which really shocks people," Craig said, he developed a passion for it in the seventh grade.

He has been active in youth leadership ever since.

In the eighth grade, he co-founded the Student Alliance For Equality, a program of the Anti-Defamation League, in which he also is active.

Craig is president of the Associated Student Body at La Costa Canyon High School.

He met the president the same day he found out he had been accepted to Georgetown University, where he plans to study political science.

"My dream, one of my goals, was to meet the president in the White House by the age of 20. And then another goal is, of course, to become president.

"For my other goals, it'd be really cool to be the youngest person to be elected to the House of Representatives."

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SATURDAY 374,856
FEB 15 2003

The Lads of Erin

Gaelic footballers held
equivalent of their
Pro Bowl here

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SUNDAY 374,856
JAN 26 2003

By Glae Thien, ⁴¹⁵⁴
SPECIAL TO THE UNION TRIBUNE

Before the Raiders and Buccaneers arrived for the Super Bowl, two other teams of footballers, as the folks back home in Ireland are wont to call them, were already in San Diego for their version of the Pro Bowl.

The Irish lads came to play their national game of Gaelic football. Here was their first chance to catch some of the atmosphere leading up to the pinnacle contest in American football.

"It seems to be very big. It's an exciting time for sports in San Diego," noted Joe Bergin, who plays for Galloway County, which won the 2001 championship in the National Football League of the Gaelic Athletic Association.

Fellow All-Star John Gildea already had some first-hand experience watching the American game over the years, whenever he came to Boston to play at the invitation of local Gaelic football teams looking to bolster their roster.

As it turned out, Gildea missed out by one year of seeing his favorite Patriots win the Super Bowl. Still, he had appreciation for all the hoopla inherent with the biggest of the big U.S. games.

"In sports in America, there's a carnival atmosphere," said Gildea, of Donegal. "The showmanship is second to none."

The Irish players played their all-star game matching the best players from 2001 against their counterparts from 2002 in relative obscurity at USD last weekend. But they know their share of fanfare as well back home.

Donegal played Dublin twice last season, and each time, there were 81,000 fans on hand at Croke Park, the national stadium in Dublin.

"The game is professional in every way," Gildea noted, "apart of the fact that we don't get paid for it."

Oh, yes, American football players smile on their way to the bank. Gildea works at a bank full-time, plus he trains three to four times with his club and twice more on his own each week.

Gildea, 31, has been playing at the top level of Gaelic football for 10 years. He suspects he may keep at it for two more seasons until easing his load.

At 6-foot, 200 pounds, Gildea envisioned himself as a running back in the American game, as he considered what interactive activities he might do at the NFL Experience theme park in San Diego in conjunction with the Super Bowl. In Gaelic football, he's a midfielder.

'Tis no blarney to say that the Gaelic football players are in top shape.

"Despite the fact that they don't paid and have full-time jobs, they are the most athletic individuals that you could possibly come across," said Donal Keenan, a writer for the *Ireland on Sunday* newspaper, who made the trip with the Irish teams.

Gaelic football shares part of its name with American football, but it's mainly a cross between rugby and soccer.

Make that "a wee bit of soccer," says Benny Tierney, of Armagh, the goalkeeper on the 2002 championship team. It seems the Irish are loathe to give much credit to any influence from British soccer, or football as most of the world knows it.

There are also elements of volleyball, basketball and American football to Gaelic foot-



Declan Meehan of the 2001 all-stars, strains against defenders from the 2002 team.

ball. The ball is roughly the size of a volleyball but as hard as a soccer ball.

Play proceeds at a non-stop pace in two 35-minute halves except for injury timeouts. Depending on the size of the field, teams have either 15 or 13 players.

Players can run with the ball, but only for four steps. After that, a player must bounce the ball off the ground, bounce it off his toe and back to his hands (called a solo), pass it or kick it. "Our game is hard-hitting, too," Tierney said. "But there's no pulling and dragging people down."

Like an old-fashioned goal post in American football, the Gaelic goal post is shaped like an "H." Unlike American football, there are two ways to score on kicks, either through the uprights for one point or through the lower goal for three.

The 2002 all-star team beat the 2001 team in their San Diego confrontation 13-18 to 9-19, with the three-point goals listed first.

There were teams from the last two seasons since the Gaelic football makes such an international trip every other year, alternating with teams in hurling, the other Irish national sport.

After the Irish contingents arrived in San Diego midway through last week, they soon saw headlines about the Chargers' proposal for a new stadium. Those invited a comparison to the recent reconstruction of Croke Park, now considered a state-of-art facility.

In a process taking eight years, Croke Park stayed open while parts of the stadium were alternately torn out and rebuilt. The cost was about \$200 million, half of the Chargers' proposal.

"It sounded nuts when it was first proposed," Keenan said. "But it actually worked out quite well."

American football grew in popularity in Ireland during the 1980s as a result of improved television coverage, according to Keenan. At the time, Joe Montana and William "The Refrigerator" Perry were even household names in Irish abodes.

But then it did some adjustment.

"I thought it was weird," Bergin said. "There are so many stoppages in the game. In ours, it's all action."

In the manner of their all-out style on the field, the Irish players kept up a busy itinerary in the days following their game: Among their destinations were the Torrey Pines golf course, Los Angeles for Lakers basketball, Mexico, Las Vegas and the Grand Canyon.

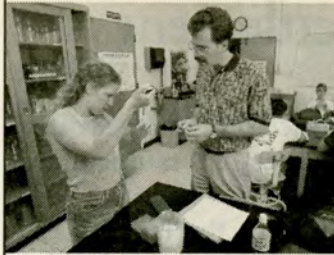
Then Wednesday they headed back to their homeland. And tonight, at midnight their time, they expect to tune into the Super Bowl, even if there are a lot of breaks in the action. After all, the Super Bowl is like a national party in Ireland, too.

"The Irish know how to do a party," Keenan said. "That's one thing that we're world champions at."

The Irish players' trip to San Diego was facilitated by the Southern California board affiliated with the Gaelic Athletic Association.

For further information on local Gaelic football, e-mail the group at socalgaa-pro@yahoo.com.

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Athletics

Toreros dunk Portland, look to Zag showdown

By Hank Wesch
STAFF WRITER

4154
In the world outside practice and teammates, all that USD's players heard about this week, said coach Brad Holland, was:

Toreros
92
Portland
69

"Gonzaga, Gonzaga, Gonzaga."

And no question exists that tomorrow night's game against perennial West Coast Conference powerhouse Gonzaga is a big one for the Toreros. But in the meantime, there was the matter of last night's game with Portland.

So USD kept its thoughts on

the Pilots long enough to hammer the foundation for a 92-69 victory before 1,677 at Jenny Craig Pavilion.

The victory places USD (16-10, 10-3 WCC) in position to grab a share of the league's regular-season title with a victory over Gonzaga. The Zags (21-7, 11-2) assured themselves of no worse than a tie for the title with a 71-66 victory last night at Santa Clara.

"I liked our focus tonight," Holland said. "We didn't look past Portland. We respected them coming into our place and played some very good basket-

SEE USD, D4

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
FRIDAY 374,856
FEB 28 2003

"The best part of my game is to get to the rim, and I've been trying to do that early in the game lately," Morris said. "Then when they try to take away the drive, I have been working on my shot."

"I was having trouble early in the season because I was hanging on to the ball and shooting on the way down. Now I just shoot on the way up, hold my follow through and it has been working."

USD put together a 10-0 run when trailing 8-6 and later generated two 9-0 spurts to take a commanding 41-25 lead at half-time, then outscored Portland 15-2 in the first 4:02 of the second half.

Game, set, match Toreros.

USD exploited its size advantage inside to the point that Portland was reduced to frustration fouling. Keep got a technical once for complaining about rough play against him that wasn't called and had to receive medical attention on another occasion for scrapes on his nose and arms from clinging Pilots.

But in addition to his point and rebound totals, the 6-10, 280-pounder got his revenge with one spectacular play midway through the second half.

Keep slam-dunked a long alley-oop pass from Blair, then hung from the rim momentarily while riding the shoulders of Portland's Dustin Geddis, who had the embarrassing misfortune of getting underneath Keep on the dunk.

Besides the inside game, USD showed the sustained defensive intensity and offensive efficiency it had in sweeping two Bay Area games last weekend.

► USD

CONTINUED FROM PAGE D1

Portland a mere pothole on path to biggest game

ball in the first half.

"We were in and out of focus at times in the second half, but we kept up our defensive intensity and that carried us."

The Toreros got 24 points and eight rebounds from Jason Blair, 23 and nine from Jason Keep and a nicely complementary 17-point perimeter contribution from Roy Morris in dismissing a Portland (3-10, 10-16) team that had pulled off a stunning upset at Gonzaga eight days earlier.

"We made sure we took care of business tonight with Portland; now it's waiting for us on Saturday," Morris said. "I don't want to be disrespectful of the other team, but we weren't really worried about Portland."

"We knew if we played hard and worked on defense we would be all right."

Morris scored seven of USD's first nine points on a pair of baseline drives and a three-pointer. He wound up making 7-of-10 field goal attempts including 3-for-3 from three-point range.

With Belser on floor, defense never rests

Sophomore sparks USD's turnaround

By **Hank Wesch**
STAFF WRITER

4154
With the No. 1 scorer and rebounder in the West Coast Conference, Jason Keep, and the No. 4 man in both categories, Jason Blair, USD's offense has made a lot of noise this season.

But the quiet truth is that the Toreros' defense is the underlying reason behind a three-game winning streak that has ensured at least a tie for second place for the regular season and a bye into the semifinals of next week's conference tournament.

And the key to a defense that has limited opponents to an average of 57 points and 36.6 percent shooting the last three games is 6-foot-6 sophomore wingman Corey Belser.

When the Toreros play man-to-man, Belser matches up against the opponent's most dangerous perimeter scoring threat. When USD aligns in one of several zones, Belser is usually at the point. His quickness, height and long arms prevent sharpshooters from getting clear, unpressured looks.

"Corey's role is significant," USD coach Brad Holland said. "Lately he has absolutely set the defensive tone. He has an energy that he generates on defense that has affected our whole team in a positive way."

In the last four games, Belser's primary defensive assignments have been against Pepperdine's Boomer Brazzle, Loyola Marymount's Keith Kincaid, Saint Mary's Adam Caporn and San Francisco's John Cox. Brazzle was held to nine points, Kincaid to five, Caporn to zero and Cox — who had gone for 30 one night earlier against Santa Clara — to 11.

And USD has followed a loss to Pepperdine in which it surrendered 98 points with victories while allowing 51, 57 and 63.

"For all of us, the Pepperdine game was a reality check," Belser said.

Belser averaged 19.4 points and nine rebounds as a senior at Bethel High School in Spanaway, Wash. Still, it was Belser's defensive ability and potential that caught the Toreros' attention.

It happened in one of the big summertime gatherings of prospects in Las Vegas. In a game that Holland watched, Belser was matched against a highly regarded, high-scoring guard.

"Corey was basically face-guarding all over the court to prevent his man from getting the ball," Holland recalled. "First off, that's something you don't see very often in a summer situation. In games like that, it's usually, 'Throw me the ball and let me show what I can do.'

"But Corey worked his rear end off to deny his man the ball and disrupt the other team's offense. He shut the guy right down, and I was impressed."

Defense was a point of emphasis in the Bethel High program that went 45-13 in Belser's junior and senior seasons. And Belser figures he might have inherited some defensive ability from his father, who had success on that end of the court in his day.

Aaron Belser is one of the few fathers whose first question to his son after a game is "How many did he score on you?" rather than "How many did you score?"

"He listens to the games over the Internet, he keeps stats and he'll (tease) me if I get lit up," Corey said.

Belser showed flashes of extraordinary athleticism as a moderately used freshman last season. He played in 27 games, started one and averaged 7.9 minutes, 1.8 points and 1.9 rebounds.

He has started 19 of 25 games this season, including all 12 WCC contests, and averaged 4.1 points and 4.7 rebounds for a team that is 15-10 overall, 9-3 in WCC play.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
THURSDAY 374,856
FEB 27 2003

In the assist-to-turnover ratio, Belser's is more than 1½-1 overall, more than 2-1 in WCC play.

Keep (18.2 points, 9.0 rebounds per game) and Blair (17.0, 7.4) get the headlines. But Belser's contribution is not lost on them.

"Our defense feeds off Corey," Blair said. "When he's shutting down the other team's best shooter like he has done the last few games, and we're getting defensive stops and pushing it to the other end, we're a tough team to handle."

Keep honored

USD's Keep has been named to the National Association of Basketball Coaches All-District 15 Team.

Keep joins **Luke Walton** and **Jason Gardner** of Arizona, **Marcus Banks** of UNLV and **Ike Diogu** of Arizona State as a first-team selection.

Keep is the first Torero to be a district first-team selection.

Gonzaga tickets

Saturday's USD-Gonzaga men's game at the 5,100-seat Jenny Craig Pavilion is officially a sellout.

However, a limited number of tickets currently being held for USD faculty and students may be made available for general-public purchase tomorrow. For availability information, call the USD ticket office (619) 260-7550 after noon tomorrow.

USD earns two-round bye

WCC tourney host to be seeded 1 or 2

By Hank Wesch
STAFF WRITER

SAN FRANCISCO — Mark the night of Sunday, March 9, on the calendar.

That's when USD's men's basketball team will be jumping into the West Coast Conference Tournament as an automatic semifinalist, either the No. 1 or 2 seed.

The Toreros clinched a high seeding, accomplishing their mission on a Bay Area trip of back-to-back games with an 81-63 victory over San Francisco last night before 3,977 at Memorial Gym.

Jason Blair scored 26 points, Roy Morris 20 and Jason Keep 15 as the Toreros (15-10, 9-3), were surprisingly convincing winners over a San Francisco (12-13, 7-5) team that was only a game behind in the battle for second going into the

Toreros
81
USF
63

contest.

"No question, we've been focused on a top seed for the last month," said USD coach Brad Holland. "I'm so proud of this team to come away from a difficult road trip at Saint Mary's and then here tonight with two wins."

John Cox's leaner in the lane gave USF a 32-31 lead seconds into the second half. But USD then shocked the Dons with a 10-0 run.

Blair drew a foul and made two free throws to start it and pumped in a three-pointer with 17:18 to play to cap the spurt. Morris, who

scored 16 of his 20 points in the second half, hit a trey and Nick Lewis a follow layup to contribute to the stunning run.

The Toreros built their lead to 21 points with seven minutes to play on the offense of Morris, Blair and Keep and the work of defensive specialist Corey Belser on USF's John Cox.

"Corey has been a big factor in both these games, last night and tonight," said Blair. "When he is playing tough defense and tying up

SEE Toreros, C1

► TOREROS

CONTINUED FROM PAGE C1

Win at USF completes key Bay Area sweep

their best player, we are really tough to beat."

Holland also pointed out USD's defense as the key.

"I felt the first half our defense was very good, and we maintained our defense and stepped up our offense in the second half," Holland said. "We did a good job of crowding their shooters."

San Francisco managed only 39.7 percent shooting for the night and went 4-for-21 from three-point range. One night earlier in a 13-point win over Santa Clara, the Dons' corresponding figures had been 50.8 percent and 8-for-21.

"Sometimes when you have a great night like they did, it's tough to come back and shoot that well again the second night," said Blair. "They are a good team, and they'll be a pain to handle in the tournament."

USD led 31-30 at the end of a physical first half in which the Toreros overcame a shaky start and the final 3:50 without Keep. The latter circumstance was the result of Keep picking up a personal foul and a technical on one play, boosting his foul total to three and

forcing Holland to bench him for the remainder of the half and the first five minutes of the second.

The personal foul was an "over-the-back" infraction in a rebounding scramble. The technical was for slamming the ball to the court in reaction to the foul call.

USD committed five turnovers and missed five of seven shots in the first five minutes and was fortunate to come out of it trailing 10-4. The Toreros fought back to gain three-point leads on two occasions but secured their halftime edge only when Morris hit two of three free throws after being fouled attempting a three-pointer with 2.5 seconds to play.

Blair was the Toreros' workhorse in the half, scoring 15 points on 6-for-8 field goal shooting, which included two three-pointers in three tries.

The Toreros were outrebounded 18-16, and six of the Dons' boards were at the offensive end. USF, a good three-point shooting team, was 1-for-10 from behind the arc in the first half.

The first time the teams met, a 74-69 USD home victory on Jan. 25, the Dons were without Tucker. USF's top player was missing the last of six games in which he was sidelined with a dislocated thumb.

In the six games before last night since his return, Tucker had averaged 22 points and 8.5 rebounds per game. Last night Tucker had 19 points and six rebounds.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
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SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
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FEB 15 2003



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Toreros must zone in at defensive end

By **Hank Wesch**
STAFF WRITER

4154
The accusatory finger for Thursday night's USD loss to Pepperdine was pointed straight at the Toreros' defense. Or, more appropriately, the lack thereof.

The Toreros got into a run-and-gun shootout with the Waves and lost 98-93.

"I wasn't surprised that USD ran with us," said Pepperdine coach Paul Westphal. "They'd done it up at our place and beat us pretty good."

But USD coach Brad Holland knew the score.

"The score (at Pepperdine) was 88-73," Holland pointed out. "So our defense was a little better."

"Yes, we're a better scoring team this year than we have been. We can get into the 80s. But we don't want to give up in the 90s. I have to pin this loss on our defense."

It will be interesting to see what the Toreros do defensively tonight at the Jenny Craig Pavilion when they play a Loyola Marymount team that has won three straight while averaging almost 80 points a game. The West Coast Conference test will tip off at the unusually late hour of 8:15 to accommodate the Channel 4 San Diego telecast schedule.

Man-to-man defense is the staple of most programs, USD included. But the Toreros had experienced recent success mixing in a couple of zones. That is until Pepperdine shredded whatever the Toreros tried on Thursday.

"In previous years when we've gone to a zone it has been out of desperation when the man-to-man wasn't working," Holland said earlier this week. "This year we've used the zones to help us."

"These zones are different than we've ever used before. We met as a staff before the season, talked about what we wanted

to do and made some changes from what we had been doing. I think we've played more zone this year than we ever have before."

Switching to a zone defense was a big factor in the Toreros coming from 14 points behind in the second half to defeat Santa Clara a week ago. Zones also bothered Saint Mary's and Portland in victories that preceded the one at Santa Clara.

Zone defenses, Holland said, free defenders from having to fight through screen after screen and, when played well, can be disruptive to even good perimeter-shooting teams.

"And maybe our players believe in it more this year than teams of the past," Holland said. "As much as you stress something, if players don't buy into it, it won't work as well."

The Toreros' faith in the zone was shaken Thursday. They've had one day to regain it.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
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Victory over Gaels no gimme this year

By Hank Wesch
STAFF WRITER

If he were so inclined, USD coach Brad Holland could say, "I told you so."

For it was Holland who, months ago, had a word of caution for anyone making preseason West Coast Conference men's basketball predictions, saying: "Don't underestimate Saint Mary's."

Don't look now, but the Gaels — a consensus No. 6 in the eight-team league in preseason polls — are tied for second with USD behind Gonzaga entering tonight's homecoming-tinged showdown at Jenny Craig Pavilion.

Saint Mary's coach Randy Bennett is a UCSD grad who served for eight years as the top assistant under Hank Egan and Holland at USD. So did Bennett's top aide, Kyle Smith. Gaels assistant Lamont Smith is a USD grad who played for Holland.

"I have a great deal of respect for Randy Bennett and his staff," Holland said. "It doesn't surprise me at all, the job they've done and that they're where they are right now."

"Randy knows his stuff and he's a good recruiter."

Bennett took over a Saint

Mary's program that had gone 2-26 overall and 0-14 in WCC play in 2000-01 and won nine games overall and three in league playlast season. The Gaels' 68-63 upset of Santa Clara in the first round of the WCC Tournament was the school's first tournament victory in five years.

Saint Mary's is 11-8 this season, 4-2 in league. A second-place finish in the regular season this year earns a bye into the tournament semifinals under a new WCC format.

"That (format change) has everybody's attention," Holland said. "We're all looking to finish in the top four (for a first-round bye), at least. And the top two is even better."

USD and Saint Mary's split their two regular-season meetings last year, each winning at home. The 63-60 victory that Saint Mary's pulled out at Moraga was the Gaels' first WCC victory in nearly two years. USD was hard-pressed to avenge the defeat, 76-72, 12 days later at Jenny Craig Pavilion.

"They're always going to guard you; they're the No. 1 scoring-defense team in the league," Holland noted. "They've got more size this year than they did last. They're a good club."

Saint Mary's at USD

Site/Time: Jenny Craig Pavilion / 7:05 tonight

Records: Saint Mary's 11-8, 4-2 WCC; USD 10-9, 4-2.

TV/Radio: 4 San Diego/KCBQ-AM (1170)

Internet: www.usdtoreros.com or www.KCBQ.com

Series: USD leads 28-24

Outlook: To the victor goes sole possession of second place in the WCC standings behind runaway leader (7-0) Gonzaga. Saint Mary's, coached by former USD assistant Randy Bennett, is off to its best WCC start since 1997 and comes in with a two-game winning streak. Freshman center Daniel Kickert leads the Gaels in scoring (13.4). USD center Jason Keep continues to lead the WCC in scoring (18.1) and rebounding (8.4). Toreros point guards Matt Delzell and Travis Smith, who missed the Portland game with injuries, are available.

Matchup to watch: Tempo vs. tempo. SMC wins by the old USD method, emphasizing defense, rebounding and unhurried offense. USD has picked up its scoring pace this season and prefers a little faster cadence of play.

- HANK WESCH

Toreros pull off an inside job

Keep, Blair combine for 50 against Gaels

By **Hank Wesch**
STAFF WRITER

4154

The code phrase is: "Feed the fire." It's what USD assistant basketball coach Brian Fish yells to the Toreros' perimeter players every time he sees an opportunity for an entry pass to the big men — 6-foot-10 Jason Keep and 6-8 Jason Blair — operating close to the basket. Fish yells it a lot. Last night the Toreros did it.

A lot.

With Keep and Blair combining for 50 points and 24 rebounds, USD (11-9, 5-2 West Coast Conference) defeated Saint Mary's 76-69 before 2,648 at the Jenny Craig Pavilion.

The victory moved USD into sole possession of second place in the conference behind Gonzaga. The 5-2 record at the midpoint of the league season is the best in coach Brad Holland's eight seasons at USD and the school's best since a 6-1 start in 1991.

Keep had 23 points and 15 rebounds, Blair 27 and nine as the Toreros overcame a nine-point first-half deficit and put the feisty Gaels (11-9, 4-3) away by outscoring them 12-6 in the final 1:12.

Keep started the decisive burst by rebounding a missed three-point shot and his own missed layup to convert a three-point play that gave USD a 70-66 lead entering the final minute.

"Keep is just such a beast out there; he opens up so many things for every-

J

SEE USD, D4

► USD

CONTINUED FROM PAGE D1

'Feeding fire' keeps Toreros torrid in WCC

one else on the team," said Blair. "No team in the conference can guard him one-on-one, and when they double down on him, somebody else is going to be open."

Blair made Saint Mary's pay dearly, hitting 6-of-9 field goal attempts, including 3-of-3 three-pointers, and making 12-of-13 free throws.

"We thought they were going to run their rotation of big men more and try to shut us down inside," said Keep. "But they really let us have our inside game. When we get to 'feed the fire,' as we say, it's not just me. It's Blair or Nick Lewis or somebody else."

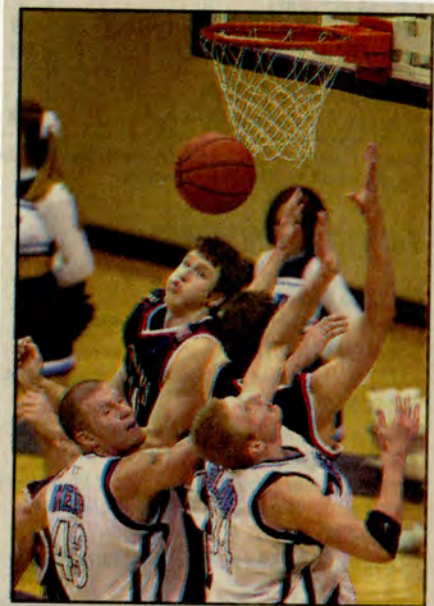
As significant as the big men were in the victory, there were also plenty of key plays made on the perimeter. Senior point guard Matt Delzell, who had missed the last game with a knee sprain, started and played 25 minutes. He scored only five points, but they were produced on a critical three-point shot, which expanded the USD lead to 67-63 with 1:46 to play, and two free throws that gave USD a 72-66 lead with 44.7 seconds to play.

Mike McGrain spelled Delzell at the point and had three assists and four rebounds.

"We didn't get a lot of points, but we got good point guard play," said Holland. "People ask what's the difference in this team lately. We moved Matt Delzell to point guard and made him captain and we're 5-1 since then."

In a portent for the second half, the Jasons scored 13 points apiece and combined for 13 rebounds in a first half that ended with USD leading 32-27. USD assumed the lead by outscoring Saint Mary's 9-2 in the final 3:28 of the half. Keep and Blair scored all the points.

USD's next game is Saturday at Santa Clara, the team that handed USD a WCC-opening home loss on Jan. 11. A loss that prompted Holland to move Delzell to the point and increased the feeding of the fire.



Jason Keep (43) and Jason Blair battle for a rebound during their big night against Saint Mary's at USD.

Sean M. Haffey / Union-Tribune

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Section: Tip-Off 'games' weren't

By Steve Brand
STAFF WRITER

4154
With less than three weeks remaining before the basketball playoffs, the CIF-San Diego Section has reiterated its stand that teams playing in the Tip-Off Classic the first day of the season may not count those contests as official games.

Not counting the games will affect the teams' power rankings, which are used to determine seeding for the section playoffs.

Coaches of the eight teams that played in the Classic differed dramatically in their interpretation of what was said and written regarding the early-season games played at USD's Jenny Craig Pavilion.

The high-profile games matched defending state boys Division IV champion Horizon against El Camino (then ranked No. 1) and Lincoln (then No. 4) against Carlsbad (then No. 3). The girls games involved state Division V champion La Jolla Country Day against city power San Diego and Division III section titlist Santana against South Bay power Eastlake.

All agree that the event, which netted more than \$10,000, was a fund-raiser for the San Diego Section travel fund. All remember that the games would not count against the maximum teams are allowed to schedule.

But half of the teams — those who won — don't recall anything said or written about the results not counting in their record.

The four losers disagree, saying in meetings before the games it was made clear they would be exhibitions, played under real-game conditions, but would not count toward their record.

Section commissioner Dennis Ackerman said pregame information, given to the schools in August, said the games wouldn't count. That information was never given to the basketball officials, the media or public.

The issue was further fogged when official scorebooks were kept, admission charged, paid officials used and time kept — all elements of real games.

Even calling it the Tip-Off Classic caused most outsiders to consider it a real event in

which wins and losses would be counted.

"We're counting it, absolutely," said Santana girls coach Wade Vickery yesterday. "I don't care what the CIF says or whether it shows up in the power ratings or not.

"I've never had butterflies before a scrimmage, and I did before we played that game against Eastlake. I just don't have the energy to fight it, but I hope somebody picks up the fight."

Not only wouldn't the wins or losses count against the team, but exhibition performances by individuals would not, either, which upset La Jolla Country Day coach Terri Bamford.

Two-time San Diego Section Player of the Year Candice Wiggins, who may miss two games this week with a strained knee suffered in club volleyball practice over the weekend, has moved into No. 5 on the all-time scoring list with 2,360 career points, counting the 29 she scored against San Diego in the Tip-Off Classic.

"I'm going to count them," Bamford said firmly yesterday. "They can not count them in

the power ratings or team record, but they played those games and scored those points — you can't take that away from the kids."

Ackerman, who noted this was the section's first attempt at sponsoring a fund-raiser, said he has been surprised at the confusion. He said future fund-raisers, planned for football next fall and basketball again at the start of the 2003 season, will be well-defined in advance as to whether they count.

"Right now, we are not planning on counting them (wins and losses) this year," Ackerman said. "That could change, but for now it won't count."

Records published in the *Union-Tribune* no longer will include the results.

Morse hires coach

Mike Moran, an assistant football coach at Morse High the past 10 years, has been named the new head varsity coach, succeeding John Shacklett, who led the Tigers since 1971.

Moran coached the defense, specializing in the secondary.

Staff Writer Bill Dickens contributed to this report.



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USD fights back to knock off Portland

By Mike Weber

SPECIAL TO THE UNION-TRIBUNE

PORTLAND — It's obvious that Gonzaga is the West Coast Conference's most dominate team. But the runner-up position is certainly up for grabs, and Portland tried to make it a six-team race in their matchup with USD last night at Portland.

Toreros
78
Portland
77

USD (10-9, 4-2 WCC) and coach Brad Holland were breathing a sigh of relief after a thrilling come-from-behind 78-77 win over Portland (9-11, 2-5).

Coming off a big 72-47 win Thursday over Santa Clara, the Pilots appeared to continue playing with that same momentum, while the Toreros apparently were still reeling from the effects of a disappointing 89-65 loss to Gonzaga Thursday.

"Portland always plays pretty well at home, but we've won three conference road games and I'm very proud of this team," said Holland. "We were hoping to win two games this week in the Northwest, but getting a split is pretty satisfying, too."

"This was an important win because it helps keep us in second place in the conference," Holland said. "It was tough though, especial-

ly since Travis Smith and Matt Dellzell were unable to play because of injuries. Mike McGrain, who is from Portland, did a tremendous job at point guard while starting just his second game. It's great that he played so well in his hometown."

San Diego took the lead 2-0 as senior forward Jason Blair tipped in a missed shot by center Jason Keep, but impressive field-goal shooting by the Pilots helped them take control of the game early as they built a 13-point lead (28-15). In the first half, Portland was 55 percent (5-for-9) from the three-point line. The Pilots shot 12-for-25 from the field to take a 34-27 halftime advantage. There was perhaps an indication of a Toreros comeback when 6-foot-10 freshman forward Nick Lewis sank a three-pointer from the top of the key to cut the deficit from 10 points to seven just moments before the buzzer sounded at the break.

It was a tight, seesaw battle though throughout the second half when there were five lead changes and neither team up by more than five points. San Diego took its first lead since the opening moments of the contest, when sophomore point guard McGrain sank a jumper to make it 48-47 with 12:37 left in the game.

San Diego fell behind again

| | Conference | | | All Games | | |
|---------------|------------|----------|-------------|-----------|----------|-------------|
| | W | L | Pct. | W | L | Pct. |
| | Gonzaga | 7 | 0 | 1.000 | 16 | 5 |
| Saint Mary's | 4 | 2 | .667 | 11 | 8 | .579 |
| USD | 4 | 2 | .667 | 10 | 9 | .526 |
| San Francisco | 4 | 3 | .571 | 9 | 11 | .450 |
| Pepperdine | 3 | 4 | .429 | 11 | 9 | .550 |
| Santa Clara | 2 | 5 | .286 | 11 | 9 | .550 |
| Portland | 2 | 5 | .286 | 9 | 11 | .450 |
| LMU | 1 | 6 | .143 | 7 | 15 | .318 |

| Yesterday's Games | |
|--------------------------------|--|
| USD 78, Portland 77 | |
| Gonzaga 96, Santa Clara 62 | |
| Francisco 91, LMU 73 | |
| Saint Mary's 74, Pepperdine 67 | |

| Wednesday's Games | |
|-------------------------------|--|
| St. Mary's at USD, 7 p.m. | |
| Gonzaga at Pepperdine, 9 p.m. | |

| Thursday's Game | |
|--------------------------------------|--|
| Portland at Loyola Marymount, 7 p.m. | |

though, trailing 72-67 with 4:11 remaining as Portland continued to control the tempo of the game for much of the second half. The Toreros came up with the big plays late, including a driving layup by senior guard Roy Morris to give the Toreros a 76-75 lead with 1:01 left.

Keep had a game-high 22 points and Lewis scored 18. The Toreros

| | SUMMARY | | | | | |
|-------------|---------|-------|-------|----|----|-------|
| | Min | FG-A | FT-A | R | A | F Pts |
| USD | | | | | | |
| Belser | 28 | 1-2 | 6-6 | 8 | 6 | 4 8 |
| Blair | 19 | 3-5 | 0-0 | 1 | 0 | 2 6 |
| Keep | 33 | 7-13 | 8-11 | 8 | 0 | 4 22 |
| Morris | 36 | 4-8 | 0-2 | 3 | 4 | 1 9 |
| McGrain | 31 | 1-1 | 4-4 | 1 | 5 | 2 6 |
| Sane | 6 | 1-1 | 0-0 | 5 | 0 | 3 2 |
| Stockalper | 15 | 2-4 | 0-0 | 1 | 3 | 1 4 |
| Lechtenberg | 7 | 1-4 | 0-0 | 0 | 0 | 1 3 |
| Lewis | 22 | 6-6 | 4-7 | 5 | 1 | 2 18 |
| Nevin | 3 | 0-0 | 0-0 | 0 | 0 | 0 0 |
| Totals | 200 | 26-45 | 22-30 | 32 | 19 | 20 78 |

Percentages: FG .578, FT .733. 3-Point Goals: 4-13, 308 (Lewis 2-2, Lechtenberg 1-4, Morris 1-4, Stockalper 0-1, Blair 0-2). Team Rebounds: 0. Blocked Shots: 3 (Lewis 2, Belser). Turnovers: 20 (McGrain 4). Steals: 3 (Morris, McGrain, Stockalper). Technical Fouls: None.

| | SUMMARY | | | | | |
|----------|---------|-------|-------|----|----|-------|
| | Min | FG-A | FT-A | R | A | F Pts |
| PORTLAND | | | | | | |
| Aaen | 27 | 4-8 | 3-4 | 0 | 0 | 4 13 |
| Wilson | 21 | 4-6 | 5-5 | 2 | 3 | 4 13 |
| Geddis | 33 | 5-12 | 0-0 | 6 | 1 | 4 11 |
| Quick | 38 | 2-4 | 2-2 | 2 | 11 | 1 7 |
| Franssen | 36 | 5-9 | 5-5 | 1 | 3 | 3 18 |
| Jeter | 17 | 2-4 | 0-0 | 4 | 2 | 2 4 |
| Sema | 9 | 1-3 | 0-0 | 0 | 0 | 0 2 |
| Knight | 8 | 2-2 | 0-0 | 1 | 0 | 1 5 |
| Galos | 11 | 0-3 | 4-6 | 3 | 0 | 4 4 |
| Totals | 200 | 25-51 | 19-22 | 19 | 20 | 23 77 |

Percentages: FG .490, FT .864. 3-Point Goals: 8-20, 400 (Franssen 3-5, Aaker 2-5, Knight 1-1, Quick 1-3, Geddis 1-5, Wilson 0-1). Team Rebounds: 0. Blocked Shots: 0. Turnovers: 14 (Franssen 4). Steals: 9 (Aaker 2, Franssen 2, Jeter 2, Geddis 2, Quick). Technical Fouls: None.

| | | |
|----------------------|----|---------|
| USD (10-9, 4-2) | 27 | 51 - 78 |
| Portland (9-11, 2-5) | 34 | 43 - 77 |

A-1,359. Officials - Tom Woods, Chuck Janelli, Frank Harvey.

are tied with Saint Mary's for second place in the conference. They'll meet in a Feb. 5 home game for sole possession of second.

Prior to the game, there was a moment of silence to honor the seven astronauts who died in the Space Shuttle Columbia disaster yesterday morning. One of the seven astronauts included U.S. Navy Commander shuttle pilot William McCool, who was from San Diego.

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At home, Aztecs own Falcons

By Nicole Vargas
STAFF WRITER

4154

No matter how tough Mountain West Conference basketball may be, the San Diego State women's team has managed to keep one team from

winning in Cox Arena — Air Force.

Aztecs (w)
69
Air Force
57

That streak continued last night as the Aztecs won their sixth straight home game against the Falcons, 69-57 last night.

The win not only ended SDSU's four-game losing skid, but also put some distance between the two teams in the conference standings.

The Aztecs (9-14, 3-8), whose three wins are one more than last season's conference total, now have a two-game buffer between themselves and last-place Air Force (7-17, 1-10) with three games remaining in the regular season.

"This is a good win for us," said guard Jamey Cox, who scored 16 points, a total matched only by freshman teammate Ashlee Dunlap. "Last year we only beat Air Force. Now, we have three wins and, especially in the two last home games, we want to win."

For Cox, the team's leading scorer, the night was one for the record

books. She broke two school records, including one of her own, with her fourth and final three-pointer of the night.

With her 70th three of the season, the senior set an SDSU record for a season, and her 213th three-point attempt was another season record.

Twenty-two of the 32 points by Cox and Dunlap came in the second half, when the Aztecs increased their 25-22 halftime lead to as much as 18 with 5:02 remaining.

"We were only up by three points at halftime," Cox said. "Especially with their 18 (first-half) turnovers, we needed to come out and respond. Since we're naturally a defensive team, we came out and played tougher defense and, in turn, helped our offense."

And while SDSU was badly beaten on the boards, picking up only 28 rebounds to 47 by Air Force, the Aztecs forced 30 turnovers while committing a season-low 13.

USD women lose at foul line

Erin Malich scored 23 points and Kerri Nakamoto and Marta Menez combined for 23 more, but USD was outscored 21-6 on free throws and lost 65-60 at Portland. The loss dropped the Toreros to 11-15 overall and 5-8 in West Coast Conference play.



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Toreros' win keeps tourney hopes alive

By Nicole Vargas
STAFF WRITER

4154

Twenty-four hours after USD's seniors felt the women's basketball season was slipping away, the Toreros had one last chance to control their destiny.

Toreros (w)

76

USF

72

And after substituting Friday's practice with a much-needed team meeting, a rejuvenated USD team defeated San Francisco 76-72 at Jenny Craig Pavilion last night, snapping the Toreros' three-game losing streak and keeping USD's hopes alive for a chance at the important fourth-place spot, which includes a first-round bye in the WCC Tournament.

"We are so focused on the basketball side of things," USD head coach Kathy Marpe said. "But it is a long season, and there were just a lot of things we needed to talk about. It was very freeing for everybody, and it was so much better than any practice could have been.

"Wins and losses are important, but it's about more than that. We're having fun again and enjoying the game of basketball."

The result was the best team performance in weeks by the Toreros (11-14, 5-7), thanks to a balanced scoring attack that included three players scoring in double figures.

"Not only did we have balanced scoring, but we scored from the half-court," Marpe said. The contributions of seniors Erin Malich and Kerri Nakamoto, though, were major factors in the Senior Night win.

Malich set the pace offen-

sively for the Toreros, scoring 19 points and coming within two rebounds of her second double-double in as many games.

"That felt great," said Malich, who started alongside Nakamoto and Jen Wedo in the final regular-season home game of their careers. "The coaches have really stressed that I need to vary my post moves. That was a big thing I was trying to focus on."

Nakamoto added nine points with a team-high six assists and three steals. Almost as important, though, was her play late in the second half that managed to halt every hint of momentum the Dons could muster.

Nakamoto hit a key three with just over four minutes remaining, which was topped when she drew a crowd-pleasing offensive foul two minutes later and blocked USF's last three-point shot in the closing seconds of the game.

"We all want to win, and we want to work hard," Nakamoto said. "Everybody was one tonight and that really helped us."

Super play was not limited to the seniors, though, thanks to such underclassmen as guard Polly Dong, who played much of the second half with four fouls but still managed 15 points, and forward Marta Menez, who scored 11 points, including 5-of-6 from the free throw line. Melissa Padgett also added eight points, including a three and three free throws.

San Francisco (10-16, 5-7) was led by freshman Joy Hollingsworth, who scored 26, and junior Carey Sauer, who added 16.

COLLEGE BASKETBALL

USD vs. Santa Clara women in TV spotlight

By Nicole Vargas

STAFF WRITER

4154
USD's women's basketball team kicks off its television schedule tonight against Santa Clara.

Channel 4 San Diego will show the game live at 7 with John Kentera and former USD player Paula Bott announcing.

Two other USD games will be shown: Feb. 16 at Loyola Marymount (Fox Sports Net) and Feb. 20 vs. Saint Mary's (4 San Diego).

Tonight's game also marks the return to San Diego of Santa Clara senior Kendra Rhea (El Capitan High).

Whether USD guard Kerri Nakamoto plays tonight will be a game-time decision. Nakamoto injured both shoulders last week against Portland and did not practice all week.

SDSU notes

Freshman **Veronica Shaw**, San Diego State's leading scorer in four of the last six games, will sit out tonight vs. Wyoming after being ejected from Thursday's game.

SDSU is missing four players because of various ailments: **Amber Fouse** (possible torn meniscus), **Valencia Howard** (strained knee), **Tami Garnett** (migraines) and **Michelle Strawberry** (knee).

Women's Top 25

Leah Metcalf stole a pass and converted a three-point play

with 57.2 seconds left to help No. 7 **North Carolina** (20-2, 9-1 ACC) rally from a 10-point second-half deficit to beat **North Carolina State** 66-63 last night at Raleigh, N.C. North Carolina made just 23 of 66 shots overall, a 35-percent effort. "When you shoot your season low and still win, you've got to be happy," UNC coach Sylvia Hatchell said. Amelia Labador had a career-high 20 points for N.C. State (9-12, 4-6).

UCSD teams lose

Cal State Bakersfield's women's team won its 14th straight, beating **UCSD** 85-57 in CCAA play. Ali Ginn scored 16 for UCSD (5-13, 5-8). The Tritons men (4-14, 3-10) were defeated by Bakersfield, 67-50. Adam Snyder, led UCSD with 13 points.

Coach investigated

Federal authorities are conducting an investigation that involves Iowa State assistant basketball coach **Randall Brown**, university officials confirmed yesterday with giving any specifics. Brown, 45, a four-year assistant with the Cyclones, has been on paid leave since Jan. 29. Records from the university's Department of Public Safety show campus police assisted in a search of offices at Hilton Coliseum, *The Des Moines Register* reported.

News services contributed to this report.

SAN DIEGO UNION-TRIBUNE

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FEB 8 2003

Toreros freshmen step up to propel USD past Pilots

4154
By Nicole Vargas
STAFF WRITER

With senior guard Kerri Nakamoto helped off the court midway through the first half and classmate Erin

Toreros (w)
78

Portland
66

Malich playing only 22 minutes because of two early fouls, the remaining members of the USD women's basketball team

had to make a choice.

Step up or give up.

The Toreros chose the first, defeating Portland 78-66 in a pivotal West Coast Conference game at Jenny Craig Pavilion last night.

"This was a great team win," said USD coach Kathy Marpe. "That's the way I like to win it."

The win not only ended with a season-high offensive output for the Toreros and their best shooting percentage (48.3) in a win this year, but it also halted USD's two-game losing streak.

The Toreros (9-11, 3-4) also jumped one game ahead of the Pilots (8-12, 2-5) in what could be the tightest conference race in years.

"It was important for us to take this win," said USD junior Marta Menez, who scored a team-high 18 points on 7-of-7 shooting and was one of three Toreros scoring in double figures. "Our plan was not to lose on our home court for the rest of the season."

A record crowd of 1,249 saw USD overcome a 13-point deficit built by the Pilots only minutes before Nakamoto was sandwiched between two Portland players while diving

for a ball and injuring her left shoulder.

The Toreros used a well-executed trap on defense that took away shots the outsized Pilots were looking for. On offense, USD ended its scoring slump with a fast-paced, transition attack that saw numerous points coming off breaks against Portland's press.

Then, with a 35-31 halftime lead, the Toreros added to it with up to four freshmen on the floor at a time in the second half.

"That was exciting," Marpe said. "In practice, we were starting to see that, so it wasn't a complete surprise. But it looked great."

With Nakamoto out, Marpe was pleased with the play of Polly Dong at the point, as well as Tiara Harris.

After an unproductive first half, Jamie Corwin performed well in the second half before fouling out. Lindsay Helvey played a career-high 18 minutes in only her third game of the season since returning from a back injury.

Together, the four scored 25 points with 19 rebounds while collecting eight of the team's nine steals.

"There's been a lot of pressure on our freshmen to step up," Menez said. "With Kerri out in the first half, they did a bang-up job tonight."

That also went for Malich, who finished with 16 points and two blocks, and junior Melissa Padgett, who scored 12 points with eight assists.

Her assists total was second only to Dong, who finished with 10.

Four Pilots players finished with 10 or more points, led by Khalila O'Rielly-Williams (22 points).

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COLLEGE BASEBALL ROUNDUP

SDSU offense is MIA in Miami

4154

San Diego State head coach Tony Gwynn shook up the team's batting order for last night's game against Miami, but it failed to shake loose the offense.

Miami
4
Aztecs
1

Miami sophomore right-hander Vince Bongiovanni combined with two relievers to limit SDSU (5-7) to four singles in the Aztecs' 4-1 loss at Mark Light Stadium.

Ryan Wilson's single to right field was the only Aztecs hit to leave the infield against No. 13 Miami (6-2).

SDSU leadoff hitter Anthony Gwynn switched spots with No. 3 hitter Peter Stonard, and Rielly Embrey was moved up to bat cleanup. No matter. SDSU produced just one run, that scoring on Landon Burt's infield single in the fifth inning. For the series, the Aztecs are 1-for-17 with runners in scoring position.

SDSU starting pitcher Joe Carque (1-1) went seven innings, allowing six hits and four runs. Carque pitched well, except when the hitter was Miami's Jim Burt. Burt collected two hits, including a two-run home run in the fourth inning that gave the

Hurricanes a 3-0 lead. Gwynn robbed Burt of a third hit with a diving catch in center.

UC Irvine 8, USD 4

UC Irvine ended a six-game losing streak by banging out 11 hits while benefiting from three USD errors and a couple of mental mistakes by the Toreros.

The Anteaters (3-7) came into the game with a .203 team batting average and were scoring fewer than three runs a game.

Their prospects appeared dim against USD starting pitcher **Aaron Wilson**, who allowed just one hit through three innings. UC Irvine got to Wilson in the fourth, however, chasing him with five hits and three runs for a 3-1 lead.

The Toreros made it 3-3 in the bottom of the fifth on **Freddy Sandoval's** two-run single. Teammate **Lucas Wennersten** had three hits, but those were the only bright spots for USD (4-10).

UC Irvine scored a run in the seventh and two runs in both the eighth and the ninth. All of the runs came with two outs.

Typical of USD's fortunes was a play in the seventh in which Toreros right fielder **Joey Prast** threw a strike to the plate for

what would have been an inning-ending out. Catcher **Zach Dobek** couldn't hold onto the ball, and the Anteaters' **Gregg Wallis** slid home for a 4-3 lead.

— KIRK KENNEY

UCSD 6-5, CSSB 2-3

UCSD swept a California Collegiate Athletic Association doubleheader from host Cal State San Bernardino. The second game went 11 innings. UCSD improved to 7-1 in CCAA play, while the Coyotes dropped to 2-5.

PLNU 14-7, Westmont 4-1

PLNU (9-4, 2-0 Golden State Athletic Conference) swept a doubleheader from visiting Westmont as **Jud Richards** went 3-for-5 with a home run, two runs scored and six RBI in the first game. The Crusaders hammered out 15 hits to make a winner of starter **Matt Woychak** (San Pasqual). In the nightcap, senior right-hander **Ryan Williams** went all seven innings, allowing just four hits while walking just one and striking out nine. **Ralphie Marin** (Carlsbad) had two hits for the Crusaders.

**LOCAL
COLLEGES**

Texas Tech beats USD in slugfest for sweep

The USD and Texas Tech baseball teams went at each other like a couple of prizefighters yesterday — punching and counter-punching — but it was the Red Raiders who landed the final shot.

Designated hitter Evan Shahak's two-run homer in the bottom of the ninth inning gave Texas Tech a 15-13 victory and a sweep of the three-game series in Lubbock, Texas.

Texas Tech (6-1) scored the game's first four runs before the Toreros (2-7) scored five in the third for a 5-4 lead. USD, trailing 10-7 after five innings, put another five runs on the board in the sixth for a 12-10 lead.

Texas Tech tied it again with two runs in the bottom of the sixth and went ahead 13-12 with a run in the seventh.

USD made it 13-13 on Jamie Hesselgesser's run-scoring single in the top of the ninth.

The Toreros committed six errors, although only two of the Red Raiders' runs were unearned.

Josh Hansen led the Toreros with three hits, including a home run, and three RBI. Teammate Freddy Sandoval also drove in three runs and Tony Perez also homered.

Softball

■ USD freshman Ashlee Nunes had the only hit in the Toreros' 2-0 loss to Southern Utah at the Mustang Roundup at Cal Poly in San Luis Obispo. Junior right-hander Anna Russell allowed three hits in a absorbing the loss for USD (0-4).

■ San Diego State fell in the final game of a three-game series to host Cal State Northridge, 4-3 in 11 innings. The Matadors (3-3) scored twice in the bottom of the 11th to offset the Aztecs' (2-3) run in the top of the inning. Rancho Bernardo High alumna Kelcy Murphy scored on Jacque Vaca's single to give SDSU a short-lived 3-2 lead. SDSU had 11 hits, three by Murphy.

SAN DIEGO UNION-TRIBUNE

**SAN DIEGO, CA
MONDAY 374,856
FEB 10 2003**

COLLEGE BASEBALL

Aztecs recruit will be tempted to turn pro

By Kirk Kenney
STAFF WRITER

4154
Baseball America magazine projects Iowa's Ryan Sweeney, who signed a letter of intent with San Diego State in November, as the No. 20 prospect in the nation for the major league draft.

Scouts haven't decided whether they like Sweeney best as a left-handed pitcher with a fastball in the 90s or as an outfielder with a powerful bat.

The Aztecs, of course, will gladly allow him to do both — assuming he sets foot on campus. The average bonus for a first-round draft pick exceeds \$1 million.

The magazine projects Southern University's Rickie Weeks as the top prospect in the nation, which is interesting since he is a second baseman.

No second baseman has been selected in the top five picks in the past 10 years, the thinking being that a player can always be converted to a second baseman if he can't cut it on the left side of the infield.

It's a testament to Weeks' offensive potential that he might be selected No. 1 overall — Tampa Bay has the first pick — in the June draft. The 5-foot-11, 195-pound junior led Division I hitters in average (.495), slugging percentage (.995), RBI (96) and triples (12) last season. He also hit 20 home runs.

Two local players showed up in *Baseball America's* early projections for the 2004 draft: Stanford catcher Donny Lucy (Fallbrook High) was listed No. 11 among college players and Mission Bay shortstop/pitcher

Matt Bush was listed No. 2 among high school players.

Aztecs eye big crowds

SDSU is expecting to fill 3,000-seat Tony Gwynn Stadium for the season's first home games Tuesday and Wednesday against No. 23 South Alabama.

In addition, the Aztecs expect to smash season attendance records as season ticket sales approach 600.

That's substantially more than the record 350 sold last season, when head coach **Tony Gwynn** served as a volunteer assistant. Fewer than 100 season ticket packages were sold in 2001.

Commemorative tickets will be given away at Tuesday's opener, which begins at 3 p.m. Fans can park free in the structure located beneath the soccer field at the corner of 55th Street and Montezuma Road.

USD game postponed

Inclement weather (32-degree high) prevented USD from opening its three-game series yesterday at Texas Tech in Lubbock. The teams will play a doubleheader today, when a high of 48 is forecast, and complete the series tomorrow.

Former Ant eater honored

Rocky Craig, a 1967 graduate of Madison High, will be inducted into the UC Irvine Baseball Hall of Fame tonight. Craig, who also played center field at Mesa College before accepting a UCI scholarship, spent eight minor league seasons with the Padres, Kansas City and Houston organizations.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SATURDAY 374,856
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Texas' Dustin Majewski slides home ahead of USD catcher Josh Hansen's tag to score in the first. Nancee E. Lewis / Union-Tribune

COLLEGE BASEBALL

Texas completes sweep of USD

By Kirk Kenney, STAFF WRITER

4154

Scoring early. Keeping up the pressure. Snuffing out potential rallies. These are among the traits of a championship team.

Top-ranked Texas exhibited all these qualities in completing a three-game sweep of USD yesterday with a 7-2 victory in front of more than 1,200 fans at Cunningham Stadium.

If the Toreros (2-4) learned anything from the series it is this: Be the hunter, not the

hunted.

Said USD coach Rich Hill: "They did that all weekend. They put the pressure on us from Day One to where it always seemed like we were trying to catch up. They are a College World Series team with big-time offense. All their hitters grew up last year and they're playing the game like seasoned veterans."

Texas (3-0) scored three runs in the first inning off USD starting pitcher Sean Warlop (1-1), who surrendered five runs in three innings of work.

The Longhorns were swinging from the game's first pitch — on which leadoff hitter Tim Moss singled to right field — and had three hits in their first three at-bats. Two of Texas' first-inning runs were the product of aggressive base running. The Longhorns forced the Toreros to make a play — and they didn't.

"The sooner you can get the momentum

in college baseball the better, because what happens to the hitters is they start to try too hard," said Texas coach Augie Garrido. "And as soon as that happens, you have an advantage."

Texas had one big advantage all weekend: right fielder Dustin Majewski.

There is a four-story dormitory building behind the right-field fence at USD. The dorm is less than a year old, but will require some stucco patchwork because of Majewski. The 5-foot-11, 190-pound senior homered off the building three straight games. His two-run homer in the third inning yesterday gave Texas a 5-0 lead.

USD countered with two runs in the bottom of the third, but Texas responded with two runs in the top of the fourth to make it 7-2.

The Toreros squandered an opportunity to answer back in their half of the fourth — placing runners at first and third with one out — as poor base running took them out of the inning.

Texas pitching took it from there. Josh Smith (1-0) was one of three Longhorns relievers who limited USD to two hits over the final six innings.

USD was within a hit Friday of completing a comeback from a 9-0 deficit against Texas. That memory, more than anything else, may be what the Toreros take away from this series.

"We believe we can pretty much hang with any team," said USD shortstop Ben Quinto. "We just need to polish up a few

things here and there and get better as the season goes along."

The Toreros' season continues Friday when they open a three-game series at Texas Tech.

SDSU 6, UC Santa Barbara 3

After four losses to open the season, all of a sudden the Aztecs find themselves riding a two-game winning streak.

SDSU freshman right-hander **Ronnie Lindsey** (Point Loma High) picked up his first collegiate victory and freshman shortstop **James Guerrero** led the offense with two hits and three RBI as the Aztecs (2-4) took two of three games at UC Santa Barbara (1-2).

Lindsey allowed four hits and one earned run and struck out four over five innings.

Guerrero drove in the game's first two runs with a one-out triple in the third inning. Teammate **Peter Stonard's** sacrifice fly scored Guerrero to make it 3-0. The Gauchos closed within 4-3 in the seventh inning, but SDSU answered with runs in the eighth and ninth.

Sophomore right-hander **Will Miller** (Poway High) pitched the ninth for his first save.

Anthony Gwynn and **Rielly Embrey** also had two hits for the Aztecs, who do not play again until their home opener Feb. 11 against No. 23 South Alabama.



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LOCAL COLLEGES

Texans go on run-scoring rampage

By Kirk Kenney, STAFF WRITER

In a discussion with other coaches last month, Texas head coach Augie Garrido suggested tracking how many runs a team scores in relation to its hits as a way to gauge offensive efficiency.

Garrido's point was driven home — again and again — by the Longhorns yesterday in their 17-4 victory over USD in front of an overflow crowd of more than 1,200 fans at Cunningham Stadium.

Texas (2-0) scored its 17 runs on 17 hits. All the runs came in bunches — five in the third, eight in the fifth and four in the sixth.

"We just couldn't avoid the big inning," said USD head coach Rich Hill. "You've got to give credit to their hitters."

By contrast, the Toreros (2-3) scored their four runs on seven hits. And all four runs came in different innings. The Toreros left the bases loaded in both the second and third innings and left two men aboard in the fourth.

Texas took advantage of its first bases-loaded opportunity in the third. That's when designated hitter Nic Crosta hit a 3-2 pitch from Tony Perez for a grand slam and a 5-1 lead.

Perez (0-1) left in the fifth after allowing six hits and six runs with five strikeouts. Chad Cummings followed Perez to the mound and took the brunt of the Texas bats, allowing seven

hits and 11 runs in less than two innings.

The biggest blow came from the bat of Texas right fielder Dustin Majewski. Again.

In Friday's game, Majewski homered off the four-story dormitory building located beyond the right-field fence. Yesterday, he hit a three-run homer in the sixth on top of the dorm.

"That's about all I've got. I don't know if I can hit it any farther," said Majewski, who is 5-for-8 in the series with six RBI.

Texas starter Justin Simmons, who led the nation with 16 wins last season, was not particularly sharp. Simmons allowed two runs and five hits with three strikeouts. He was lifted after three innings having thrown 75 pitches.

Reliever Sam LeCure (1-0) was credited with the win after limiting USD to one hit and one run over four innings.

Elsewhere

Point Loma Nazarene (4-1) swept a double-header from visiting **Cal State Los Angeles**. In the opener, Brad Vericker's two-out double in the bottom of the ninth gave PLNU the 11-10 win. In the nightcap, Ryan Williams struck out seven and allowed just two hits and one earned run in six innings of a 5-1 win . . . David Hawk went 5-for-9 with four RBI and Jeff Riddle went 4-for-8 with five RBI as host **UCSD** (2-0) swept a twinbill from visiting **Vanguard**. The Tritons used a seven-run second inning to win 14-13 in Game 1 and won the second game 12-11 in their last at-bat.

Gwynn gets first win as Aztecs rip UCSB

San Diego State pitcher Joe Carque threw eight strong innings to give the Aztecs their first win of the season, 10-2 at UC Santa Barbara yesterday.

Carque (1-1), a senior right-hander, allowed only four hits and two runs — one earned — while striking out three.

"I knew we'd win one sooner or later," said SDSU head coach Tony Gwynn. "Realistically, we're playing a stronger schedule, so I knew it would be more of a challenge."

After allowing a run in the first, SDSU (1-4) scored twice in the second for a 2-1 lead. The Aztecs blew the game open in the third, scoring six runs behind five hits, a hit batter, a wild pitch and an error for an 8-1 lead against the Gauchos (1-1).

"Offensively, we didn't try to do too much," said Gwynn. "Our guys weren't afraid to go the other way, and we were able to put the pressure on UCSB to make plays."

David Hall led SDSU with three hits. The teams conclude the three-game series today.

— KIRK KENNEY

Texas
17
Toreros
4

Aztecs
10
UCSB
2

LOCAL COLLEGES

UCSD rolls to two wins in softball

4154
Freshman right-hander Stephanie Kurz (1-0) allowed three hits and struck out five as UCSD beat host Cal State San Bernardino 3-1 yesterday in the first game of a softball doubleheader.

The Tritons (9-6, 5-3 CCAA) then overcame an early 3-0 deficit to win the second game 10-5.

After winning the first game with 12 hits (including three by Kim Aggabao), UCSD had 11 hits in the nightcap, including two apiece from Aggabao, Kristin Hunstad and Mieko McCue. The outburst made a winner of sophomore Keri Hanley (1-0). The Coyotes fell to 5-15, 3-5.

More softball

UCSD's Jennifer Delpit had her team's lone hit in a 6-0 loss to **Michigan State** (4-3) in a UC Santa Barbara Softball By The Beach Invitational game. Scripps Ranch High alumna Erin Harmonson (0-3) pitched all six innings in the loss for the Toreros (0-8). Pitcher Jessica Beech struck out nine and hit a home run for the Spartans.

Women's water polo

UCSD won twice at the Davis Shootout, first beating **UC Santa Cruz** 14-4 behind three goals apiece from Dana Tucker and Miranda Paulson and two apiece from Maris Bantilan-Smith and Elizabeth Keesey. Tritons goalies Kaitlin Foe (four saves) and Andrea Cornford (two) combined for the win. In the second game, UCSD beat club team **Australia Univ. Sport** 9-5. Paulson had three goals and Foe made 10 saves for the Tritons (7-1).

Volleyball

UC Santa Barbara swept visiting UCSD 30-27, 30-24, 30-20 in Mountain Pacific Sports Federation action. Eric Perrine had 13 kills, Jim Waller 11 and T.J. Young 8 for the Tritons (3-12, 0-11).

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