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COLLEGE OF ARTS AND SCIENCES
Tony winner is happy being a "company man"

By Michael Kuchwara  
AP drama writer

NEW YORK — Richard Easton insists that he's not a Broadway star. But at age 68, and after more than 50 years in the theater, he knows how to command a stage.

Tony voters think so, too. Easton galvanizes Tom Stoppard's "The Invention of Love," winning a 2001 Tony Award for best actor against such formidable and better-known competition as Gary Sinise and Brian Stokes Mitchell.

In Stoppard's drama of unrequited love, Easton portrays English poet A.E. Housman at age 77, looking back at what he did — and did not — do with his life. A brilliant scholar, Housman confronts his younger self, played by Robert Sean Leonard, and his lifelong yearning for another student at Oxford.

For Easton, the role marks a return to Broadway after an absence of more than three decades. It was a homecoming that coincidentally occurred at the Lyceum Theatre, which is where the actor last played on Broadway in 1969.

At the time, Easton was a member of APA-Phoenix, a celebrated New York City repertory company that during its existence included such performers as Rosemary Harris, Helen Hayes, Uta Hagen, Brian Bedford, Frances Sternhagen and Donald Moffat.

"I have always been a company person," the Canadian-born Easton says. "I like companies. I like the work — and playing in rep is the dream of any actor.

"Some of the first directors I ever worked with were people like Tyrone Guthrie, Peter Brook, Alec Guinness, John Gielgud. I was spoiled immediately for the feeling of community that I like in the theater. The idea of making a career of my own is not interesting to me. I don't have the energy a star has."

Easton has the look, though. On a sweltering June afternoon, the actor, sporting John L. Lewis eyebrows and a bushy mustache, is nattily turned out. Checkered sports jacket. Crisply knotted blue paisley tie. Pressed tan slacks.

He sits in his tiny Lyceum dressing room where posters from old APA-Phoenix productions, including "Exit the King" (his last appearance there), adorn the wall.

His is a career that began on the radio in Montreal when he was 14 years old. "I fell into it by accident," he recalls. "A Montreal children's theater had a Saturday morning radio program for children by children and had a contest, awarding a scholarship to the child who wrote the best letter."

Easton won.

At 17, he moved to Ottawa to become a professional actor and do weekly rep — 33 plays in 36 weeks, the best stage education possible. "What you learn is a respect for the word," Easton says. "You learn the lines. You never rehearse without knowing the lines."

In 1963, he was present at the founding by Tyrone Guthrie of the Stratford Festival in Canada. From there, he went on to study acting in London on a scholarship, eventually joining the Royal Shakespeare Company.

Easton also worked in the United States at the Stratford Festival in Connecticut as well as at the Williamstown Festival Theatre in Massachusetts. At one point in his long career, he went to San Diego for a holiday and stayed — for 10 years, acting at the Old Globe and teaching at the University of San Diego.

"They invented this job for me — being a mentor in their MFA (master of fine arts) program connected with the Old Globe. I would do three or four plays a year at the theater and teach and just be around as a kind of warning, a lesson to the students," he says with a laugh.
He eventually grew tired of teaching and returned to New York. "The Invention of Love" finally lured him back to Broadway. A London hit several seasons ago, it needed critically praised productions at regional theaters in San Francisco and Philadelphia before a nonprofit New York company, Lincoln Center Theater, decided to produce it here. The delay puzzled Easton.

"The Invention of Love" is not an inaccessible play," he says. "It's a difficult play, but all of Stoppard's plays are difficult because they are so packed. He shovels stuff into them. Too many things of interest — and they are glorious for that reason.

"This is a play about a man meeting himself at 18, a meeting filled with pride, amazement and horror." Yet Easton manages to distill the essence of all that dense writing, adding a layer of humanity to the intellectual richness found in this cerebral work.

"The part is difficult (to learn) in the sense that there's an awful lot of it. And a lot of it is spoken alone on the stage. There's nobody to give you a cue."

Despite glowing reviews, Tonys for Easton and Leonard and a best play award from the New York Drama Critics' Circle, "The Invention of Love" closed June 30. With a large cast — 20 actors on stage — and a small theater, economics made a long run unlikely.

Still, Easton is optimistic about the theater.

"All my life, people have always said about the theater, 'Oh, it's the worst year, the worst year. No work.' I've heard that since I was 14." What's new for Easton is the celebrity.

"Suddenly, I'm recognized on the street," he says with a chuckle. "It's very nice, but I've never envied it or wanted it. I've never done anything I didn't want to do. I've never had to endure the tedium of a long run. But as a result, of course, I have never become a star. But I've done an awful lot of interesting things, and I've worked with some wonderful people."
Matter of principle

- Stem cell debate gets to the heart of issue

Lucinda and Joyn Borden hold their adoptive sons, Luke and Mark, who once were frozen embryos, before testifying before a U.S. House of Representaties committee on embryonic stem-cell research recently.

Sen. Orrin Hatch, R-Utah (center), listens as Sen. Bill Frist, R-Tenn., testifies before a committee studying government funding of embryonic stem-cell research.
The emotional ammunition seems to be all on one side of the argument this time.

One camp brings out Mary Tyler Moore and a cadre of winsome young diabetics waiting for a cure.

The other camp's obvious visual is an invisible speck in a petri dish.

Today's intense debate over federal funding of stem cell research is only the latest example in a series of unusual collisions of ethics, emotion and public policy. What late-term abortions and the "morning-after" pill are to opposite sides of the abortion debate, what Timothy McVeigh was to consideration of capital punishment — that is what embryonic stem cell research is for opponents of this kind of genetic science.

"It has none of the complicating factors. It's the pure case," said Dr. Lawrence Hinman, director of the Values Institute of the University of San Diego. "It gets the principle cards on the table."

And it creates a challenge: Are Americans willing or able to confront an important issue strictly on principle?

"It can clarify, but it can polarize," said the Rev. Robert Sirico, president of the Michigan-based Acton Institute, a think tank that considers ethics and public policy questions.

Supporters of the research say it may be the road to a cure for many common, debilitating diseases, including diabetes, Alzheimer's disease and Parkinson's disease. President Bush has been agonizing for weeks over a decision whether to oppose federal funding of some embryonic stem cell research. But his decision will not end the argument.

**Divided public**

Public opinion is divided. According to an ABC News/Beliefnet survey taken three weeks ago, about six of 10 Americans favor the research and favor government money paying for it.

Most public policy debates are a stew of principles, symbols and emotional appeals for both sides. The debate over federal tax and welfare policy, for instance, is filled with numbers and dispassionate predictions. But one side also has its "corporate fat cats" and the other its "welfare queens."

That mix is not necessarily bad, Sirico said.

"I'm not underestimating the power of the emotional argument," he said. "Jesus used parables. You do have to use symbols to reach some people."

In the debate over reproductive rights, for instance, those opposed to abortion sometimes use photos of a fetus sucking its thumb and the sound of a fetal heartbeat as powerful images. The other side has, among other analogous heart-tuggers, its women injured by illegal abortions.

But sometimes one side lacks obvious emotional appeal and is forced to focus on a single question of absolute principle.

In the case of McVeigh, the question was: Is capital punishment ever appropriate? In the case of late-term abortions, the question is: Should abortion always be up to the mother? And in the case of research using stem cells taken from embryos the question is: Is every fertilized human egg (and whatever it grows into) a person with all the rights of personhood?

As conservative commentator Ramesh Ponnuru put it in the National Review:

"Either conception results in a new human being deserving of legal protection, or it doesn't. No amount of sophisticated hairsplitting over bioethics is going to work if it ignores that awkward, obvious question."

The embryos produced in the laboratory that embryonic stem cells are taken from don't fit the usual description of human. They have no face or heartbeat and look as much like lumpy soccer balls as anything else. For every baby ever born, similar tiny lumps performed biological magic in the womb, transforming themselves into bone and muscle and brain and spleen.

Some researchers believe will they eventually be able to coax these special cells into similar magic in a test tube — creating pancreatic cells to cure diabetes, brain cells to cure Parkinson's disease and a host of other longed-for treatments.

But to do that, embryos must be destroyed.

Supporters of the research say that the work is justified — that these embryos aren't people. Opponents say the work is not justified and violates the human rights of the embryos.

The public policy debate is about morality and ethics and creating a public consensus, not necessarily about science and biology, some ethicists say.

"We can reasonably argue that our money ought not to go to those things that offend the moral sense of a significant percentage of the population," Hinman said.

Research supporters have the faces...
and voices of the sick, famous and attractive. The Juvenile Diabetes Research Foundation, for instance, just has started an ad campaign called "Samantha's Best Hope for a Cure" and featuring an 11-year-old girl.

By contrast, it's hard to generate emotional support - and political backing - for a microscopic dot, some say.

"It's one thing to show a picture of a fetus sucking its thumb. You want to kill it? It could tear your heart out," said Rabbi Pinchas Lipner, the founder and dean of the San Francisco-based Institute for Jewish Medical Ethics. "But we are on the defensive in this battle."

Supporters of the research can argue as Dr. Fred Rosen does: "I don't think an eight-cell blastula (embryo) is a person," said the president of the Center for Blood Research in Boston. "When you go to the supermarket for an egg, you don't ask for a chicken. They aren't the same thing."

And even Sen. Orrin Hatch, R-Utah, a fervent opponent of abortion, has said, "I just cannot equate a child living in the womb, with moving toes and fingers and a beating heart, with an embryo in a freezer."

That's the danger of leaning on image and symbols, according to some who say they take their stand on an unyielding principle.

"Our position has never been based on the idea that a particular class of people are nice-looking," said Richard Doerflinger, spokesman for the U.S. Conference of Catholic Bishops. "They (embryos) look exactly like you looked when you were their age."

Because the stem cell debate is about federal funding, each side is trying to demonstrate a critical mass of public support. While the polls show a majority supports the research, opponents of the research are trying to make enough of an emotional connection to sway public opinion.

Ron Heagy is a motivational speaker from Oregon who has spent more than 20 years in a wheelchair since injuring his spine. Some scientists say his conditions one day may be cured through stem cell research. Yet, he's spoken out against the research at a congressional hearing.

The American Bioethics Advisory Commission uses the term "embryonic persons" as a means to try to get people to think its way about the issue.

Last week, a group of children who were once frozen embryos and their adoptive parents spoke to a congressional committee and at several other media events. The Family Research Council even put out a news release about the children titled, "Here are the faces of the frozen embryos."

But searching for new emotional hooks may not be the best way to approach this kind of debate, Sirico said.

"That seems to me to be secondary," he said.

Better to use rational arguments than to depend on the power of passion, he said.

"We need to let our passions follow our reason," he said. "If we just depend on our emotions, there are a lot of other emotions people have that we immediately write off and say are unjustifiable."
Huerta Graduates from University of San Diego

Cynthia Huerta graduated May 27 from the University of San Diego. Huerta earned a bachelor's degree in international relations and Spanish. At USD, she made the Dean's List and was a member of the Spanish Honors Society and Pi Sigma Alpha, the political science honors society. She was active in G.O.L.D. (Guiding Ourselves as Leaders of Diversity) and College Visiting Day.

She is a 1997 graduate of El Monte High School. Her parents are Luis and Noemi Huerta of El Monte.

The University of San Diego is an independent Catholic institution of higher learning overlooking San Diego's Mission Bay.
Realty, retail spending closely linked

BY MARY KANE
OF OUR WASHINGTON BUREAU

When most people buy a home, they figure that once the closing is over they can fold up their wallets and put their money away.

But they often learn that the spending has only begun. They have to buy couches and draperies. Replace old windows. Strip wood floors. Plant trees and shrubs.

"That's certainly been true for us," said Nick Dowling, a consultant who just bought an early 1900s home with light blue trim and a Victorian-style front porch on a winding street in Arlington, Va., a Washington suburb.

"You go to Home Depot a lot."

Such spending — hard as it is on a homebuyer's budget — is great for the economy.

Home sales hit record highs in recent years, even as technology companies failed and stocks flustered. And while the real estate market itself helped prop up the economy, experts say, there was also the multiplier effect — all the money people spent on their houses after they received the keys.

That's why a slight slowdown in home sales is causing concern.

New home sales fell 9.5 percent in April, the steepest drop in four years, the Commerce Department reported.

Sales of existing homes also fell, by 4.2 percent, according to the National Association of Realtors.

The housing market and its residual spending have been an increasingly isolated bright spot in the economy's recent troubles. Should the drop-off in sales continue, economists say, it could mean bigger problems ahead, because consumer spending accounts for so much economic activity.

Housing remains strong, with April's sales of existing homes still representing the second-highest pace ever and the nation's homeownership

See HOMES / Page H3
Builders don't want to be stuck with inventory, so they drop prices on existing stock and choose to build less. They use fewer suppliers, who get less business in turn. The suppliers need fewer workers, so don't hire anyone or even lay off employees. Some of those employees, saving to buy houses, remain renters.

This gloomy scenario hasn't happened yet, Riedy said, because even with problems in the economy, the unemployment rate remains unusually low. When people are working, they can save and move toward buying homes. Until unemployment goes up significantly, the housing market should remain strong, though not as heated as in the recent past, he said.

A slight cooling might not be such a bad thing for places such as California, where real estate prices have gone haywire, Riedy said.

"We have $700,000 houses in subdivisions in the suburbs," he said. "You lose sight of how much $700,000 really is. Then $300,000 houses are low-income stock. It's insane."

Dowling's house — in comfortable but not ostentatious Arlington — cost $710,000.

Since buying the house, the Dowlings have stripped wallpaper, painted rooms and re-done floors, spending about $5,000 — so far. The former owner, an artist, covered one wall entirely with cork, something the Dowlings intend to deal with later. For now, upgrades in plumbing and light fixtures are taking most of their time and money.

"It hasn't been a lot more than we anticipated, but it's certainly been true in our case that we've had to keep spending," Dowling said.

Homebuyers such as the Dowlings are highly valued by retailers specializing in home furnishings and repairs, from Sears, Roebuck & Co. to Crate & Barrel.

First-time homebuyers tend to come in for repeated visits after closing on their homes, but they take their time picking out things, said Crate & Barrel spokesperson Bette Kahn. They'll save up for a couch or a bed and buy it eventually. By contrast, people moving up to bigger homes or purchasing vacation homes typically come in after the sale and quickly buy things to fill up their new homes. Either way, the store counts on homebuyers for much of its business, she said.

"People who buy homes become lifelong customers," Kahn said. "Buying things for the home is not a one-time process. It's a constant work in progress.

"And we don't even want to talk about the part where the toilet breaks down."
Credit: To Dr. Ken Blanchard and the University of San Diego on the occasion of the graduation of their first joint class in executive leadership. The two groups joined together to create a 22-month-long master's degree in executive leadership. Both Ken and the university have touted for years the value of leadership to organizational success. Both their dreams have come true with the first class of 24 graduating June 17.
Region’s Economic Indicators Continue 11-Month Decline

June 22, 2001

April’s Index of Leading Economic Indicators released Thursday extends San Diego’s string of declining or unchanged months to almost a year.

The index, released each month by the University of San Diego, fell 1.4 percent in April, the largest one-month drop since January 1979 and the second sharp drop in a row.

Declines from July 2000 to February 2001 ranged between 0.3 and 0.6 percent. March saw a sudden 1.1 percent dip.

“The drop has been kind of surprising in terms of its steepness and the fact that so many things have turned negative,” said Alan Gin, USD economics professor. “We’ve had problems with things like local stock prices and consumer confidence. Now, we have other variables turning negative as well, like the labor market.”

Unemployment insurance claims increased 1.76 percent in April. Initial claims are at their highest level since September 1999. The county’s low unemployment rate of 2.7 percent has contradicted the slowing economy, but Gin predicts it will begin to catch up and reach 3.5 to 4 percent by the end of the summer.

Source Code: 20010621tba
Summer forums put safety at schools first

USD professor seeks ideas from parents, educators

By Jill Spielvogel and Susan Gembrowski
STAFF WRITERS

School shootings have horrified a nation and compelled educators and parents to wonder tough questions:
- How do you combat violence?
- How do you eliminate bullying and intolerance in schools?
- How can we improve communication with students?

After each shooting, from Littleton, Colo., to West Paducah, Ky., educators have answered with strategies to prevent more violence. This summer, after shootings at Santana and Granite Hills high schools in March, it is the Grossmont Union High School District grappling with these questions.

In its search for answers, the district is looking at how campuses nationwide have addressed safety and gauging what staff and parents at local schools believe is the best way to ensure students feel safe on campus.

Grossmont's effort to make schools more secure has been buoyed by a professor and Grossmont High School graduate who felt compelled to help following the tragedies. At the end of the school year, University of San Diego professor Lonnie Rowell began soliciting ideas from staff and parents through a series of forums at Grossmont's 11 high schools.

"This district has been put through just an unbelievable strain," said Rowell, the president of the California School Counselor Association. "What we wanted to do was bring people together so they have an opportunity to reflect on what has happened and have an opportunity to have some input into where do we go from here."

Rowell’s idea fit with Grossmont Superintendent Granger Ward’s vision for a Lessons Commission, which is charged with reviewing community input and research before suggesting ways the district can improve. Rowell, who plans to publish his research, hopes it will not only help Grossmont but also contribute to the national dialogue about improving school safety.

The Lessons Commission, which recently met for the first time, may consider Rowell’s preliminary findings later this summer.

Commission members have requested a slew of information to consider, including school crisis plans, ways the schools identify potentially troubled students, information schools make available to law enforce-
Changes to be suggested for schools to follow

The group plans to suggest long-term changes as well as make recommendations that could be implemented prior to the start of school in the fall, said Lionel Meno, co-chairman of the commission and dean of the College of Education at San Diego State University.

“We hope to be able to make recommendations so that students, staff and parents are more comfortable as they begin the school year,” he said.

Their work will include looking at what schools nationwide have done in response to shootings. Schools have made various changes, such as adding security personnel or administrators, passing laws to tighten security loopholes and making behavior and anti-violence lessons part of the school day.

- At Columbine High in Colorado, school officials decided metal detectors weren't practical but did install more video cameras, restricted public access to campus and hired more administrators. A counseling center operates in walking distance of the campus. And throughout Colorado, there's a hotline and campus tip boxes to report threats.
- In Jonesboro, Ark., schools have full-time social workers, therapists and sheriff's deputies following a 1998 shooting where four students and one teacher were killed.
- A 1997 rampage that left two students dead at Pearl High School in Mississippi spurred the state Department of Education to open a statewide crisis hotline, which offered rewards for information about potential violence while giving callers anonymity. Evaluations of campus safety also prompted the state to pass laws requiring background checks and fingerprinting of all school personnel.
- In West Paducah, Ky., where three students were killed and five wounded at a shooting at Heath High, the school district has established a safety department, added resource officers to campuses, begun training teachers to deal with potential violence and incorporated violence prevention into the curriculum, Superintendent Tim Heller said.

But not every reform has been a success. Recently, the district scrapped a requirement that all students carry identification badges because enforcement was too time-consuming. And Heller said he wishes more students would use the district tip line.

In Grossmont, Rowell said a common theme staff and parents raised was a need to help students make a stronger connection to their schools, teachers, parents and peers. At each of the 17 meetings at district schools, parents and staff broke up into small groups to discuss what should be done, what can be done and what they're willing to do to help.

The answers varied. Not every teacher was willing to talk about values and morals with their students, saying those tasks were best left to the parents, Rowell said. Others saw their job as being a substitute parent.

Some teachers felt parents were not as involved with the schools as they should be. Others acknowledged some parents had bigger issues to worry about, such as paying their next utility bill.

“For many people in this community, it's a real luxury for them” to participate in their child's school, Rowell said.

At a meeting with Santana parents, parents suggested the school have a liaison who could tap volunteers and paid professionals to train teachers and help students to communicate effectively.

Two parents who participated at Santana, Almee Andrews and Vasuki Moka Murthy, said their group talked about parents, business people and others in the community coming to campus to serve as mentors and role models. They discussed having advocates that students could talk to about their emotional needs, in addition to an academic counselor.

Though the idea of eliciting parents' views stemmed from the shootings, Vasuki said the solutions aren't necessarily ne-
Karen Manns (center) talked about her role as a teacher in the Grossmont Union High School District during a forum last month. "My heart's with my kids," Manns said as her daughter (right), Mackenzie, and Sue Wakefield listened. John Gastaldo/Union-Tribune

cessitated by the incidents.
"It is something every teenager needs," Vasuki said. "This was relevant before the shooting, and it is relevant now."

Andrews, however, said the shooting let the community know that kids are hurting and feeling isolated.
"We weren't aware of the needs before the shooting happened," she said.

Because parent participation has been low at many of the schools, Rowell and Ward will send out surveys to parents of West Hills, El Cajon Valley and Monte Vista high school students in the fall to gather more opinions. Staff participants filled out surveys following the focus groups.

Participation among teachers and other staff members has been high, with Rowell saying he's encountered both skepticism and enthusiasm.

Tom Vanderhyde, a teacher at West Hills High in Santee, said teachers have gathered before to talk about similar issues.
"I think anytime you try to address concerns on campus it is a good idea," Vanderhyde said. "We would love to communicate more effectively."

But he also said he has seen a lack of time, money and other resources has stood in the way of change.

Rowell said he'll pass on some of his findings to the Lessons Commission later this summer, though analyzing all the comments will take longer. The commission plans to make its initial recommendations to the board in August.

Whatever the recommendations, the focus on safety should not fade as the tragedies become more distant, said Ted Feinberg, assistant executive director of the National Association of School Psychologists.
"It is not a peripheral issue, it is a core issue," Feinberg said. "People have to understand that unless children feel safe and protected, education cannot go on."
State park offers rafting for educators

California State Parks is sponsoring "From Rapids to Rituals," an interpretive training program for educators.

The course is held on the Middle Fork of the American River, within the boundaries of the Auburn State Recreation Area. Whitewater rafting is combined with wilderness camping and environmental education.

Both a playground and an outdoor classroom, the American River canyons provide inspiration and recreation while experts give formal presentations on subjects ranging from botany and ecology to Gold Rush history.

"We hope this quality recreational and educational experience will help foster a desire to protect and enjoy our public lands," said Teresa Reed, program coordinator.

Accredited through the University of San Diego, teachers can earn continuing education units.

Professional guides will take participants down river through whitewater rapids. Food, transportation and safety equipment is covered in the cost of the course.

The trip is $300 and will run July 17-19. Contact the Whitewater Recreation Office at (530) 885-5648, ext. 13.

--Journal Staff Report
The following students have been honored:

Katherine Marie Russo, daughter of Barbara and Richard Russo of Camden, has been named to the spring 2001 dean's list at Colby College in Waterville, where she is majoring in studio art and art history. She is a graduate of Kents Hill School.

Jonathan S. Moro, a 1999 graduate of Camden-Rockport High School, has been named to the spring 2001 dean's list at Colby College in Waterville. The son of Jean and Stephen Moro of Rockport, he is majoring in English.

Kerry S. Whittaker, daughter of Deborah and Paul Whittaker of Camden, has been named to the spring 2001 dean's list at Colby College in Waterville. The 2000 graduate of Camden-Rockport High School is majoring in psychology and minoring in classics.

Keagan M. Russo, who is majoring in government and Spanish, has been named to the spring 2001 semester dean's list at Colby College in Waterville. He is the son of Carolyn and Paul Russo of Camden and is a graduate of Phillips Exeter Academy.

Rebecca Woolston, a former resident of Rockport and a 1982 graduate of Camden-Rockport High School, received her doctorate degree in leadership studies from the School of Education at the University of San Diego last month. Her parents are Nina and Don Woolston of Rockport.

Ariane Zwartjes graduated from the Friend's World Program of Long Island University at Southampton, N.Y., May 20 with a B.A. in intercultural education. She attended Camden-Rockport High School and is the daughter of Dr. William and Georgia Zwartjes of Rockport.

Anais Wheeler, daughter of Julia Abernethy of Rockland and David Wheeler of Newcastle, graduated from Hebron Academy in Hebron May 26. Among her many accomplishments were being president of the senior class and receiving the Hebron Cup, the academy's highest honor.

Pamela St. Clair, a 1999 graduate of Camden-Rockport High School, was named to the spring 2001 dean's list at the University of New England in Biddeford/Portland with a 4.0 grade point average. The daughter of Michele and Jerry St. Clair of Rockport, she is majoring in nursing.

Tori Jayne Fogg, daughter of Janet and Timothy Fogg of West Rockport, graduated May 20 from Clark University in Worcester, Mass., where she majored in economics. She is a 1997 graduate of Camden-Rockport High School.

Kristen E. Collins, a 1999 graduate of Camden-Rockport High School, has been named to the spring 2001 dean's list at the University of New England in Biddeford/Portland, where she is majoring in occupational therapy. She is the daughter of Barbara and Bill Forrest of Lincolnville and Donald Collins of Haverhill, Mass.

Bryce Metcalfe of Appleton graduated May 12 from Michigan Technological University. He received a bachelor of science degree in forestry.

Ryan M. Connon of Camden has been named to the spring 2001 dean's list at Thomas College in Waterville.

Rayna Kendall, daughter of Mary Kendall of Camden, has been named to the spring 2001 dean's list at the University of New England in Biddeford/Portland. She is majoring in medical sociology.

Travis Wadsworth graduated May 19 from Johnson & Wales University in Providence, R.I. The son of James Wadsworth of Camden, he received an associate in science degree in food and beverage management.
SCHOOL OF LAW
Huge Fees, Many Conflicts In PG&E Case

By TIM REITERMAN
TIMES STAFF WRITER

SAN FRANCISCO—When a big bankruptcy case comes along, so does the bankruptcy gang.

After PG&E Corp.’s Pacific Gas & Electric Co. filed for protection from creditors in April, major law firms and other high-priced professionals queued up and began billing.

PG&E’s lead counsel already has charged $2.65 million in the first two months of a case that some experts say could stretch into years. A financial advisor asked for as much as $350,000 a month and once considered seeking a “success fee” of $20 million if the company’s reorganization panned out. A financial consultant of the PG&E creditors committee has proposed a $1.5-million fee for six months’ work.

The PG&E case offers an extraordinary view of an arcane field usually outside the limelight.

Total court-approved fees in the bankruptcy filing—the third-largest in U.S. history—could amount to at least $470 million, said UCLA law professor Lynn LoPucki, a leading expert on bankruptcy practice.

“The bigger the case, the bigger the fees,” he said. But even that figure, LoPucki said, could go higher because of the regulatory and public policy issues involved in the case, which he described as “one of the most complex cases ever.”

Along with those huge fees come complex potential conflicts. Ethical problems have long haunted the bankruptcy field, despite repeated efforts at reforms that have followed scandals involving prominent firms. Though the PG&E bankruptcy case is in its earliest stages, entanglements that experts say could present ethical issues already have arisen as several prominent firms were approved by the bankruptcy judge.

PG&E’s main law firm also represents banking interests that are tied to one of the utility’s biggest debts, a nearly $1-billion credit arrangement.

Bankruptcy: The sheer size of the professional firms involved and the vast reach of the utility make entanglements almost inevitable.

By TIM REITERMAN
TIMES STAFF WRITER

PG&E’s accounting firm has done unrelated work for more than 80 companies involved in the PG&E bankruptcy case, including some of the utility’s creditors.

The law firm for the official committee of PG&E creditors represents a $400-million Arizona power project being developed by an arm of PG&E’s parent company.

For shareholders or creditors of Please see CONFLICTS, C4
The official seal of the U.S. Bankruptcy Court in the financial district of San Francisco.

Time and again, firms acknowledged in disclaimers filed with the Bankruptcy Court that they have so many ties to other companies that they may not have unearthed all connections and potential conflicts. Some addressed potential conflicts by erecting "ethical walls" within their own firms or having clients sign waivers that absolve the professionals of conflicts of interest.

Experts say ethical walls amount to honor systems with no outside monitoring and that waivers sometimes are granted without the client's full understanding of the potential conflicts. They also point out that not all connections between adversarial interests constitute conflicts, and not all conflicts are serious enough to disqualify a firm from a case.

The fact that so many issues arise in cases of this magnitude has meant that the bankruptcy system is forced to make accommodations for big firms with overlapping clients.

"By traditional conflict standards, the large firms could not participate in the cases," LoPucki said. "There has been a huge shift in what is acceptable. It is more lenient. A firm is allowed to represent [clients] today where they would not have been allowed 20 years ago."

Ethical Walls' Used to Avoid Conflicts

The complexity of the entanglements—and the manner in which the system has adapted to them—can be seen in the roles played in the PG&E case by two of the nation's largest accounting firms, Deloitte & Touche and PricewaterhouseCoopers, and one of its most prominent law firms, Milbank, Tweed, Hadley & McCloy.

When PG&E proposed hiring Deloitte & Touche for a base fee of $855,000 and an hourly rate of $450 to $650 for partners, the U.S. trustee in the case, Linda Ekstrom Stanley, objected.

The U.S. trustee's office is an arm of the Department of Justice that Congress created in 1978 to help combat what critics derisively dubbed bankruptcy rings. The trustees administer bankruptcy cases and are instructed to guard against abuses and profiteering by professionals.

So far in the PG&E case, Stanley's office has weighed in against the appointments of several major companies, voicing objections ranging from excessive fees to conflicts. Her office succeeded in preventing the creditors committee from hiring a public relations firm, and it won a tentative ruling that would prevent PG&E from indemnifying a financial consulting firm against negligence claims arising from its work.

The investment banking firm, Dresdener Kleinwort & Wasserstein, has stopped working for PG&E because of the lack of indemnification. PG&E is hunting for a new financial consultant.

In the case of Deloitte & Touche, Stanley's office seized on the company's disclosure that it had worked only for PG&E but also for its parent company and for another subsidiary, PG&E National Energy Group. The accounting firm had performed $14.4 million in work last year for the three PG&E entities.

The trustee said that work posed a potential conflict because the California Public Utilities Commission was reviewing PG&E's controversial transfers of funds to its parent company.

Deloitte & Touche argued successfully that its relationships with three PG&E entities did not compromise the company's ability to fairly represent PG&E in the bankruptcy.

In the interest of full disclosure, Deloitte & Touche reported for the PG&E parent and a daughter of Judge Montali. The firm also said it employs the wife of another bankruptcy judge in San Francisco. She logged fewer than 50 hours of tax consulting work last year for PG&E's parent, the firm said.

Ethics experts said such personal connections generally would be enough to prompt a judge to disqualify a firm. "It's obviously an interesting relationship," Rapoport said. "It comes down to... how much of an appearance of too much closeness he wants to put up with."

Issues involving the second accounting firm, PricewaterhouseCoopers, arose when the committee representing PG&E's creditors proposed hiring the firm as its accountant and financial advisor. Stanley's office objected that the firm, like Deloitte & Touche, works for PG&E and its parent.

"Professionals... must have no conflict of interest... and owe undivided loyalty to the creditors committee," the trustees office said.

"It is not beyond imagining that [PG&E and its parent] could influence [PricewaterhouseCoopers] through these continuing relationships, the promise of future engagements and other intangibles," the trustee said in one filing.

PricewaterhouseCoopers said it would build an ethical wall within the firm to avoid problems or other dicey situations in which PG&E, its parent or affiliates are adversaries. The judge approved the hiring.
Disclosure Often Is Safest Legal Course

As a practical matter, the safest course legally in a bankruptcy case is to try to disclose every connection and let the judge decide whether to allow a firm to participate.

"Disclosure cures a multitude of ills," said Lawrence Gottesman, chairman of the bankruptcy practice at Brown, Raysman, milstein, Felder & Steinberg in New York City. By contrast, he said, "the penalty for working with an undisclosed conflict can be severe."

Milbank learned that three years ago, when John G. Gellene, once a lawyer with the firm, was sentenced to 15 months in prison and fined $15,000 for failing to disclose during a bankruptcy case that he also was working for a creditor in separate litigation. Before the sentencing, the firm had returned $1.9 million in legal fees and fired Gellene.

To ferret out potential conflicts, firms rely heavily on the computer. Those involved in the PG&E case, for example, usually checked their computerized client lists against the biggest 100 PG&E creditors and other players, such as other professional firms, the trustee's staff and the judge.

Even then, there are limits. The computerized checks did not touch tens of thousands of smaller PG&E creditors. And the firms themselves commonly issue disclaimers, saying they might not have turned up all their potential conflicts.

If a law firm finds it has a troubling conflict, it also can seek a conflict waiver from its existing client or a potential client, saying they might not have turned up all their potential conflicts. If a law firm finds it has a troubling conflict, it also can seek a conflict waiver from its existing client or a potential client, saying they might not have turned up all their potential conflicts.

PG&E's lead counsel, Howard, Rice, Nemmerski, Canaday, Falk & Rabkin, reported receiving $1.9 million from the company in the year before the Chapter 11 filing and it billed $2.65 million in fees and expenses for the two months after that.

Among the firm's potential conflicts was its representation of an affiliate of Bank of America Corp. The bank participates in a revolving credit agreement that allows PG&E to borrow up to $1 billion. PG&E listed Bank of America as the agent for a $938-million claim.

The law firm said its relationship with the Bank of America affiliate was "sufficiently attenuated" that it did not need a conflict of interest waiver from its client. But the firm sought and received conflict waivers from a second bank and the affiliate of a third bank involved in the credit agreement.
The furious debate in Anchorage over a gay pride exhibit banned from Z.J. Loussac Public Library has at its core this question: Just what should be allowed on library walls?

To First Amendment experts and the American Library Association, the answer is clear. If a library lets any group hang a display, it has created a public forum and must open the door to virtually all others, said Bob O'Neil, director of the Thomas Jefferson Center for the Protection of Free Expression in Virginia.

The group can be as innocuous as a garden club or hold a reputation as ugly as the Ku Klux Klan's, said O'Neil, also a University of Virginia law professor. The Baptists should get to put up a display if they want, and the Buddhists should, too, he said.

The city maintains it never created a public forum at the library, so it didn't open that door. Loussac Library certainly isn't a traditional public forum, like a street corner or town square where anyone can say just about anything, city attorney Bill Greene maintains.

The situation is now in court. The Alaska Civil Liberties Union has sued the city to get the gay pride display reinstalled. The central legal argument, both sides agree, is whether the library is a public forum. U.S. District Judge James K. Singleton on Tuesday ordered the city to put the exhibit back up at Loussac Library. The larger issue of free speech will be decided later at trial.

Libraries can declare their display cases and walls off-limits to nonlibrary groups. But Loussac has allowed dozens of exhibits in recent years, on such topics as Black History Month, Hispanic Heritage Month and, twice before, homosexuality. Given that, the AlCoCLU says Loussac has functioned like a public forum, and the city had no valid reason to ban the gay pride exhibit, said Allison Mendel, the attorney handling the case.

The city contends the librarian has discretion over
**DISPLAY:** Others have similar debates

Exhibits under review

With the city in court over the June 5 removal of a gay pride exhibit at Z.J. Loussac Public Library, other planned exhibits are being reviewed case by case to determine if they can go up. Mayor George Wuerch originally said only displays using library materials would be allowed, but city attorney Bill Greene later said that also included library-sponsored displays.

A British sports car club got to show off Jaguars, MGs and other vehicles on the Loussac lawn to kick off the library summer reading program, with the theme "Reading Road Trip U.S.A." A photography exhibit on Appalachia from the Smithsonian Institution will be allowed because the library sponsored it. But Southcentral Alaska Beekeepers Association exhibit of posters and materials including beeswax and locally bottled honey, scheduled to begin July 16, has gotten caught up by the controversy.

Dick Allen, president of the association, said Wednesday that he had not been able to get a firm, up or down, answer from city hall, so the display will be postponed. There may be another chance to put it up later this summer, after the state fair, he said.

The restrictions will continue until the lawsuit is resolved, said Dennis Fradley, the mayor's spokesman.

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**LIMITED PUBLIC FORUM**

There is no precise definition of a limited public forum, said O'Neil and others. He believes only commercial advertising and perhaps political campaign messages can be excluded.

“The line between drawing a distinction by type of speech and drawing it by viewpoint is a very difficult line,” said Larry Alexander, a professor at the University of San Diego Law School who has written articles on free speech and freedom of religion.

For example, if the government allowed a gay pride exhibit it would also have to allow an anti-gay display so as not to discriminate against any one viewpoint, he said. But he believes, like the city, that the government could forbid certain types of speech, such as all religious, political or commercial messages.

Courts have consistently ruled that people can march to promote their views, from neo-Nazis in Skokie, Ill., to civil rights activists in Selma, Ala. People should think of displays like a stationary parade, suggested professor Ronald Rotunda of the University of Illinois College of Law.

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The First Amendment of the U.S. Constitution protects free speech and the free exercise of religion, but it prohibits the government establishment of religion. That's why courts have ruled against the government putting up the Ten Commandments, Rotunda said. But if a church wanted to do so in a place where community displays are common, it could, he said.

That was the logic the U.S. Supreme Court used in June in ruling that a Christian group called the Good News Club could hold after-school meetings in a New York elementary school, the same as the Boy Scouts or Girl Scouts. The club
tried to convert children as young as 6 to Christianity, and the Milford School District said that amounted to religious worship.

The Rev. Jerry Prevo of the Anchorage Baptist Temple said that if the gay pride exhibit is reinstalled, he will immediately apply to put up "a counter exhibit."

"I am not sure the homosexual community wants that," said Prevo, who believes gays can be converted to straight life.

**EQUITABLE ACCESS**

Most libraries allow community groups to put up exhibits, and few become controversial, said Judith Krug, director of the Office for Intellectual Freedom of the American Library Association.

The association's Library Bill of Rights states: "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

Last year, the association tracked 646 book challenges in libraries, but only a handful of objections to displays, she said.

"The general trend is that they are allowing everybody in. It is a community resource," Krug said.

In Anchorage, Mayor George Wuerch has said he opposed the gay pride exhibit not because of the subject matter, but because it was interactive. The third floor elevators were decorated to look like closets. Patrons using the elevators would have symbolically "come out" of the closet or taken their beliefs about homosexuality "into" the closet.

The display could have been disruptive, making patrons uncomfortable and causing children to twitter as people went in and out of the elevators, the city contends. It also violated the library policy because it was promotional, not educational, the city said.

"Many patrons go to the library to get a book. They do not want to be bothered with an exhibit. The elevator display forced these patrons to make a choice on a topic they may not want to contemplate at that time," the city argues in its legal brief.

**DIFFERENT APPROACHES**

In some cities, controversies over library displays lead not to lawsuits, but to community meetings and changes in policies.

At the Ann Arbor District Library in Michigan, a display of Palestinian children's art in May prompted complaints from Jewish groups that it was one-sided. The library governing board held a community forum that eased tensions by allowing people to air their feelings and experiences, said Tim Grimes, associate director for community relations at the library.

The board now is looking to re-vamp its policy so that every display, whether library-initiated or not, includes a disclaimer the library does not endorse the content.

The issue came to the Lancaster Area Library in Pennsylvania when the Pink Triangle Coalition put up a display in the library's front windows that featured famous gay and lesbian artists. Complaints prompted the library director to remove the exhibit, which led to charges of censorship. The library board agreed to reinstate the exhibit and install a second, church-sponsored exhibit on "family values."

The board also restricted future displays to those initiated by the library. Now, more often than not, the prominent display windows that used to feature messages from groups such as the American Heart Association are empty, said Kathy Leader, library administrative assistant.

In Anchorage, Wuerch has barred non-library groups from putting up exhibits until the legal issues sort out.

Reporter Lisa Demer can be reached at ldemer@adn.com and 257-4390.
The peer-review approach to detecting and punishing physician mistakes relies on adequate reporting mechanisms. But critics say in too many cases, disturbing incidents are swept under the rug. BY CHRIS RAUBER

The Weakest Link

When Michael Terry McEnany, M.D., was recruited nine years ago from Kaiser Permanente in San Francisco to run a heart surgery program in Eau Claire, Wis., it looked like a real coup for the Wisconsin heart center.

As chief of cardiovascular surgery for Kaiser’s sprawling San Francisco facility, he seemed an ideal choice.

Within a few years, however, McEnany’s career was in ruins. A Kaiser whistle-blower informed California officials in 1996 that McEnany had been the subject of a peer-review investigation prior to his departure, had been forbidden from doing surgery without another senior surgeon present, and had been allowed to leave Kaiser without any reports being filed with state authorities, according to an expose in the San Francisco Chronicle.

The state medical board, which licenses physicians, later determined that McEnany had been involved in nine surgical cases involving substandard care, including two that resulted in patient deaths—and charged that two senior Kaiser executives had failed to file a legally required report detailing Kaiser’s internal findings.

In Wisconsin, a survey of cardiac surgeons by the Wisconsin Office of Health Care Information later found that McEnany had one of the highest surgical mortality rates in the state. After reports from the California medical board were sent to Wisconsin, his privileges were suspended and he was subsequently fired by the hospital in 1998. McEnany denied the charges but ultimately surrendered his licenses to practice medicine in both California and Wisconsin. Wisconsin officials had no inkling of McEnany’s troubled history when he came on board, because there was no official record of any problems in California.

Critics of the current system of reporting problem doctors say this sort of cautionary tale shows how hard it is to get the long-established peer-review system to work properly. If the confidential review of a physician’s work by peers within a hospital or clinic ends with a physician losing his or her privileges to practice medicine at that facility, but with no formal report being made to the state medical board, there’s nothing to stop that physician from setting up shop at another hospital, across the street or across the country. So hospitals, health plans and other healthcare organizations can, in effect, export their problem doctors to other institutions, with no one being the wiser.

In less serious cases, when a physician’s privileges are suspended temporarily, consumers and other hospitals are also often left in the dark. As a result,
PHYSICIANS

critics contend, all too often such incidents are not properly reported. Doctors frequently are leery of penalizing colleagues for shoddy work or for personal problems such as drug or alcohol abuse, and hospitals and health plans typically want to keep their mistakes under wraps.

"For 25 years, we've tried this professional, collegial approach and it just hasn't worked," argues Julianne D'Angelo Fellmeth, an attorney and administrative director of the Center for Public Interest Law at the University of San Diego School of Law. D'Angelo Fellmeth and other critics say hospital reporting of peer-review actions to medical boards have fallen far short of projections in the past decade, both in California—considered one of the more aggressive states on this issue—and around the country.

In California, for instance, hospitals have been legally required since 1975 to file a so-called "805" report to the state medical board when a physician voluntarily resigns or takes a leave of absence after being informed of a disciplinary investigation. They were previously only required to report incidents in which physicians' licenses were restricted, limited or revoked. But the number of reports filed annually fell from 282 in 1989 to a record low of 82 in 1999, jumping slightly to 110 last year, state medical board records show.

"A lot of hospitals feel that if they can get a problem to go away, they've fixed it. But the problem just goes to another hospital," says Dave Thornton, chief of enforcement for the Medical Board of California.

Nationally, the National Practitioner Data Bank has tracked peer-review decisions since 1990, compiling data submitted by state medical boards, but the federal data bank has received far fewer such reports than originally envisioned. As of mid-1999, it had received less than 1,000 hospital reports per year during its first eight years of operation, compared to 1990 projections by the industry that 10,000 reports would be filed annually.

And reporting varies dramatically by state. Public Citizen's Health Research Group, the Ralph Nader-affiliated organization that tracks consumer health issues, recently released its analysis of state-by-state data from last year compiled by the Federation of State Medical Boards. It found that the bottom 24 states—those with the lowest number of disciplinary actions—in the study had rates of serious disciplinary action against physicians that were one-half or less the rate of the top five states (North Dakota, Alaska, Kentucky, Wyoming and Oklahoma).

Another warning signal came last November from the federal General Accounting Office. The GAO reported that the Health Resources and Services Administration, which administers the National Practitioners Data Bank, hadn't taken adequate steps to deal with underreporting of clinical privilege restrictions by hospitals and underreporting of malpractice awards, "despite many years of effort."

The California Healthcare Association, which represents the state's hospitals, has argued that the diminished number of 805 filings in California shows that hospitals have been effective in cracking down on problem doctors. But critics, such as D'Angelo Fellmeth, point out that 44 percent of the state's hospitals have not reported a disciplinary action against a staff physician in the past decade. "They're just not doing it," she says. "Let's get real."

Yet the AMA and other professional organizations counter by contending that peer-review confidentiality is necessary to protect doctors and hospitals from a flood of malpractice and liability lawsuits.

They say that peer review only works if physicians feel free to privately critique their colleagues without worrying about being dragged into protracted legal battles. And many have concerns about the quality and timeliness of data compiled in the National Practitioner Data Bank. Thomas R. Reardon, M.D., the AMA's immediate past president, said in a statement that he found ample evidence in the recent GAO report to back the medical association's belief that the data bank "is riddled with duplicate entries, inaccurate data and incomplete and inappropriate information."

Some in the industry also believe that critics are overstating their case, and can't prove their contention that significant numbers of disciplinary cases are slipping through the cracks.

Jim Anderson, a Kaiser Permanente spokesman in Pasadena, Calif., stresses that Kaiser officials in the McElnany case "were people of the highest integrity working with the best of intentions—and were acting on legal advice." He also notes that the McElnany saga, in terms of Kaiser's direct role, is eight years old. "If what the critics are saying is true," he contends,
"they'd be able to take us to more recent examples."

Nonetheless, Anderson acknowledges that Kaiser has taken a number of steps since the McEnany incident to tighten up reporting procedures. In California, these have included providing training to hospital physicians-in-chief and administrators about section 805, medical board, and state legal reporting requirements; launching a bimonthly internal newsletter to update hospital leaders about those requirements; and charging assistant physicians-in-chief at its hospitals with the regular monitoring of patient safety issues. "Everyone knows more now than they did back then," Anderson says.

David Swankin, president of the Washington, D.C.-based Citizen Advocacy Center, a nonprofit that helps train and support public or non-healthcare professionals who serve on healthcare regulatory agencies and boards as consumer advocates, has studied this issue for years and is convinced that new measures are needed. But he doubts that it's possible to write legislation broad enough to stop doctors and hospitals from evading the intent of legislators.

"Even if you tightened up the laws, you have such a cultural aversion to reporting that you couldn't get rid of all the loopholes," Swankin says. The Citizen Advocacy Center continues to believe that mandatory reporting is necessary "for the really bad guys" among the physician community. Some are unable or unwilling to practice medicine safely and responsibly, he argues, and says "if a hospital takes away my privileges [as a doctor], they've obviously given up on me."

But many cases aren't that clear-cut, Swankin says, and for these "middle ground" situations, the center is now proposing a remediation program designed to identify and work with potential problem doctors before they injure patients and destroy their medical careers. The proposal has already won support from state medical boards in California, Minnesota, Missouri, North Carolina, Oregon and Rhode Island, along with nursing boards in seven states.

Swankin's proposed compromise comes after congressional attempts to give consumers access to the National Practitioners Data Bank's reports fizzled last year. A similar effort is under way in California, where proposed legislation by State Senator Liz Figueroa (D-Fremont) could raise penalties from $10,000 to $100,000 for intentional failures to report peer-review actions to the medical board in an attempt to prod hospitals into taking reporting requirements more seriously.

Figueroa and others are convinced that steeper penalties, possibly in conjunction with remediation and other efforts, are needed.

"Hospitals are absorbing fines as a cost of doing business and they put the burden on us [critics of current reporting standards] to prove that there's harm," argues D'Angelo Fellmeth. But she admits that critics of the current peer-review process so far have had trouble gaining much traction. "When you're going up against the AMA, the AHA and the AWAHP with a group of underfunded consumer groups, you're not going to get very far."

Chris Rauber is senior editor with HealthLeaders.
Ethics Expert Makes Mark on Bench

Judge’s ‘Labor of Love’ Focuses on Improving Judicial System

By Peter Blumberg
Daily Journal Staff Writer

SAN FRANCISCO — Appellate Justice Ignazio Ruvolo is quietly but quickly making his mark on every courtroom in California.

Judicial ethics? Ruvolo chairs a committee that advises jurists throughout the state how to avoid impropriety.

Jury instructions? Ruvolo serves on a task force that’s rewriting the entire book of bench instructions used in civil litigation.

Rules of court? Ruvolo sits on the committee that’s working on a systematic overhaul of statewide appellate procedures.

Appellate mediation? The successful pilot program Ruvolo oversees in San Francisco is poised to become a model for the rest of the state.

And that’s just what Ruvolo does in his spare time, along with fly-fishing and teaching law-school classes.

Since December 1996, Ruvolo, 54, has been a justice on the 1st District Court of Appeal. He was appointed by Republican Gov. Pete Wilson.

Ruvolo described his extracurricular focus on the rules of judging as a labor of love.

“I want to make whatever small contribution I can in the finite number of years available to improve the functioning of the judicial system,” the appellate justice said.

“I am occasionally surprised by the issues that come up because it’s amazing they haven’t been answered yet,” he said.
Improving on Court

he's a appellate lawyer's dream.

"I have been doing appellate law for 25 years, and I would say he really stands out," Daniel U. Smith of Kentfield said.

"He's bright, he's prepared, he's courteous to the attorneys. He knows the law and follows it without imposing his own agenda."

Jon Eisenberg, a former staff attorney now with Horvitz & Levy in Oakland, said Ruvolo clearly "loves the law" because he's actively engaged in questioning attorneys during oral arguments.

"I think he genuinely enjoys wrestling with a tough legal issue," Eisenberg said.

Ruvolo has confronted some difficult cases and produced some headline-grabbing opinions.

In 1997, he ruled that a premises owner who hires an independent contractor can be held liable if the owner's negligence contributed to injuries suffered by the contractor's employee. In that case, the contractor's employee sued Tosco Corp. for exposure to cancer-causing asbestos at Tosco's oil refinery in Contra Costa County. *Grahn v. Tosco*, 58 Cal.App.4th 1373 (Cal. App. 1st Dist. 1997).


That year, Ruvolo also set a statewide precedent, upheld by the California Supreme Court, when he ruled that police have no duty to act with care to prevent a suicide. His opinion overturned a jury's award of nearly $4 million to the family of a man who killed himself in a confrontation with Fremont police. *Adams v. City of Fremont*, 68 Cal.App.4th 243 (Cal. App. 1st Dist. 1998).

In 1999, in an unpublished opinion, Ruvolo set aside a double-murder conviction after concluding a trial judge didn't take seriously enough the defendant's complaints about his lawyer. *People v. Miller*, A079043.

In 2000, he allowed a man to sue the Boy Scouts for failing to protect him from molestation 10 years earlier. The California Supreme Court upheld that decision, although some lawyers said that it contradicts case authority in other states on the duty of care. *Juarez v. Boy Scouts of Amer-


"With the privilege of being able to contribute directly to the moral and spiritual development of millions of American youths comes some legal responsibility," Ruvolo wrote.

Ruvolo said he learned a lot about the Boy Scouts organization during the litigation.

"They are pretty proactive in the way they recognize that sexual abuse is an issue," he said. "They took steps to deal with it. The problem is whether there's a breakdown in that system, and if there is, could they be sued because of it."

Ruvolo said he sometimes misses trial court, which he served on from 1994 to 1996 in Contra Costa County.

He enjoyed "the excitement of seeing the witnesses, the drama of the process and the fast pace of making decisions on the spot."

He volunteered last summer to make a brief return to the understaffed trial court, sitting through a two-week-long robbery case that ended with a plea bargain.

"Then again," he said, "it's not like I pine to go back."

Ruvolo's passion for legal ethics, first as a lawyer and later as a judge, has taken him from the State Bar's professional responsibility and conduct committee to the same committee on the American Bar Association. Now, he serves as chairman of the ethics committee for the California Judges Association.

Ruvolo's predecessor, Julie Conger, said working with him "was such a delight last year, when she was chairwoman and he was vice chair, that she asked to stay on the committee an extra year."

"In every single issue that was addressed, he approached it with dedication and thoroughness," Conger, a judge on the Alameda County Superior Court, said.

"He looked at all sides of the issue, he listened to all points of view and came up with a well-reasoned position. It was very clear from the moment he joined the ethics committee that he was assuming a position of leadership," she said.

Ruvolo worked on the ethics committee's day-to-day tasks — answering "hot line" phone calls from judges facing dilemmas and drafting advisory opinions on generic ethics issues — while also taking charge of drafting a brochure providing an instant reference guide for candidates in judicial elections.

"The ethics work for judicial officers who truly want to do the right thing has the highest extracurricular priority for me," Ruvolo said. "A lot of times, the judges have worked through the issues but just want another set of eyes."

Ruvolo also supervises the appeals court's appellate mediation program, an experiment launched in June 1999 aimed at allowing parties to settle cases faster and cheaper than the court can resolve them.

As of early June, the program had a 44 percent success rate: 83 settlements and four partial settlements out of 195 cases that have gone through the complete mediation process. An additional 80 cases are in the process.

Staff attorney John Toker, who coordinates the program, called Ruvolo "the guiding hand, the wise man."

"He's got great common sense and a lot of legal experience," Toker said.

Ruvolo described the program as "the last frontier for alternative dispute resolution. Early on, he was concerned that mediation might 'retard development of stare decisis' by reducing the number of published opinions.

"But the cases that have been successful in mediation by and large do not involve issues of unsettled law," he said.

Always a stickler for ethics, Ruvolo said he helps shape the policies behind the mediation program but never gets involved in the mediation process.

"We don't want anyone in the cases to feel that information from the mediation is getting back to the judges," he said.

Peter Blumberg's e-mail address is peter.blumberg@dailyjournal.com.
HAYES SIMPSON ATTORNEY RECEIVES PRO BONO AWARD

The California State Bar has awarded C. Hartzog Clamon, an insurance defense associate at Hayes Simpson Greene in San Diego, its Legal Aid Society's Wiley M. Manual Pro Bono Service Award.

The award honors individuals who have donated a significant amount of time and effort to providing legal services to those who cannot afford them.

Clamon, 34, received the award June 29 at the Legal Aid Society's Volunteer Appreciation Luncheon.

Clamon became involved in the Legal Aid Society while attending the University of San Diego School of Law. He began his volunteer work helping AIDS patients with estate planning and tax issues. He was also instrumental in setting up his firm's pro bono program.

"For the most part I represent developers in construction-defect cases. The volunteer stuff is what I do to save my soul," Clamon says of his volunteer work.

Clamon was quick to note that he is one of many people at his firm who do tremendous things for the community.

"I received the award and that was nice, but there are others who donate a great deal of their time and who are great human beings," he says.

That fact has not gone unnoticed. At the same appreciation luncheon, the State Bar also named Hayes Simpson Greene the Legal Aid Pro Bono Program Outstanding Law Firm for 2001.

Managing partner Rob Hayes says the firm "is proud to be recognized by the Legal Aid Society for the commitment of our lawyers to the community."
### DOCTOR'S DEGREE
University of the Sciences
Jagruti Suryakant Amin, Scranton; Jill Marie Astolfi, Jessup; Michael Cuzzo, Factoryville; Shana L. Digwood, Old Forge; Beth Ann Ebert, Moscow.

### MASTER'S DEGREE
College Misericordia
Erika Talarico, Crystal Lake; Amy Brill and Kristen Topa, both of Scranton; Renee Gregori Zebel, Throop.

University of San Diego School of Law
John V. Fisher, Laflin.

University of the Sciences
Amanda Marie Black, Carbondale; Kathleen Thomson Cooney, Scranton; Jill A. Kucharski, Mayfield.

### BACHELOR'S DEGREE
College Misericordia
Mark Sakson, Jessup; Harold L. Empett, Susan Pipitone and Gall Wnorowski, all of New Milford; Matthew McGurrin and JoAnn Siekierka, both of Scranton; Mark Mazak, Throop.

Syracuse University
Kathleen Giles, Scranton; Ian Heim, Moscow.

University of the Sciences
Alicia Maria Giacometti, Old Forge; Joseph George Grizzanti, Carbondale; Sara E. Mead, Moscow; Edward M. Waibel, Carbondale; Robert Joseph Wiggins, Simpson

### ASSOCIATE'S DEGREE
Lincoln Technical Institute
Robert Baldrica Jr., Pittston; Alan Karpavich, Inkerman.
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SCHOOL OF NURSING
The University of San Diego offers innovative program to address the region's nursing shortage

The nursing shortage is not new to California and once again the state is experiencing another crisis. The shortage is critical, complex and concerning to advocates of health care.

Currently, 30,000 RNs are needed to care for patients in California facilities. In fact, California has the lowest proportion of registered nurses to the general population in the nation.

To assist with the nursing shortage, the University of San Diego is implementing a Masters Entry Program in Nursing (MEPN). This program is intended for individuals with a bachelor's degree in another discipline seeking a new career in nursing.

Students will enroll annually beginning in June. The first year of the MEPN program is demanding, as it provides the student with a general foundation in nursing. After successful completion of both the nursing courses and clinical requirements, the student is eligible to take the National Council Licensure Examination (NCLEX) for registered nursing licensure. The remaining two years of the program are spent preparing the graduate student for a master's degree in a specialty area.

Graduates of this program will be positioned to assume roles in both acute care and ambulatory care settings.

Dr. Janet A. Rodgers, Dean of the Hahn School of Nursing and Health Science explains that "USD is in an excellent position to help close the gap of the 750 nursing positions presently available in San Diego and Imperial Counties. Students in the MEPN program will be able to work as a registered nurses after completing their first year of their three-year program."

For information on this program, call (619) 260-4548.
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OTHER USD RELATED NEWS
Global Peace Gets a Push From New Kroc Institute

Education: USD Facility Could Be Setting for International Disputes

BY MIKE ALLEN
Senior Reporter

The newly completed Joan Kroc Institute for Peace and Justice at the University of San Diego could become a center for resolving international and domestic disputes.

Of course, building a reputation as a global mediation center will take time, but in many ways the Kroc center already has made an impact.

"There is nothing like this west of the Mississippi," said institute director Joyce Neu, who was hired about a year ago. "While there may be dozens of peace programs at other universities, very few of them have their own facility."

The $30 million Kroc center is not only a site for study and research on the issues of peace, conflict and social justice, but a place where actual mediation between parties can take place, Neu said.

Peace agreements such as the 1993 Oslo accord between Israel and the Palestinians succeeded because the parties were able to negotiate the main terms at a neutral site, well below the radar screen of the public, Neu said.

A popular site for international negotiations and a potential model for the Kroc Institute is Geneva, she added.

One reason foreign officials may want to negotiate terms in San Diego is those involved in the negotiating process put their lives at risk, and seek locations far from extremists, she said.

International negotiations usually are conducted by representatives of heads of state such as foreign ministers, deputy foreign ministers or chiefs of staff, said Neu, who has experience in such matters.

Before her appointment as director, Neu spent eight and a half years as the senior associate director at the Carter Center in Atlanta.

Neu, who has a doctorate in linguistics, has been involved in a number of international negotiations, including the war in Bosnia and a border dispute between Uganda and Sudan.

Multiple Uses

But the mediation that may occur at the Kroc Institute could also involve local governments or disputes involving corporations or public and private agencies or entities, said Frank Lazarus, USD's provost and vice president.

The center could also be used as a place where public or private groups could hold seminars or conferences, Lazarus said.

"The ultimate goal for the institute is to promote peace and social justice in areas where there's a need for that kind of support," he said.

Neu said she was attracted to her new job because, unlike the Carter Center, it also contained educational and research components.

The institute will offer a master of arts degree in peace and justice, as well as undergraduate courses beginning next year. The idea is to attract students who are returning for advanced training.

The classes could be applied to a variety of jobs in different arenas, including government, nonprofit organizations, or even in the private sector in human relations, she said.

Serene Setting

The 92,000-square-foot institute was funded mainly by a $25 million donation from Kroc, widow of McDonald's founder Ray Kroc and an outspoken peace advocate.

Overlooking Mission Bay, the structure contains a 320-seat auditorium, distance learning center, classrooms, faculty offices, and an adjoining three-unit apartment that may be used by visiting scholars or officials.

The style of the architecture is Romantic revival and fits in well with the surrounding buildings on the campus, Lazarus said. The architect was Carrier Johnson of San Diego and the contractor was Rudolph & Sletten, Inc.

While its doors have yet to officially open, Neu said she's already been contacted by people of two nations where armed conflict is occurring: Sri Lanka and the Republic of Congo.

The first important events on the institute's schedule is its dedication in December and the Kyoto Laureate Symposium in February.

Prize Winners

The latter event, Feb. 5-8, is a four-day celebration of the lives of the 2001 Kyoto Prize winners, who were announced last month. The Kyoto Prize is similar to the Nobel Prize.

The Inamori Foundation, the nonprofit organization founded by Kazuo Inamori, chairman and founder of Kyocera Corp., and the originator of the prizes, provided a grant of about $500,000 toward establishing the annual symposium at USD for three years.
Laureates Pursue World Peace in Their Professions

Recent Kyoto Prize Winners to Speak at USD

BY GIG PATTA
Research Director

In the pursuit of worldwide peace, the 2001 Kyoto Prize laureates will discuss their lifetime works and achievements at the inaugural Kyoto Laureate Symposium at the Joan B. Kroc Institute For Peace and Justice on the University of San Diego campus next year.

The symposium, to be held Feb. 5-8 next year, will be hosted by the Inamori Foundation in Kyoto, Japan, and USD.

"The symposium will let people in the United States and the rest of the world hear the laureates talk about their life's work and contributions to peace," said Joyce Neu, director of the IPJ. "This may be the start of communication in their professional fields."

The Kyoto Prize winners announced last month are: Morton Panish, a physical chemist at Bell Laboratories in Murray Hill, N.J.; Izuo Hayashi, a physicist and member of the Engineering Academy of Japan; Zhores Ivanovich Alferov, a physicist and vice president of the Russia Academy of Sciences for the field of advanced technology; John Maynard Smith, professor emeritus of the University of Sussex in the United Kingdom for basic sciences; and Gyorgy Ligeti, a composer in Austria for arts and philosophy.

In advanced technology, Panish, Hayashi, and Alferov contributed to develop optoelectronic technology by achieving the continuous wave operation of semiconductor lasers at room temperature.

* Paving The Way For Technology

According to a press release, their work helped pave the way for a new era of information technology by laying the necessary foundation for fiber-optic communications networks, compact disc players and laser printers.

Smith was awarded the Kyoto Prize with his contributions towards the understanding of fundamental issues in evolutionary biology, including the social activities of organisms and evolution of sexual reproduction. He also proposed the idea of the evolutionary stable strategy.

In the arts and philosophy category, Ligeti established his own unique musical style that fascinates people with its rich sound and fullness of human feeling. His composition called, "Atmospheres," was featured in the "2001: A Space Odyssey" movie.

According to Neu, the award winners were selected for their work contributions to society. In science, there was a connection with technology and peace, and in the arts the winners made impressionable statements on what humans should be striving for in life.

"Many of these accomplishments deal with the issues of philosophy and ethics," Neu said. "Many artists and scientists need to address these issues in the future."

As part of receiving these awards, the laureates are asked to speak in San Diego during the symposium. In addition, well-known scholars in each award categories will be part of the discussion panel with the laureate.

* Awards Ceremony Set For November

Although the prize winners were announced last month, the laureates will receive their Kyoto Prize in Kyoto, Japan, on Nov. 10 at the Inamori Foundation's annual prize presentation ceremonies. The Kyoto Prize medal in each prize category is made of 20-karat gold and includes a cash gift of up to 50 million yen, or about $410,000 in the United States.

"We hope to draw very fine thinkers to one place for discussion," she said.

The Inamori Foundation was established by Kazuo Inamori, founder and chairman emeritus of Kyocera Corp., which has a division in San Diego. The Kyoto Prizes were founded in 1985 based on the belief that human beings have no higher calling than to strive for the greater good of humankind and the balance between scientific development and psychological maturity.

IPJ was founded with a $25 million gift from Joan B. Kroc, a San Diego philanthropist, dedicated to educate, research and forge paths to peace and justice. The 90,000-square-foot building is scheduled for completion in August on the USD campus and will accept its first graduate students for admission in the fall of 2002.
USD Adds Peer Advisory Groups To Family Business Forum

By JODI WATERHOUSE
University of San Diego

As it celebrates its 10th anniversary this fall, the University of San Diego Family Business Forum is offering a new benefit for its members — a peer advisory program.

Other university-based Family Business Forums around the country have successfully used peer advisory groups. They bring the families together quarterly with a facilitator, in a confidential, intimate setting with other family business owners to discuss critical issues that are affecting the operation of the family enterprise. This gives them a platform to convene for a frank discussion of the issues facing family-owned businesses.

USD's Family Business Forum, one of the University's continuing education programs, is a recognized leader in the field of family business and the only university-based resource of its kind in San Diego. The USD Family Business Forum is a member organization made up of the owner or senior generation and the successor or junior generation of family members as well as non-family-member managers. Many of the largest and most successful family-owned and operated businesses in the San Diego area participate in our program, including Anthony's Family Seafood Group, Coffee Ambassador Inc. and Waxie Sanitary Supply.

The Forum's new Peer Advisory Group will be just one part of an exciting year, as the forum celebrates its 10th anniversary with special events, including the Inaugural Family Business of the Year Awards on Sept. 19 at the San Diego Hyatt Hotel. In addition, the forum offers 10 executive breakfasts and four Peer Advisory Group breakfasts per year for one membership fee.

Is your business family-owned? If so, you are part of the backbone of the U.S. economy. Although no exact census has been taken, it has been estimated that if one-person organizations are included as family businesses, as many as 95 percent of all businesses in America are family-owned or family-dominated firms. If one-person firms are not counted as family firms, estimates suggest that 60 percent of all businesses in America involve multiple members of the same family in top management or ownership of the firm. In San Diego, these numbers are even higher because it is a community dominated by family-owned businesses, not Fortune 500 corporate headquarters.

But, as important as family-owned businesses are to the economy, many are unprepared for the challenges they may face in the future. Fewer than 30 percent of all family-owned businesses survive the transfer to the second generation and fewer than 10 percent of all family-owned businesses survive to the third. More than 60 percent of all family-owned businesses do not have a clear, well-articulated succession plan.

But, USD's Family Business Forum can help you with these issues. The forum helps families deal with many important issues including: management and ownership succession planning; estate planning; compensation of family members vs. nonfamily members; training and evaluating family members; resolving conflict within the family and the business; developing structures for resolving family and business conflicts, such as family councils and retreats; and selecting, recruiting and utilizing outside board members.

All of the breakfast programs look at business issues as they relate to family-owned businesses so that members can go back to their family enterprises and apply immediately what they have learned.

The USD Family Business Forum is also supported by sponsors who understand the importance of family-owned businesses to San Diego's economy. In addition to their significant financial support, the sponsors actively serve on committees, contribute significant time, provide valuable input on the planning of programs, recruit new members and serve as a Board of Advisors for the Family Business Forum.

The forum's sponsors include: Barney & Barney, a full service insurance agency since 1909; Luce, Forward, Hamilton & Scripps LLP, San Diego's oldest and largest law firm; RSM McGladrey Inc., one of the nation's top business consulting firms; and Union Bank of California, a leader in business banking.

Your family-owned business can benefit from membership in the Family Business Forum. Memberships are available at a variety of levels, starting at $150 a year. Family Business Forum members also are invited to join BusinessLink USD for an additional $500 above their annual membership fee. BusinessLink USD is the University's Corporate Associates program.

For more information about the USD Family Business Forum and upcoming events, contact Jodi Waterhouse at (619) 260-4231 or www.sandiego.edu/fbf.
After years of studying religious diversity in the United States, Harvard religion professor Diana Eck sees the future minted on our pennies, nickels, dimes and quarters — even on the Sacagawea dollar. *E pluribus unum.*

From many, one.

The Latin words were originally meant to signify that out of many Colonies there is one republic. But Eck believes the motto also describes how out of this one country, there are many, many religions.

So many that Eck, in her recently released book, “A New Religious America” (HarperSanFrancisco, $27), has declared the United States the most religiously diverse nation in the world.

Since 1991, when she started Harvard’s Pluralism Project, she and her re-
America is adjusting to a new identity

search assistants have searched for religious diversity from sea to shining sea.

What they found was an amazing testimony to how the waves of immigration over the last half-century have changed our spiritual landscape. Among their discoveries: a mosque rising from the cornfields of Ohio, a Hindu temple on a hillside of a Nashville suburb, a Buddhist temple in the farmland south of Minneapolis and a Sikh gurdwara in the Silicon Valley community of Fremont.

Eck gives the credit for this unprecedented pluralism to people who lived more than two centuries ago — the founders and early leaders of this country. By so firmly establishing the principle of freedom of religion, she says they set the stage for this openness.

"It came out of their own sense of diversity, and that included the spectrum of Protestants and Catholics, and of Jews, who were involved in the constitutional process as well," said the 56-year-old Eck in a telephone interview from the East Coast.

"They had a limited sense of this, but they also had the sense that if we want freedom of religion for ourselves, we cannot deny it to anyone. That's really what freedom is all about."

Take a quick tour of San Diego County and you'll see that your home is no exception to Eck's declaration of diversity.

There are an estimated 14 Muslim mosques, at least 25 Buddhist groups and several worship sites for Sikhs and Hindus. Not to mention more than two dozen Jewish congregations and pages and pages of Christian churches.

Go to Black Mountain Road and you'll find a crowded strip mall that is home to a Hindu temple, a Muslim mosque and a Christian church.

How do they get along?

"There's not any conflict," said Pandit Satish Shukla, priest at Shri Mandir Hindu temple. "We are not very close, but we are not enemy, too."

Up the freeway in Poway, the Sikh Foundation of San Diego last month began holding services in a former church that it has purchased and renovated.

Jagjit Singh Dhesi, a North County engineer, says that when he first came to the United States in 1967, he traveled 200 miles to a gurdwara, a Sikh place of worship. "Now there are gurdwaras all over the place," he said, including roughly three dozen in this state alone.

Rajdeep Singh, a graduate student who also attends the Poway gurdwara, says that some people question why he wears a turban, but when he explains that it's part of his faith, they seem to be pretty accepting. "They're more curious than insulting or offending," he said.

Farther north, Escondido is becoming an incubator of interreligious growth.

Last year, Buddhists opened Deer Park Monastery on more than 400 rural acres that used to be home to a drug rehabilitation center. In another part of the community, another Sikh group, the Sikh Society of San Diego, plans to build an East Indian-style gurdwara with golden domes. And the Hare Krishnas expect to start construction in the next 18 months on an elaborate temple and cultural center on 24 acres off Rincon Avenue.

Robert Morrill, who in 1970 became a monk in the International Society for Krishna Consciousness, says he's noticed significant changes in the way he and other devotees are treated.

"In my experience, people are a lot more open-minded," said Morrill, who lives in Pacific Beach and is now regional supervisor for this Hindu movement.

Is this diversity good for us?

"I think it's definitely a good thing," Eck said.

"It's not something that we need to be afraid of. We need to be able to engage it. We're talking here about people who are our neighbors, who have moved into our neighborhoods, whose kids go to school with our kids."

Eck quotes from former President Clinton's letter to the Sikh communities in 1998, in honor of the 529th birthday of their founder, Guru Nanak. "Religious pluralism in our nation is bringing us together in new and powerful ways," Clinton wrote.

She acknowledges that not everyone is comfortable with this shift. "Slightly alarmed," is how she describes the reaction of some Americans.

Her book includes several accounts of hate crimes, employment discrimination and neighborhood hostilities that have risen out of a lack of acceptance. But Eck is largely upbeat about the forecast, pointing to numerous examples of bridge building between communities.

After rocks were thrown at a Muslim in Springfield, Mass., Christians and Jews went to the man's mosque in a show of solidarity.

When a Hindu temple in Pittsburgh was vandalized, the temple priest countered with kindness and outreach, hiring local teen-agers to cut
the lawn, holding community classes at the temple and sending gifts each Christmas to nearby Christians. The community responded with gifts of its own to Hindus.

And after arson damaged a Jewish synagogue in Sacramento, 1,800 people of several faiths turned out for the Friday Sabbath service, which had been moved to a local theater. During that service, Methodists presented a check for $6,000.

Expect more stories like this—good ones and bad ones—as America adjusts to its new identity.

"I don't think the growing pains will likely be done with very soon," said Eck.

"Immigration will continue. Change will continue. We’re going to continue to be a society that is rethinking all the time what the e pluribus unum is—and what the unum is that unites us together."

San Diego, likewise, has shown signs of bridge building and of strain.

Last month, the annual awards dinner of the San Diego region of the National Conference for Community and Justice was opened with a prayer by a Muslim and closed with a prayer by a rabbi. In between, the dinner honored, among others, a retired Presbyterian pastor. For eight years now, the Roman Catholic-affiliated University of San Diego has hosted an annual all-faith service that features representatives of various religions coming down the center aisle in a colorful procession.

But there also are some bumps along the road to harmony.

In Kearny Mesa, the county’s largest mosque, the Islamic Center of San Diego, stands next door to Atonement Lutheran Church.

Muhammad Aquil, a businessman who attends the mosque, describes the relationship between the two facilities as “tremendously good.”

But the Lutheran pastor concedes that “it’s not always a happy existence.” There have been both good and bad encounters, said the Rev. James Jerpseth. “I wish you could say we are engaged in dialogue, but we’re not.”

And in a case that can perhaps best be described as an unfortunate misunderstanding, a Muslim woman from El Cajon last week was not allowed to take a nursing exam because she was wearing a head scarf, known as a hijab, which is worn as a sign of modesty.

An employee of the company that administers the tests says the center was only following policy set by the nursing board and that the applicant would have to get a special exemption.

But a spokeswoman for the California Board of Registered Nursing says that interpretation is “absolutely incorrect.” She says the Muslim woman will get to take the exam wearing her hijab.

While diversity is growing, Christianity remains the dominant faith. (Polls show between anywhere from about 70 percent to 8 percent of Americans consider themselves Christian.)

In Escondido, where the landscape is beginning to mirror Eck’s “new religious America,” a pastor says Christians should be more concerned about secularism and anti-religious sentiments.

“I think I welcome the fact that there are people who are committed to God in whatever way they’re committed,” says the Rev. Meg Decker, rector of Trinity Episcopal Church.

Decker added: “I have much more in common with a practicing Jew or practicing Buddhist than someone who thinks the weekends are made for going water skiing.”

Eck, who herself is a United Methodist, says learning about other religions has forced her to see her own beliefs more clearly. “I think the encounter with people of other faith makes us stronger.”

It goes back to e pluribus unum. And the realization that in this 21st century, the many paths of the world’s religions are leading to a single destination: America.
LEARNING PORTALS
FOR EDUCATION AND BEYOND

BY CYNTHIA SISTEK-CHANDLER

ACCORDING TO SRI Consulting, the online learning and institutional training market will grow to exceed $20 billion by the year 2005. What will your institution look like then? Will you partner with an online university or learning company, or use in-house specialists and your own content?

Online learning solutions for education are composed of hundreds of learning and institutional portals in three general categories: degree-granting institutions, online education entrepreneurs and public or nonprofit organizations.

DEGREE-GRA NTING INSTITUTIONS

Higher-education institutions that grant degrees and provide continuing education credit are among one of the fastest growing entities in the educational market. By 2005, the demand for e-learning will force colleges and universities to deliver more than 75 percent of their content electronically (Gartner Group, 2000). These institutions typically use commercially available e-learning technology tools for delivering their instruction. Others may use in-house proprietary tools.

Institutions who have partnered with commercially available Web-based instructional tools: California State University, San Marcos (WebCT), San Diego State University (Blackboard), University of Georgia (WebCT), Sacred Heart University in Connecticut (JonesKnowledge.com) and hundreds of others.

Dr. David Graf is executive director of technology at the Fischler Graduate School of Education and Human Services at Nova Southeastern University (Fla.). Graf and Maisie Caines, WebCT Faculty Development Specialist at College of the North Atlantic Clarenville Campus in Newfoundland, devised a course tool evaluation rubric that measures the success of online instruction at their universities. "WebCT provides us with a wonderful set of tools to deliver instruction online," noted Caines. "The Exemplary Course Project rubric is not just about the technology. Its focus is on the 'learning' within these courses aided by that technology," she said. "It is quite evident that students are actively involved in the learning process, inspired by uniquely designed assessments requiring a high degree of collaboration. These courses are constructed in such a way that students are not merely 'lurking,' but their involvement with others (students and instructor) is critical to their success."

ONLINE EDUCATION ENTREPRENEURS

Private companies who develop and resell content to educators are the online entrepreneurs of the 21st century. They build their own content delivery systems or partner with private e-learning tools companies such as Blackboard, JonesKnowledge.com, WebCT or others. Their success in the marketplace depends upon many factors but primarily on the partnerships they have developed with degree-granting institutions for continuing education credits. Are these e-learning institutions accredited? How can they provide opportunities for lifelong learning and professional growth that translate into a rise on the pay scale, certification or degree? Some companies in this category in the K-12 market: Classroom Connect Connected University, Teacher Universe, Futurekids and OnlineLearning.net.

Educational entrepreneurs who provide professional development for employees at institutions of higher education focus mainly on recertification and professional growth that translate into a rise on the pay scale, certification or degree. They cross over to the private sector and include hundreds of institutions: Pensare, UNext.com, University of Phoenix, Jones International, DigitalThink and Fathom. In this mix are also companies that offer training on proprietary systems and that have formed their own institutions such as Cisco Systems.

PUBLIC / NONPROFIT ORGANIZATIONS

National organizations, publicly funded state and county offices of
BUYING DECISIONS:

KEY ISSUES

Dr. Allison Rossett, Professor of Educational Technology, San Diego State University. "Begin by analyzing your internal capacity. What is it that you want to do with professional development? Should you build the courses and system or should you buy them? If you choose to buy, do you have a committed sponsor or source for funding, and for how long can you depend on that source? Next, evaluate the vendor to determine if they ask you the right questions. Have they worked with organizations like yours in the past? If you decide to work with an outside vendor, how willing are they to work with you to customize their system to the skills and needs of your personnel?" <arossett@mail.sdsu.edu>

Jennifer Teasley, Assistant Director of Online Teacher Education for OnlineLearning.net. "In the overall plan for professional growth, teachers choose online professional development for a variety of reasons but mainly to achieve very specific objectives. Most K-12 teachers choose online learning to obtain a clear credential or to become re-certified by an accredited university. Teachers look at the overall value of services and support the provider has to offer to enhance their professional growth and development." <jteasley@onlineteaching.net>

Sue Talley, Lecturer, Graduate School of Education and Psychology, Pepperdine University. "Examine the training history and credentials of online guides or coaches, the quality of the course content, and the emphasis on dialogue among participants. The online course provider should be able to tell you if their guides are trained to mentor others online and describe how their courses were developed (who wrote them, who reviewed them). Finally, as a consumer you should be able to preview the tools that are incorporated into the online course that not only deliver content but that also encourage dialogue. For most courses, the dialogue will be as important, if not more important, than the actual content." <sue.talley@pepperdine.edu>

Alicia Maria Gallegos-Butters, Assistant Manager, Employee Development and Compensation, University of San Diego. "We offer many courses for our university personnel and students. Some of our folks on campus need to renew their certification every five years, so it is important to offer courses that help prepare them for re-certification for the CPA exam. We evaluate based on what type of skills are offered, hard or soft. What is the cost per enrollment of user, does the tool have limitations on enrollment? Does the tool specialize in higher education?" <alicia@sanDiego.edu>

Lance Stallworth, Project Director for Technology Integration, Spring Branch ISD, Dept. of Instructional Technology, Houston. "First, look for an agreement on philosophy. For our grant, we were looking for a tool that would integrate content in a constructivist manner. If the tool only provides skills training, we can provide that in-house. On the issue of time management and structure, the provider should offer a wide variety of courses that meet the various needs of teachers and structure the delivery so that it fits the lives of a busy teaching schedule. One last thing: Course projects need to be portable and applicable so that teachers are developing tools that have a direct and immediate impact on their teaching and on student learning." <stallwo@spring-branch.isd.tenet.edu>

education provide free or reduced-cost classes for continuing education credits or higher-education degrees. Examples of publicly funded groups that offer professional development for educators in K-12 education: California Technology Assistance Project (CTAP), funded by the California Department of Education; New York-based Teach Net; 4teachers.org funded by the University of Kansas; High Plains Regional Technology in Education Consortium and the South Central Regional Technology in Education Consortium; Pennsylvania’s Academy PA; and the Wisconsin Instructional Design System (WIDS).

One of most successful professional development organizations in the U.S., CTAP provides courses to over 20,000 educators throughout the state of California. Originally, CTAP partnered with a tool-based company, but in 2000 decided to build their own. Paul Haas is director of the Butte County Office of Education Center for Distributed Learning, "In order to provide a robust interface," said Haas, "we chose a cold fusion from end, which allowed us to increase the number of users and course offerings to educators."

In 1993, the Wisconsin Technical College System Foundation and the 16 Wisconsin Technical Colleges formed a partnership to create a high-technology performance-based system. WIDS provides tools and training services for professional development that focus on the educational and corporate training markets. They use a front-end assessment, and courses are portal online by partner JonesKnowledge.com.

Some publicly funded higher-education resources from California for community college districts include Community Connect eBus from the Community College Foundation and the California Virtual Campus.
higher education online throughout California. In collaboration with the four regional CVC centers and @ONE, the PDC assists faculty, administration and institutions in the development of online course programs, policy and planning, focusing on the needs of California community colleges.

Another California-based organization, Faculty.org, provides professional development opportunities to faculty employed by the California Community College Districts. While there are many publicly funded resources for K-12, there are few directly targeted at higher-education institutions.

**QUESTION AREAS FOR YOUR ONLINE PROFESSIONAL DEVELOPMENT PROVIDER:**

1. Co-mingling or Customization of Resources. Partner with an existing tool or institution to deliver resources? Buy provider’s system or customize the tool?
2. Content. Create your own? If not, does content to be purchased meet needs? Who develops the content?
3. Delivery System. Host: your institution or their company? Do they provide training, staff development and technical expertise, or will you need to hire staff to support the tool?
4. Structure of Delivered Courses. Stand-alone, moderated, or instructor led? Adult learning styles addressed in delivery? Online, offline or hybrid?
5. Reach All Learners. Does the provider offer opportunities for certified and non-certified learners?
6. Management of Resources by the Administrator. How much flexibility and control do administrators have? Can administration add or delete, create or modify system groups?
7. Report Generation on Users/Students. What kind of reports can be generated?
8. Evaluation or Assessment. How is coursework and progress monitored and evaluated? Can administrators create evaluation tools within the system?
9. Community of Learners. Can users build a group of individuals interested in a topic or subject?
10. Partnerships and Strategic Alliances. How’s the provider support for students and instructors?

**TREND TOWARD EFFECTIVE TIME MANAGEMENT**

"There are a lot of ways to deliver content but not enough time in the day to reach all site personnel," said Rem Jackson, a vice president of Classroom Connect and the Connected University. "The typical school day is not organized to accommodate needs of the learners, or the best time to learn, but mostly how they will apply and adapt new learning into the context of the classroom." When you take a course through Connected University, teachers are required to collaborate and to produce a digital artifact that is meaningful and usable. "When you are working with Excel, you are creating things that are useful in the classroom like a classroom budget or a gradebook, not a profit- and-loss statement," said Jackson. He sums up the ideal online experience as "one that leverages time and resources. It is delivered hands on or site based, where the learners move together as a group, can meet face-to-face or online every day or every week to share ideas and experiences as a community of learners."

**BLENDED SOLUTIONS FOR THE FUTURE**

The North Central Regional Educational Laboratory (NCREL), a think tank and research institute for issues in educational technology reports, "Too often, professional development has focused primarily on helping teachers and administrators develop isolated skills and strategies for improving one or another aspect of the educational process. Discrete skills - one class here, one class there - teach skills in isolation, and learning online sometimes means learning in isolation, but it doesn't have to."

There is a dramatic demand to increase lifelong learning opportunities. For online learning to be a successful mode of instruction, the learner needs to receive customized curriculum addressing their learning style and individual professional growth. Business refers to this model as "blended" - online and offline, anytime, anywhere, to anyone at a low cost, from an accredited or credible institution of learning. Online products only have so much bandwidth. With a blended solution, the face-to-face component of professional development does not disappear; it is maximized. Where will your institution be in 2005?"
Leader a perfect description for Class of '51 member

NORWALK — Dr. Joseph Corey has held privileges as a surgeon at Norwalk Hospital since 1964.

By FRANCIS X. FAY JR.
Hour Senior Writer

It might not be expected of an only son in a family of four children, and the youngest at that, but Dr. Joseph M. Corey has long been looked upon as a leader.

The quality was recognized a half century ago when his Norwalk High School classmates elected him president, and he will exercise that office again this weekend when the Class of 51 celebrates its 50th anniversary. "He's a born leader," said Dr. Alexander J. Rissolo, a Norwalk dentist, classmate and close friend. "I've known him since junior high school and he's always been a prince of a man."

The president expects 78 of the 294 who received their diplomas on that warm night of June 18, 1951, to attend one or both of the events slated — a barbecue from 4 p.m. to whenever Saturday night at Cranbury Park and a brunch from 1 p.m. to whenever Sunday at Shore & Country Club. This will be the second consecutive NHS 50th anniversary reunion class to eschew the traditional formal dinner dance in favor of the less formal approach.

"Recent experience indicates people mix more easily and are able to talk with more classmates at informal events," said Dr. Corey. He said this week on the screened back porch of the home at 26 Bettswood Road in which he and his wife, Ellen Flatley Corey, raised six daughters.

"It's too big for us now," he said by way of explanation. (The house and its five bedrooms went on the market last week.)

Dr. Corey will continue practicing at 40 Cross St. as a senior attending surgeon at Norwalk Hospital where he's held privileges since 1964.

"He's been a pillar of the medical profession in Norwalk since his appointment here," said Dr. Horace Laffaye, chief of the Department of Surgery. "His service has been exemplary, treating his patients with compassion and the highest standards of medical expertise. 'Gentleman' is a word often used to describe him. He has been chairman of the Patient Care Evaluation Committee since 1980, and that is the most important committee of all in the Department of Surgery."

Dr. Corey had decided on a career in surgery during his rotating internship and pursued the specialty during four years of residency at St. Vincent Hospital in Worcester, Mass. He returned to Norwalk in 1964 and in 1965 began a 32-year partnership with Dr. John Piro, another general surgeon who retired in 1997.
For some years, Dr. Corey has specialized in access surgery to help other physicians hook into veins and arteries for hemodialysis of patients with kidney failure. He does it by arterIALIZing veins in one- to two-hour operations that provide a pressurized blood flow.

"We have people with kidney failure living normal lives for more than 20 years with hemodialysis," he said. "We do it by accessing new locations on the arms and sometimes the legs as the body gradually breaks down the original access."

Dr. Corey was awarded the Distinguished Service Award of the Department of Surgery Brookline, Mass., in training at St. Elizabeth Hospital in Brighton. They married in 1959 and their first daughter, Marybeth Corey, was born a year later. She is now a vice president with BBDO Advertising in New York City. The five other daughters followed within the decade of the '60s, Ann Marie Corey, an early childhood teacher in Westminster, Colorado; Ellen Corey, currently on a nationwide tour with her husband, William, a special education teacher; Kim's middle name was derived from her birth in Seoul, Korea, while her father was serving with the U.S. Army Medical Corps in 1967.

The physician-to-be was a clarinetist in secondary school bands and was also a backup player on the high school varsity football and baseball teams. His NHS classmates selected him the "Best All Around" male who had also "Done Most for the School."

"I wasn't pampered as a youngster," Dr. Corey said. "It was understood that you produced and you didn't want anything but "A's" on your report card."

The physician-to-be was a clarinetist in secondary school bands and was also a backup player on the high school varsity football and baseball teams. His NHS classmates selected him the "Best All Around" male who had also "Done Most for the School."

"Joe was a great guy in high school — outgoing, smart and personable," remembers classmate Angelina Cenatempo Breny. "He's been a great president over the years. We've always felt comfortable with him in command."

McMahon, an upper classman from Norwalk and later CIA director.) After graduating 36th in a class of 450 at Holy Cross in 1955, Dr. Corey went to Tufts University Medical School. Oddly enough, Dr. Rissolo, his Holy Cross roommate all four years, also went to Tufts, but to its dental school.

"I had thought of becoming a dentist, but when I found out that medical school was no more expensive, I decided on medicine," Dr. Corey recalled.

Being born in the midst of the Depression had impressed upon him the significance of dollar sums.

It wasn't long after matriculating at medical school that he met his wife-to-be, a nurse from...
NACUFS Interest Sessions at a Glance

This year's national conference of the National Association of College and University Food Services in Cincinnati features a host of educational and interest sessions dealing with topics related to the college and university foodservice industry. Led by college and university auxiliary services and foodservice professionals, as well as by experts from the food and foodservice industry, this year's sessions personify the slogan of the conference, "Just when you think you've seen it all!" Here is the schedule:

Wednesday, July 11, 2001
10:30-11:30 a.m.
Developing Exceptional Managers
Presenters: Michael Gratz, University of Southern California, Niki Vescovi, Vescovi Training & Consulting

The Downfall of the Freshly Made Sandwich
Presenters: John Birchfield and Bob Jacobs, Birchfield Jacobs Food Systems

Planning and Designing for the Future 2007—Stek Dinning Center, A Case Study
Presenters: Cynthia A. Zawieja, Texas A & M University; Dennis Thompson, EDI Architecture; and Chris Clements, Frank Clements Associates

Lessons Learned Along Life's Path
Presenter: Kent Dohrmann, retired university foodservice professional and NACUFS past president

NACUFS is More Than Food—Auxiliary Services Directors Unite!
Presenter: Cam Schauf, Bryn Mawr College

Meal Plan Marketing

Center Stage Events
Presenters: Jennifer Lettelleir and Ancil Drake, Indiana University

Safe Food Tools and Technology
Presenter: Mary Anne Hogue, The Steritech Group

The Truth About Fad Diets
Presenter: Sue Pierson, Princeton University

Focus Groups—What Freshmen Only Tell Their Friends About the Food on Campus
Presenters: Kim Royster and Thomas Tucker, Pulse Marketing

11:45 a.m. to 12:45 p.m.
The Write Stuff
Presenter: Jean Flood, University of Illinois

C-Store 101
Presenters: Steve Zelf, Aztec Shops—San Diego State University, and Roy Lubovsky, University of San Diego

Make Your Department Shine With a Five-Star Customer Service Incentive Program
Key Club seniors win $500 scholarships

Four Roseburg High School Key Club seniors were recently awarded $500 scholarships from the Roseburg Kiwanis Club.

Recipients are Key Club President Ida Walther, who is planning to attend the University of San Diego; Brianne Callaway, who is planning to attend dental hygienist school; Key Club Treasurer Anna Kaser, who will attend the State University of New York at Binghamton; and Ashley Garza, who is pursuing a career in education.

The Kiwanis Club scholarships are available every spring to any Key Club member in Douglas County. Both Roseburg and Douglas High School currently have active Key Clubs that are sponsored by the Roseburg Kiwanis Club. Both the Kiwanis and Key clubs are active in community service and focus on helping the youth of Douglas County.
University of San Diego

PIANO SALE

Pianos used at USD and other allocated pianos will be sold to the public Sunday, July 22, from noon to 5:00pm. This sale will enable USD to receive new pianos from the Yamaha Piano Corp. and Greene Music. Grand pianos, professional uprights, consoles and digital pianos will be offered. Many pianos will carry a manufacturer’s warranty. Brands include Yamaha, Steinway, Boston, Disklavier, Clavinova, Young Chang, Baldwin and more. Call 619-260-7530 for an appointment to preview these pianos before the public sale.

PUBLIC SALE DAY
SUN, JULY 22 • NOON-5:00PM
Preview Appointments Suggested
CALL 619-260-7530

CAMINO HALL
5998 Alcalá Park
West or Main Entrance
Off Linda Vista Road • Follow Red Signs

For Preview Appointments and Information,
Call 619-260-7530

SALES, FINANCING, & DELIVERY THROUGH
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From the border to the beaches, Neil Morgan tells it all on page A3. Sundays, Tuesdays and Thursdays in the Union-Tribune.
Brown Field proposal gets Shea as new pilot

The proposed cargo airport at Brown Field is getting a new player today as local attorney Patrick C. Shea steps in as president and CEO of the group putting together the cargo facility proposal.

It's been rumored for months that Shea, chairman of the S.D. Convention Center Corp. board, would become head of Brown Field Aviation Park LLC, a partnership backed by Lehman Bros. and Farallon Capital Management. The private group has been working for months with the Federal Aviation Administration to correct what it sees as an unfavorable interim FAA report released last October on the cargo port's potential impact on air traffic.

Shea specializes in putting together complex financial agreements and public/private partnerships. He was chairman of the S.D. Task Force on Ballpark Planning. The proposed Brown Field air commerce center, which has its share of foes, will eventually go before the S.D. City Council for a decision on approval.

On the "high" way...

There is no end to driver distraction horror stories. Paul Bowers thought he had seen it all in 26 years of driving until he...
ATHLETICS
By Whitelaw Reid
COMMUNITY SPORTS WRITER

CARLSBAD — Jake Pelletier’s plan to earn a spot on the USD football team has taken a detour.

The former La Costa Canyon High quarterback broke his fibula Monday during practice for tonight’s Alex Spanos All-Star Classic. Pelletier is scheduled for surgery today and could be sidelined up to three months.

The 6-1, 190-pounder was working as a receiver for the North team when the injury occurred.

“One guy got me from the right and another got me from the left,” Pelletier said. “I lifted my leg up and took a look at it and it was all jacked up.”

La Costa Canyon coach Darren Brown has no doubt that Pelletier can come back quickly from the injury.

He remembers last season when Pelletier had to leave a first-round playoff game against Vista because of a painful knee injury.

“I said, ‘You’re out,’” Brown said. “He said, ‘No coach, I can play.’ I said, ‘Let me see you run.’ So he ran straight and he ran back. He was just toughing it out.”

“He went back in the game, went 9-for-9, threw three touchdown passes and we won.”

Brown says Pelletier’s heroics were nothing new.

“He played injured often,” Brown said. “He’s one of the toughest guys we’ll ever see. He was just a warrior. He loved football and would do anything he could to make the team better.”

Fallbrook linebacker Sean Sovacool was one of the players in on the tackle that injured Pelletier. Sovacool and the Warriors defeated the Mavericks in the quarterfinals of last season’s CIF-San Diego Section playoffs.

“I feel bad,” Sovacool said. “I would have hated it if it was me, but it’s football and that kind of stuff happens.”

Pelletier says he was aware of the risks of taking part in an all-star game but felt it was worth it.

“I was really excited to have the chance to play with the guys on the team,” he said. “It was such an honor.”

Pelletier’s all-star teammates named him an honorary cap-
"I think coaches missed on (recruiting) him. He had a great senior year and throws the ball real well . . . ."

DARREN BROWN, La Costa Canyon football coach

"I think coaches missed on (recruiting) him," said Brown, who will coach the North squad tonight. "He had a great senior year and throws the ball real well and scrambles. I think he's really blossoming as a quarterback."

Matt Marcotte was a teammate of Pelletier's at La Costa Canyon and has known him since the two played Pop Warner together.

"He's a great leader," said Marcotte, an offensive lineman who will be playing in the Classic for the North team. "He plays with his heart. He was just fun to play with."

USD coach Kevin McGarry is glad to have Pelletier in the fold, despite his injury.

"We almost feel we're getting a two-for-one type of thing," McGarry said. "We know he can play quarterback, but he's also a very good safety. He can hit."

Pelletier says it doesn't matter where he lines up for the Toreros, who compete at the Division I-AA level and do not offer football scholarships.

"I'm going to go and step in wherever I can, at whatever position," he said. "As long as I'm out on the field it doesn't matter, just as long as I'm out there."

Pelletier, whose father was a football coach at a small college in Washington, D.C., says he isn't planning on letting an injury get in his way.

"I grew up being a ball boy for him and have always been around the game," Pelletier said. "I'll take it as far as I can because I love the game."

Whitelaw Reid can be reached at (619) 293-1829 or whitelaw.reid@uniontrib.com
Jake Pelletier, here against Castle Park last season, plans to try out at USD in the fall. File Photo / Union-Tribune
Et cetera

Matt Thompson, a former Cherry Creek athlete who is a senior at the University of San Diego, is playing lacrosse for Team USA West in Europe this summer...

Kerry Earnhardt, oldest son of the late Dale Earnhardt, will compete in the NAPA AutoCare 250 NASCAR Busch Grand National Race at Pikes Peak International Raceway in Fountain on July 27-28.
Girls of summer

Have game, will travel

Travel ball facts and figures:

WHO: Each summer, the region's elite softball and girls' basketball players join various club teams and participate at tournaments throughout the West and, often, the USA.

NUMBERS: The Amateur Softball Association (ASA) includes more than 80,000 teams and 1.3 million players playing Junior Olympic Softball.

COST: There are fees, ranging from $125-$500 to play on club teams. The major cost is in travel and transportation. Parents and players foot the bill for hotels, gasoline, meals, etc. A typical summer playing travel ball can approach $3,000.

THE PAYOFF: College scholarships are at stake. Players on elite teams say as many as 90 players per club earn scholarships.

THE SCHEDULE: There are tournaments virtually every weekend beginning in June. Teams can play as many as 8-10 tournaments and 80-90 games, including the national tournaments.

TRAVEL BALL: Seeking the highest level of competition, elite softball, basketball players take to the road in June.

By Loren Ledin

Channel Tripp remembers the days when summer and softball was as savory a combination as, say, a castor oil topping on an ice cream sundae.

"When I was younger I hated to have to practice and play during the summer," she said. "There were so many other things I'd rather be doing. My parents would have to remind me how important it was for me.

"Now that I've gotten older, my parents have left it all up to me. It's my choice and I want to be out there playing. I know if I want to have a good future in softball, I've got to get out there in the summer."

So Tripp, a senior-to-be at Rio Mesa High next fall, picks up her glove at the start of June and plays softball.

And plays and plays, deep into August.

Thousand Oaks High softball players Nicole Angelo, Sheridan Fowler and Jenni Perez, who helped lead the Lancers to the CIF-Southern Section Division II championship this spring, also routinely turn their summers into softball fest. So do esteemed talents such as Ashlee Freeman of Oaks Christian, Julie Hartnell of Cornerstone Christian and Katie Kearns of Westlake.

Top-flight area girls' basketball players, such as Courtney LaVere of Buena, Jenni Dooley of Ventura and Teresa Cooper of Simi Valley, adhere to the...
MAKING HER PITCH: Chanel Tripp, who will be a senior next year at Rio Mesa, is counting on travel ball to help her land a college scholarship.
TRAVEL BALL: Top players test skills against the best

Continued from C1

same philosophy. Sports is first in the summertime; all else can wait.

"My (club) coach says you have to give up everything," La Vere said matter-of-factly.

Like Tripp, a pitcher who figures to be one of the top players in the CIF-SS next year, there are a legion of high school athletes who devote a sizable chunk of their summers playing their sports of choice.

There are summer leagues for football, basketball, volleyball and water polo. Baseball has American Legion, and soccer offers club play and club tournaments, largely year round.

Few athletes—and their families, of course—sacrifice more during the summer months than softball and girls' basketball players, where the way of life becomes travel ball.

Boys' basketball players not only have summer leagues, they have elaborate tournaments and elite camps to showcase their skills for college coaches. Baseball players also have upper-level competition, such as the Area Code games, to perform in front of scouts.

For softball and girls' basketball players, the only sure route to a scholarship is to play travel ball. The best way to earn a scholarship is to play travel ball.

"It's the only way," said Mackenzie Vandergeest, the former La Reina High standout and a starter as a freshman this spring for the national champion University of Arizona softball team. "Coaches aren't going to come out to little Thousand Oaks or Newbury Park to see you play.

"If you want to be seen by coaches, you have to go where they are. They're all going to be at travel ball tournaments."

"There is a lot of sacrifice, but it's the only way to get a scholarship," said Angelo, who will play next year at the University of San Diego. "Coaches like to see what you can do against the best players."

Timing turns the travel ball season into the most crucial time of the year for a softball player. Since the college season coincides with the high school season, collegiate coaches rarely venture away from their own teams in the spring.

"I don't have a scholarship for college if it isn't for travel ball," said La Reina High graduate Monica Thompson, who will play next season at Columbia University. "My coaches saw me in travel ball. That's when they decided to recruit me."

Basketball players attach a similar significance to summer play.

"Definitely. If it weren't for travel ball, the coaches wouldn't see me," said Simi Valley's Cooper, who will be a senior next season with the Pioneers. "College coaches don't come to many high schools. I've got to play travel ball, to be seen. The more tournaments, the better. The more exposure you have, the better your chances for being recruited."

Rio Mesa softball coach John Velasquez said travel ball's biggest upside is landing players scholarships.

"It's not just a case of the elite players getting scholarships," he said. "The college coaches go to the tournaments and they have some-
Players turn out in droves to play summer ball. According to the Amateur Softball Association, the governing body for youth softball nationwide, more than 80,000 teams and 1.3 million players — girls and boys — are registered in the United States for ASA Junior Olympic Youth Softball.

Any girls basketball player in search of a scholarship finds her way onto a club team. Distance is no object. Buena’s LaVerne, who might be the No. 1 girls’ basketball recruit out of Ventura County next year, is playing this summer on the Colorado Hoopers, based in Denver.

“It’s just a case of better exposure,” said LaVerne, a 6-foot-3 forward who is in the process of narrowing down her list of Division I college choices. “When you play in the top tournaments, with the top players, it definitely helps in the recruiting process.”

While not every player lands on a team a time zone away, no one’s walking to practice either. In fact, the region’s top softball players invariably seek out clubs in faraway Orange County or nearby environs.

The explanation is simple enough: the top clubs play in Orange County. In current national points’ standings for the ASA’s 18-under Gold program — considered the top-shelf level in girls’ travel ball — no less than six teams from Orange County rate in the top 30. Two more clubs hail from Riverside, Gordon’s Panthers from Fullerton, are currently ranked No. 2; the Orange County Rebels are No. 8.

Vandergeest noted that six members of national champion Arizona’s starting lineup are veterans of Orange County club teams.

“The best players usually want the chance to play in the national tournament,” said Gerry Green, who coaches the Flash D’ Gold 18-under team based in San Dimas.

“The top teams offer that chance. If you have a good reputation, the good players will find you.”

No matter which club team a player might choose, the competition is a decided step up, or two, from high school.

“It’s a lot more intense,” said Angelo. “In a high school game, you might have four or five very good players. In travel ball, everybody is a very good player. The first time I started playing, I thought, ‘Oh my gosh, there are a lot of good players out there.’”

“I’ve really different,” agrees Fowler. “The competition level is a lot better. Everybody’s a scholarship-type player.”

In fact, Fowler notes that eight or nine players on her current team have already reaped scholarships. Angelo said every senior on her last team, SoCal Stealth Gold team, have earned scholarships.

Pete Ackermann, the softball coach at Oaks Christian and a former travel ball coach, said shear logistics force Ventura County players to head south.

“There’s no doubt we have the players up here to field top travel ball teams,” said Ackermann. “But that’s not enough. The top Orange County teams aren’t going to come up here to play. So our players have to go down there if they want the exposure.”

Thus every weekend is a road trip, with tournaments in Mission Viejo, Las Vegas, San Bernardino, Oregon, Colorado, etc. Last year’s 18-under gold national championship game was in Tulsa, Okla. The 18-under title game was held in St. Louis. There are national championships scheduled this year for Virginia and in the Bay Area at Hayward.

Every practice session is a $15 tankful of gas, too.

Girls’ basketball players own more homier options.

The Ventura All-Stars has long been the home for Buena’s top talent. The West Coast Waves, coached by Cal Lutheran assistant women’s coach Keith Case, currently have a home-grown roster that includes Cooper and Dooley.

Still, there are no home games. Tournament play this summer has taken the team to Arizona (twice) and to San Diego. The team will compete in Oregon beginning on Thursday.

“Sometimes, you get tired of the traveling, but I always know it’s the best thing for me,” said Cooper.

For all travel ball players, selecting — and being selected by — the ideal team is of paramount importance.

Players not only want an opportunity to play, they seek the best competition and the best opportunity to play for a national championship. In the end, it’s all about exposure.

Invariably, players must attend tryouts to land spots on elite teams. Or, reputations sometimes are enough.

Kevin Kearns, the father of Westlake’s Katie Kearns, says teamwork is essential among parents, too.

“It’s almost impossible for every parent to make every tournament, because of work schedules or whatever,” he said. “You need to rely on other parents. In every tournament my wife and I have gone to, I know we’d had two or three other girls in the room with our daughter.”

Commitment in time is one thing. Financial commitment is another. There are fees, ranging about $125 a month to play, which include uniforms, insurance, etc. The major cost comes in travel expenses, including hotel rooms, with players and their families usually footing the bill.

Kevin Kearns said that travel is not cheap.
"I would estimate that we've spent somewhere between $10,000 to $15,000 in the past few years," he said. "We've been to Wisconsin, to New Jersey; we've been all over. This year, we've already been to Colorado and Las Vegas. The good thing is we've been able to turn it into a family outing. That's the best way to make it work."

Mike Dooley estimates the costs for funding his daughter's foray into club basketball at $3,000 a year. He says parents generally find it all worth it, whether it ends in a college scholarship or merely months of enjoyment for their daughters.

"A lot of parents are doing it to get their kids a scholarship," he said. "That's not a bad thing, but I also think it's important that we're doing something we enjoy. My daughter enjoys playing basketball. We enjoy watching her play against good competition in these tournaments. "We're all having a good time."

Simi Valley's Cooper concurs. "It can be expensive, with all the traveling," she said. "But it's worth it. We're talking about a college scholarship worth $135,000."

Travel ball operates on varying degrees of pressure.
Players like to perform well to earn scholarships. Coaches like to win to reap recognition for their programs.
Recruiting top players is a favorite pastime for many coaches.
"It can get pretty intense," said Greene, who includes Cornerstone Christian's Hartnell on his team. "Winning is important, but there are lessons about life that should be important, too. We look for good players and good people, and we never want to forget about academics. On our team, everyone has to have at least a C average in school."

For players, the tensions can take their toll.
Freeman said many players prefer to move on.
"I've known a lot of players who just didn't want to do it anymore," she said. "There is a lot of pressure to do well. Not everybody wants to make that kind of commitment."
"The secret? It may be as simple as enjoying what you do."
"I enjoy it," said Angelo. "In travel ball, you go up against the best competition and that gets you ready for college. It's all been fun."

—Loren Ledin's e-mail address is ledin@insidevc.com.

"My parents have been there to drive me back and forth to practices. You really need your parents involved to make it all work."

—Chanel Tripp, Rio Mesa softball player

"It's a lot more intense. In a high school game, you might have four or five very good players. In travel ball, everybody is a very good player."

—Nicole Angelo, Former Thousand Oaks softball player, who will play at the University of San Diego next year

"I don't have a scholarship for college if it isn't for travel ball. My coaches saw me in travel ball. That's when they decided to recruit me."

—Monica Thompson, La Reina graduate, who will play at Columbia next season.
JENNI AT BAT: Jenni Perez, a graduate of Thousand Oaks, says travel ball helped to earn her a spot at UC Santa Barbara.
Ank Blalock is chasing a guy named Babe. Babe Herman, that is. While this Babe is not known for calling his shots, the former Brooklyn Dodgers outfielder etched his name in history when he hit for the cycle twice during the 1931 season. Herman is the only National League player to collect three career cycles, performing the feat a third time for the 1933 Cubs.

Hank Blalock, 20, who is in only his third season of pro baseball, obviously is stepping into the limelight, Blalock became sort of an instant celebrity and has been stalked by the media ever since. "I'm kind of speechless," he said.

"I've seen guys get hot in a series where they get nine hits or something, but never have I seen a guy dominate like Hank has done the past couple of weeks," Tulsa manager Paul Carey said. "The only sure way for him not to hit is the intentional walk."

"It's been pretty crazy," he said. "None of that has seemed to bother him because he just likes to play the game."

"He's never been one to say much," said Carey, who continued to watch reporters flock around his Rancho Bernardo junior.

"He's on a tear in his minors teammates — pitcher Matt Wheatland and catcher Scott Heard. Both ended up being first-round draft picks in 2000, Wheatland going to Detroit and Heard to Texas. The Rangers chose the 6-foot-1, 190-pound Blalock in the third round of the "99 draft. He since has earned all-star recognition in the South Atlantic League last year at Savannah (Ga.) and in the Florida State League this spring at Charlotte (N.C.), where he was batting .380 at the time of his June 20 promotion to Tulsa.

"He's never been one to say much," said Sam Blalock, Hank's uncle and coach of the successful Rancho Bernardo baseball program. "He's never gotten much publicity because we've had guys like Heard, Wheatland and Tom Caple (now at USD). None of that has seemed to bother him because he just likes to play the game."

Blalock's batting bonanza has attracted attention from ESPN, Texas Rangers radio and CNN as well as various local news outlets. The media blitz cost Blalock a bundle in his first "kangaroo court" conducted by Tulsa teammates.

"I heard he was fined for doing a cell-phone interview during pregame stretching," Brian Carroll, Tulsa's director of media relations, said with a chuckle.

Blalock said he had to shut off the phone the other night so he could get some sleep. "It's been pretty crazy," he said.

Blalock's penchant for the dramatic continues. His two-run double in the 18th inning ended a nearly six-hour marathon in a 4-2 Tulsa win at Shreveport (La.) last week.

"I've seen guys get hot in a series where they get nine hits or something, but never have I seen a guy dominate like Hank has done the past couple of weeks," Tulsa manager Paul Carey said. "The only sure way for him not to hit is the intentional walk."

"When Blalock left Charlotte, he had 27 extra-base hits in 63 games and owned the highest batting average in minor league baseball. In his first 14 games at Tulsa, Blalock has his average rise to .407 (24-for-59). "A lot of times at this level you see guys being too selective, too fine when they're at the plate," Carey said. "Not Hank. He's very aggressive, almost a free swinger. If it's close to the zone, he's going to put a good swing on it."

Carey is clearly a Blalock fan. "He's just a stud hitter," said Carey, who was Blalock's manager at Class A Savannah last season. "I wouldn't be afraid to put the 'can't-miss' tag on this guy with my name next to it."
Swimmer Charlie Allison of Leucadia says there is one thing that pushes him each time he dives into a pool.

Winning and lowering his times are important, but his main motivation is an old-fashioned sibling rivalry.

This rivalry is a bit unusual in that Charlie is 9 years old while his brother, Richard, a geologist who lives in Alaska with his wife and their 4-year-old son, is more than 20 years his senior.

"I try to have fun," Charlie says. "I like beating my old times and I like getting the medals. But I want to get more ribbons than my big brother."

Charlie will be among hundreds of children in six age groups at USD tomorrow for a daylong meet as part of the 13th annual California State Games. Opening ceremonies are tonight at 8 at Mesa College. The Olympic-style competition takes place at venues around the county through Sunday.

The brothers' mother, Janet Allison, 48, says Richard swam for Heartland in the El Cajon-La Mesa area when the family lived near San Diego State.

"Charlie's sole purpose has been to swim faster than his brother," she says. "Charlie has gone faster in strokes than his big brother."

The California Games are old hat for Charlie, who learned to swim at age 4½ and practices five mornings a week with the Rancho San Dieguito Swim Team.

He won gold medals in the 25-yard backstroke and 25 butterfly last year. He took silver in the 25 free and bronze in the 100 individual medley. In 1999, he took gold in the 25 free, silver in the 25 butterfly and bronze in the 100 IM.

This year, the 4-foot-4, 80-pounder moves to the 9-10 age group and will be swimming distances of 50 yards in the backstroke and butterfly as well as the 100 free and 100 IM.

"The biggest thing that swimming does, not just for Charlie but for everybody who sticks with it, is that it instills a huge amount of self-discipline and self-confidence," Janet Allison says.

Janet says she and husband Jerry, a referee for the San Diego-Imperial Swimming Officials Association, stress that swimming should be fun.

"If it's not, we encourage Charlie to tell us," she says. "We're not 'Little League parents.'"

No matter how he does tomorrow, Charlie is ready for his usual post-race phone call to Richard.

"I tell him, 'Hi,' " Charlie says. "Then I tell him that I got third place or something in a race. And then I say, 'I beat your time.' "

Karen Pearlman is a Union-Tribune news assistant.
Captain offers lift as Spirit gains tie 4154 USD

By Tod Leonard
STAFF WRITER

When San Diego Spirit captain Julie Foudy loaned out the captain’s armband this week, Shannon Boxx might have dropped it like a 5-pound piece of lead.

That little swath of cloth and Velcro has weighed heavily on Foudy. She has had double marking on the field and white-hot attention off the pitch, a new role with the U.S. national team, and the expectation that she has to be the leader in the WUSA's inaugural season.

Boxx, on the other hand, has had only the weight of her own lofty expectations, and the captain’s title seemed to lift the center midfielder to yet another level yesterday.

Picking up the slack for the playmaking Foudy and leading scorer Shannon MacMillan, who were away playing for the U.S. national team, Boxx fired home a brilliant pass from substitute Tara Koleski in the 86th minute to salvage a 1-1 tie with first-place New York.

It was a big point at Toroero Stadium for the Spirit (3-5-4, 13 points), which would have dropped five points back in the race for the final playoff spot five games to play.

And it seemed a just reward for Boxx, the former Notre Dame star who has been a model of consistency on a team whose play has ebbed and flowed like the tide.

"Boxxy has such high standards," Spirit coach Carlos Juarez said. "She does so much. She wins the ball. She tackles well. She gets things going.

"We need her in there. We're not the same without her."

Not that Juarez would know. Until being subbed for in the game’s closing seconds yesterday, Boxx had been the only Spirit player to be on the field for every minute of every game.

The captain’s band was well-deserved, and she accepted it with pride last Tuesday.

"For me, it was great," she said. "It means the team is behind me, that they recognize my work ethic. I feel like I'm a leader on the field anyway, but this was a great privilege."

It might not have seemed so for the first 85 minutes.

The offensive firepower was a continent away in Toronto, where MacMillan and New York’s Tiffany Milbrett — the league’s No. 2 and No. 1 scorers — were netting goals for the U.S. in a 2-2 tie with Canada.

The season-low crowd of 4,506 at USD was getting what it probably expected: a hard-fought but disorganized affair mostly limited to long balls and midfield pinball.

The Spirit had the best of the early chances, but cat-quick Power goalie Gao Hong had thwarted every chance, just as she had done in two previous shutouts of San Diego.

At the other end, the Spirit’s third-string goalie, Carly Smolak, had to be feeling pretty good. Playing because starter Jaime Pagliarulo and backup Uriska Karlsson were away on national team duty, Smolak didn’t face a shot on goal in the first 54 minutes.

But then the Power struck without warning.

Midfielder Katie Tracy’s 40-yard pass split Spirit defenders Margaret Tietjen and Riamon Tanaka, and forward Tammy Pearman blasted a running shot past a helpless Smolak.

It was Pearman who had scored the game-winner against the Spirit here on May 20.

"It seems like we’re always the ones to make a mistake of some sort," said Juarez.

But for the first time this season, the Spirit became the spoiler.

It started with Juarez’s substitution of Jen Mascaro with Koleski in the 60th minute.

A starter her entire soccer career, the 5-foot-2 Koleski has had to accept a lesser role on the Spirit, and that hasn’t been easy for the former University of Portland standout.

Juarez said he put Koleski in "because she makes things happen," and she did so with five minutes left on the clock.

Tietjen sent a long pass into the New York end, and Koleski won the ball from Sara Whalen with a hard tackle. Without looking up, she sliced a perfect pass to Boxx, who rifled in her third goal of the season.

"I definitely give (Koleski) the credit," Boxx said. "It was all heart right there, and that’s what our team was today."

**SUMMARY**

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**First Half**  - 0 scoring

**Second Half**  - 1, New York, Pearson (Tracy, 89); 2, San Diego, Boxx (Koleski, Tietjen).

**Statistics**

Goals — New York, Hong (2), Smolak (3); New York, 4-0-3; Spirit, 0-3-3; Shots — New York, 5-4-2; Spirit, 9-1-1. Fouls — New York, 0-1-0; San Diego, 2-0-2.

**Yellow Cards** — New York, none; Spirit, Montoya (89th minute, A-4-550).

**Lineups**


**San Diego** — Gao Hong, Margaret Smolak, Margaret Tanaka, Uriska Karlsson, Jaime Pagliarulo, Katie Tracy, (Emily Jones, 59), Ann Kristin Areemo, Gersenda Refler, 74, Kerry Conners, Tammy Pearson, Substitutes — (1), Spirit — Rhionom Tanaka, Kim Pickup, Fan Yuejing, Margaret Tietjen, Tani Arkenberg (Holy Pierce, 69), Jen Mascaro, Tara Koleski, 60, Shannon Boxx (Karisa Hampton, 89), Erna Meestker, Mercy Adele, Sherrill Keeter, Mary Wyczynski, 71.
Power's Tammy Pearman (16), a thorn in the side of the San Diego Spirit throughout the game, battles Margaret Tietjen for the ball during a 1-1 WUSA contest. Jim Baird / Union-Tribune

New York forward Tammy Pearman celebrates goal as Spirit's Carly Smolak is left down and out. Jim Baird / Union-Tribune
PASSPORT SHAKEOUT: The other boot dropped in Italy in the great passport scandal, where non-European Community players got forged EC passports so they wouldn’t count as their teams’ foreigner limit.

Several players and club officials received one-year bans, including Uruguay’s Alvaro Recoba (Inter Milan), Brazil’s Dida (AC Milan). And their clubs were slapped with unprecedented fines: $445,600 for AC Milan, $891,200 for Inter Milan and Lazio, and a whopping $1.34 million for Udinese (which had four players with false passports).

NOT DEAD YET: Before you write off Brazil from South American World Cup qualifying, take a look at the remaining schedule. Brazil is tied for fourth place with Uruguay at 6-4-3, with Colombia breathing down its neck at 5-4-4. The top four South American teams get automatic berths to 2002, the fifth-place team plays a home-and-home series against Australia and the sixth-place team is out. But of the three, Brazil has statistically the easiest remaining schedule. Each team has five games left, and Brazil’s opponents are a combined 25-30-10.

Colombia’s opponents are 28-27-10, Uruguay’s 32-23-10. Brazil also has three home games. Colombia has three as well, but Uruguay only two. Says Brazil coach Felipe Scolari: “The idea that we could miss out on the Cup has not entered my head.” Qualifying resumes in mid-August.

SURFIN’ USA: The San Diego Surf girls under-18s advanced to the national championships for the third straight year, beating Idaho’s Le Bois 3-0 in the regional final last week in Albuquerque, N.M. The four regional champs gather later this month in Lawrence, Ind., for the round-robin finals. The Surf won the national title last year at the under-17 level (and nearly won it two years ago at the under-16 level) and no doubt will be the favorite again.

ONLY IN SOCCER

Manchester United will make its annual off-season trip to Asia this month and on July 22 is scheduled to play the Malaysian national team in Kuala Lumpur. Sort of. The Malaysian lineup may include a couple of players who look suspiciously un-Malaysian. Saudi Arabia’s national team will be in Malaysia at the same time, and the head of Malaysia’s national team has suggested that maybe he could borrow a few Saudi players.

“To strengthen the Malaysian team,” he said.

BEST BETS

Today: MLS: Columbus at Los Angeles, 7 p.m. (Fox Sports West)

Saturday: MLS: Dallas at Columbus, 1 p.m. (ESPN)

Saturday: MLS: Kansas City at New England, 5 p.m. (ESPN2)

Saturday: A-League: San Diego Flash vs. Pittsburgh, Mesa College, 7:30 p.m.

Sunday: WUSA: San Diego Spirit vs. Boston, USD, 7 p.m. (Cox 4)
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www.sandiegospirit.com
Boston Breakers at San Diego Spirit

Site/time: USD’s Torero Stadium, 7.
TV: Live, 4 San Diego
Records: Breakers 3-5-3; Spirit 3-5-4
Outlook: The last time these teams met, here on June 9, the slumping Spirit played its best game of the season and won 3-1 (and probably should have won 6-1). But that was Boston’s third game in seven days, and this time the Breakers are well-rested, having last played two weeks ago. A Spirit win would move it within a point of fourth-place Washington (the top four teams make the playoffs). A month after giving birth to her third child, Spirit defender Joy Fawcett has returned to full training. She isn’t expected to play today but could be cleared for limited action on next week’s East Coast trip. Breakers midfielders Sherice Bartling (Grossmont High) and Allie Kemp (San Dieguito High) make their final visit to Torero Stadium this season. The Spirit signed SDSU alum Tina August as a reserve player this week.

– MARK ZEIGLER
Goal! Goal! Goal! Goal? Almost 4 for Spirit

By Mark Zeigler
STAFF WRITER

Can the Spirit play the Boston Breakers every week? Against the rest of the Women's United Soccer Association, the San Diego entry is positively mortal. Just another team struggling to score goals and prevent them, and with limited success.


The Spirit pounded the Breakers 3-1 last night before 5,739 in a game eerily reminiscent of the teams' only other meeting this season, also at USD's Torero Stadium, also by a 3-1 margin, also a clinic on how to play the beautiful game.

So the Spirit is 2-0 against Boston and has scored six goals. Against everyone else: 2-5-4 with 13 goals.

"It's a matter of matchups in any sport," said Spirit coach Carlos Juarez. "I don't know what it is, but our forwards seem to play well against them."

Take Mercy Akide, the Nigerian forward for the Spirit. She has three goals this season. All against Boston.

Two came last night, in the 39th and 61st minutes. The second came with her back to the goal, flicking her right leg and redirecting teammate Fanunjie's header over and around a Boston defender stationed on the left post.

Fellow forward Shannon MacMillan
SSPIRIT

CONTINUED FROM PAGE 1

Score would have been 4-0 but for offside

also had a big night, finishing with a goal and an assist on Shannon MacMillan T-shirt Night. Her goal, in the fifth minute, bounced off the right post and squeezed past goalkeeper Tracy Ducar.

It was that kind of night for the Spirit.

And that kind of night for the Breakers. They took 18 shots, their second-most this season, but rippled the net only when the Spirit players were celebrating a goal that was never counted.

It came in the 73rd minute and qualifies as one of the most bizarre moments of the WUSA season. Akide had magnificently connected with Sherrill Kester for an apparent 4-0 lead, only to learn the goal had been nullified by a belated offside call. Some of the Spirit players ran after referee Kari Seitz to argue. Some didn’t see the offside flag and were still celebrating. Some were standing near the sideline, having water bottles tossed to them.

The Breakers put the ball in play and raced down the field, Dagny Mellgren beating Spirit goalkeeper Jaime Pagliarulo to turn 4-0 into 3-1.

Otherwise, Pagliarulo was her usual spectacular self, recording seven saves. Combine that with an offense that pieced together passes with dizzying efficiency, and the Breakers had no chance.

The win kept the Spirit (4-5-4) in sixth place, but it tightened the standings significantly. A month after being in danger of slipping out of playoff contention, San Diego is now two points out of third place. The top four teams make the playoffs.

“Our ultimate goal is to get to the playoffs,” Juarez said. “And that’s in the picture now.”

Notes

Local products Allie Kemp (San Dieguito High) and Sherice Bartling (Grossmont High, USD) were second-half subs for Boston. Both teams were missing European players. Boston’s Maren Meinert and Betina Wiegmans helped lead Germany to its third consecutive European Championship on Saturday. In the final Germany beat Sweden, which has Spirit defender Kristin Bengtsson.

SUMMARY

Boston 3, Breakers 1


Second Half — 3, Spirit, Akide (Yunjie, MacMillan) 61st minute; 4, Boston, Mellgren (Sobrero) 73rd minute.

Stats — Goals — Boston, Ducar; Spirit, Pagliarulo. Shots — Boston, 5-13-18; Spirit, 12-4-16. Saves — Boston, 1-2-3; Spirit, 2-5-7. Fouls — Boston, 5-6-11; Spirit, 4-6-10. Offside — Boston, 0-2-2; Spirit 1-3-4. Yellow Cards — Boston, Omagbemi (27th minute); Aldama (75th minute). Spirit, None. A — 5,739.

Lineups

Boston — Tracy Ducar, Christine McCann, Kim Caullkins (Lindsay Nizgalez, 46), Heather Alomas, Kate Sobrero, Keri Raygor, Kristine Lilly, Ele Fester (Allison Kemp, 46), Dagny Mellgren, Angela Hucles, Florence Omagbemi (Sherice Bartling, 72).

Spirit moves into playoff contention

Shannon MacMillan (left) scores two goals as the Spirit defeats first-place Atlanta 3-1 before a sellout crowd of 6,155 at USD. With four games remaining, San Diego trails Philadelphia by two points in the battle for the fourth and final WUSA playoff spot.

Stephen Dunn / Allsport
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Spirit at Bay Area CyberRays

Site/Time: Spartan Stadium, San Jose / 7  Records: Spirit (4-7-4) Bay Area (8-4-4).  TV: None.

Outlook: How times change. Wasn't long ago that the Spirit and CyberRays were battling for the WUSA cellar. But the CyberRays are undefeated over their last 10 matches (7-0-3) and have vaulted into second place. The Spirit made a midseason move as well and nearly broke into the top four, which make the playoffs, but it plummeted to last place by losing both games on a recent road trip by a combined 5-0.

Bay Area coach Ian Sawyers has already clinched the season series against his wife, San Diego midfielder Julie Foudy, by going 1-0-1 in their two previous meetings, both at USD's Torero Stadium. This is their lone game up north. It is also the only Spirit match not on TV here.

~ MARK ZEIGLER
SIDELINES

By Mark Zeigler

HISTORY REPEATS: Egypt is petitioning FIFA to have last Saturday's World Cup qualifier against Algeria replayed at a neutral site, claiming its players became intimidated when the match was halted 15 minutes by unruly Algeria fans throwing bottles onto the field. Egypt had just gone ahead 1-0, and Algeria ultimately managed a 1-1 tie — a result that allowed Senegal to finish atop the five-team qualifying group and claim the group's only berth in 2002. A three-goal win by Egypt would have sent it instead. There is some precedent here, though. Before the '94 World Cup, Zimbabwe went to Egypt needing a win or a tie to advance to the next round of qualifying. It lost 2-1, then petitioned FIFA for a replay because its players were pelted with rocks and concrete by unruly Egyptian fans. FIFA agreed, and the match was replayed in Lyon, France. This time it ended in a 0-0 tie and Zimbabwe moved on instead of Egypt.

SURFING FOR SUCCESS: The San Diego Surf under-18 girls defend their national title beginning today at the Snickers U.S. Youth Championships in Lawrence, Ind. (a suburb of Indianapolis). The Surf plays the other three teams in the under-18 Final Four — GFC USA (Greenville, S.C.), HBC Magic (Huntington, N.Y.) and Michigan Hawks (Livonia, Mich.) — and the top two advance to Sunday's final. You can follow the tournament's progress online at www.youthsoccer.org.

BEST BETS

Today: Copa America: Semifinals, Mexico vs. Uruguay, 5:30 p.m. (Univision)
Tomorrow: Copa America: Semifinals, Colombia vs. Honduras, 5:30 p.m. (Univision)
Saturday: MLS: All-Star Game, 12:30 p.m. (ABC)
Saturday: A-League: San Diego Flash vs. Hershey, Mesa College, 7:30 p.m.
Sunday: Copa America: Third-place match and final, noon and 2 p.m. (Univision)
Sunday: WUSA: San Diego Spirit vs. Atlanta, USD 3 p.m. (CNN/SI)
Atlanta at Spirit

Site/time: Torero Stadium at USD, 3 p.m.

Records: Atlanta 8-2-7, Spirit 5-7-4.

TV: CNN/SI.

Tickets remaining: About 600.

Outlook: The Spirit needs a win to remain in the playoff hunt, but that will require it to do two things it hasn't all season: win back-to-back games, and beat the Beat. The Spirit is 0-2-2 following a victory, and it is 0-1-1 against the Beat (although both games were in Atlanta). Joy Fawcett will make her home debut and is expected to start in defense. She played in the midfield in Wednesday's 2-0 win against Bay Area but admittedly is more comfortable in the back.

Atlanta is 0-2-1 against sixth-place Carolina, and 8-0-6 against the rest of the WUSA. Today marks a homecoming for Beat midfielder Nikki Serlenga, a San Pasqual High alum who played on the 2000 U.S. Olympic team. Wednesday's home match against Mia Hamm and the Washington Freedom is virtually sold out.

— MARK ZEIGLER
The Beat is bringing heat in crucial game for Spirit

By Mark Zeigler
STAFF WRITER

The San Diego Spirit hosts the Atlanta Beat today at USD's Torero Stadium, and with only five games remaining in the regular season the match is crucial to the Spirit's playoff hopes.

And Atlanta has the WUSA's best record at 8-2-7.

And Atlanta's Julie Foudy has a win and a tie against the Spirit in their two previous meetings.

And none of that will provide the biggest motivation for the Spirit players today.

This will: They don't particularly care for the Beat.

"They're thugs," captain Julie Foudy said last month on ESPN's "Up Close."

The animosity dates to March, when minutes into the game Spirit defender Kim Pick-up was red-carded for a dangerous foul on Beat forward Charmaine Hooper. The intensity escalated from there, and in the second half San Diego's Mercy Akide collided with Atlanta's Marci Miller.

Broke her jaw.

In a preseason game.

Last month in Atlanta, Foudy got a yellow card late in the Beat's 3-2 win for a hard tackle on Homare Sawa, who was trying to kill the clock by putting her foot on the ball. Moments later, Cindy Parlow did the same thing and Foudy came in hard again. Parlow swung her arm back, whacked Foudy in the face and got a red card.

Part of the problem is Atlanta's home field, which is so hard and narrow that it's difficult to keep the ball inbounds. And part of the problem is the Beat itself, which true to its name likes to beat, and beat up, its opponents.

After the last match in Atlanta, Spirit coach Carlos Juarez told reporters: "It wasn't a soccer game. It was pingpong game and a WWF match."

Juarez was slightly more diplomatic yesterday, saying: "When you can't develop any rhythm because the ball keeps going out of bounds and there's so much physical play, it's not conducive to quality soccer. However, that's their style. That's how they play. You have to give them credit, because it's all about winning and they are winning.

"Our job is to deal with it."

And deal with it soon. The Spirit (5-7-4) is in seventh place and running out of time to claim one of the four playoff spots. It trails fourth-place Philadelphia (7-6-3) by five points, the equivalent of a win and two ties.

That's the bad news. The good news is that the Spirit is coming off its best result of the season — Wednesday's 2-0 road win that ended Bay Area's 10-game unbeaten streak — and essentially still controls its own destiny.

Of its five remaining games, three are against the teams it must pass: Washington, Philadelphia and Carolina. It also plays one more game than both Carolina and Washington.

In addition, the Spirit has Joy Fawcett, who on Wednesday played her first full game since giving birth to her third child last month.

"We're not out of it," said Fawcett, who scored her first goal against Bay Area. "Maybe I bring a new energy because I haven't been out here all season and I'm just so excited to be out there. I think the team was getting down on themselves because they thought we were out of it, but we're not."

Teammate Shannon MacMillan estimates Fawcett is at about 75 percent of her best.

"Joy is such a calming force for us," MacMillan said. "Julie and I tend to be a little hot-headed at times, but Joy is the type of person who is just out there doing it, leading by example, and right now we need that."
The Spirit has played the Atlanta Beat three times this season, and three times the teams have produced soccer matches that defy all logic and convention.

"Freaky things happen when we play them," Spirit coach Carlos Juarez said.

Yesterday's inventory: a severe ankle injury, a concussion, two world-class goals, three different players wearing Atlanta's captain armband, five yellow cards and — perhaps the most unusual of all — back-to-back Spirit wins for the first time.

But the only numbers the Spirit cared about were those on the Torero Stadium scoreboard and in the WUSA standings. The 3-1 win before a sellout crowd of 6,155 at USD vaulted the Spirit past two teams into fifth place.

What that means: The Spirit has life. "For a while (this season) we started thinking, 'When are things going to go our way?'" said forward Shannon Scurry, whose team is in first place and played that way for the opening 10 minutes, nearly scoring twice. One time, Homare Sawa's shot hit the intersection of the post and crossbar. Another time, Sun Wen had an apparent goal nullified by an offside call when replays indicated the ball had already crossed the goal line when (offside) teammate Charmaine Hooper touched it.

The game changed dramatically in the 13th minute, when Atlanta goalkeeper Briana Scurry collided with teammate Dayna Smith and San Diego's Tara Koleski chasing after a ball outside the penalty area. Scurry was put on a stretcher and driven off the field on the back of a golf cart with what preliminary reports said was a broken right ankle but X-rays later indicated was not.

Backup Melissa Wilson warmed up hastily and entered the match. One second after play resumed, she had allowed a goal.

Smith was called for a foul on the play when Scurry was injured, resulting in a free kick from 22 yards on the left side. It was almost exactly the same place where MacMillan scored on a free kick against Atlanta in the teams' June 17 game.

Wilson was also in goal for that. Same spot on the field. Same goalkeeper. Same result.

"I should have known where it was going," Wilson said. "Upper left." MacMillan made it 2-0 in the 54th minute, when Margaret Tietjen's long pass skipped through the legs of Atlanta defender Sharolta Nonen and left MacMillan alone against Wilson. It was MacMillan's third two-goal game of the season and raised her total to nine.

Three minutes later, Atlanta's Kylie Bivens made it 2-1 on a spectacular shot from 25 yards. But the Spirit clinched it in the 77th minute on Koleski's goal after Mercy Akide stripped the ball from Atlanta defender Amy Walsh at the top of the penalty area.

The last two Spirit scores came on the same fortuitous bounces that had eluded the team, agonizingly, so often this season.

"Earlier in the year, we would be the one who hit the post and ended up losing," said Juarez, whose team is 5-0 when it scores first. "Things seem to be changing for us. But I firmly believe you have to develop your own breaks, that you have to make things happen. And right now we're making things happen."

**Notes**

San Pasqual High alumna Nikki Serlen­ga finished the game wearing the captain's...
Spirit's Fan Yunjie (3) and Atlanta's Charmaine Hooper collide pursuing ball. John Gibbins / Union-Tribune

armband for Atlanta. Scurry had it first, then Cindy Parlow, then Serlenga after Parlow left at halftime because of a concussion from banging heads with Hooper, her teammate ... Wednesday's home game against Mia Hamm and the Washington Freedom is sold out ... Joy Fawcett made her home debut, starting at outside right defender and playing all 90 minutes ... Bente Nordby made her second start in goal for the Spirit in place of Jaime Pagliarulo, who is not injured.

**SUMMARY**

**Spirit 3, Beat 1**

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**Scoring**

First Half — 1, Spirit, MacMillan (unassisted), 22nd minute.

Second Half — 2, Spirit, MacMillan (Tiel, En, Akide) 54th minute.

1. Atlanta, Bivens (Krzykowski, Burt) 56th minute.

2. Spirit, Koleski (Akide) 77th minute.

**Statistics**

**Goalies**

- Atlanta, Scurry; Wilson; Spirit, Nordby; Pagliarulo.

**Shots**

- Atlanta, 7-5-12; Spirit, 5-6-13. 

- Atlanta, 2-2-4; Spirit, 5-3-8.

**Foul**

- Atlanta, 7-18; Spirit, 3-9-22.

**Offside**

- Atlanta, 1-2; Spirit, 1-0-1.

**Yellow Cards**

- Atlanta, Smith (11th minute); Blakie (76th minute); Spirit, Yunjie (24th minute); Boxx (31st minute); Kester (48th minute). A – 1,195.

**Lineups**

**Atlanta**

- Lisa Krzykowski, Sharolta Nonen, Darni Smith (Amy Walsh, 59), Nancy Augzytniak, Homare Sawa (Bryn Blakie, 40), Nikki Sereina, Krise Bivens, Charmaine Hooper, Cindy Parlow (c) (Emily Burt, 45), Sun Wen (Kerry Gragg, 60).

**Spirit**

- Fan Yunjie, Win Liwina, Margaret Tieljen, Julie Fawcett (Jen Mascaro (Billy Pierce, 73)), Jow Fawcett, Shannon Boxx (Francine Arkenberg, 82), Shannon MacMillan, Mercy Akide (Sherrill Kester, 81), Tara Koleski (Missy Wycinski, 2).
UCSD's last hurrah?
This could be the last summer the Chargers conduct training camp at UCSD. The club has held camp at seven locations since joining the AFL in 1960 as the Los Angeles Chargers:

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<td>Chapman College (Orange)</td>
</tr>
<tr>
<td>1961-62</td>
<td>USD</td>
</tr>
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<td>1963</td>
<td>Rough Acres Ranch (Boulevard, Calif.)</td>
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<td>1969-73</td>
<td>UC Irvine</td>
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<tr>
<td>1964-68</td>
<td>Escondido</td>
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<td>1974-75</td>
<td>USIU</td>
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<tr>
<td>1976-2001</td>
<td>UCSD</td>
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